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1.	LPDB Annual Report 2014	2014
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<b>Standards</b>		
<b>Louisiana Standards</b>		
4.	LPDB Trial Court Performance Standards	Spring 2010
5.	Louisiana Rules of Professional Conduct	July 1, 2016
6.	Standards For Indigent Defense Services In Non-Capital Cases	January 1, 1995
7.	Standards for Indigent Defense Services	June 3, 2011
<b>ABA Standards</b>		
8.	ABA Defense Function Standards	February 12, 1979
9.	ABA Standards for Criminal Justice - Providing Defense Services – Third Edition	July 1992
10.	ABA Ten Principles of a Public Defense Delivery System	February 2002
11.	ABA Eight Guidelines of Public Defense Related to Excessive Workloads	August 2009
12.	ABA Criminal Justice Section Defense Function Standard 4-1.1 – 4-8.6	N/A
<b>NLADA Standards</b>		
13.	NLADA Guidelines for Legal Defense Systems in the United States	1976
14.	NLADA Performance Guidelines for Criminal Defense Representation	2010
15.	NLADA Performance Guidelines for Criminal Defense Representation, Guideline 4.1, 8.1, 8.3, 8.6, 8.7	2011
<b>Historical Reports</b>		
16.	Summary Of Critical Reports, Studies, And Opinions Included In The Appendix	N/A
17.	Bowman - An Evaluation of Indigent Criminal Defense Services	October 1, 1974
18.	NLADA - Singer - Management Study of an Indigent Defender Program	August 1974

19.	The Spangenberg Group - Study of Indigent Defender System in Louisiana	March 12, 1992
20.	The Spangenberg Group - A Study of Operations of the Indigent Defense System in the 19th Judicial District East Baton Rouge Parish, Louisiana	October 29, 1992
21.	Jelpi P. Picou, Jr., Report: The Louisiana Indigent Defender Board	1996
22.	The Spangenberg Group - The Orleans Indigent Defender Program	1997
23.	Defending the Indigent in Southwest Louisiana	2003
24.	NLADA - In Defense of Public Access to Justice: An Assessment of Trial-Level Indigent Defense Services in Louisiana 40 Years After <i>Gideon</i>	March 2004
25.	Bernadette Jones Palombo & Jeff Sadow, LSU, The Provision of the Right to Counsel in Caddo Parish, Louisiana	July 2004
26.	Commonwealth of Kentucky Department of Public Advocacy - Justice Jeopardized Final Report	September 2005
27.	Indigent Defense in New Orleans - Stephen I. Singer	2006
28.	Nicholas L. Chiarkis et al., An Assessment of the Immediate and Longer-Term Needs of the New Orleans Public Defender System	April 10, 2006
29.	Effective Assistance of Counsel - Implementing the Louisiana Public Defender Act of 2007 - NLADA	2007
30.	Review of Caddo Parish Indigent Defense Office - Spangenberg Group	February 22, 2007
31.	Blueprint for Creating a Public Defender Office in Texas	June 2008
32.	NLADA, "Effective Assistance of Counsel Implementing the Louisiana Public Defender Act"	June 2010
33.	U.S Department Justice - Bureau of Justice Statistics - State Public Defender Programs	September 2010
34.	Louisiana Justice Coalition - Now and Later The Short and Long Term Consequences of a Louisiana Conviction	2011
35.	Report on the Evaluation of the Office of the Orleans Public Defenders	July 2012
36.	Louisiana Legislative Auditor, "Oversight of Capital Defense Services Louisiana Public Defender Board"	February 12, 2014
37.	The Public Defender Service - Fiscal Year 2015 - Congressional Budget Justification	March 10, 2014



38.	James T. Dixon, LPDB, “Criminal Justice System at a Crossroads”	October 1, 2014
39.	Supreme Court of Louisiana, 2015 Annual Report of the Judicial Council of the Supreme Court	2015
40.	James T. Dixon, LPDB, “The Louisiana Public Defender Board at the Crossroads: Ethics and Law in Public Defense,” Executive Summary	July 15, 2015
41.	American Civil Liberties Union of Louisiana, Louisiana Debtors Prisons An Appeal to Justice	August 2015
42.	VERA - Racial Disparity in Marijuana Policing in New Orleans	2016
<b>Articles</b>		
43.	Indigent Defense in New Orleans Better Than Mere Recovery	2006
44.	Find cash for proper defense	March 18, 2015
45.	The Times - Lead Prosecutor Apologizes for Role in Sending Man to Death Row	March 20, 2015
46.	TheAdvocate - Letters: Orleans Parish needs fully funded public defenders	July 8, 2015
47.	I’m a public defender. It’s impossible for me to do a good job representing my clients	September 3, 2015
48.	Orleans Public Defenders' Bombshell No new cases for us, please	November 20, 2015
49.	Orleans Public Defenders Office still short of money despite extra cash from city	November 24, 2015
50.	The Marshall Project - This Boy's Life	January 4, 2016
51.	Legal battle over public defense funding in Louisiana heats up in Orleans Parish courthouse	February 3, 2016
52.	Plaquemines Parish Public Defenders Office could shut down due to lack of state funding - New Orleans Advocate	February 16, 2016
53.	Plaquemines Parish gets \$30,000 from state for public defenders who were furloughed earlier this week	February 20, 2016
54.	Public defender’s office seeks volunteer lawyers	March 2, 2016
55.	In Louisiana, the Poor Lack Legal Defense - The New York Times	March 19, 2016
56.	Crisis in Public Defense forum scheduled Tuesday in	April 7, 2016

	Lafayette,” Advocate	
57.	Catholic News Agency - How being poor wrecks your chances of good legal representation	May 12, 2016
58.	Louisiana House rejects additional money for public defenders	May 13, 2016
59.	Louisiana’s Public Defender Crisis is Leaving Thousands Stuck in Jail with No Legal Help	May 13, 2016
60.	The Gambit - A public defense crisis in Louisiana: 33 of 42 public defenders' offices restricting client	May 25, 2016
61.	Why free lawyers shouldn’t come cheap - CSMonitor	June 18, 2016
62.	Orleans public defender wins, death penalty groups lose as state redirects indigent defense money	July 4, 2016
63.	New Orleans Who's in Jail and Why	August 2016
64.	The Pelican Post - Louisiana Locks Up More Nonviolent Offenders than Neighboring States Without Achieving Lower Crime Rates	August 25, 2016
65.	Eli Hager, Louisiana Public Defenders A Lawyer with a Pulse Will Do, The Guardian	September 8, 2016
66.	Eli Hager, For Louisiana’s defenseless poor, it’s one for all, The Guardian	September 9, 2016
67.	Eli Hager, The Human toll of America’s public defender crisis, The Guardian	September 7, 2016
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68.	The Louisiana Public Defender Board at the Crossroads: Ethics and Law in Public Defense (executive summary)	July 15, 2015
69.	Anonymous Defenders, “A White Paper Advocating an Effective Public Defender System.”	N/A
70.	Doris J. James & Lauren E. Glaze, U.S. Dep’t of Justice Bureau of Justice Statistics, NCJ 213600, Mental Health Problems of Prison and Jail Inmates	December 14, 2006
71.	Arbitrary Justice - The Power of the American Prosecutor	2007
72.	Bruce Western & Becky Pettit, Pew Charitable Trusts, Collateral Costs Incarceration’s Effect on Economic Mobility	2010
73.	U.S. Census Bureau, QuickFacts	2010 - 2015
74.	Louisiana Profile - Prison Policy Initiative	December 6, 2013

75.	Census of State and Local Law Enforcement Agencies, 2008	July 2011
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77.	Public Defense Hearing	November 7, 2012
78.	The Pew Charitable Trusts, Reducing Incarceration for Technical Violations in Louisiana	October 2014
79.	Katy Reckdahl, Mass Incarceration's Collateral Damage: The Children Left Behind	December 16, 2014
80.	Prison Policy Initiative, Prisons of Poverty	July 9, 2015
81.	LPDB - Impact of Proposed FY17 Budget Reductions	2016
82.	Bureau of Justice Statistics, U.S. Dep't of Justice, Correctional Populations in the United States 2014	January 21, 2016
83.	Mathilde Laisne et al., Vera Institute of Justice, New Orleans Who's in Jail and Why	March 2016
84.	Louisiana Correctional Control Pie Chart 2016 - Prison Policy Initiative	May 2016
85.	U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Behavioral Health Statistics and Quality, National Survey on Drug Use and Health	June 10, 2016
86.	NAACP Legal Defense and Education Fund, Inc., Death Row U.S.A.	Summer 2016
87.	Louisiana Department of Public Safety and Corrections, Briefing Book Demographics	July 2016
88.	Paul Heaton et al., The Downstream Consequences of Misdemeanor Pretrial Detention	July 2016
89.	Evaluation of Strategies to Reduce Louisiana's Incarceration Rate and Costs for Nonviolent Offenders	August 2016
90.	Kevin Kane, The Pelican Institute, Louisiana Locks Up More Nonviolent Offenders Than Neighboring States Without Achieving Lower Crime Rates	August 25, 2016
91.	Daryl G. Purpera, Louisiana Legislative Auditor, Evaluation of Strategies to Reduce Louisiana's Incarceration Rate and Costs for Nonviolent Offenders	August 31, 2016
92.	Letter from Chief Justice Bernette J. Johnson to Commissioner Dardenne re: Request to Declare an Emergency	December 27, 2016

93.	The District Assistance Fund	2017
94.	LPDB - Defending the Innocent - Home Page	2017
95.	Email exchange between Paul Marx, Jay Dixon, and Pat Fanning	January 27, 2017
96.	Innocence Project New Orleans	N/A
97.	LPDB - The State We're In - Fact Sheet	N/A
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# LOUISIANA PUBLIC DEFENDER BOARD



Bobby Jindal  
Governor

Judge Robert J. Burns (Ret.)  
Chairman

James T. Dixon, Jr.  
State Public Defender

EQUAL JUSTICE FOR ALL

January 27, 2015

In 2007, 95 legislators co-authored the Louisiana Public Defender Act, in recognition of widespread problems in the quality and consistency of the State's constitutional obligations to provide legal representation to more than 200,000 of Louisiana's residents annually who cannot afford legal counsel. At the head of this crisis were issues related to insufficient revenues, lack of uniform binding standards and guidelines for client representation, and inadequate oversight and accountability. The Louisiana Public Defender Act (Act 307) dissolved all local district public defender boards and transferred supervision and oversight of the local offices to the newly created Louisiana Public Defender Board (LPDB). The policies and procedures implemented by LPDB have resulted in increased supervision and training, standards and guidelines, as well as improved client representation and outcomes.

During 2014, LPDB worked diligently to monitor the quality of client representation by observing court proceedings in more than a dozen jurisdictions and completed comprehensive site visit assessments in four Judicial District Public Defender Offices and one of the program offices. Staff drafted the Performance Standards for Criminal Defense Representation in Indigent Capital Cases, which were officially promulgated on January 20, 2015. Additionally, staff hosted numerous statewide and regional trainings, which are free for public defenders, in furtherance of the state's goal to improve the quality of representation received by indigent clients. LPDB, along with agency staff, has been closely monitoring the financial status of Louisiana's public defense system as it is expected that prior to the end of FY16 at least 25 of the state's 42 Public Defender Offices will become insolvent.

Louisiana's criminal justice system is at a crossroads. Statewide, 66% of public defense revenues are received through local funding which is based on an instable funding stream that is heavily reliant on traffic tickets and court costs. Public Defender Offices have no control over these revenue streams, their collection, or disbursement. The financial crisis that is expected within the defense community affects all members of the criminal justice community. Without sufficient resources necessary to provide the constitutionally guaranteed right to counsel, many districts will be required to begin restriction of services (public defenders offices will be required to lay off attorneys to reduce expenditures, while remaining attorneys will be forced to refuse new cases to adhere to professional and Constitutional requirements), potentially grinding the entire criminal justice system to a halt. The financial crisis faced within the defense community is simply a foreshadowing of the crisis which will face the other members of the criminal justice system in the upcoming years, and in some cases have already come to fruition – as the prosecution and judiciary also rely on user fees to fund a large portion of each agency's duties and functions.

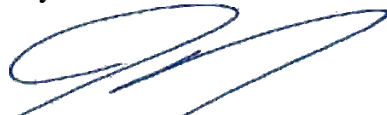
LPDB, its district offices, and contract programs have been good stewards of public dollars implementing policies and procedures which have improved supervision, training, standards and



guidelines, and client outcomes while aiming to increase revenues and decrease expenditures. The agency welcomes the feedback and support of our criminal justice, governmental, and legislative partners as LPDB continues to develop and implement policy initiatives designed to improve the long-term viability of the state's public defense system. However, going back to the "meet, greet, and plea" systems which have resulted in Louisiana having the distinction as the Prison Capital of the World and also the highest exoneration rate per capita in the United States is not an option. In the face of this financial crisis, LPDB must require its district and program offices to reduce the number of services provided by public defenders to eliminate deficit spending while maintaining high quality representation to clients represented by public defenders.

Attached is the LPDB 2014 Annual Report chronicling developments and status of public defense in Louisiana.

Thank you.



James T. Dixon, Jr.  
State Public Defender  
Louisiana Public Defender Board

# **LPDB CY 2014 RECOMMENDATIONS FOR NEEDED CHANGES IN THE LAW**

## **1) Restructure of Funding Streams for the Criminal justice System**

In conjunction with the Louisiana State Bar Association's 2015 Mid-Year Meeting of the House of Delegates and the passage of Resolution 8, The Louisiana Public Defender Board urges the legislature to create a legislative task force that includes representatives of the legislature, judiciary, prosecution, public defense system, law enforcement, clerks of court, and other essential stakeholders. This legislative task force should be urged and requested to study more reliable mechanisms for funding the criminal justice system and develop recommendations to ensure that all components of the criminal justice system receive adequate funding and other resources necessary to protect public safety by holding offenders accountable and effectively administering justice in Louisiana.

## **2) Reclassification of Misdemeanors**

In conjunction with the Louisiana State Bar Association's 2015 Mid-Year Meeting of the House of Delegates and the passage of Resolution 8 and 2010 LSBA resolution, the Louisiana Public Defender Board urges the legislature to refer the study of reclassification of certain misdemeanors to the Louisiana Law Institute. In light of the cost of representation, the extensive collateral consequences of misdemeanor convictions and their impact on citizens' ability to join or remain in the workforce, reclassification of selected misdemeanors potentially could save the state millions of dollars.

## **3) Redefinition of "Child"**

Finally, in keeping with modern Neuroscience and Child and Adolescent Development Theory, the LPDB staff recommends the legislature amend Children's Code Art. 804(1) to change the definition of a child to "any person under the age of twenty-one, including an emancipated minor, who commits a delinquent act before attaining eighteen years of age." This will raise the maximum age of juvenile court jurisdiction to eighteen years of age which is more consistent with principles of academic development.

## **2014 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION (as required by La. R.S. 39:31)**

*The mission of the Louisiana Public Defender Board is:*

In pursuit of equal justice, the Louisiana Public Defender Board (LPDB) advocates for clients, supports practitioners and protects the public by continually improving the services guaranteed by the constitutional right to counsel. Through its commitment to performance standards, ethical excellence, data-driven practices and client-centered advocacy, LPDB oversees the delivery of high quality legal services affecting adults, children and families, and supports community well-being across Louisiana.

*The vision statement of the Louisiana Public Defender Board is:*

The Louisiana Public Defender Board (LPDB), a recognized leader in the delivery of client-centered legal representation services, is a dynamic and engaged partner in local, state and national criminal and juvenile justice systems. LPDB and its public defender offices prevent wrongful conviction, protect due process and constitutional rights, increase public safety, promote fiscal responsibility, and support economic growth throughout Louisiana.

**Goal 1/4) LPDB will attain adequate budgetary and other resources that are essential for the delivery and supervision of the high quality, ethical legal defense representation services on behalf of LPDB's indigent adult and juvenile clients throughout the state of Louisiana.**

- Submitted FY 14 budget requesting \$42.5M; awarded \$33,612,948 (79.1%).
- Procured and successfully completed all deliverables for the Louisiana Commission on Law Enforcement and the Administration of Justice (LCLE) Grant (\$110,000).
- Obtained appropriation of \$400,000 to fund Angola 5 appellate work.
- Procured a grant to contract with an auditor to conduct audits of multiple public defender offices, which included corrective action plans, as appropriate.
- Refined the expert funding request protocol for improved efficiency in approving expert witness requests.
- Conducted 3 full-scale compliance site visits (including stakeholder outreach) in the 16th, 29<sup>th</sup>, and 41st Judicial Districts to verify and improve accuracy in reporting, assess the quality of representation, and evaluate the office's internal practices and standing in the criminal justice and juvenile justice community.
- Observed court proceedings in 16 districts, including the 1<sup>st</sup>, 9<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 15<sup>th</sup>, 16<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>, 23<sup>rd</sup>, 25<sup>th</sup>, 29<sup>th</sup>, 30<sup>th</sup>, 33<sup>rd</sup>, 40<sup>th</sup>, 41<sup>st</sup>, and 42<sup>nd</sup> districts.
- Maintained online financial and personnel compensation reporting tools.
- Continued monthly financial reporting of all Monthly Financial Reports submitted by the districts.
- Continued to use "needs-based" budget request process to identify a statewide public defense budget that incorporates national workload standards and other identified essential expenses.

## **2014 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION (as required by La. R.S. 39:31)**

- Printed (with LCLE grant funds) the promulgated *Criminal Justice System At A Crossroads* and *CINC Parent Guide to the Court Process*.

### **Goal 2/4) LPDB will cultivate a technologically proficient defender community that utilizes up-to-date data-driven practices in its case management and systemic advocacy.**

- Maintained district online monthly financial and personnel compensation reporting and district budget request tools, which integrate with the case management system and the district-level dashboard reports (developed in 2013), and offered technical support as needed.
- Maintained an online SOAP invoicing tool for SOAP line attorneys statewide which improved the efficiency and oversight of SOAP representation expenses with support from Budget and Special Projects Divisions.
- Maintained a fully web-based Continuity of Operations Plan (COOP) communications system which allows displaced and mobile district management to e-message with state-level officers, board members, and with each other from any computer or handheld device with internet access (permitting them to communicate and update contact information in an online database in real-time as often as needed), and conducted a successful training-drill with the district offices and program offices.
- Continued to develop a prototype for a revision of capital case data collection on the database to better follow the unique flow of capital criminal procedure and presented to key users.
- SPD Dixon was invited to join the NLADA Council of Chief Defenders.
- Procured a grant to develop step-wise mandatory data collection fields.

### **Goal 3/4) LPDB will create and offer a statewide training and learning program for attorneys and non-attorney professionals that develops, promotes and supports their delivery across the state of effective, high quality legal representation services for all adult and juvenile clients.**

- Conducted two Defender Training Institute events to train public defenders in a broad range of skills including trial advocacy and client communications. The first session was held January 12-17, 2014, in Baton Rouge and was attended by 26 participants. The second session was held September 6-11, 2014, in Woodworth, LA, and was attended by 31 participants.
- Conducted the annual Juvenile Defender Training in May 2014 in Baton Rouge, Louisiana; Sixty-four (64) juvenile defenders took part in the three day training that provided separate sessions for attorneys representing children in delinquency cases and attorneys representing parents in Child in Need of Care (CINC) cases. Trainers conducted sessions on Interviewing & Counseling the Juvenile Client, Challenging Juvenile Adjudicative Competence, Defending Drug Cases, Storytelling, Strategies for Keeping Families Together, Communicating With Clients With Intellectual Disability, and Client-Centeredness.

## **2014 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION (as required by La. R.S. 39:31)**

- Hosted the annual two-day Defender Leadership Training on March 13-14, 2014. 52 District Defenders, Program Directors and staff supervisors attended the program entitled “Strategies for Increasing Resources and Improving Representation.” At the training, defender leaders worked alongside nationally renowned faculty and local peers to address issues they face as defender leaders in procuring funding and in improving practice in financially limited circumstances.
- Planned and conducted small-scale regional trainings for new or infrequent juvenile defenders, with sessions on juvenile delinquency procedure, the role of the juvenile defender, and substantive legal differences between juvenile delinquency and adult criminal law. Sessions were held in Lafayette, Natchitoches, and Laplace, with a faculty of local peers and LPDB personnel. Twenty-eight (28) defenders attended these sessions.
- Procured funding and arranged faculty for training defenders on using the team model of representation in Child In Need Of Care (CINC) cases. Nationally recognized trainers conducted 1 ½ days of training on December 3-4, 2014, on incorporating social workers into the CINC practice. Twenty-one (21) defenders attended this training.
- The 2014 Capital Defender Training was held in New Orleans on October 22-24, 2014, wherein 4 capital defense teams participated in a confidential three-day conference working actively on their currently-pending capital cases with facilitation and support of experienced faculty; Eighty-five (85) participants, including public defenders, investigators, and mitigation specialists attended the specialized training.
- The Legislative Update was held on December 12, 2014, providing 14 defenders with an update of all bills passed in 2014 that affect criminal law and procedure.
- Engaged in ongoing efforts to develop and implement LPDB’s 5-year Strategic Plan and continue building a library of LPDB training materials.

### **Goal 4/4) LPDB will develop, cultivate and support leaders in each district office that share and promote LPDB’s vision of standards-based, community oriented, data driven and client-centered legal representation, while respecting local variances in defense delivery mechanisms**

- Conducted site visits to the following 4 district offices/programs, with outreach to District Defenders, front-line defenders, judges, clerks, and prosecutors to develop an accurate appreciation of systemic issues related to local public defense delivery:
  - 16<sup>th</sup> (St. Mary, St. Martin, Iberia Parishes)
  - 29<sup>th</sup> (St. Charles Parish)
  - 30<sup>th</sup> (Vernon Parish)
  - 41<sup>st</sup> (Orleans Parish)
- Supported the Southern Juvenile Defender Annual Regional Conference for Louisiana participants
- DPD-DJDS Pittman financed his own way to the National Juvenile Defender Center’s annual summit in Louisville, Kentucky, on October 24-26, 2014; the annual Southern Juvenile Defender Center Summit in Tupelo, Mississippi on June 13-14, 2014; and

## **2014 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION (as required by La. R.S. 39:31)**

attended the National Juvenile Defender Center JTIP Certification Program in Chicago, Illinois on July 24-26, through scholarship.

- SPD James Dixon and CCC Jean Faria attended, with a partial scholarship and personal funds, the National Association for Public Defense Leadership Training in Lexington, KY, August 18-22, 2014.
- Commenced development of the Defender Leadership Training (March 2015)
- Convened the District Defender Advisory Council 2 times, March 10 and July 21, 2015
- Held 5 District Defender Meetings on topics including restriction of services, time-keeping, appointment practices, site visit protocols, and funding:
  - March 21, 2014, Alexandria
  - July 10, 2014, Baton Rouge
  - July 25, 2014, Natchitoches
  - December 5, 2014, Alexandria
  - December 16, 2014, Baton Rouge
- Conducted outreach meetings with the following :
  - Sen. Morrell, Baton Rouge, LA
  - Sen. Martiny, Metairie, LA
  - Sen. Kostelka, Monroe, LA
  - Sen. Johns, Lake Charles, LA
  - Sen. Guillory, Opelousas, LA
  - Sen. Smith, Leesville, LA
  - Sen. Walsworth, West Monroe, LA
  - Sen. Tarver, Shreveport, LA
  - Rep. Kleckley, Lake Charles, LA
  - Rep. Danahay, Sulphur, LA
  - Rep. Lopinto, Metairie, LA
  - Rep. Terry Landry, New Iberia, LA
  - Rep. Gaines, LaPlace, LA
  - Rep. Patrick Williams, Shreveport, LA
- Convened 2 Juvenile Defender Advisory Council meetings, plus additional electronic collaboration
- Continued to develop the Community Oriented Defender Toolkit for release in CY 2015
- Commenced drafting Standards of Representation in Family In Need Of Services (FINS) cases.
- Commenced promulgation process for *LPDB Performance Standards for Representation of Clients in Capital Cases*.
- Worked in collaboration with various task forces and committees to improve the administration of criminal and juvenile justice throughout Louisiana
- Applied for a grant from Baptist Community Ministries to support the addition of social worker support in Child In Need of Care cases in Jefferson Parish
- Participated on many worthy projects that required collaboration with other Criminal Justice System agency partners and stakeholders, including:
  - LSBA Criminal Justice Committee
  - Louisiana Supreme Court Rules Committee
  - Louisiana Sentencing Commission (commission member)

## **2014 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION (as required by La. R.S. 39:31)**

- Community Oriented Defender Network
- Louisiana Commission on Law Enforcement and the Administration of Justice (commission member)
- *Graham v. Florida* Task Force
- Louisiana State Law Institute
- National Juvenile Justice Network
- Louisiana's Together We Can Conference
- Louisiana State Law Institute Children's Code Committee (member)
- Louisiana State Bar Association Children's Law Committee
- Language Access Coalition
- Domestic Violence Task Force
- Louisiana Drug Policy Board (member)
- Juvenile Justice Implementation Commission (member)
- Task Force for Legal Representation in CINC
- ABA Task Force on Comprehensive Representation
- Southern Juvenile Defender Center Advisory Committee
- Center for Excellence/ Pelican State Center for Children and Families
- Capital Punishment Impact Commission (member)
- Pretrial Services Commission (member)
- Code of Criminal Procedure Revision Committee (member)
- Pelican Center Training Committee (member)
- Court Improvement Program Advisory Committee (member)
- NAPD Workload Committee (member)
- NAPD Juvenile Committee (member)
- NAPD Steering Committee (member)
- ABA Indigent Defense Advisory Group

**LOUISIANA PUBLIC DEFENDER BOARD  
BOARD OF DIRECTORS  
2014**

**Judge Robert J. Burns, (Ret.), Chairman\***

6046 General Haig Boulevard  
New Orleans, LA  
Phone: (504) 779-5703  
Email: rjbjudge@cox.net  
Appointed by Chief Justice  
Louisiana Supreme Court  
*Designated Chairman, March, 2014*  
*Term: 01/01/2011 – 12/31/2014*

**Leo Hamilton**

Post Office Box 3197  
Baton Rouge, LA 70821  
Phone: (225) 387-4000  
Email: leo.hamilton@bswllp.com  
Appointed by: Governor  
*Term: 4/5/2013 - 01/31/2017*

**Seat Vacant**

Appointed by Chief Justice  
Louisiana Supreme Court

**Seat Vacant**

Appointed by the Governor

**C. Frank Holthaus**

619 Main Street  
Baton Rouge, LA 70801-1910  
Phone: (225) 344-3735  
Email: fholthaus@dphf-law.com  
Appointed by: President of the Senate  
*Term: 02/1/2013-01/31/2017*

**Addison K. Goff, IV**

612 N. Vienna Street  
Post Office Box 2050  
Ruston, LA 71273  
Phone: (318) 255-1760  
Email: giv@aol.com  
Appointed by: Speaker of the House of  
Representatives  
*Term: 2/24/2013-2/24/2017*

**Robert E. Lancaster**

Paul M. Hebert School of Law  
E. Campus Drive, W151  
Baton Rouge, LA 70803  
Phone: (225) 578-8262  
Email: robert.lancaster@law.lsu.edu  
Appointed by: Governor  
Representing: Paul M. Hebert Law Center  
*Term: 6/7/2013-6/6/2017*

**Stephen A. Singer**

Loyola Law School  
7214 St. Charles Avenue  
Campus Box 901  
New Orleans, LA 70118  
Phone: (504) 861-5681  
Email: stephenisinger@gmail.com  
Appointed by: Governor  
Representing Loyola University  
School of Law  
*Term: 04/04/2014 – 03/28/2017*

**Jacqueline A. Nash**

Southern University Law Center  
Post Office Box 9294  
Baton Rouge, LA 70813  
Phone: (225) 771-3333  
Email: jnash@sulc.edu  
Appointed by: Governor  
Representing Southern University  
Law Center  
*Term: 02/14/2012 – 02/13/2016*



**Herbert V. Larson, Jr.**

Professor of Practice and Executive Director,  
International & Graduate Programs  
Tulane Law School  
6329 Freret Street, Suite 259D  
New Orleans, Louisiana 70118  
Phone: (504) 865-5839  
Email: hlarson@tulane.edu  
Appointed by: Governor  
Representing Tulane University  
School of Law  
*Term: 10/30/2013 – 10/29/2017*

**Herschel E. Richard, Jr.**

Cook, Yancey, King & Galloway, APLC  
333 Texas Street, Suite 1700  
Shreveport, LA 71101-3675  
Phone: (318)227-7738  
Email: herschel.richard@cookyancey.com  
Appointed by: President, Louisiana  
State Bar Association  
*Term: 07/21/11 – 01/21/2015*

**Thomas L. Lorenzi**

Lorenzi & Barnatt, LLP  
518 Pujo Street  
Lake Charles, LA 70601  
Phone: (337) 436-8401  
Email: tllorenzi@lblegal.com  
Appointed by: President, Louisiana  
State Bar Association  
*Term: 12/03/2010 – 12/02/2014*

**Gina Womack**

1600 Oretha Castle Haley Blvd.  
New Orleans, LA 70113  
Phone: (504) 522-5437 Ext. 242  
Email: gwomack@fflic.org  
Appointed by: Louis A. Martinet Society  
*Term: 06/19/2012 – 06/20/2016*

**Hector Linares**

LSU Law Center, LSU Box 25080  
Baton Rouge, LA 70803  
Appointed by: Children's Code Committee  
Louisiana State Law Institute  
Phone: (225) 578-1885  
Email: hector.linares@law.lsu.edu  
*Term: 04/09/2013 – 04/08/2017*

**M. Hampton Carver**

Energy Centre  
1100 Poydras Street, Ste. 3100  
New Orleans, LA 70163  
Phone: (504)585-3800  
Email: carver@carverdarden.com  
Appointed by: Louisiana Interchurch  
Conference  
*01/01/2014 – 12/31/2017*

**Rebecca Hudsmith**

102 Versailles Blvd., Suite 816  
Lafayette, LA 70501  
Phone: (337) 262-6336  
Email: Rebecca\_hudsmith@fd.com  
Appointed by: Louisiana Association of Criminal Defense Lawyers  
*Non-Voting, Ex-Officio*  
*Appointed: 2007*

*\*Chairman is designated by the Governor*

**LOUISIANA PUBLIC DEFENDER BOARD  
CHAIRMAN OF THE BOARD  
2014**

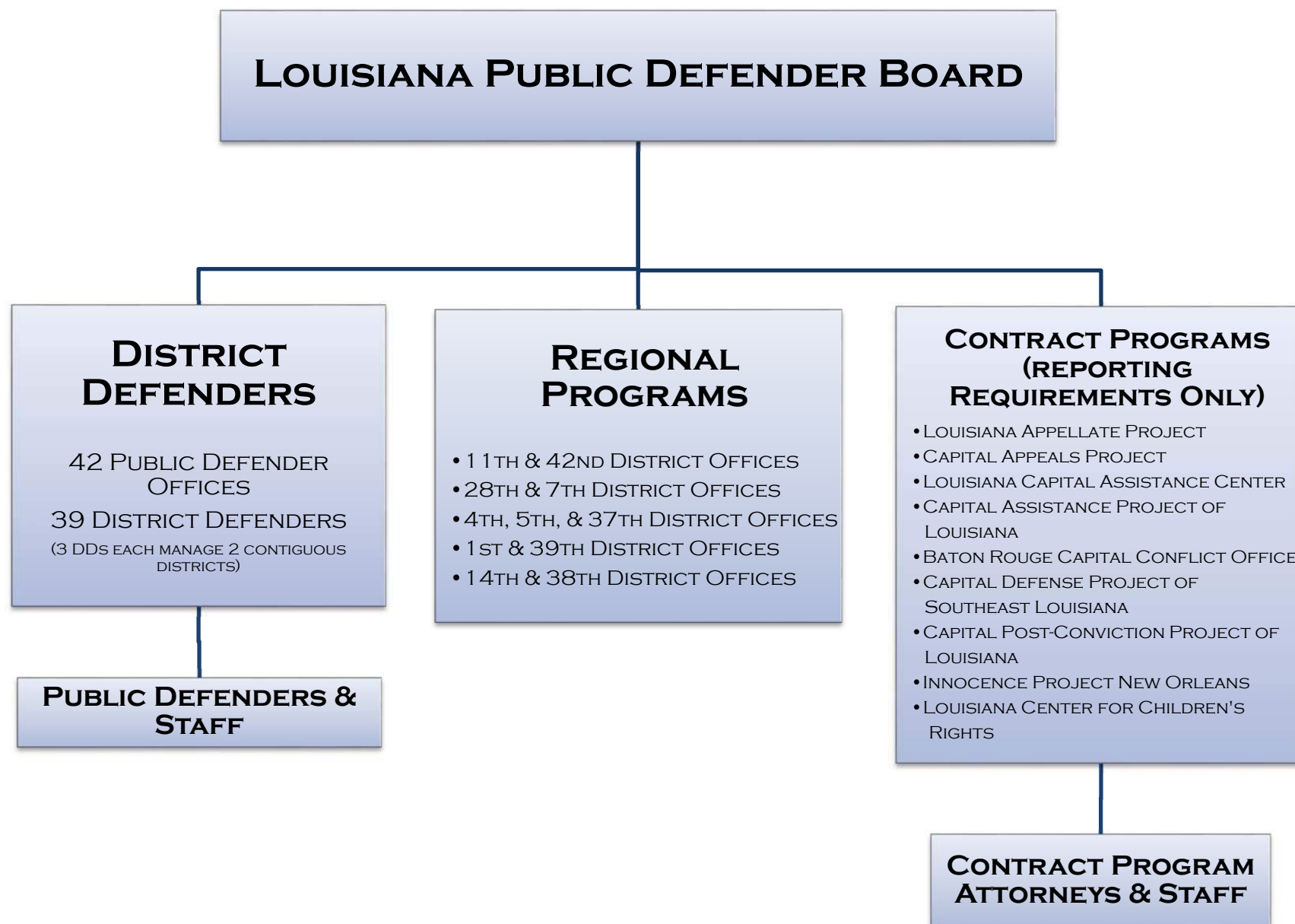
**Robert J. Burns, Retired Judge  
New Orleans, Louisiana**

Robert J. Burns was elected a State District Judge in 1978 for the 24th Judicial District Court for the Parish of Jefferson. He was re-elected parish wide without opposition in 1984 and 1990. He did not seek re-election in 1996. Judge Burns served many years on the Board of Governors of the Louisiana Judicial College by appointment of the Louisiana Supreme Court. He is a 1969 graduate of the Loyola Law School in New Orleans, Louisiana and practiced civil law before being elected a judge.

Since retirement, Judge Burns has accepted assignments from the Louisiana Supreme Court in high profile cases, both criminal and civil. Judge Burns was named to the Constitution Project's death penalty initiative, Washington D.C. in 2001. The committee published *Mandatory Justice, Eighteen Reforms to the Death Penalty*. He is currently a panel member of Perry Dampf Dispute Solutions, a Louisiana mediation and arbitration company.

In 2008, Judge Burns accepted then Louisiana Supreme Court Chief Judge Pascal Calogero's appointment to the Louisiana Public Defender Board meeting the statutory requirement of being a retired judge with extensive criminal law experience. In March of 2014, Judge Burns was designated by the Governor to serve as the LPDB Chairman.

Judge Burns is a former Kiwanis Club president and is also currently Chairman of the Board of Brother Martin High School, New Orleans, Louisiana. In December of 2014, Judge Burns accepted the Louisiana Association of Criminal Defense Attorneys' Trustee of Freedom Gideon Award.



# **LOUISIANA PUBLIC DEFENDER BOARD STAFF**

## **2014**

### **James T. Dixon, Jr., State Public Defender**

James “Jay” Dixon was born at the United States Military Academy in West Point, NY into an army family. He moved throughout his childhood and graduated from high school in Madrid, Spain. After graduating from Bucknell University, he enrolled at Loyola Law School in New Orleans to pursue a law degree. Since graduating, his legal experience has been diverse. Mr. Dixon served as a law clerk at the Louisiana Supreme Court for former Justice Pike Hall. He had a private practice in New Orleans, while serving with the Jefferson Parish Public Defender's Office as contract counsel and later joined the St. John Parish Public Defender Office as a full-time line defender. He then served as the Attorney General for the Republic of Palau, a small island nation in the Pacific Ocean. Upon his return to the United States, Mr. Dixon was the Judicial Administrator for the 12th Circuit Court for the State of Virginia. After Hurricanes Katrina and Rita, he and his wife felt compelled to return to Louisiana. He accepted a position as a contract defender for the Lafayette Parish Public Defender Office. He was later selected and accepted the position of District Defender for the Parishes of Calcasieu and Cameron where he served from January 2011 through November 2013. He is the recipient of the Louisiana State Bar Association's Catherine D. Kimball Award (2013) and the Louisiana Association of Criminal Defense Lawyers' Public Defender Gideon Award (2014). Mr. Dixon is married and has two beautiful children.

### **Barbara Baier, General Counsel**

Barbara Gelpi Baier became General Counsel for the LPDB on July 21, 2014. Her career with the court system began as a Probation Officer for Baton Rouge City Court Probation with a focus on counseling and rehabilitation of substance abuse offenders. Later, she attended Southern University Law Center and started her legal career in private practice in the field of insurance defense. During this time, Ms. Baier served as an ad hoc judge for Baton Rouge City Court and was an active member of the Baton Rouge Bar Association, particularly with the Pro Bono Project. From 1997 through 2006 she was a member of the BRBA's Board of Directors and in 2007 served as its President. Prior to joining the staff at LPDB, Ms. Baier was an attorney for the Louisiana Department of the Treasury where she advised the agency on issues of contracts, legislation, policy and procedures, and various aspects of funding for the state.

### **William Boggs, Deputy Public Defender/Director of Training**

William Boggs spent over seven years with the Orleans Public Defenders office in New Orleans, Louisiana before joining LPDB. He started as a Staff Attorney before becoming a Supervising Attorney and, eventually, the Director of Training and Development. In 2014 when he joined LPDB, he left the Orleans Public Defenders as the Deputy Chief Defender and lead attorney of the Capital Defense Unit. He attended Columbia Law School and after graduation worked as a law clerk in federal district court in Manhattan, New York. After 3 years in corporate litigation in London and New York, he wanted to represent indigent clients and joined the NY Legal Aid Society where he worked as a staff attorney in the Criminal Defense Division for 3.5 years before moving to Louisiana in 2007. He has appeared as a commentator on “CBS News: 48 Hour Mystery” and “CNN Presents” with Soledad O'Brien. He resigned his position with LPDB in December 2014.

**Gina M. Carley, Administrative Coordinator/ITM Division**

Gina Carley joined the LPDB in August of 2010 as Administrative Coordinator and works as assistant to the ITM Division. Ms. Carley has over fourteen years of administrative experience. She worked for six years in various offices of State government, as well as six years for Shaw Environmental. Ms. Carley is a graduate of Excelsior College with an Associate of Science Degree in Liberal Arts.

**Natashia M. Carter, Budget Officer**

Natashia M. Carter joined LPDB in July 2009. Prior to joining LPDB, Ms. Carter was an Accountant with the Department of Economic Development in the Fiscal Division of the Office of the Secretary for over five years. In her position with Economic Development, Ms. Carter was responsible for all payables, auditing and reimbursing employee travel along with many other duties. Ms. Carter holds a Bachelor of Science in Business/Accounting. In May of 2014, Ms. Carter assumed the position of Budget Administrator, having managed the agency's accounts for over five years.

**Latrice R. Clark, Administrative Coordinator/Purchasing-Procurement**

Life-long Baton Rouge resident Latrice R. Clark initially joined the LPDB staff in August 2008 as a temporary employee. She has eleven years of administrative experience and is state certified in fleet and property management. Mrs. Clark oversees the maintenance of the office vehicles, property inventory, purchasing, and office travel procedures. In addition to those duties, Ms. Clark serves as the office receptionist and mail manager. She joined the staff permanently in November 2008 and resigned her position in September, 2014.

**Jean M. Faria, Capital Case Coordinator**

Jean M. Faria currently serves as the Capital Case Coordinator for the Louisiana Public Defender Board. She served as the first State Public Defender from June 2008 through February 2013. For the previous 11 years, Ms. Faria served as the Assistant Federal Defender for the Middle and Western Districts of Louisiana, in Baton Rouge, Louisiana. From 1995-1997 she was the Chief Executive Officer of the Louisiana Indigent Defender Board in New Orleans. Prior to that, Ms. Faria worked as a public defender in the 19th Judicial District Public Defenders' Office in Baton Rouge.

Ms. Faria has been active in the public defense reform movement, both locally and nationally, for many years. She is a charter member of the Louisiana Association of Criminal Defense Lawyers and long-standing member of the National Association of Criminal Defense Lawyers. For more than 10 years she served on the Board of Directors of the National Legal Aid and Defender Association, serving as Chair of the Board for two years, and spent significant time as the Chair of the Defender Policy Group within that organization. She is a former Chair of the Indigent Defense Advisory Group (IDAG) to the Standing Committee on Legal Aid and Indigent Defendants (SCLAID) and remains an active member of IDAG and the Louisiana and American Bar Associations. Ms. Faria regularly lectures at criminal defense trainings and participates in policy research of state public defender systems around the country. In December 2009, she was awarded the Justice Albert Tate Jr. Award.

Ms. Faria received a Bachelor of Arts in English from the University of Massachusetts, at Amherst and received her J.D. from the Paul M. Hebert Law Center at Louisiana State University.

**Julie Gregory, Paralegal/Training Assistant**

Julie Gregory joined LPDB in August 2010. Prior to joining LPDB, Ms. Gregory worked at a firm as a paralegal for five years, primarily in the insurance defense field. In 2001, Ms. Gregory earned her Bachelor of Arts in Sociology with a concentration in Criminology from Louisiana State University and received her paralegal certification from LSU's continuing education program in 2003. In November, 2014, after four years of providing specialized administrative services to the Director of Training, Ms. Gregory assumed the title of Training Assistant.

**Anne Gwin, Paralegal, Executive Assistant to the State Public Defender**

Anne Gwin graduated from Louisiana State University in 1982 with a Bachelor of Science in Liberal Arts. She was employed at that time with the Department of Culture, Recreation and Tourism and for ten years worked as a project manager and an executive assistant. In 1992, she took an office manager/legal secretary position with prominent Baton Rouge criminal defense attorney John Di Giulio. In 1999, Ms. Gwin received her paralegal certification from LSU's continuing education program. After 17 years of private sector criminal defense associated work in city, district and federal courts, she joined the staff of the Louisiana Public Defender Board in October 2008 as assistant to the Trial Level Compliance Officer. In November of 2009, Ms. Gwin accepted the position of Executive Assistant to the State Public Defender.

**Caressa Hall, Accountant**

Caressa Hall accepted the accountant position with LPDB in September, 2014. Ms. Hall obtained her Bachelor's degree in Accounting from Southern University in 2005. She brings with her state accounting systems experience, having worked as an Accountant for the Division of Administration, Office of Financial Support and Services and the Louisiana Department of Insurance for six years prior to joining LPDB.

**Heather H. Hall, Special Projects Advisor**

Heather H. Hall joined the LPDB staff as Special Projects Advisor in November 2008. For the previous four years, Ms. Hall worked as the Director of the Louisiana Justice Coalition, a non-profit, 16-member agency coalition committed to public defense reform in Louisiana. In that capacity, Ms. Hall built a consensus of support around the American Bar Association's *Ten Principles of a Public Defense Delivery System*, solicited media attention and support for reform, undertook a diverse public education campaign in all 64 parishes, and initiated community-oriented defense projects in select districts. Ms. Hall received her Bachelor's Degrees in Religion and History from the University of Rochester (Rochester, NY) in 2002. Ms. Hall resigned the position of Special Projects Advisor in May of 2014.

**Tierre Hazlewood, Administrative Coordinator/Capital Division**

Tierre E. Hazlewood was born into an army family. She grew up on military installations and joined the Air Force at age 18. She served five years active duty and six years in the Louisiana Air National Guard for a total of 11 years military service. Ms. Hazlewood also served a six-month deployment to Afghanistan as a vehicle fleet manger, as well as a 12-month tour at Osan

Air Base, Korea. She assisted in the Hurricane Gustav relief efforts in 2008 in which she worked at Homeland Security as part of her National Guard activation. Ms. Hazlewood has a Bachelor's Degree in Criminal Justice and a Master's degree in Applied Sociology from Southeastern Louisiana University. She joined LPDB after leaving the Louisiana State Police where she worked as an Administrative Assistant in the Assistant Superintendent's office. She currently serves as Administrative Coordinator to the Capital Division.

#### **Chase May, Tech Support Specialist**

Chase May graduated from LSU with a Bachelor of Arts degree in Economics in 2007. After graduating, he began his career in Information Technology in 2008 as a Support Technician with Innovative Computers, an I.T. consulting company serving local businesses in Gonzales and Baton Rouge. Mr. May rejoined the LPDB staff in August 2012 after previously serving for 2½ years

#### **Elizabeth Perry, Paralegal - Compliance/Legal Divisions**

Beth Perry joined LPDB in October, 2012. Ms. Perry provides paralegal services to the Compliance and Legal Divisions. Prior to joining LPDB, Ms. Perry was a Case Administrator for the Clerk of Court for the Middle District of Louisiana for over 16 years. In her position with the Clerk, Ms. Perry was primarily responsible for automated case management for U. S. District and Magistrate Judges. In addition, Ms. Perry also performed Quality Control and Management support and provided extensive training for attorneys and staff in electronic case filing. Ms. Perry received her paralegal certification from LSU's continuing education program in 2001.

#### **Richard Pittman, Deputy Public Defender/Director of Juvenile Defender Services**

Richard Pittman was hired by the Louisiana Public Defender Board on May 28, 2013, to be the Deputy Public Defender - Director of Juvenile Defender Services. He began his career in public defense in Juvenile Court and in criminal courts in 2006, and continued in the practice until his appointment as Deputy Public Defender. From 2006-2013, he represented juveniles accused of delinquency, parents and children in abuse and neglect cases, adults accused of misdemeanors and felonies up to and including capital murder. He had guardian ad litem certification which he maintained from 2006 until 2013. Prior to his public defense practice, Mr. Pittman worked in the field of personal injury litigation.

Mr. Pittman graduated from East Ascension High School in Gonzales, Louisiana, in 1992. Thereafter he attended Louisiana State University and obtained a Bachelor of Science degree in Chemical Engineering in 1996. He then obtained a Masters of Chemical Engineering from the University of Delaware in 1999. By then he was working as a consultant for C.F. Picou Associates, a Baton Rouge firm specializing in process control with business worldwide. In 2001, Mr. Pittman decided to go to law school and was admitted to the University Of Alabama School Of Law in 2002, graduating with honors in 2005. While at the University of Alabama School of Law, he was awarded the Order of Samaritan for public service and volunteerism.

#### **Cristine Roussel, Case Management Systems Analyst**

Cristine Roussel joined the LPDB staff as CMS Report Analyst in February 2012. Prior to joining LPDB, Ms. Roussel worked in private sector as a business analyst. Ms. Roussel earned her Bachelor's Degree in Psychology from LSU, in 2003. From 2003 to 2008 she was a Doctoral

student in Cognitive/Experimental Psychology with a concentration in Statistics. She earned her Master's in Cognitive Psychology in 2005.

**Rachel Smith, Administrative Coordinator/Purchasing and Procurement**

Rachel Smith joined LPDB in November 2014 as an Administrative Assistant in the Purchasing and Procurement Division and also serves as the Fleet, Property Control and Travel Manager. Ms. Smith has over 22 years of experience with state government in administrative support roles having worked with Office of Public Health, Louisiana Workforce Commission, and Office of the Secretary. She is a native of New Orleans and moved to Baton Rouge in 2005 as a result of Hurricane Katrina. Ms. Smith has a passion for feeding the homeless and helping anyone in need.

**Tiffany Simpson, Juvenile Justice Compliance Officer/Director of Legislative Affairs**

Tiffany Simpson became the Juvenile Justice Compliance Officer on August 5, 2013 and assumed a dual role as the agency's Director of Legislative Affairs in September, 2014. Prior to joining LPDB, Dr. Simpson was appointed to serve as the Executive Director of the Children's Cabinet in the Office of the Governor. As the Executive Director of the Children's Cabinet, Dr. Simpson ensured the coordination of policy, planning, and budgeting among state services for children and families and also served as a policy advisor to the Governor on child-related issues. Dr. Simpson earned Bachelor's degrees in Psychology and Sociology with a concentration in Criminology from Louisiana State University and was awarded her Doctorate in Applied Developmental Psychology from the University of New Orleans.

**Erik Stilling, Ph.D., Program Development and Resource Management Officer**

Dr. Erik Stilling started with LPDB on September 24, 2008. Dr. Stilling began his career in the engineering department of WLAE-TV in New Orleans. After earning a doctorate, he taught Mass Communication Technology and Journalism at Nicholls State and served as the first Director of the Office of Distance Education, implementing compressed video and web-based technologies and applications for adult learners. From 2000-2005, Dr. Stilling worked in California at Holy Names University and as Dean at Expressions College for the Digital Arts, both in the Silicon Valley.

Dr. Stilling returned to New Orleans after Hurricane Katrina to develop a data collection and analysis system as part of the MacArthur Models for Change program in the Jefferson Parish Department of Juvenile Services. This system was used to determine evidence-based alternatives to formal processing of juveniles facing detention and adjudication. Dr. Stilling started as a member of the founding team at LPDB in September of 2008 and since has helped LPDB to implement a new statewide database reporting and data analysis system encompassing legal, financial and personnel data collection and analyses to improve district- and state-level management as well as inter-district and emergency communication systems and online reporting and monitoring of field offices across the state. He earned his Bachelor's Degree in Communications from Loyola University in New Orleans in 1987 and was awarded his Doctorate in Mass Communication from the University of Tennessee-Knoxville in 1992.



**Aliseia Williams, Administrative Coordinator/Payroll**

Aliseia Williams joined LPDB in June of 2014. Prior to joining LPDB, Ms. Williams worked as an Administrative Coordinator and a Contracts/Grants Reviewer for the state of Louisiana. She has over ten years of administrative experience. Currently, Ms. Williams serves as Payroll Administrator and also provides administrative support to the Juvenile Division.

## **LOUISIANA PUBLIC DEFENDER BOARD CONTRACT PROGRAMS (CY14)**

Although the Louisiana Public Defender Board has a legislative mandate to provide representation in a number of areas, it does not have authority to provide direct client representation or to hire public defender staff. In order to meet the State's Constitutional duty to provide legal representation to indigent clients, the board has contracted with a number of 501(c)(3) organizations, as permitted by La. R. S. 15:147 (C) (1), to represent indigent defendants in delinquency, capital, and appellate cases where conflicts or caseload limits prevent the local district defender office from handling the case. In addition, the Board is required by La. R. S. 15:169 and 15:178 to appoint counsel for appellate and post-conviction cases in which a death sentence has been imposed at the trial level. It should be noted that each of the directors of these programs handles a caseload as well as the administrative responsibilities.

The LPDB's contracts with each program office contain provisions for monthly reporting to the LPDB and for audits by the Legislative Auditor. They also provide for performance standards enforceable by the state board, and for termination of the contracts for failure to meet board requirements. These requirements include adhering to the ethical rules of the Louisiana Supreme Court, violations of which may result in termination of the contracts.

Those programs are as follows:

### **Louisiana Center for Children's Rights**

Formerly known as Juvenile Regional Services (JRS), the Louisiana Center for Children's Rights (LCCR) is a nonprofit law office whose mission is to "defend the right of every Louisiana child to fairness, dignity, and opportunity." - LCCR is the juvenile public defender in New Orleans, providing holistic, client-driven advocacy for more than 1,000 indigent young people in the city's juvenile justice system every year.

Statewide, LCCR works to protect and expand the right of every Louisiana child to high-quality legal representation, and advocates for a fairer, more compassionate, and genuinely rehabilitative juvenile justice system. LCCR's strategies include legislative advocacy, litigation, and training and technical assistance for Louisiana's juvenile defender community. LCCR'S Executive Director is Josh Perry.

### **Louisiana Appellate Project (LAP)**

The Louisiana Appellate Project provides appellate representation for indigents in all non-capital felony appeals arising in all of the districts. This includes felony-grade adjudications for juveniles. All district public defender offices have contracted with LAP to supplement its staff with these appellate services. There is no cost to the district public defender for these services as it is a form of supplemental assistance provided by the state board. Jim Looney is the director who contracts with appellate attorneys around the state to handle the appeals.

Handling the appeals in non-capital cases includes work in the appellate court and, when professionally appropriate, filing for writs to the Supreme Court. It also includes specifically those cases appealed by the State, such as when a statute is declared unconstitutional.

#### **Baton Rouge Capital Conflict Office (BRCCO)**

Under the leadership of David Price, BRCCO employs the team approach to capital defense as required by the Capital Guidelines. The office includes a staff of attorneys, mitigation specialists, and private investigators which promotes cost-efficiency.

The office is currently handling cases throughout the state, in an effort to ensure that all defendants facing the death penalty are represented by counsel.

#### **Louisiana Capital Assistance Center (LCAC)**

Richard Bourke serves as director of LCAC and employs a staff of lawyers, mitigation specialists and investigators. Founded 20 years ago in its current form, this program provides leadership, mentoring, and guidance to the capital defense community. Its predecessors influenced capital representation since the early days of the restoration of the death penalty in the South.

LCAC provides direct services statewide and also provides representation in motion for new trial proceedings. This year, LCAC has taken on the new responsibility of serving as resource counsel to provisionally certified defense lawyers pursuant to Capital Defense Guideline 915(G)(2). This involves providing intensive services to lawyers across the state in over a dozen pending capital cases. This service is essential to educating, mentoring and overseeing the work of provisionally certified counsel to ensure the delivery of quality legal representation.

LCAC has also been active in East Baton Rouge Parish serving as counsel for the limited purpose of protecting the rights of persons facing the death penalty who are not otherwise represented by counsel. In addition to direct services, LCAC provides general support services to other organizations and often is able to ameliorate crises faced by counsel.

#### **Capital Defense Project of Southeast Louisiana (CDPSELA)**

Kerry Cuccia is the director of the Capital Defense Project of Southeast Louisiana. The primary responsibility of CDPSELA is to handle capital cases in Orleans Parish. Although the program was originally created to handle cases in which the Orleans Public Defender Office (OPD) was excluded because of conflicts, CDPSELA now is the first-call provider for indigent defense in capital cases in Orleans Parish.

CDPSELA also accepts cases in other jurisdictions when necessary because of conflicts or caseload limits. CDPSELA and its staff are recognized as providing representation at

the highest levels of competence. Its concentration on preliminary examination practice appears to be a primary factor in a decline in the number of first degree murder indictments in Orleans Parish. The result is that many of the cases are formally charged as lesser offenses, often second degree murder. Second degree murder cases are generally then referred to the Orleans Public Defender Office.

#### **Capital Post Conviction Project of Louisiana (CPCPL)**

This organization handles post-conviction representation of indigent defendants whose cases have progressed through the trial and appellate levels. The staff lawyers who handle cases as they become eligible have successfully represented a number of defendants whose cases were overturned for such reasons as ineffective assistance of counsel at the trial or appellate level, failure by prosecutors to disclose important evidence, newly discovered evidence of innocence, and evidence adduced as a result of junk science.

Gary Clements is the director of CPCPL and has his staff working on as many cases as ethical caseload standards permit at any particular time. The program also monitors cases in the pipeline in order to keep track of future needs and caseloads.

#### **Capital Appeals Project (CAP)**

Sarah Ottinger is the director of the Capital Appeals Project which handles all capital appeals for indigents who have been sentenced to death. Her staff includes additional attorneys who work out of their New Orleans office, as their cases automatically go to the Louisiana Supreme Court as a matter of law. This project has had several cases with national impact because of favorable decisions by the U. S. Supreme Court. Some of the cases which have been overturned were handled or are being handled in the trial court by the CAP lawyers. CAP has also agreed to handle post-conviction cases wherein CPCPL is ineligible due to conflicts. CAP acts as resource counsel to public defenders across the state.

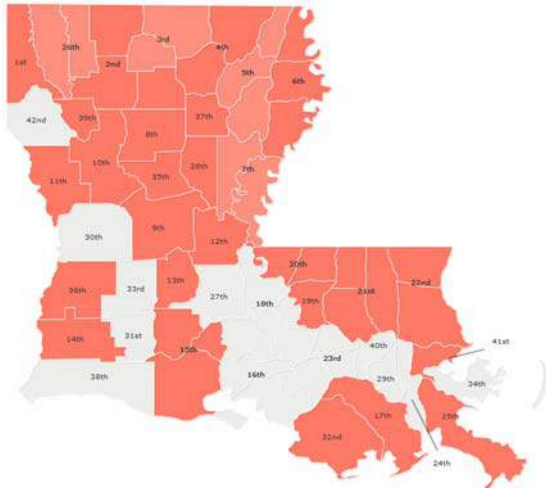
#### **Innocence Project New Orleans (IPNO)**

The Louisiana Public Defender Board has a contract for partial funding of the Innocence Project New Orleans which, since its inception, has won the freedom or exoneration of 42 wrongfully convicted Louisiana prisoners who have served a total of nearly 699 years in prison. All except two of IPNO's freed clients were sentenced to life without parole and seven were teenagers when they were wrongly arrested. IPNO has also investigated and reported on systemic problems in Orleans involving the suppression of crucial evidence by prosecutors and police. Emily Maw is the director of IPNO. The office attracts student interns from around the world and is in the forefront of Louisiana in the use of DNA evidence.

## **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY14)**

The reformation of public defense in Louisiana is an on-going process. It began with the passage of the Louisiana Public Defender Act in 2007, re-organizing an antiquated delivery system for indigent defense. The previous delivery system all too often culminated in a “meet, greet and plea” system whereby defense counsel was reduced to the role of a mere participant during a plea, rather than an advocate for the client. The Act also removed undue influence from judges, prosecutors, and local officials from the supervision of public defender offices. These shortcomings in the indigent defense system contributed to Louisiana’s dubious status of having the highest incarceration rate in the entire world.

With the Louisiana Public Defender Act, we have been able to pass new standards for the delivery of public defense. The quality of public defense has risen statewide; however, public defense remains severely underfunded. This is not a new development. We have known for some time that public defense is underfunded and have warned of a time when we could no longer avoid a collapse of the entire system. The Louisiana Public Defender Board (LPDB) has worked diligently to keep district defender offices solvent throughout the state for the past six years and, with a couple of exceptions, has been able to avoid financial failure. The map below indicates every district (in red) that has received one of various forms of emergency assistance from the LPDB since 2010 to avoid financial crisis.

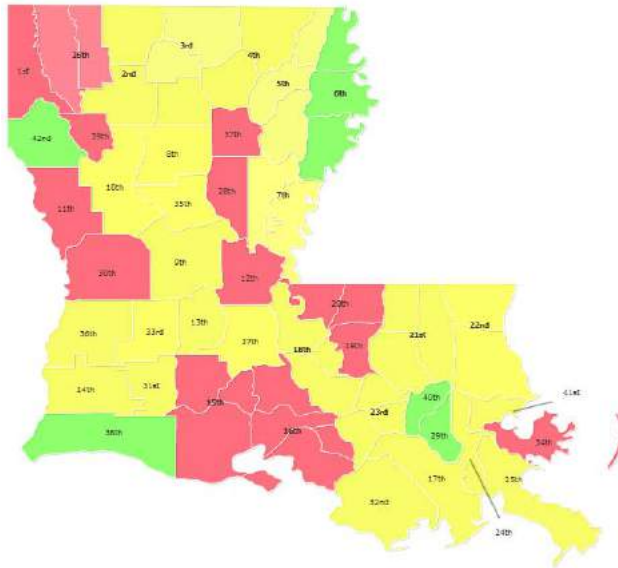


The LPDB has never had adequate funding to support a properly functioning public defense system. Further, the local funding that districts receive is unstable, unreliable, and untenable. Almost two-thirds of the funding for the Louisiana Public Defense system comes from court fees. A majority of those funds are derived from traffic tickets. LPDB has no control over traffic enforcement or prosecution. Law enforcement can unilaterally reduce traffic enforcement. Traffic cases can be diverted so that no proceeds reach the public defender in the district. These funds can be reduced by severe weather, elections and other political vagaries, judicial action, reductions in road traffic, and the lack of interstate or major highways in a particular jurisdiction. Further, district offices are entirely reliant upon their counterparts in the criminal justice system to collect and remit the fines and fees needed to operate their respective offices.

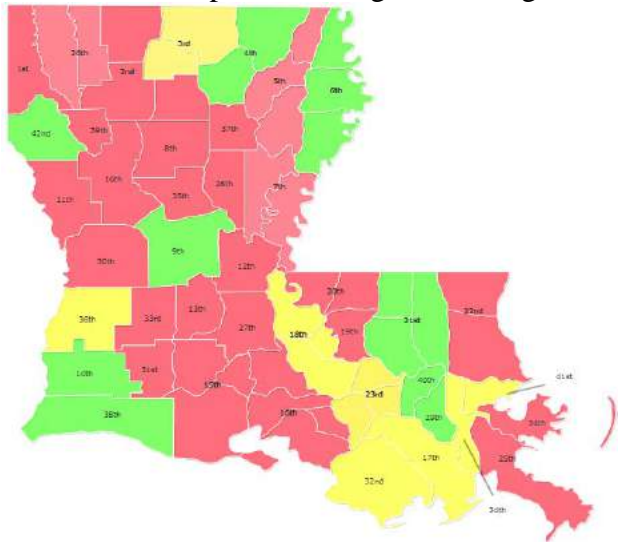
Upon assuming the position of State Public Defender during Fiscal Year 2014, I asked staff to look closely at the financial status of each and every district in Louisiana. We were able to determine

## STATUTORY OFFICER ANNUAL SUMMARY REPORTS (CY14)

that a financial crisis was, indeed, imminent. While we may be able to avoid fiscal hardship in Fiscal Year 2015, the projections for fiscal year 2016 are more severe. As shown on the map below, we anticipate 14 District Public Defender Offices will face fiscal shortfalls before July 1, 2015, the beginning of the 2016 fiscal year. The map below shows, in red, the districts that will not have enough money to make it through this fiscal year. The districts in yellow will make it through the fiscal year, but are headed to eventual financial insolvency. Districts in green are solvent and accruing fund balances.



While LPDB may be able to avoid a financial crisis in the current fiscal year, FY15, we will be unable to avoid widespread financial failure in FY16. We expect to see systemic failure in the public defense system in Louisiana. We expect at least 25 of 42 district offices will lack the funds to cover their expenses during the coming fiscal year, FY16, as noted on the map below.



The Board has been actively seeking solutions to this crisis. We sought legislation to increase special court costs dedicated to public defense from \$35 to \$55. The legislature responded and approved an increase, but only to \$45. It was anticipated this would result in a 25% increase in

## **STATUTORY OFFICER ANNUAL SUMMARY REPORTS (CY14)**

local funding and solve the financial shortfall for most, but not all districts. Due to the volatility of this funding stream, as mentioned above, the 25% expected increase in revenues did not materialize and we remained underfunded. The Board has adopted policies requiring districts to spend down fund balances to a percentage of annual expenditures. This allowed for the disbursement of available funds to districts in trouble and lacking a fund balance in order to avoid financial failure. It also developed a District Assistance Fund Adjustment Formula which withheld a portion of state funds from districts accruing funds and re-allocating those funds to districts in need. The Board has initiated policies that allow districts to keep any specially allocated money obtained from local governments in a manner that will not affect the funding received from the state. When necessary, we have initiated litigation in districts where funding was unlawfully diverted from public defense. The staff has been actively pursuing an outreach program whereby we have conducted strategic meetings to educate and discuss possible solutions with stakeholders, including but not limited to the Governor's Office, the Louisiana Supreme Court, State Senators and Representatives, Louisiana District Attorney Association, local government and judges.

Despite our best efforts, Louisiana Public Defense is facing a financial crisis. Districts throughout the state will be entering a restriction of services. These districts will not have sufficient funding to provide all of the services they have provided in the past and will be required to limit or eliminate some of those services. This could take a number of forms. Smaller districts will simply have to limit the number of cases they accept. To do otherwise would result in caseloads so high so as to render their lawyers' representation ineffective, in violation of state statutes, the state and federal constitutions, and the Louisiana Rules of Professional Responsibility. Placing a limit on the cases accepted by a Public Defender Office will result in waiting lists and leave criminal defendants unrepresented until a defender is available to take their case. This also leaves the State open to legal attack and litigation regarding right to counsel. In some larger districts, the local bar has been called upon to handle cases, pro bono. This will also lead to litigation by attorneys being asked to provide legal services without pay. All of these restriction of services plans could result in the widespread release of those incarcerated on charges for which they do not have attorney pursuant to *State v. Citizen*, 2004-1841, (La.4/1/05), 898 So.2d 325. This has become a public safety issue. We are also concerned the lack of funding for public defense could result in federal litigation and a remedy imposed by the federal courts.

Our office has established an outreach program whereby we actively seek out our partners in the criminal justice system and in state government to inform them of the upcoming crisis and to discuss possible solutions to the situation. We have contacted the Governor's Office, the Louisiana Supreme Court, State Senators and Representatives, District Attorneys, Judges, local government officials, and civic groups in an attempt to avoid this calamity. We will continue to work with all interested parties in finding a solution to protect our clients and our community.

### **Budget Division**

LPDB is in receipt of a Byrne Jag grant from the Louisiana Commission of Law Enforcement (LCLE) in the amount of \$104,579. The original grant period was from April 1, 2014 through

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March 31, 2015; however, since the awarding of the grant, the end date has been modified to end on June, 30, 2015. To date, all grant activities including timely and accurate submission of monthly billing have been completed. Using the LCLE grant we have contracted with an auditor, Ms. Corlis Green, and SSA consultants.

Ms. Green was contracted to assist in reviewing and evaluating district monthly financial reports and local revenue remittances and performing audit field work as needed. She has completed field reviews, reports, and exit interviews with several different districts across the state. When not in the field conducting audits and reviews, she is developing a Financial Management Handbook for use by the district public defender offices.

LPDB has entered into two contracts with SSA Consultants. One contract is to assist LPDB staff to strategically develop its Case Management System (CMS). This system will be used to collect increasingly sophisticated data to improve the quality of defense services for defenders and advocates across all districts. This system will also provide a more effective method of monitoring defense services.

The second contract with SSA Consultants is an agreement to assist the Board in strategically developing the Board's communication and outreach plans.

On Tuesday, March 11, 2014, staff attended the House Committee on Appropriations hearing for HB1 of the 2014 Regular Session. The 2015 executive budget recommendation for LPDB of \$33,821,218 was reviewed with minimal questions posed to the staff.

LPDB received the official Letter of Appropriation from the State's Office of Planning and Budget for FY 15 on July 2, 2014. The total budget for LPDB for FY 15 is \$33,821,218. This compares to the FY 14 final budget of \$33,612,948 as of June 30, 2014. The budget was loaded into the State's financial system on July 15, 2014.

The agency's annual operating budget for FY 2016 was submitted to the State of Louisiana's Office of Planning and Budget on October 15, 2014. The needs-based budget for fiscal year 2016 which begins July 1, 2015 totals \$62,165,241. This request, compared to our current budget of \$34,111,854, represents an 82% increase. Included in the request is an increase to the Louisiana Public Defender Fund in the amount of 23 million (rounded) to the districts and one million (rounded) to increase the Contract Programs expert witness fees and to fund mitigation specialists and expert witnesses in order to conform to the new Capital Performance Standards. Also requested is an increase to the Indigent Parent Representation Program Fund of approximately four million. This program has never been properly funded and we hope to employ social workers for parent attorneys statewide.

In addition to the LCLE grant, we received approval from the Joint Legislative Committee on the Budget on October 17, 2014 to add a Casey Family Grant in the amount of \$17,050, which was used to provide support to parents of children who need legal representation. It allowed the Public Defender Office in the 24<sup>th</sup> Judicial District (Jefferson Parish) to hire one part time Social Worker for 10 weeks and obtain training for their attorneys. The grant period expired December 31, 2014.



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## **Compliance Division – Trial Level**

The Compliance Division has not had a Trial Level Compliance Officer on staff at any time this year, despite the best efforts of the State Public Defender and staff to identify appropriate candidates. As a result, LPDB's responsibilities for monitoring compliance have been divided between other staff members.

Capital Case Coordinator Jean Faria has actively monitored capital defense around the state. There are currently 79 active capital cases in the state at the trial level, with eight cases currently on the wait-list for representation. Ms. Faria convened a team to draft and vet proposed performance standards for capital defense. The result was a comprehensive set of standards that covered staffing, investigation, trial standards, mitigation, and other aspects of capital defense. Ms. Faria was also instrumental in reforming how the Expert Witness Fund is accessed by defenders and how experts get paid for their work.

LPDB's Director of Legislative Affairs – Juvenile Justice Compliance Officer Dr. Tiffany Simpson led LPDB's effort to draft and adopt a new and more comprehensive site visit protocol. The protocol has been completed and adopted by the Board, and includes a combination of database and reporting review, court observation, file review, employee and stakeholder surveys and input, and interviews with the District Defender and district office staff. This protocol enables LPDB staff to better assess the quality of representation and cost-effectiveness of a district public defender office. In 2014, staff conducted the first four formal compliance site visits, having completed assessments of the 29th (St. Charles), 41st (Orleans), 16th (St. Martin, Iberia, and St. Mary), and 30th (Vernon) districts. Because a number of districts are at risk of going into Restriction of Services (ROS) early in 2015, staff has immediate plans to conduct a number site visits around the states using this protocol.

Deputy Public Defender-Director of Juvenile Defender Services Richard Pittman has been tasked with receiving and investigating client complaints that the Board receives from around the state.

## **Program Development and Resource Management Division (PDRM)**

This division has a broad array of responsibilities falling under the headings of Program Development and Resource (information) Management (PDRM). Per the requirements of Act 307, the Division implemented online or otherwise automated technologies to assist district-level management with reporting on financial, personnel compensation and budget requests, as well as programs and technologies to promote local-level data-driven decision-making. Regarding Resource/Information Management, the Division produced scores of analyses most of which provided insight to financial solvency and changes in local revenues following the Act 578 (of 2012) court fee increases—not always positive changes. Many of these studies also contributed to a deeper and broader understanding of district office capacity for representation. A more detailed compilation of board meeting topics presented by the PDRM division follows.

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Jan 7 2014

## **Resource Management**

The PDRM Division has been preparing for the statutorily mandated annual reporting season. PDRM staff has been updating the necessary online documents and print-production templates needed for the Annual Report (district narrative, financial, and caseload templates), as well as providing assistance in answering district questions. The Division has organized and reconciled the capital expert witness fund from 2009 to the present with staff having developed a prototype of an accounting system to better track available expert witness funds for the future.

Staff continues to generate numerous ad hoc and workload reports on various topics such as caseloads and finances. Since the last board meeting, PDRM Director Dr. Erik Stilling participated in the Budget Committee meeting, weekly staff meetings, and the DDAC meeting.

## **Program Development**

In an effort to assist districts in cleaning up their cases on the database, the PDRM Division has coordinated a batch autoclose process. Staff has encouraged all districts to update their autodormant cases, as this will provide more accurate year end case reporting. PDRM staff has contacted districts regarding the criteria in which LPDB will autoclose cases. Cases which are currently in auto-dormant status and which have not been touched (last modified) in over 2 years, will be changed to "autoclosed" and the closed date will be the last date the case was modified.

The PDRM Division is in the process of adding enhancements to the database: quantifiable sentencing data, arresting agencies, location of arrest incident, and an alert system to notify attorneys of transferable charges and to alert LPDB staff and district management of juvenile cases closed due to being transferred to adult/criminal jurisdiction.

The Division is in the final stages of development of the addition of the monthly Compensation Report to the database. Staff has been working with JusticeWorks to test the Compensation Report, create a district tutorial, and schedule district webinars. The report should be available for district use in February 2014.

Finally, staff has initiated the heat-maps on the state-level dashboards and moved the system to beta testing.

March 10, 2014

The PDRM staff produced the annual report to the Joint Legislative Committee on Budget which was submitted before deadline and subsequently published on the LPDB.LA.GOV website. The Division also completed analyses on the district by district costs of handling cases arising from correctional or detention facilities. The division produced an analysis and corresponding map of

## **STATUTORY OFFICER ANNUAL SUMMARY REPORTS (CY14)**

capital case capacity within each district overlain with a map of the average annual number of new capital cases expected to arise within each district to establish the vulnerability of each district in the event of program budget cuts. The PDRM staff developed analyses and charts for an upcoming Louisiana Campaign for Equal Justice (LCEJ) presentation at the Louisiana Bar Association's Criminal Justice System Funding Summit. The Division also produced analyses and heat maps on the districts' changes in revenue pre-and post-Act 578 and assisted the SPD in a survey of each of the 31 districts reporting less than expected increases in revenue.

May 12 2014

The PDRM Division completed and deployed the district Monthly Compensation Report to the database which makes Louisiana the only state with attorney case activity data directly linked to attorney earnings data. PDRM staff conducted webinar trainings with representatives of all but two districts, tested programs, and wrote tutorials. The online Compensation Report provides a more efficient way for districts to meet their contractual requirement of submitting monthly reports to LPDB on all salaries, wages, professional service contract amounts or other earnings. This report also tracks whether an employee is reported by 1099 or W-2 tax form, if they receive health or retirement benefits, and their employment status (full time, mainly public defense, part time, intermittent). A new "attorney only" section tracks whether the attorney handles mostly adult or juvenile cases, has supervisory duties, and the types of work the attorney primarily performs (CINC, capital, or city court work).

Similarly, the PDRM Division developed and deployed the district pro forma budget documents to the database. PDRM staff tested programs and wrote tutorials. The new online pro forma budget system is very convenient as it retrieves numerous data fields and performs necessary calculations automatically which in years past required many hours of district time researching. This new financial management tool will make budget submission much simpler, and will help districts make well-founded estimates based on comparisons between the previous year's expended amounts and the current year's projected amounts through the new preview report included in this new technology. It will provide comparative percentages of previous and current year's budgets and permit the districts to offer the best estimate of their expenditures for the coming year. Using the preview report function, districts can test different pro forma amounts and preview and edit them before submitting their pro forma budget to LPDB.

The PDRM Division assisted in following-up with districts who were notified regarding unexpectedly low court fee remittances received since the passage of Act 578 which provides for an increase in such fees.

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Sep 4 2014

## **Resource Management**

District Attorney Parity Research: In order to gather information regarding amenities received by DAs and expense-sharing practices within districts, the PDRM staff developed and distributed a DA amenities survey to districts. Staff compiled results and created corresponding graphics.

Act 578 Shortfall Study: Staff also created a survey and made follow-up phone calls regarding districts' self-identified reasons for failure of Act 578 revenues to meet the expectations of the statute in their district. In a nutshell, the reasons offered by participating districts with low revenues were *reduced police activity* (for a variety of reasons) and *increased DA diversions*. The report was produced in the form of a heat-map.

Fund Balance Depletion Study: The PDRM Division completed a district Fund Balance Depletion study by creating a document that shows districts' statewide expenditures, revenues and estimated fund balance depletions from calendar year 2010 to 2013.

Statewide Regional Conflict Panel Proposal: The Division developed a rough draft of a regional conflict office plan, with accompanying analysis and heat-map which could potentially save as much as \$1.8M annually.

Training Documents: In collaboration with the Office of Juvenile Trial-level Compliance, PDRM staff produced many analyses and graphics for the August 2014 Board training document "Unequal Justice" as well as numerous graphics and tutorials for the Budget Committee training in July.

Solvency Projections and Year End "Scour" funding: PDRM staff completed district solvency projections, and analyzed the District Assistance Fund FY15 solvency status after adjustment formula, and the DAF FY16 and FY17 adjusted and unadjusted insolvency dates. Staff assisted in determining the available year end disbursement dollar amount.

Department of Corrections cases count study: PDRM staff created a flag on the database to count every new juvenile or criminal case from the past three months that involves an incident (allegedly) caused by a client while in the physical custody of DOC/OJJ, per direction from the Board. Staff created tutorials, as well as an automatic pop-up reminders for users to identify appropriate cases for subsequent analysis. The three-month tracking will end the beginning of September and staff will compile results.

## **Program Development**

Automated District Budget Submission Software: **Cost-savings from this software in the first year was \$10,200** (based on the value of the time saved in labor; for LPDB staff \$2,700 and \$7,500 in the 42 districts). The software provides a self-calculating "scratch pad" for districts to produce pro forma budgets well in advance of the official June budget request deadline. Software will not allow submission of the pro forma budget until fully balanced, but does allow balanced pro forma

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data to be copied directly into the June budget request with great labor savings. Cost of the software development was less than \$3,500. Cost-savings for all subsequent years of software use is estimated to be \$10,200 plus cost of living adjustments (if any).

Time-Keeping Software: The PDRM Division created a mockup software application to improve attorney timekeeping on the database which will be used as a basis for the timekeeping database feature for a proposed time-keeping study for case-weighting.

Fee Data Security Feature: The Division implemented a new database security permission group called “Fee Edit” which carefully controls the ability of users to edit the “fee” tab of a case giving district office management the ability to allow or prohibit users’ access to edit fee data (paid, unpaid, amounts, etc.) resulting in an increase of oversight and accountability.

Nov 13 2014

The PDRM Division successfully uploaded the CY14 Annual Report Survey questionnaires to the web for completion by the districts along with detailed instructions. The upload and subsequent download (data collections and compilation) processes were also tested and succeeded. Many districts have already begun filling out the questionnaire, as recommended by staff.

Staff completed three notable research projects: the DOC-OJJ representation study which determined that the number of cases that Public Defender Offices handle in lieu of Department of Corrections attorneys is negligible; the FY13 District Defender Salary Range Review; and the SCR99 Desirability, Feasibility and Practicality of Fulltime Offices (versus Contract Offices) Analysis. The DOC-OJJ study is complete, the Salary Review is complete including the re-analysis using caseload in lieu of populations; the SCR99 analyses are complete and edits to the narrative underway. The submittal deadline is January 15 2015.

PDRM Division staff produced solvency projections for the year FY16 both with and without bailouts rolling into FY16 from FY15 shortfalls. In collaboration with the Legislative Affairs Director, staff developed, produced, refined and completed analyses and corresponding full-color graphics for all 42 districts’ individual Crossroads Outreach Campaign “one-pagers.”

Staff also worked very closely with Legislative Fiscal Office Analyst Zach Rau to produce statistics and graphics to support his article in the Legislature’s Fiscal Newsletter “Focus on the Fisc” which was very much supportive of LPDB and corroborates the Crossroads Outreach Campaign inferences and predictions.

Finally, working with the Capital Case Coordinator, the PDRM Director took preliminary steps in the case weighting workload study-timesheet project which will entail development of timekeeping compliance among PDO attorneys.

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## **Juvenile Division**

The Juvenile Division has been staffed by Deputy Public Defender – Director of Juvenile Defender Services (DPD-DJDS) Richard M. Pittman and Juvenile Justice Compliance Officer (JJCO) Dr. Tiffany Simpson for the entire calendar year 2014. In addition, Dr. Simpson was given the title Director of Legislative Affairs (DLA) in the middle of the year.

DPD-DJDS Pittman and DLA-JJCO Simpson have participated in a number of stakeholder groups during the year, including the Juvenile Justice Act Implementation Commission, the Task Force For the Representation of Children in Child In Need Of Care Cases, the Pelican Center Training Committee, the Children Justice Act Committee, The Court Improvement Project Advisory Committee, the Children’s Code Committee, and the Juvenile Committee of the Sentencing Commission. These organizations have produced a variety of outputs that have benefited defenders, children, and parents, including access to training, bills passed by the legislature and signed into law, and support for grant applications. Specifically these organizations had the following accomplishments:

- were instrumental in passing reform of Title VI of the Children’s Code to improve access to counsel for children and parents in Child In Need of Care cases,
- presented day-long training for CINC attorneys and stakeholders through the National Association of Counsel for Children (NACC),
- monitored and held accountable the Office of Juvenile Justice in its struggles to support reform of juvenile justice,
- promoted training on human trafficking,
- promoted best practices for forensic interviewing of alleged child abuse victims,
- supported LPDB in obtaining funding for social worker support for public defenders in Jefferson Parish,
- financially supported nearly a dozen public defenders in seeking certification as a child welfare specialist from NACC, and
- formally recommended to the legislature that they adopt a law that cloaks social workers in the indigent defense system in the attorney-client privilege.

In addition to these state-level stakeholder organizations, Mr. Pittman and Dr. Simpson have been involved in the leadership of national organizations. Mr. Pittman serves on the Advisory Committee of the Southern Juvenile Defender Center, which is looking to hold its annual Summit in New Orleans in 2015. He also serves as co-chair of the Juvenile Committee of the National Association for Public Defense and is on the Steering Committee of the same organization. The Juvenile Division has also re-organized the Juvenile Defender Advisory Council which held two meetings in 2014.

The Juvenile Division organized its annual Juvenile Defender Training (JDT) on May 14-16, 2014. Trainees attended sessions on Interviewing & Counseling the Youth Client, Juvenile Adjudicative

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Competency, Defending Drug Cases, Storytelling as Advocacy, Advanced Child Welfare Parents Representation, Keeping Children Connected to Their Parents and Biological Families, Communicating with Clients with Intellectual Disabilities, and Client Centered Representation. A total of sixty-four (64) defenders attended these trainings. The Juvenile Division is currently busily planning next year's Juvenile Defender Training event, which will occur on January 27-29, 2015.

In addition to the annual JDT event, the Juvenile Division has organized three regionalized basic trainings in juvenile defense. These trainings were presented in Lafayette, Natchitoches, and Laplace using a combination of LPDB staff and experienced local practitioners as trainers to cover juvenile delinquency procedure, attorney ethics, and juvenile delinquency substantive law. These events were intended to provide basic training to new or infrequent juvenile defenders and to promote regional leadership in the field. A total of 28 defenders trained at these events.

DPD-DJDS Pittman became certified in the National Juvenile Defender Center's comprehensive training protocol, known as Juvenile Training Immersion Program (JTIP), a 40-course curriculum of juvenile delinquency defense training for beginning and experienced defenders alike by attending 3-day, invitation-only program in Chicago, Illinois, in July of 2014. Louisiana has four certified JTIP trainers, and JTIP trainings have been a part of the most recent JDT as well as the regional training program. DPD-DJDS Pittman also attended the annual National Juvenile Defender Center Summit in Louisville, Kentucky, in October of 2014 and the Southern Juvenile Defender Center Summit in Tupelo, Mississippi, in June of 2014. On June 11, 2014, Mr. Pittman addressed a group of foster children from the New Orleans area about avoiding the dangers of human trafficking.

The Juvenile Division has observed juvenile court proceedings in many districts around the state this year, including the 41st (Orleans), 32nd (Terrebonne), 12th (Avoyelles), 18th (Pointe Coupee, W. Baton Rouge, Iberville), 25th (Plaquemines), 23rd (Ascension, Assumption, St. James), and the 9th (Rapides). The Juvenile Division has also observed court in other jurisdictions as part of LPDB's formal Compliance site visit protocol, detailed in the Compliance Section of this report. The Juvenile Division has also maintained a list serve hosted by the National Juvenile Defender Center, which has served as an important vehicle for the Division to communicate with the field and for attorneys in the field to seek support or assistance from their peers. In the calendar year 2014, there were more than 330 messages posted to the list serve.

Last but not least, Mr. Pittman sat for the Louisiana Bar Exam in February of 2014 and was informed that he passed and was admitted to the bar in April of 2014. He had previously been licensed in the State of Alabama and practiced law there.

## **Training Division**

2014 was a transitional year for the Training Division. The Division has attempted to move to a model of more accessible and practical training for public defenders throughout the State of Louisiana.

## **STATUTORY OFFICER ANNUAL SUMMARY REPORTS (CY14)**

During the week of January 12-17, 2014, the staff held an intensive six-day training for new public defenders through the Defender Training Institute. We invited thirty attendees as students before nationally recognized instructors to provide client-centered, high quality skills training. Over this period, attendees were instructed in criminal investigation, theory and theme building, voir dire, opening statements, plea negotiations, cross-examination, direct examination, trial tactics, impeachment, and closing arguments. These are just the basic skills presented. The attendees were also trained to see how all of these areas are connected and how to provide a defense that includes all aspects of the training to provide a client-centered defense.

On March 13-14, 2014, Defender Leadership Training included over 50 leaders of indigent defense in Louisiana. Instructors from New York and Florida were invited to help District Defenders expand funding sources and provide hone their leadership skills.

The Training Division contributed to the Train the Trainers program organized by Judge Wicker of the 29<sup>th</sup> Judicial District. Our training presentation on La.C.Cr.P. 890.1 will be the model presentation for Judges, District Attorneys, and defense lawyers.

### May 14 – 16, 2014

The Training Division conducted the annual Juvenile Defender Training in May 2014 in Baton Rouge, Louisiana. Sixty-four (64) juvenile defenders took part in the three-day training that provided separate sessions for attorneys representing children in delinquency cases and attorneys representing parents in Child in Need of Care (CINC) cases. Trainers conducted sessions on Interviewing & Counseling the Juvenile Client, Challenging Juvenile Adjudicative Competence, Defending Drug Cases, Storytelling, Strategies for Keeping Families Together, Communicating With Clients With Intellectual Disability, and Client-Centeredness.

### August 29, 2014, November 13, 2014 and December 11, 2014

The Division planned and conducted small-scale regional trainings for new or infrequent juvenile defenders, with sessions on juvenile delinquency procedure, the role of the juvenile defender, and substantive legal differences between juvenile delinquency and adult criminal law. Sessions were held in Lafayette, Natchitoches, and Laplace, with a combination of local peers and LPDB personnel as faculty. Twenty-eight (28) defenders attended these sessions.

The annual Defender Training Institute was held September 6-11, 2014 in Woodworth, Louisiana with over 30 participants. The curriculum was modified to reflect an emphasis on Louisiana specific practice while teaching the highest national standards. The choice of a new location was a financial savings and contributed to building a sense of community. We look forward to return visits to Woodworth as a more central location to encourage participation from districts across the state. We were fortunate to receive some recognition in an article on the National Association of Public Defenders website lauding the location and our commitment to creating a community of Louisiana public defenders. (For your reference, you may visit it here: <http://publicdefenders.us/?q=node%2F602> ).



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The annual Capital Defense Training seminar was held October 22-24, 2014 in New Orleans, Louisiana. More than 75 enrolled in the program with several teams bringing an actual case for brainstorming. Our desire this year was to demonstrate how to translate abstract concepts into actual courtroom presentations for effective capital defense. We emphasized several areas of law and the importance of mitigation. We have many ideas for future capital trainings to make this seminar an even greater direct assistance to practitioners in the field.

## December 3 – 4, 2014

The Division procured funding and arranged faculty for training for defenders on using the team model of representation in Child in Need of Care cases. Nationally recognized trainers conducted 1½ days of training on December 3 - 4, 2014 in New Orleans, Louisiana on incorporating social workers into the CINC practice. Twenty-one (21) defenders attended this training.

## December 12, 2014

The Legislative Update was held in December 2014, in Baton Rouge, Louisiana providing 14 defenders with an update of all bills passed in 2014 that affect criminal law and procedure.

The Director of Training and the Administrative Program Specialist engaged in ongoing efforts to develop and implement LPDB's 5-year Strategic Plan and continue building a library of LPDB training materials.

## **Capital Division<sup>1</sup>**

### January 7, 2014

As of January 2, 2014 there are 93 open capital trial level cases: Thirty-seven are pre-indictment and 56 are post-indictment. Fifty-nine of the 93 cases are staffed according to the Louisiana Capital Defense Guidelines. There are six capital appeals, two non-capital appeals, three capital pre-trial consultation cases; three conflict capital post-conviction cases; one capital motion for new trial being handled by Capital Appeals Project. There are 41 capital post-conviction cases being handled directly by the not-for-profit Capital Post-Conviction Project of Louisiana. CPCPL contracts with outside counsel for case conflicts and work load overload and currently has 16 contracts for state capital post-conviction cases.

Staff discussed a needed change to the Protocol for Management of the Capital Expert Witness Fund (See attached p. 5 § 6.2.) Staff proposes that the language be changed from "annual maximum amount" to "monthly maximum amount". The change would limit staff to approving

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<sup>1</sup> The information regarding the Capital Division is comprised of a compilation of Division's dated reports to the State Public Defender.

## STATUTORY OFFICER ANNUAL SUMMARY REPORTS (CY14)

expert witness requests on a monthly basis, up to the amount of the monthly disbursement of Expert Witness Fund which is normally \$50,000 per month.

The Office of Contractual Review has approved the contract redirecting the capital funds from the Capital Defense Project of Southeast Louisiana<sup>2</sup> and the Capital Assistance Project of Louisiana<sup>3</sup> in the amounts of \$331,000 and \$100,000, respectively to the Expert Witness Fund. As of January 2, 2014 there are \$383,789.24 in pending requests for approval for expert witness services.

In relation to the Expert Witness Fund, a subpoena duces tecum was served on the Capital Case Coordinator in the *State v. Brian Smith* case; Docket Nos. 2012-CR-303; 2012-CR-313 and 2012-CR-366 in the 40<sup>th</sup> Judicial District (St. John the Baptist Parish), requesting all documents regarding expert witness applications, requests for approvals, billing, invoicing and payments made by LPDB to the Louisiana Capital Assistance Center (LCAC) for legal services in *State v. Brian Smith* “or other capital cases between August 16, 2012 and the present date.” The subpoena is dated December 30, 2013, is signed by Judge Sterling Snowdy and is returnable January 9, 2014 at 10:00 a.m. The Division is currently seeking *pro bono* counsel to file a Motion to Quash the subpoena and to appear and argue the Motion.

The Capital Case Coordinator was advised by trial counsel in *State v. Wilbert Thibodeaux*, Docket No.: 2013-190149, 16<sup>th</sup> JDC that the Court will be issuing subpoenas to the State Public Defender and the Capital Case Coordinator in the above captioned matter for testimony on January 9, 2014.

Seventy-six capital defenders attended the LPDB Capital Defender Training held in New Orleans from October 23-25, 2013. The evaluations regarding faculty, the plenaries and the break outs were excellent. The major complaint was that the facility was too cold.

In November the Capital Certification Advisory Group reviewed 10 new applications for certification. Two applicants were denied certification. One applicant was approved as Trial Lead Counsel, five applicants were certified as Trial Associate Counsel; two were certified as Appellate Associate Counsel; and, three were certified as Post-Conviction Associate Counsel. The Application for Recertification has been designed and will be sent to capital counsel previously certified this week as the Louisiana Capital Defense Guidelines require receipt of the applications for recertification by January 31. Additionally, one provisionally certified Trial Associate Counsel completed the necessary training and became fully certified in December.

Staff, working with the Capital Working Group, created a Capital Assessment tool to be used to evaluate the district offices’ and contract programs’ compliance with LPDB Capital Defense Guidelines, protocols, rules and procedures. The first program evaluation was conducted on site December 17-20, 2013, by John Holdridge and the Capital Case Coordinator in Shreveport to

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<sup>2</sup> The Capital Defense Project of Southeast Louisiana (CDPSELA) is located in New Orleans, Louisiana. Mr. Kerry Cuccia is the Executive Director.

<sup>3</sup> The Capital Assistance Project of Louisiana (CAPOLA) is located in Shreveport, Louisiana, Mr. Richard Goorley is the Executive Director.

## **STATUTORY OFFICER ANNUAL SUMMARY REPORTS (CY14)**

assess the Capital Assistance Project of Louisiana. Two days were spent reviewing files, file management, interviewing staff members, reviewing time sheets, office financial information and office practices. Additional information is being requested from the program and once received and evaluated, the Assessment will be sent to CAPOLA's Executive Director for comment and response.

Two versions of the Capital Performance Standards (CPS) have been sent to select members of the Capital Working Group for their evaluation and input. The versions are very different and input from the capital litigators on the Board is welcome. If you did not receive copies of the draft CPSs and would like to review them, please let the Capital Case Coordinator know. The Louisiana Legislative Auditors report criticized the agency for not having promulgated the CPS. This is a priority for the Capital Case Coordinator as the CPS provide an objective basis for measuring capital defenders' performance.

Considerable work has been done on the capital wing of defenderData our case management system (CMS). Working with the ITM Division several changes have been made which allow staff to better monitor the cases in the field.

March 10, 2014

Currently, Christopher Sepulvado has a reprieve from the United States District Court in the Middle District of Louisiana. He was under a warrant of execution scheduled for February 13, 2014, when Judge James Brady issued a temporary restraining order putting off the execution 90 days, to no earlier than May 4, 2014. There is an April 7 trial date on the preliminary injunction testing the constitutionality of the state's execution protocol.

There are 98 appointed capital cases at the trial court level where the death penalty has not been withdrawn. This number includes pre-indictment, post-indictment and motion for new trial cases.

### **Performance Standards**

Using the Louisiana Legislative Auditor's Report on the Capital Division as a springboard, the Capital Working Group (CWG), Chaired by Ms. Rebecca Hudsmith, met after the last Board meeting. The CWG was presented with two draft versions of the Capital Performance Standards. After considerable discussion it was decided that the authors of the two versions would work together to combine portions of each set of standards. The completed document was circulated last week to the CWG which voted to present the Capital Performance Standards contained in the materials to the full Board for adoption. Should the Board move to adopt the Performance Standards, subsequently, they will be vetted to various members of the criminal justice system, absent significant changes, the standards will be submitted for promulgation.

### **Capital State Plan**

All of the District Capital Plans were redrafted and/or conformed to the original template sent out to the districts in 2011. The plans have been updated to reflect indigent capital defense demand statistics for the preceding five years, collecting the following pertinent data: the average number

# **STATUTORY OFFICER ANNUAL SUMMARY REPORTS (CY14)**

of capital arrests per year; the average number of capital indictments per year; the average number of capital trials per year and the average number of death sentences per year. The districts were also asked to report the current trial level indigent capital cases in the district based on whether the cases were pre or post-indictment along with the total number of non-conflict cases, conflict cases and overflow cases. Nearly half of the district plans have been submitted, we are awaiting the district plans from 22 districts which either did not respond or did not respond properly.

## **Program Assessments**

As part of the ongoing Capital Assistance Project of Louisiana (CAPOLA)<sup>4</sup> Assessment, staff has conducted in-depth post-verdict file reviews of two cases in which the death penalty was returned. The files were located off-site in the offices of Capital Appeals Project (CAP)<sup>5</sup> and Louisiana Capital Assistance Center in New Orleans. The file reviews took several days in January and February to go through each file and document their contents and organization. The Assessment, with its numerous attachments, is nearly complete. When finished the document will be sent to Mr. Goorley and the CWG for review and comment.

## **Certification and Re-Certification**

Pursuant to the Louisiana Capital Guidelines an Application for Re-Certification was created. January 31, 2014 was the deadline for receipt of the Applications for Re-Certification in currently held roles. Those attorneys seeking to be approved for a different role, e.g., from trial associate counsel to trial lead counsel, had to apply for certification in the new role. Nine attorneys are applying for Certification and 115 are applying for re-certification. The list of all applicants' names will be submitted to the Office of Disciplinary Counsel and all applications materials will be made available to the Capital Certification Advisory Committee (CCAC) which consists of James Boren, John Di Giulio, Rebecca Hudsmith, John Landis, Tom Lorenzi, John Reed, Herschel Richard, and Rick Schroeder. John Holdridge, with whom LPDB contracts for his expertise and assistance in the Capital Division, staffs this committee along with the capital case coordinator.

As during the last certification process, CCAC members will be paired and assigned equal numbers of applications to review in-depth and the entire committee will vet all of the applicants over the course of several weekend teleconferences. It takes a tremendous amount of work to go through this process and division staff is extremely grateful for the dedication and hard work the committee members donate to this important process. John Holdridge, with whom LPDB contracts for his expertise and assistance in the Capital Division, staffs this committee along with the capital case coordinator.

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<sup>4</sup> CAPOLA is located in Shreveport, LA. Mr. Richard Goorley is the Executive Director. Pursuant to its contract, CAPOLA delivers capital trial representation to Caddo (1<sup>st</sup> JD); Winn (8<sup>th</sup> JD); LaSalle (28<sup>th</sup> JD); Grant (35<sup>th</sup> JD); Red River (39<sup>th</sup> JD) and in other parishes statewide as needed.

<sup>5</sup> In addition to covering all of the capital appeals, pursuant to its contract CAP provides resource services, motion for new trial practice, and representation in post-conviction capital cases where there is a conflict with Capital Post- Conviction Center of Louisiana (CPCPL). CAP's Executive Director is Ms. Sarah Ottinger. Their offices are located in New Orleans.

# **STATUTORY OFFICER ANNUAL SUMMARY REPORTS (CY14)**

## **Division Staff Changes**

Since the January 7, 2014 Board meeting the Division's Administrative Coordinator, Michele Burbank, moved to Lafayette and recently obtained a new position with a significant pay raise. We wish her well, but will miss her hard work and good humor. The Administrative Coordinator position, shared with the Juvenile Division is being advertised and we hope to have it filled very soon. Currently, Tierre Hazlewood, who is currently doing our timekeeping and payroll is ably assisting the capital case coordinator.

## **Litigation**

As most of the case specific litigation is based on the lack of Expert Witness Funding, the capital case coordinator has been working with the State Public Defender to cover all of the subpoenas and court orders to appear. Since the last Board meeting either the Public Defender of the Capital Case Coordinator has testified in *State v. Brian Smith*, *State v. Wilbert Thibodeaux*, *State v. Lee Turner*, *State v. Brian Horn*. We are currently under subpoena in *State v. Landon Broussard* for March 3, 2014 in Lafayette. A ruling is expected in *Edge v. LPDB* in April.

Updates and specifics regarding the pending litigation will be discussed in Executive Session.

## **May 12, 2014**

There are 83 open appointed capital cases at the trial court level where the death penalty has not been withdrawn. This number includes pre-indictment, post-indictment and motion for new trial cases. Currently there are eleven (11) capital cases set for trial through the end of 2014 and five capital cases set for trial in 2015.

We currently have two cases on a waiting list for counsel: *State v. Jerrard Major*, Docket Number: M-30918, 17<sup>th</sup> Judicial District, Parish of Lafourche; and *State v. Kinoski Wilson*, Docket Number: 22<sup>nd</sup> Judicial District, Parish of St. Tammany.

## **Performance Standards**

All comments received during the comment period were compiled and integrated into the draft Capital Performance Standards, previously approved by the Board. The Capital Working Group comprised of Chair Rebecca Hudsmith, Leo Hamilton, Bob Lancaster, Herb Larson, Tom Lorenzi reviewed the revised draft and recommend them to the full Board for approval.

## **Compliance with Reporting Requirements**

While most districts and programs fully comply with monthly trial and financial reporting requirements, timely filing of monthly Capital Trial Report Forms continues to be a problem for some. Because this is a chronic problem which has required staff to chase after the data, staff has chosen to simply report to the Board those districts which are non-compliant.

# **STATUTORY OFFICER ANNUAL SUMMARY REPORTS (CY14)**

The following Districts and Programs failed to file their Capital Trial Report Forms by the 5<sup>th</sup> of the month or at all. Districts which failed to file in April and/or May are: the 2<sup>nd</sup> (Bienville, Claiborne, Jackson); the 5<sup>th</sup> Franklin, Richland, West Carroll) the 6<sup>th</sup>, (East Carroll, Madison, Tensas); the 8<sup>th</sup>, (Winn); and, the 21<sup>st</sup> (Livingston, St. Helena, Tangipahoa); the 22<sup>nd</sup> (St. Tammany, Washington); the 32<sup>nd</sup> (Terrebonne); the 33<sup>rd</sup> (Allen), the 34<sup>th</sup> (St. Bernard) and the 36<sup>th</sup> (Beauregard). Failure to report is the absence of data, not the presence of accurate data, especially in districts without capital filings. Where there are no capital cases, the reporting form requires entering the district, parish(es), month, year and the word “NONE”, and the name of the person preparing the form.

Those districts reporting late in April are: the 9<sup>th</sup> (Rapides reporting 4/9/14); the 15<sup>th</sup> (Lafayette, Acadia, Vermillion reporting 4/23/14) and the 18<sup>th</sup> (West Baton Rouge, Iberville, Pointe Coupee, Iberville and Pointe Coupee reports were received 4/24/14). Late reporting affects staff’s ability to assign counsel and resources.

## **Capital Time Sheet and Guide**

As part of your materials you will see the new District Capital Time Sheet and Guide. This was one of the recommendations from the Louisiana Legislative Auditor’s Report which now has been created. The time sheet was developed with a great deal of input from John Holdridge and the capital program directors which all have timekeeping systems. The database will be modified in the future to collect this information.

## **Program Assessments**

The Capital Assistance Project of Louisiana (CAPOLA) Assessment and Attachments were vetted to the Capital Working Group. The final product was sent via E-mail and U. S. Mail on April 22, 2014 to each member of CAPOLA’s Board of Directors. The Board was given ten days to respond to the Assessments findings, conclusions and recommendations. The response was due May 2, 2014. The Capital Appeals Project<sup>6</sup> (CAP) will be preparing the Motion for New Trial in Mr. Horn’s case. Mr. Horn’s file will be reviewed once it is in CAP’s possession.

One of the CAPOLA Board members has asked to meet with the State Public Defender, the Capital Case Coordinator for further information. The Capital Case Coordinator discussed the matter with the Chair of the Capital Working Group, Ms. Hudsmith, who agreed that Mr. Holdridge should attend the meeting as he was involved in the site assessment. We are currently working on a date in May for the meeting.

## **Certification and Re-Certification**

The Office of Disciplinary Counsel has responded to our inquiry about each of the eligible applicants for Re-Certification and for Certification. Applicants’ MCLE transcripts have been

## **STATUTORY OFFICER ANNUAL SUMMARY REPORTS (CY14)**

reviewed for compliance with the Capital Defense Guidelines. January 31, 2014 was the deadline for receipt of the Applications for Re-Certification in currently held roles. Those attorneys seeking to be approved for a different role, e.g., from trial associate counsel to trial lead counsel, had to apply for certification in the new role. Nine attorneys applied for Certification and 117 applied for re-certification. A significant number of applicants submitted incomplete forms, the wrong forms or the incorrect Certificate of Good Standing, requiring notification to the applicant and waiting on the returned documents. As a result we delayed the start of the review process. A number of applicants did not respond to the notification of deficiencies and we have elected to proceed without including them in the process. Due to uncorrected deficiencies the number of applicants eligible for Re-Certification and Certification has dropped.

We will complete scanning the applications to upload by 16<sup>th</sup> of May and present the uploaded applications materials to the Capital Certification Advisory Committee (CCAC) which consists of James Boren, John Di Giulio, Rebecca Hudsmith, John Landis, Tom Lorenzi, John Reed, Herschel Richard, and Rick Schroeder. John Holdridge, with whom LPDB contracts for his expertise and assistance in the Capital Division, staffs this committee along with the capital case coordinator.

As during the last certification process, CCAC members will be paired and assigned equal numbers of applications to review in-depth and the entire committee will vet all of the applicants over the course of several weekend teleconferences. It takes a tremendous amount of work to go through this process and division staff is extremely grateful for the dedication and hard work the committee members donate to this important process

The Capital Division will revise the certain portions of the applications and the Guides to each type of application to address the root cause of the deficiencies.

### **Contracts**

In the absence of General Counsel, the capital case coordinator has reviewed and revised all of the capital and non-capital contracts for FY 2015. All contracts to the non-profits, except CAPOLA, were sent to the programs at the end of last month. The contract for John Holdridge was completed this week.

### **Litigation and the Expert Witness Fund**

As most of the case specific litigation is based on the lack of Expert Witness Funding, the capital case coordinator has been working with the State Public Defender to cover all of the subpoenas and court orders to appear. The First Circuit Court of Appeal ruled in LPDB's favor in *State v. Wilbert Thibodeaux* finding that the district court judge could not order the Board to pay a lump sum of money to the district defender in the 16<sup>th</sup> Judicial District for expert witness services which had not been rendered. A ruling is expected in *Edge v. LPDB*, in May.

The funding hearing set for May 2, 2014 in *State v. Matthew Flugence*, in Gretna has been continued without date. Our counsel in *State v. Vincent*, in Lake Charles has filed a Motion to Quash the subpoenas duces tecum issued to the State Public Defender and Natasha Carter, the

## STATUTORY OFFICER ANNUAL SUMMARY REPORTS (CY14)

Budget Officer. After a successful teleconference the *Vincent* hearing was canceled. The capital case coordinator is still expected to testify June 26, 2014 in *State v. Melvin Maxie*, in Sabine.

Updates and specifics regarding the pending litigation will be discussed in Executive Session.

We continue to closely monitor the Expert Witness Fund. \$61,558.52 is available for the remainder of FY 14. Under the new protocols, expert witness applications received in May, are authorized to begin work in June. Once a Request for Expert Funds is approved, the funds are earmarked for that case, to be paid for from that month's allotment.

To date for FY 14 the EWF has paid \$164,480 for mitigation specialists. Based on the Board's vote to pursue the September 2013 proposal to hire two mitigation specialists who would be housed in the programs to provide mitigation services outside the 501(c)3s.

November 13, 2014

At the time of this writing, staff is unable to provide accurate numbers at the trial court level as three of the large offices with large capital numbers have failed to timely and/or completely file their Capital Case Trial Reports. Understanding that these numbers will change, there are 94 of capital cases at the trial court level as of November 6, 2014.

Currently there are four cases on the capital trial waiting list.

### **Second CAPOLA Assessment**

The second CAPOLA Assessment has been sent to you for your review. The Capital Working Group, chaired by Rebecca Hudsmith, along with members Bob Lancaster, Herb Larson, Tom Lorenzi, and Leo Hamilton will make their recommendation to the Board based on the vote taken November 5, 2014.

At this writing, CAPOLA currently has three cases: *State v. Kenneth Willis* before Judge O'Callahan in Caddo Parish, *State v. Stacey Blount-Juneau* and *State v. Robert Barthelemy* before Judge Beasley in Sabine Parish. There is a fourth case, *State v. Tarika Wilson* before Judge Dorroh in Caddo Parish. However, she relieved CAPOLA as counsel of record and appointed Elton Richey and Jay Florence in their individual capacities, without CAPOLA support or resources. Mr. Richey subsequently moved to withdraw from both the Willis and Wilson matters. Those motions were granted. Mr. Florence was assigned to all four cases as trial associate counsel.

Staff appointed Mr. Robert Noel to enroll as trial lead counsel in Mr. Willis' case and anticipate a contract for legal services with him. He has asked that Mr. Florence stay on that case as trial associate counsel. Staff will request a legal contract for services with Mr. Florence to continue representing Mr. Willis.

As to Ms. Wilson's case, Staff asked Mr. Ross Owen to enroll as trial lead counsel. Mr. Florence has asked to stay on this case. LPDB anticipates contracts for legal services with each attorney.



# **STATUTORY OFFICER ANNUAL SUMMARY REPORTS (CY14)**

Additionally, LPDB will provide funding for core team members selected by counsel and properly applied for through the Expert Witness Fund on all cases previously handled by CAPOLA.

CAPOLA has taken the position that their reserve fund balance of over \$600,000 is “already earned” and they will not use the funds to defray the cost of representing the capital defendants whom LPDB previously has appointed them to represent. CAPOLA seeks to keep the reserve fund balance comprised solely of state funding and filed *Citizen* litigation seeking additional compensation from July 1, 2014 through the present for representing LPDB clients.

LPDB filed a Petition for Declaratory Judgment, and Injunctive Relief and Petition for Accounting on the state contract, in the Nineteenth Judicial District.

## **Expert Witness Fund Update**

Currently, properly documented and reasoned requests for expert funds which are granted authorize experts to begin their work in January 2015. Based on comments from capital trial lawyers and several judges, the Capital Working Group has made a recommendation that the internal operating procedure regarding administration of the expert witness fund be amended. The amendment would allow core team members, namely mitigation specialists and investigators, begin work immediately to preserve evidence and work with the client during the critical time after arrest. While they may begin work immediately, they will not be paid until the funding is available. This change in the protocol will be presented to the Board for approval.

Currently \$525,526.82 is encumbered; \$62,202.96 has been released and returned to the fund due to staleness; \$152,835.01 is the remaining balance available through June 30, 2015. A properly documented request for approval for an expert witness approved today, has the start date of March, 2015 to begin working.

## **State Capital Plan**

Working with the Louisiana Capital Assistance Project and their new fellow, Sophia Harris, we are reviewing capital charging and indictment trends over the last five years to develop the state capital plan, required by statute. With Ms. Harris’ help we are calculating the number of arrests, those that lead to capital indictments, the length of time between arrest and charging, the life of the case at the trial court level and outcomes.

We have updated all of the district capital plans and are beginning to sift through the data to determine how best to cover the location and number of cases in the system.

## **Weighted Case Load Study**

The Capital Division held the first organizational meeting with three district defenders to organize the work plan for the pilot time keeping/case weighting study required by our enabling legislation.

## STATUTORY OFFICER ANNUAL SUMMARY REPORTS (CY14)

Staff has requested assistance from the American Bar Association and is awaiting their decision. Several Executive Staff members are involved in the study. The participating jurisdictions are Orleans, East Baton Rouge and Natchitoches Parishes. We would like to have one multi-district parish volunteer, however none has come forward. Once the cases are broken down into various classes or types of case, DefenderData time keeping will be used, with events tied to our trial court performance standards. Time will be kept uniformly over a 26 week period. During that time an independent accounting firm will be commissioned to provide data analysis.

The second portion of the study will involve a blue ribbon panel which will select 10 stellar defenders and 10 stellar private criminal lawyers who will decide how much time each task should take for each case type, for lawyers, and at a minimum investigators. That data will be used to determine how much time should be spent on the actual caseload of each office, which in turn will determine the number of staff needed to properly handle the cases in each participating office.

For those Board members interested in the methodology you may access the seminal document at the following link:

[http://www.americanbar.org/content/dam/aba/events/legal\\_aid\\_indigent\\_defendants/2014/lisclaid\\_5c\\_the\\_missouri\\_project\\_report.pdf](http://www.americanbar.org/content/dam/aba/events/legal_aid_indigent_defendants/2014/lisclaid_5c_the_missouri_project_report.pdf)

### **Special Projects Division**

The Special Projects Division worked on a variety of projects in to promote LPDB's mission and meet statutory mandates. The division produced and disseminated the LPDB e-newsletter to over 900 subscribers. Also, it was responsible for updating the website with relevant announcements, employment opportunities, and local, state and national public defense information. Special Projects assisted with the final publication of the *Trial Court Performance Standards* for CINC and Delinquency and the *Capital Defense Guidelines*, printed a training brochure for job fairs and recruitment, worked with the Juvenile Compliance Officer on a guide for parents and clients in Child in Need of Care/Termination of Parental Rights Cases, began a compilation of policies passed by LPDB, drafted and compiled material for the State Public Defender's legislative outreach project, drafted media submissions relating to death row exoneration and completed an Angola 5 Fact sheet as a distributable resource.

Special Projects monitored the 2013 and 2014 LCLE grants from financial reports and site visits and assisted with the compilation of information needed for the Financial Management Guide. In April, 2014, the division completed the reporting for the 2013 LCLE grant and prepared contracts and other materials for the continuation of the April 1, 2014 grant specific to the development of the Case Management System (CMS).

In collaboration with the ITM Division, Special Projects collected information from the Sex Offender Assessment Panel (SOAP) Contract attorneys in LPDB's effort to improve the SOAP

## **STATUTORY OFFICER ANNUAL SUMMARY REPORTS (CY14)**

online invoicing tool. Use of the electronic invoice submittal resulted in more prompt billing submittal and payments.

The Special Projects Division also worked extensively with the Juvenile and Training Division in the development of the Juvenile Defender Training and supported the training development/implementation for the Defender Leadership Training.

Special Projects developed a Community Oriented Defender (COD) Toolkit, conducted expenditure research for the Joint Legislative Committee on the Budget Report, , participated in the review of legislation prior to the 2014 legislative session, maintained records and tax filing status of the Louisiana Justice Coalition and served as the LPDB liaison to the Office of Student Financial Assistance in the promotion of the John R. Justice Loan Repayment Program for public defenders.

# **FY 2013–14 BOARD MEMBER ATTENDANCE at the LOUISIANA PUBLIC DEFENDER BOARD MEETINGS**

**Eight or more Board members attended each of the Board’s seven meetings during FY 2014, fulfilling the eight-member quorum requirement set forth in La. R.S. 15:151.**

The membership attendance by date is set forth below:

**1. July 31, 2013 -- 11 voting members, 1 ex officio member present**

Frank Neuner, Chairman	Luceia LeDoux
Robert Burns	Hector Linares
Leo Hamilton	Tom Lorenzi
Frank Holthaus	Pam Metzger
Dan Krutz	Majeeda Snead
Robert Lancaster	
	<u>Ex Officio:</u>
	Rebecca Hudsmith

**2. September 16, 2013 -- 10 voting members, 0 ex officio member present**

Frank Neuner, Chairman	Luceia LeDoux
Robert Burns	Hector Linares
Addison Goff	Tom Lorenzi
Leo Hamilton	Majeeda Snead
Dan Krutz	Gina Womack

**3. October 29, 2013 – 15 voting members, 1 ex officio members present**

Frank Neuner, Chairman	Hector Linares
Robert Burns	Tom Lorenzi
Addison Goff	Pam Metzger
Leo Hamilton	Jacqueline Nash
Frank Holthaus	Herschel Richard
Dan Krutz	Majeeda Snead
Robert Lancaster	Gina Womack
Luceia LeDoux	
	<u>Ex Officio:</u>
	Rebecca Hudsmith

**FY 2013–14 BOARD MEMBER ATTENDANCE**  
**at the**  
**LOUISIANA PUBLIC DEFENDER BOARD MEETINGS**

**4. January 7, 2014 – 12 voting members, 0 ex officio members present**

Robert Burns	Hector Linares
Addison Goff	Tom Lorenzi
Leo Hamilton	Jacqueline Nash
Frank Holthaus	Herschel Richard
Dan Krutz	Majeeda Snead
Herbert Larson	Gina Womack

**5. March 10, 2014 -- 10 voting members, 0 ex officio members present:**

Robert Burns	Hector Linares
Hampton Carver	Tom Lorenzi
Addison Goff	Jacqueline Nash
Leo Hamilton	Herschel Richard
Herbert Larson	Gina Womack

**6. April 14, 2014 – 9 voting members, 1 ex officio members present:**

Robert Burns	Tom Lorenzi
Addison Goff	Jacqueline Nash
Leo Hamilton	Herschel Richard
Robert Lancaster	Gina Womack
Hector Linares	
	<u>Ex Officio:</u>
	Rebecca Hudsmith

**7. May 12, 2014 – 8 voting members, 0 ex officio members present:**

Robert Burns	Herbert Larson
Hampton Carver	Hector Linares
Leo Hamilton	Tom Lorenzi
Robert Lancaster	Herschel Richard

# **DECISIONS AND ACTIONS**

## **of the**

### **LOUISIANA PUBLIC DEFENDER BOARD FY 2014**

#### **July 31, 2013 Meeting**

1. The Board accepted the Staff's recommendation to hire Dr. Tiffany Simpson to fill the Juvenile Justice Compliance Officer position.
2. The Board accepted the Budget Committee's recommendation to approve the contract with Rudie R. Soileau, Jr. for legal representation of the Board in *State v. Vincent*.
3. The Board accepted the Budget Committee's recommendation to require "Needs-Based Budget Requests" from each district Defender to be submitted by October 1, annually.
4. The Board accepted the Policy Committee's recommendation to create a "*Policy Development Working Group*" to develop policies required by La. R.S. 15:148(B).
5. The Board ratified the recommendation to retain Mr. Tony Tillman (District Defender/Vernon Parish) as Interim District Defender in the 9th Judicial District/Rapides Parish.
6. The Board approved the Staff's recommendation to submit a grant proposal to Louisiana Commission on Law Enforcement for CY 2014 to be used to continue funding the auditor position and, thereafter, an LPDB outreach campaign if any funds were available.
7. The Board moved for Staff to organize a Board retreat to address governance and the Board's strategic plan process.

#### **September 16, 2013 Meeting**

1. The Board moved to delay the selection of the State Public Defender until more information could be gathered for the SPD Selection Working Group; however, the three candidates were given the opportunity to address the Board for five minutes as well as an additional five minutes for one person to speak on his/her behalf. A question and answer session from the Board members followed.
2. The Board accepted the recommendation of the Budget Committee to implement the Expert Witness Fund protocols
3. The Board accepted the recommendation of the Budget Committee to reduce the FY 14 fee schedule for experts of five to fifteen percent but allowing for exceptions.
4. The Board accepted the Budget Committee's recommendation to adopt the "*Guide for Developing a Needs-Based Budget Request*" for the district defender offices.

**DECISIONS AND ACTIONS**  
**of the**  
**LOUISIANA PUBLIC DEFENDER BOARD FY 2014**

5. The Board moved to extend Interim District Defender Tony Tillman's term to October 31, 2013 (District 9/Rapides Parish.).

**October 29, 2013 Meeting**

1. The Board moved to appoint Mr. Jay Dixon, who received the majority vote, as the next State Public Defender. His official start was to be December 1, 2013
2. The Board accepted the Staff's recommendation to appoint Mr. Glenn Cortello as the District Defender for District 9 (Rapides Parish) at a salary equal to that of the previous District Defender.
3. The Board ratified the Budget Committee's recommendation to submit the FY 15 budget for \$53 million, which incorporated all Districts' Needs-Based Budgets and included a request for an increase in the TO from 16 to 19.
4. The Board moved to give the Budget Committee the authority to delegate authority to Staff to renew 501(C)(3) contracts and disperse the second half of the DAF to the districts. The action was taken because the full Board would not meet again before December 31, 2013.
5. The Board moved to amend the Louisiana Appellate Program's contract to incorporate funds from CDPSELA and CAPOLA and redirect a portion of the funds to the Expert Witness Fund.
6. The Board accepted the Policy Committee's recommendation to adopt a policy that LPDB shall never assume any financial responsibility in trial level DOC cases.
7. The Board ratified the Staff's request to contract with the Decuir Law Firm for representation in the 19<sup>th</sup> JDC and the Riviere Law Firm in the 17<sup>th</sup> Judicial District (*State v. Brown*). This action was taken in order to comply with a court order.
8. The Board ratified Staff's request to contract for services in the Angola 5 cases.
9. The Board moved to form a Capital Litigation Working Group to oversee capital litigation.

**DECISIONS AND ACTIONS**  
**of the**  
**LOUISIANA PUBLIC DEFENDER BOARD FY 2014**

**January 7, 2014 Meeting**

1. Vice Chairman Robert Burns thanked Frank Neuner and Julie Ferris for their contributions to the LPDB. He also welcomed new board members Hampton Carver and Herbert Larson and the incoming State Public Defender James T. “Jay” Dixon, Jr.
2. The Board moved to appoint Herbert Larson and Gina Womack to the Budget Committee. Professor Snead was appointed chairwoman.
3. The Board approved the Budget Committee’s recommendation for a salary increase for District Defender Tony Tillman based on merit and ability, noting the increase was in line with current approved salary ranges.
4. The Board moved to hire Ms. Lori Honore as the new Budget Officer, to include a start date of January 21, 2014.
5. The Board accepted Mr. Holthaus’ request to be removed from the Capital Working Group and his request to be on the Policy Committee. Professor Jacqueline Nash also volunteered to be on the Policy Committee. Due to this action, the Committee was restored to a membership of five.
6. The Board approved the Policy Committee’s recommendation that Section 6.2 of the Protocol for Management of the Capital Expert Witness Fund be amended.
7. A resolution, prepared at the direction of the Board to clarify LPDB’s position that it is not responsible for providing indigent representation to inmates charged with a crime while in the custody of DOC, was presented to the Board (see October 29, 2014 meeting). After presentation of discrepancies in the practices of district offices statewide and other opposing opinions, the Board moved to table the issue for future discussion.
8. Pending the appointment of a new District Defender in Calcasieu/Cameron Parish (14<sup>th</sup>/38<sup>th</sup> Judicial Districts), the Board moved to appoint Mr. Harry Fontenot at a salary of \$100,000.00 retroactive to December 1, 2013.



**DECISIONS AND ACTIONS**  
**of the**  
**LOUISIANA PUBLIC DEFENDER BOARD FY 2014**

**March 10, 2014**

1. The Board moved to table the “Executive Staff Performance Evaluations” item on the agenda until the appointment of Board members to the evaluating committee until a permanent Chairman of the Board is appointed.
2. The Board moved to accept the Budget Committee’s recommendation to have \$30,000.00 of the funds available for reallocation made available to District 10 (Natchitoches Parish) due to the financial crisis the district was experiencing.
3. The Board moved to accept the Budget Committee’s recommendation to hold the \$30,000.00 remaining in reallocated funds in reserve for District 16 (Iberia, St. Martin, St. Mary Parishes) and District 2 (Claiborne, Bienville, Jackson Parishes) should the need arise. The Board gave the Staff the authority to disperse the funds if needed before the next Board meeting.
4. The Board moved to accept the Policy Committee’s recommendation that the research of DOC inmates charged with crimes while in custody (see January 7, 2014 meeting) be approached in two ways: 1) research those districts that have a DOC facility and 2) all districts will flag on the database all DOC inmates represented by the Public Defender Office. Juvenile inmates are to be included in this study.
5. After a presentation by Mr. Josh Perry, Executive Director of the Louisiana Center for children’s Rights, the Board moved to accept the merger of LCCR and JJPL.
6. The Board approved the Capital Trial Standards presented by Ms. Jean Faria.

**April 14, 2014**

1. Following Ms. Majeeda Snead’s resignation from the Board, a vacancy was left on the Budget Committee. The Board moved to appoint Hampton Carver to fill the vacancy.
2. The Board approved the Budget Committee’s recommendation to authorize Staff to distribute the necessary funds to District 7 (Catahoula/Concordia Parishes), District 10 (Natchitoches Parish), and District 16 (Iberia, St. Martin, St. Mary Parish) when the need arises some time before June 30, 2014.

**DECISIONS AND ACTIONS**  
**of the**  
**LOUISIANA PUBLIC DEFENDER BOARD FY 2014**

3. The Board approved the Budget Committee's recommendation for standstill budgets and six month contract terms for the contract programs for FY15, with the exception of the Louisiana Appellate Project (which requested additional funds to cover the cost of Lexis-Nexis.) The recommendation and approval excluded CAPOLA pending the on-going assessment results.
4. The Board approved the Budget Committee's recommendation for standstill budgets for all districts for FY15.
5. The Board approved the recommendation of the Budget Committee to create a pilot program to fund two mitigation specialists to be used only by the districts on capital cases. The experts would be supervised by CDPSLA/Kerry Cuccia and District 15 Public Defender Office (Paul Marx).
6. The Board approved the recommendation of the Budget and Policy Committees to schedule a retreat in August 2014 with a consultant to assist in addressing the funding crisis and development of media relations and outreach.
7. The Board approved the recommendation of the Budget Committee to hire Interim District Defender Harry Fontenot for the permanent position in the 14<sup>th</sup>/38<sup>th</sup> District (Calcasieu/Cameron Parish) with an annual salary of \$115,000.00.

**May 12, 2014 Meeting**

1. The Board approved the Policy Committee's recommendation to adopt the timekeeping form and guide to be used by districts and contract programs providing capital services as recommended by the Legislative Auditor's report of January 2014.
2. The Board approved moving forward with promulgation of the Capital Performance Standards as prepared by the Capital Working Group in the Louisiana Administrative Code.
3. The Board moved to hire Mr. William Boggs as the Deputy Public Defender, Director of Training for an annual salary of \$110,000, scheduled to start June 1, 2014.
4. The Board approved the Budget Committee's recommendation to adopt the FY 15 distribution plan of the DAF as presented by Dr. Stilling and to distribute FY 14 final year end DAF funds according to that distribution plan.

# Louisiana Public Defender Board

## Expenditures For FY2014

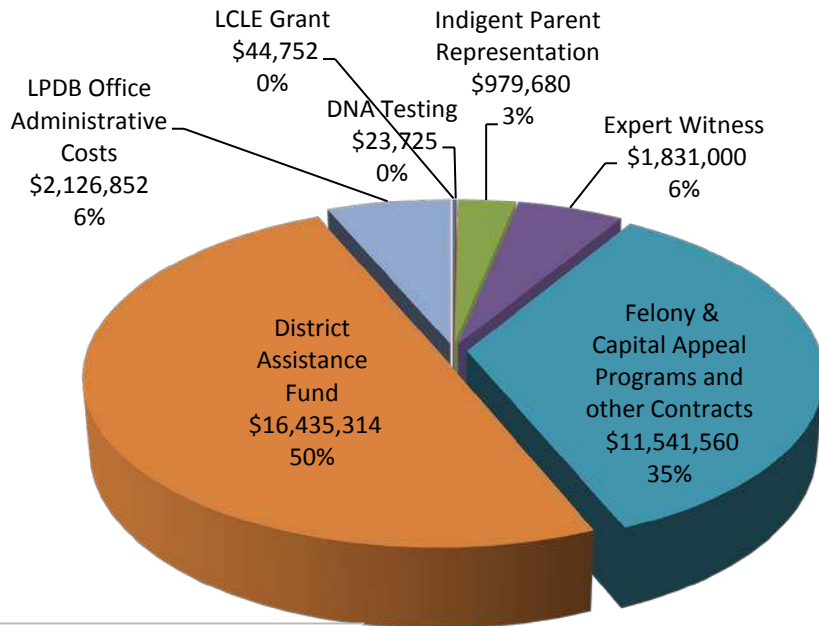
<b>SALARIES</b>	<b>\$ 972,155</b>
<b>OTHER COMPENSATION</b>	<b>\$ 163,832</b>
<b>RELATED BENEFITS</b>	<b>\$ 446,482</b>
<b>TOTAL PERSONAL SERVICES</b>	<b>\$ 1,582,469</b>
<b>TRAVEL</b>	<b>\$ 25,650</b>
<b>OPERATING SERVICES</b>	<b>\$ 368,478</b>
<b>SUPPLIES</b>	<b>\$ 13,493</b>
<b>TOTAL OPERATING EXPENSES</b>	<b>\$ 407,621</b>
<b>PROFESSIONAL SERVICES</b>	<b>\$ 245,627</b>
<b>INTERAGENCY TRANSFER</b>	<b>\$ 102,895</b>
<b>OTHER CHARGES</b>	<b>\$ 30,639,528</b>
<b>ACQUISITIONS</b>	<b>\$ 4,743</b>
<b>TOTAL ALL EXPENDITURES</b>	<b>\$ 32,982,883</b>

### Positions

<b>Classified T.O</b>	<b>7</b>
<b>Unclassified T.O</b>	<b>8</b>
<b>Non-T.O</b>	<b>5</b>
<b>Total Positions</b>	<b>20</b>

## LPDB FY 2014 Expenditures

(Total: \$32,982,883)



Note: LCLE Grant = 0.14%  
and DNA Testing = 0.07%

## CY 2014 Revenues and Expenditures

District	Total CY14 State Funds Distributed	State Funds Available for Use in CY14	Total Local Funding Received by Districts in CY14	Combined State and Local Funds Available for Use in CY14	Percent of Total Revenue Funded by State for Use in CY14	Total CY14 Expenditures	Estimated CY14 Fund Balance Depletion	Raw Cases Handled in CY14
1	1,425,463	1,697,750	1,595,281	3,293,031	51.56%	3,412,424	-119,393	18,016
2	121,592	185,623	243,726	429,349	43.23%	386,792		1,043
3	198,573	140,040	341,960	482,000	29.05%	564,986	-82,987	1,971
4	750,540	630,085	1,489,565	2,119,650	29.73%	2,360,967	-241,317	11,609
5	140,188	94,809	308,316	403,125	23.52%	549,476	-146,351	2,530
6	143,659	96,615	408,752	505,368	19.12%	507,394	-2,026	1,665
7	231,881	184,737	130,456	315,193	58.61%	324,028	-8,835	2,496
8	166,391	160,700	80,668	241,367	66.58%	229,460		963
9	246,267	160,993	740,604	901,597	17.86%	1,058,315	-156,717	6,807
10	380,538	347,206	184,238	531,445	65.33%	480,506		1,608
11	195,716	233,415	73,583	306,998	76.03%	440,659	-133,660	1,589
12	173,814	94,006	215,793	309,799	30.34%	387,430	-77,631	3,438
13	157,730	185,185	92,319	277,504	66.73%	283,912	-6,408	1,467
14	793,057	1,043,239	1,158,614	2,201,854	47.38%	2,003,261		16,399
15	1,269,573	1,608,864	2,290,503	3,899,367	41.26%	3,876,771		18,112
16	719,162	662,500	1,271,333	1,933,832	34.26%	1,961,512	-27,680	8,749
17	326,950	297,826	527,376	825,202	36.09%	779,881		4,693
18	120,511	107,262	630,316	737,578	0.00%	934,714	-197,136	2,352
19	1,322,214	1,252,289	3,639,774	4,892,062	25.60%	5,385,672	-493,610	22,620
20	108,464	92,390	121,716	214,106	0.00%	298,317	-84,211	783
21	1,109,933	890,865	1,817,204	2,708,068	32.90%	2,950,139	-242,071	15,078
22	1,221,146	1,526,521	1,480,025	3,006,546	50.77%	2,966,480		13,816
23	243,448	273,727	786,010	1,059,737	25.83%	1,160,105	-100,368	5,704
24	675,457	605,018	2,605,128	3,210,146	18.85%	3,317,709	-107,563	10,400
25	53,542	104,497	168,108	272,605	38.33%	341,793	-69,188	1,412
26	734,288	592,750	740,178	1,332,928	44.47%	1,706,972	-374,044	14,190
27	356,437	340,683	442,325	783,008	43.51%	1,089,116	-306,108	6,840
28	103,962	67,885	70,840	138,725	48.94%	206,408	-67,683	816
29	0	0	1,445,913	1,445,913	0.00%	1,147,095		2,075
30	77,942	44,384	454,103	498,487	8.90%	618,246	-119,759	2,045
31	67,040	107,478	346,240	453,717	23.69%	571,082	-117,365	1,425
32	430,613	388,732	871,309	1,260,041	30.85%	1,462,815	-202,774	4,868
33	35,452	70,774	184,415	255,189	27.73%	286,436	-31,247	531
34	187,839	112,431	139,938	252,368	44.55%	389,951	-137,582	3,634
35	96,165	59,436	107,270	166,706	35.65%	203,229	-36,523	696
36	62,899	94,564	283,685	378,249	25.00%	358,874		879
37	141,974	117,955	42,210	160,164	73.65%	198,276	-38,111	639
38	0	0	90,599	90,599	0.00%	83,741		51
39	66,340	84,996	38,956	123,952	68.57%	130,188	-6,236	489
40	33,231	91,661	761,992	853,653	10.74%	704,101		2,142
41	2,353,811	2,380,913	3,697,222	6,078,135	39.17%	6,397,924	-319,789	22,011
42	0	0	539,019	539,019	0.00%	433,824		1,538
Totals	\$17,043,799	\$17,230,803	\$32,657,581	\$49,888,384	34.54%	\$52,950,981	-4,054,372	240,189

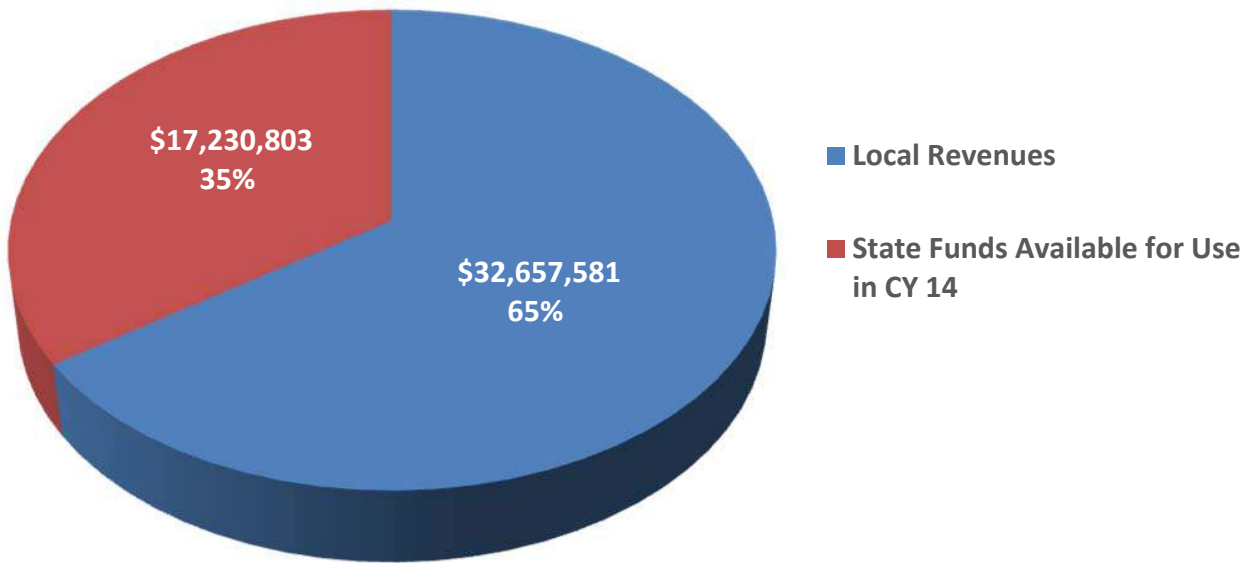
**Local Revenues    \$    32,657,581**  
**State Funds Available for Use in CY 14    \$    17,230,803**  
**Estimated District Fund Balance Depletions    \$    4,054,372**

*NOTE: The difference between "CY14 State Funds Distributed" and "State Funds Available for Use in CY14" is an artifact of using parts of two fiscal year disbursements for a single calendar year report.*

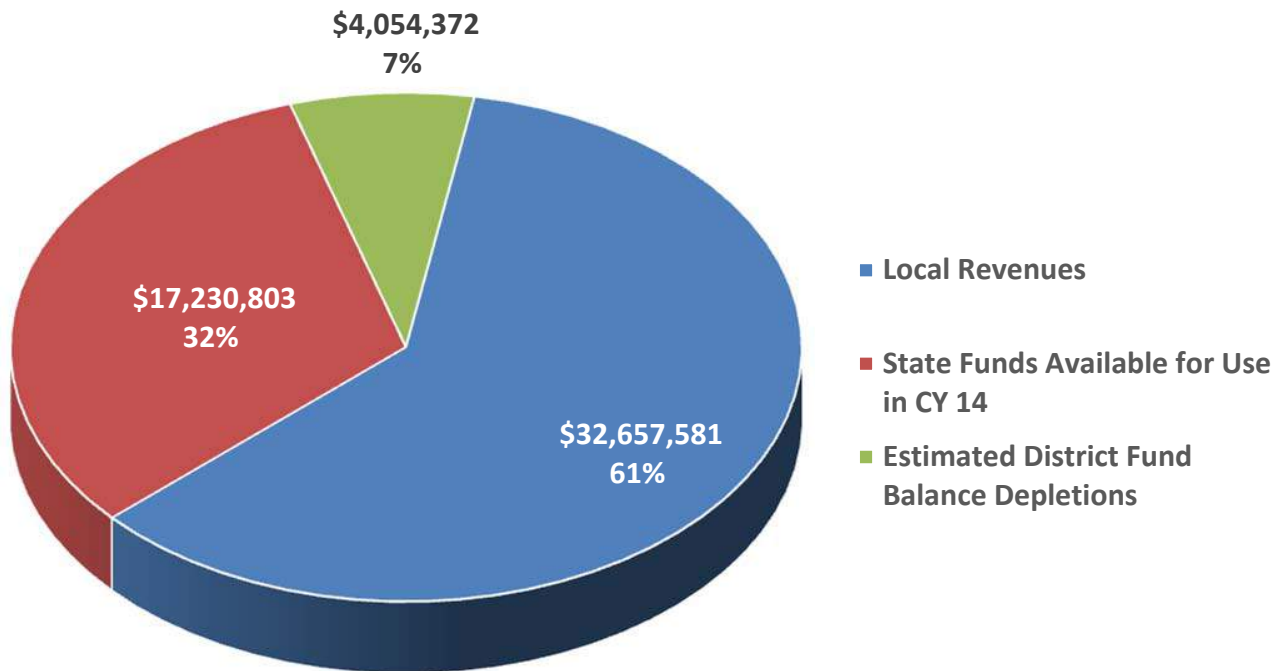
*NOTE: District 41 - CY14 local revenue includes \$931,007 general appropriation from the City of New Orleans.*

*NOTE: Fund Balance Depletion estimated by subtracting district expenditures from available state & local revenues.*

### Statewide Revenues by Funding Source for CY 2014



### Statewide Revenues & Fund Balance Depletions for CY 2014



## **DISTRICT REPORTS DATA COLLECTION METHODOLOGY (CY14)**

The following district reports cover each individual Judicial District Public Defenders' Office regarding several factors: basic office information, district structures, caseload information and budget information. This information is reported to LPDB by the District Defenders to the best of their knowledge and belief at the time of the submission. Preceding each district's report is an executive summary produced by LPDB staff using the self-reported information from each district as well as LPDB analytics, including information regarding solvency projections, Pre- and Post-Act 578 revenues changes, caseload changes and statewide comparisons and legal representation improvements. It should be noted that staffing information in the summaries represents a "snapshot" of data collected near year's end (November-December), and as such could be different in any given month, as staff headcounts can change unexpectedly. Also, in some limited instances, LPDB staff did change the self-reported information from the district to reflect the most current Census information. Aside from changes in Census data, the district report executive summaries represent each district's self-reports on their caseload and fiscal activity and on their local procedures and environments.

The first part of each district's report is a narrative which lists basic contact information, including emergency contact information; descriptions of the structure of the local office and the local criminal justice system, including key figures in the local system; the staffing and supervisory structure of the local office; contact information for the assistant public defenders; and an inventory of the office's present hardware and software. These data are self-reported by the districts through the web-based annual survey questionnaire distributed to each District Defender near year's end, with the exception of the district's total population and juvenile population data (by parish) which were provided respectively by the U.S. Census Bureau and the Annie E. Casey Foundation.

The second part is a report of the district's public defender aggregated new and pending (from prior years) caseloads and outcomes of cases closed in CY 2014. These data are also self-reported by the district offices, gathered through each district's data entry in the case management system. The data are collected throughout the year by each attorney or the attorney's designee through entry to the LPDB online database. It should be noted that in CY 2011, the LPDB purchased a new case management system and deployed it in June, 2011. Data preceding June 2011 was converted and migrated into the new database from the old database also in June 2011. Data is reported on new cases, closed cases, cases from prior years which are still pending, and the total of new and pending cases. Some cases listed as pending have been open for several years yet have been periodically reviewed by the districts to ensure these are truly still open cases, noting that complex cases such as juvenile, felony, capital and life without parole (LWOP) cases may indeed remain open even after several years. Additionally, data is reported on the disposition of charges in very broad categories for presentation purposes, with labels such as Guilty as Charged, Dismissed, and Plea to Lesser Charge, for example, each of which include numerous outcomes similar to these broad labels. Nonetheless, the disposition data reported do give an impression of the outcomes of cases and charges. It should also be noted that given the February 1, 2015 deadline

## **DISTRICT REPORTS DATA COLLECTION METHODOLOGY (CY14)**

for submission of this Calendar Year 2014 annual report, case closings and pending cases may not be completely up-to-date, particularly cases handled very near the end of the calendar year because the time-lag between case activity at year's end and case data entry which may have precluded this very latest activity from being entered in time for this February 1 report.

The third part of these district reports addresses revenues and expenditures. State revenues are distributed by the Louisiana Public Defender Board to the individual district public defender offices (PDOs) on a fiscal-year basis. In an effort to report the amount of state revenue received by a district in a meaningful way on a calendar year-basis, the state revenue portion of the financial summaries that follow were computed by adding all of the District Assistance and Indigent Parent Representation Funds distributed during the second half of FY 13-14 (plus all other funds disbursed between January and June, 2014) and all of the District Assistance Fund and Indigent Parent Representation Fund distributed during the first half of FY 14-15 (July through December 2014). These calendar year totals are labelled "Available for use in CY14." All other information contained in the financial summaries that follow was taken from unaudited financial statements, which were submitted through the online case management system to the Louisiana Public Defender Board by the individual Public Defender Offices (PDOs) on a monthly basis during the preceding calendar year. These monthly financial reports are now reported online (since August 2012), and all prior monthly reports since 2008 were converted and migrated into the database.



THE 1<sup>ST</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
CADDO (SHREVEPORT)

DISTRICT DEFENDER: ALAN GOLDEN  
400 TRAVIS STREET, SUITE 2000  
SHREVEPORT, LA 71101  
(318) 221-2220



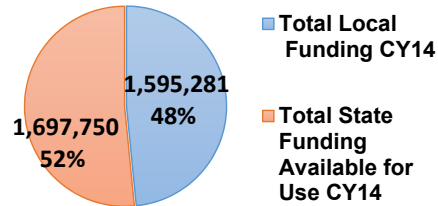
# 1ST JUDICIAL DISTRICT

During calendar year 2014, the 1st Judicial District Public Defenders Office handled 18,016 cases. The office received \$3,293,031 in total revenues to handle these cases, approximately 48% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

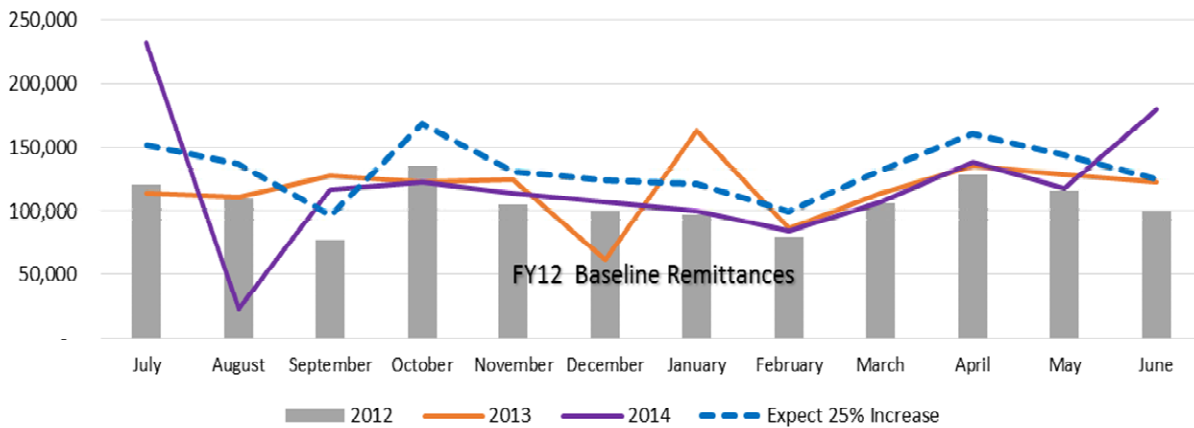
With the exception of a few months since FY13, the 1st has generally failed to realize the 25% increase in local funds (blue dotted line, below) that was expected to materialize as a result of Act 578 (2012).

The 1st Judicial District office exhausted its fund balance in 2013. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent toward the end of FY15.

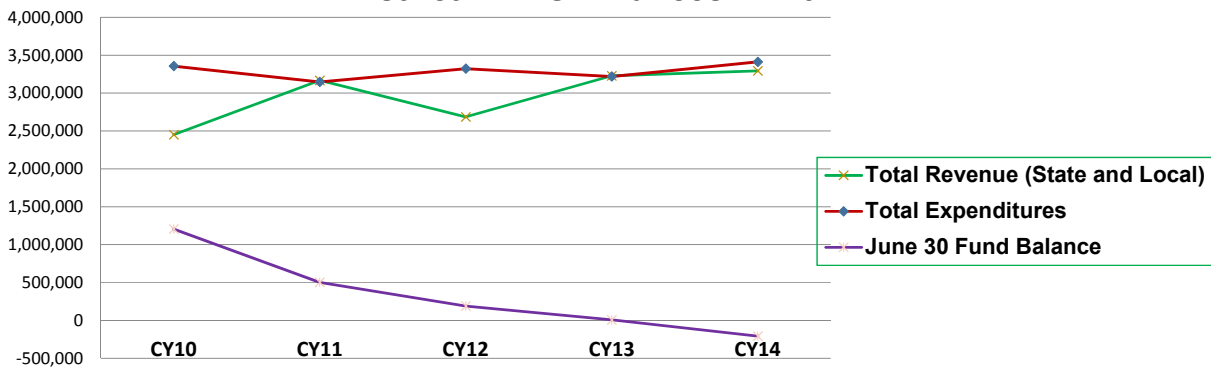
**District 1 PDO Revenue Sources  
CY14**



**Impact of Act 578 on District 1 PDO**



**District 1 PDO Finances CY10-14**



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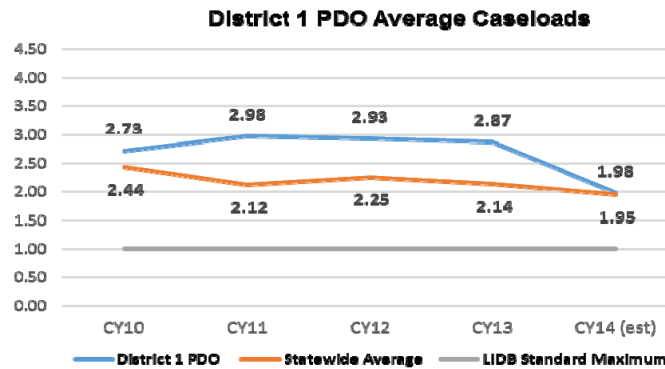
## CADDO PARISH

Alan Golden  
District Defender  
400 Travis Street, Suite 2000  
Shreveport, LA 71101  
318-221-2220

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In the 1st Judicial District, public defense attorneys make an average annual salary of \$58,465 while maintaining caseloads almost twice the recommended caseload limit for each attorney.

Although caseloads remain high due to insufficient revenues, through increased training and supervision, adult client outcomes have significantly improved over the last five years.



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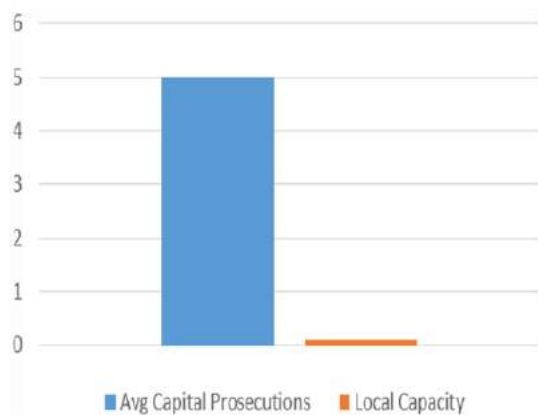
## CAPITAL REPRESENTATION

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Since 2009, the 1st Judicial District has averaged 5 new capital prosecutions each year.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 1st Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 1<sup>ST</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Caddo - Shreveport
<b>Population</b>	254,969
<b>Juvenile Population</b>	63,234
<b>District Defender</b>	Alan Golden
<b>Years as District Defender</b>	16 yrs 11 mos
<b>Years in Public Defense</b>	23 yrs 7 mos
<b>Office Manager</b>	Cindy Murray
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Jim McClure, Information & Technology Administrator.
<b>Primary Office Street Address</b>	400 Travis Street, Suite 2000
<b>City</b>	Shreveport
<b>ZIP</b>	71101
<b>Primary Phone</b>	318-221-2220
<b>Primary Mailing Address</b>	Same
<b>Primary Fax Number</b>	318-221-2247
<b>Primary Emergency Contact</b>	Alan Golden
<b>Primary Emergency Phone</b>	318-455-6023 Cell
<b>Secondary Emergency Contact</b>	Cindy Murray
<b>Secondary Emergency Phone</b>	318-218-4990 Cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Juvenile Office: 2800 Youree Dr., Suite 204, Shreveport, LA 71104, 318-212-1801. City Court Office 1234 Texas St. 71101. 318-673-5481.
<b>Other District Office Contact Personnel (Primary Only)</b>	Kristen Bernard (Juvenile Office) 318-564-4243. Alex Rubenstein (City Court Office) 318-820-8811.
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Avant Properties/Beck Building (Main Office); Celt Center (Juvenile Office).
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Main: \$15,043; Juvenile \$4,546
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Caddo Parish Commission
<b>Courts and Locations</b>	1st Judicial District Court, Caddo Parish, Shreveport; Caddo Parish Juvenile Court, Shreveport City Court; Red River District Court (39th JDC - Juvenile only); Coushatta.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	1st Judicial District Court - 5 sections of criminal court. Caddo Juvenile Court - 3 sections of juvenile court (2 delinquency, 1 CINC); Shreveport City Court - 1 section of criminal court; Red River District Court - 1 section of criminal court.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Mixed. Dist. Ct. Felony: Full-time in-house felony staff with conflicts panel. Juvenile: Full-time, in-house staff with delinquency non-volunteer list and CINC conflicts panel; City Ct. Misd: fulltime supervising attorney with parttime assistant. District Ct. Misd: - contract panel.

<b>Name of Adult Detention Facilities in This District</b>	The Caddo Correctional Center, Shreveport, LA.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Natchitoches Detention Center, Union Parish Detention Center, Bayou Dorcheat Detention Center (Webster Parish).
<b>Name of Juvenile Detention Facilities In This District</b>	The Caddo Juvenile Correctional Center, Shreveport, LA.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Clients not held outside parish.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes. Because generally only juveniles that are considered dangerous or a flight risk are being held in detention. The PDO is attempting to change that policy.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Charles Scott
<b>Chief Judge of Criminal District Court</b>	Robert Waddell
<b>Juvenile Court Judges (Specify District of City Court)</b>	David Matlock, Paul Young, Shonda Stone
<b>Drug Court Judges</b>	Craig Marcotte
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Indigency is initially determined by the presiding judge, then verified by us based on information given in the "Application for Indigency" as per Office Policy in accordance with the Federal Poverty Guidelines.
<b>When is Assignment/Appointment of Counsel Made?</b>	When charges are filed. If incarcerated - at 72-hr. hearing. If on bond - at arraignment.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Primarily by Julia Cloud and D'Arcy Kinard, secretary.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	We personally visit incarcerated client within 3 days of appointment to gather information relative to pretrial release.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	3,029
<b>How Many Application Fees Were Waived?</b>	23
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	50,795
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	1,207,597

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	No. Sentencing judges routinely waive this Special Cost in cases involving multiple offenses by running the costs concurrently. On rare occasions, for very poor clients, sentencing judges may then costs altogether.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	See below.
<b>Who Collects the Assessed Court Fees?</b>	The City Marshall's Office collects for City Court and the Caddo Parish Sheriff collects for District Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	At our request both the City Marshall's Office and the Caddo Parish Sheriff's Office have been providing a monthly breakdown of fees collected.
<b>Who Remits the Court Fees Collected?</b>	The City Marshall's Office for City Court and Caddo Parish Sheriff's Office for District Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The Caddo Parish Commission provides us with on line access to all checks and credits remitted by the City Marshall's Office and the Caddo Sheriff's Office. In addition the commission provides us with a monthly tally of all fees collected on our monthly budget report.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Partial reimbursement is required as follows: All felonies, except IWC - \$500; IWC felonies - and misdemeanors - \$300. These amounts may be reduced or altogether waived upon request by the client. Reductions and waivers are determined by the DPD on a case by case basis by reference to the federal poverty guidelines and the ability of the client to pay.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	We keep track of all agreements issued by the PDO assessing partial reimbursement. We do not keep track partial reimbursement assessments imposed by the courts.
<b>Who Collects the Assessed Partial Payments?</b>	Partial reimbursement payments are collected both directly by the PDO and by the Probation and Parole departments of the state and sheriff's office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	The PDO documents all fees collected both directly by the office and indirectly from Probation and Parole upon receipt of checks.
<b>Who Remits the Partial Payments Collected?</b>	Clients remit partial payments directly to us or indirectly to Probation and Parole, which in turn remits collected sums to us.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	For sums remitted directly to us, we log payments on a spreadsheet. For sums remitted to Probation and Parole, the department sends us a lump sum check with documentation detailing what each client paid.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	17,650
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	The offices has a written private practice policy.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Building up and maintaining an adequate cash reserve. In addition, adding more staff to reduce workloads.

<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes. I submitted a proposed ROS plan to the Director of LPBD on January 9, 2015.
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Yes. I have eliminated the IT position.
<b>Immediate Critical Issue Areas</b>	Building up and maintaining an adequate cash reserve.
<b>Long-Term Critical Issue Areas</b>	Building up and maintaining an adequate cash reserve.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Smith-Brown, Sarah (Staff Attorney); Fisher, Richard (Staff Attorney); Bloomfield, Kathryn (Staff Attorney); Tucker, Vikki (Secretary); Chatmon, Celethia (Receptionist); Owen, Ross (CINC Conflict Attorney); Berg, Kevin (Felony Conflict Attorney).
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	There has been recent and ongoing media coverage over our financial plight and the need to eventually restrict services.
<b>Number of Expected New Attorney Hires in 2015</b>	0
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. I and the senior attorneys teach new attorneys how to handle a case from assignment to completion, including conducting client interviews, litigating hearings, reading discovery, requesting investigations, preparing case plans and actually trying cases. In addition, I conduct in-house workshops on litigation techniques. Also we send new attorneys to litigation colleges.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	I supervise the 5 Senior Staff Attorneys, the Juvenile Court Supervisor and the City Court Supervisor. The Senior Staff Attorneys supervise the staff attorneys in his or her sections, The Office Manager and Assistant Manager/Network Administrator supervise the support staff, including the secretaries, investigators, database inputters and bookkeeper. The Juvenile court supervisor oversees entire Juvenile Office staff. The City Court supervisor oversees the entire City Court Staff.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	See attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Yes. As per proposed plan, I plan to eliminate the district court misdemeanor, which is a non-conflict panel and have my staff attorneys assume representation in those cases. Additionally, I plan to reduce the felony conflict panel from 6 to 3 attorneys who will handle only serious or complicated cases.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes. CPDO provides major medical health insurance, paying 75% of premiums.
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes. I conduct regular meetings with the attorney staff and the manager and assistant manager conduct meetings with the support staff.
<b>Number of NEW capital cases in CY14 handled by your office</b>	0

Number of pending capital cases (received prior to CY14) handled by your office during CY14?	0
Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)	0
Number of Writs Your District Handled in 2014	4
Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014	4
Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied	0
Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases	No special procedures exist.
Please Provide the Names of All State Representatives and Senators from Your District	Senators: Sherri Cheek, B. L. Shaw, Greg Tarver. Representatives: Richard Buford, Roy Burrell, Thomas Carmody, James Morris, Barbara Norton, Alan Seabaugh, Patrick Williams.
Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?	Minimum mandatory sentences and the Habitual Offender Law often compels clients to plead guilty to offenses they might otherwise be not guilty of.
What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Alan Golden	318-221-2220
Kurt Goins	318-221-2220
David McClatchey	318-221-2220
Michelle AndrePont	318-221-2220
Mary Harried	318-221-2220
Rickey Swift	318-221-2220
Michael Bowers	318-221-2220
Michael Enright	318-221-2220
Carolyn Sartin	318-221-2220
Alex Rubenstein	318-673-5480
Ernest Gilliam, III	318-221-2220
Kristen Bernard	318-212-1801
Kia Richardson	318-212-1801
George Harp	318-212-1801
Heather Courtney	318-212-1801
Danielle Brown	318-221-2220
Samuel Goodwin	318-212-1801
James Andes	318-221-2220
LeLeshia Alford	318-221-2220
Justin Courtney	318-212-1801
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Stan Lockard	318-990-1122
Frank Zaccaria	318-752-1281
Ross Shacklette	318-222-3256
Zach Blanchard	318-222-3256

Mark Frederick	318-868-8943
William Haynes	318-455-5554
Wilbert Pryor	318-426-4258
Sonia Cassidy	318-658-9930
Charles McCollum	318-658-9933
Carlos Prudhomme	318-458-8561
Kammi Whatley	318-393-1953
<b>Non Attorney Employees and Contractors and Other</b>	
<b><u>Staff</u></b>	<b><u>Contact Information</u></b>
Cindy Murray	318-841-1627
Jim McClure	318-841-1625
Rodger Swan	318-221-2220
Bryn Gouge	318-212-1801
Michael Bennett	318-221-2220
Wanda Hudson	318-221-2220
Julia Cloud	318-221-2220
Lisa Akins	318-221-2220
Sharon Edwards	318-221-2220
Belinda Poole	318-221-2220
Lucky Raley	318-221-2220
Veda Clinton	318-212-1801
Deborah Jacobs	318-673-5480
D'Arcy Holland	318-221-2220
Layne Carver	318-221-2220
Amber Day	318-221-2220
Kelli Sanders	318-212-1801
Smith-Brown, Sarah	318-221-2220
Fisher, Richard	318-221-2220
Bloomfield, Kathryn	318-221-2220
Berg, Kevin	318-946-8962
Tucker, Vikki	318-221-2220
Chatmon, Celethia	318-221-2220
Owen, Ross	318-458-6185



2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Jim McClure
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	None
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	x
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	

Television	
DVD	2
VCR	2
Desktop PCs	76 includes 34 in storage
Laptops	12
Video Cameras	1
Digital Cameras	1
Video Conferencing Systems	2
B&W Laser Printers	2
Color Printers	16
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	27 x 27
Provider Name:	Comcast
Email Provider:	Bluebird Wireless
Please list any software or computer equipment in which you need training:	None

## 1st District Defender Office CY 2014 Caseloads & Outcomes

Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	6	5	0	6	N/A	N/A	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	10	8	7	17	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	429	241	188	617	0	117	N/A	N/A	18	N/A	N/A	N/A	N/A	N/A	0
Termination	24	8	2	26	5	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	309	171	76	385	N/A	N/A	0	0	62	29	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	812	508	180	992	N/A	N/A	39	6	290	35	N/A	N/A	7	4	11
Delinquency Felony	305	152	81	386	N/A	N/A	11	6	76	3	N/A	N/A	1	1	2
Delinquency-Life	9	4	5	14	N/A	N/A	0	1	2	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	9617	9610	48	9665	N/A	N/A	11	1	12	0	0	0	0	0	0
Adult Felony Non-LWOP**	3841	3413	1264	5105	N/A	N/A	1385	960	1700	0	5	16	9	8	38
Adult LWOP	109	81	79	188	N/A	N/A	18	10	19	0	0	8	0	1	9
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	501	432	113	614	N/A	N/A	139	41	131	0	N/A	N/A	N/A	N/A	0
PCR	1	1	0	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	1	1
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

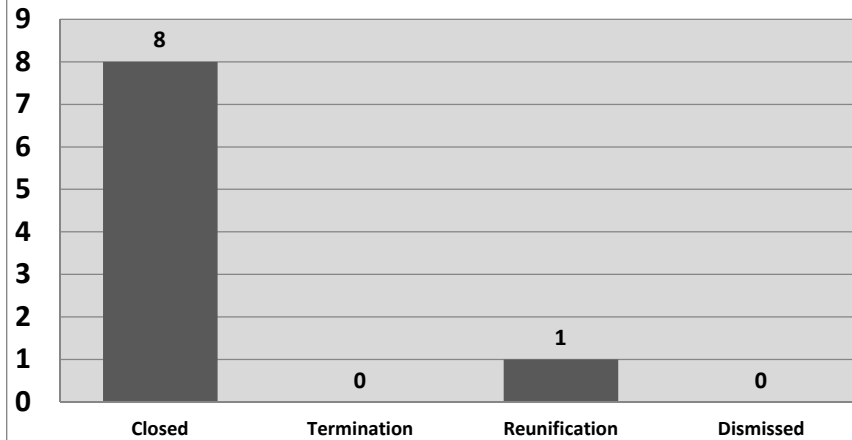
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

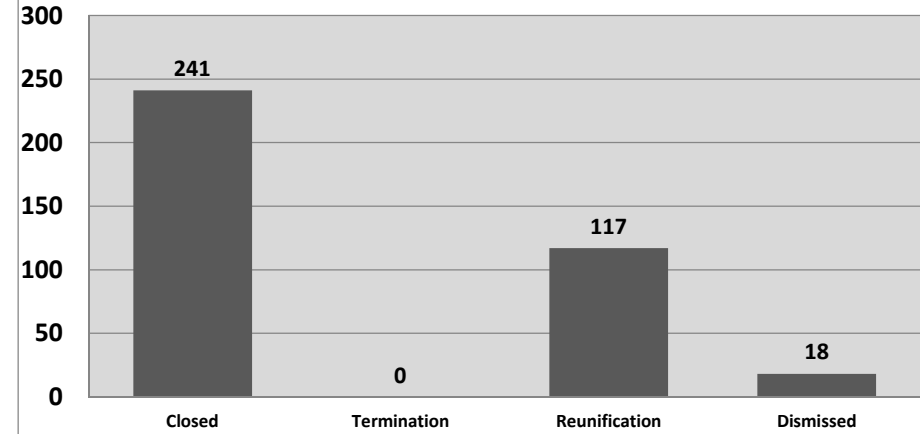
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

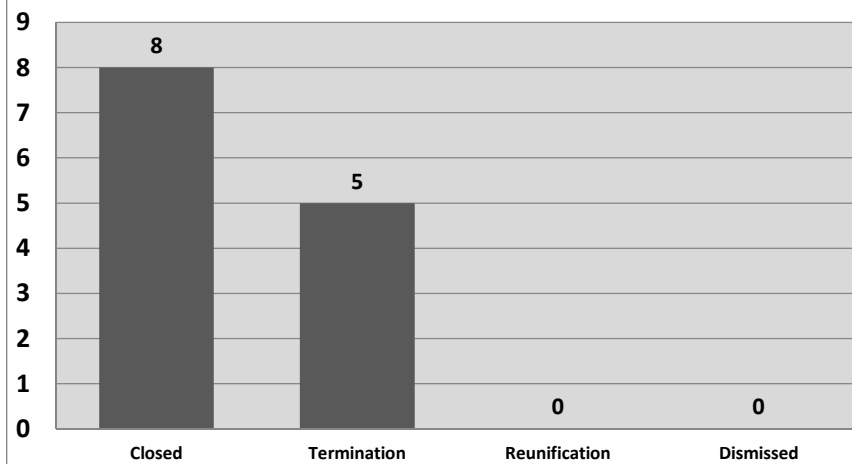
**CY 2014 CINC Representing Child Outcomes**



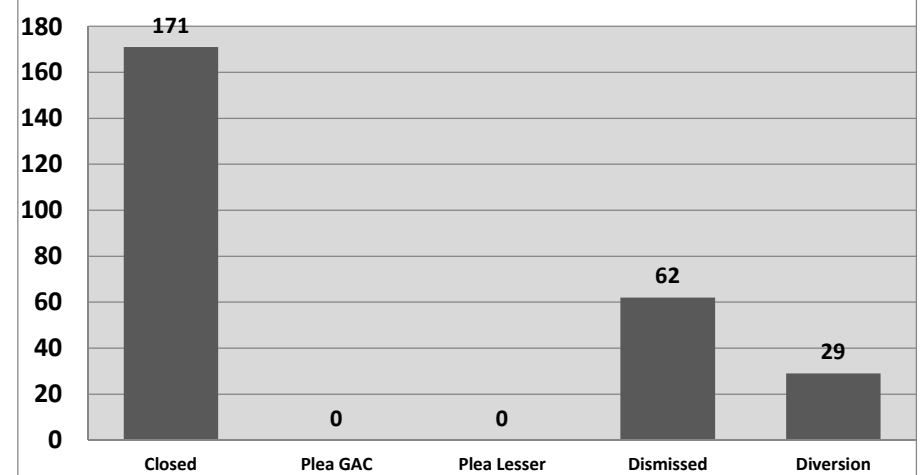
**CY 2014 CINC Representing Parent Outcomes**

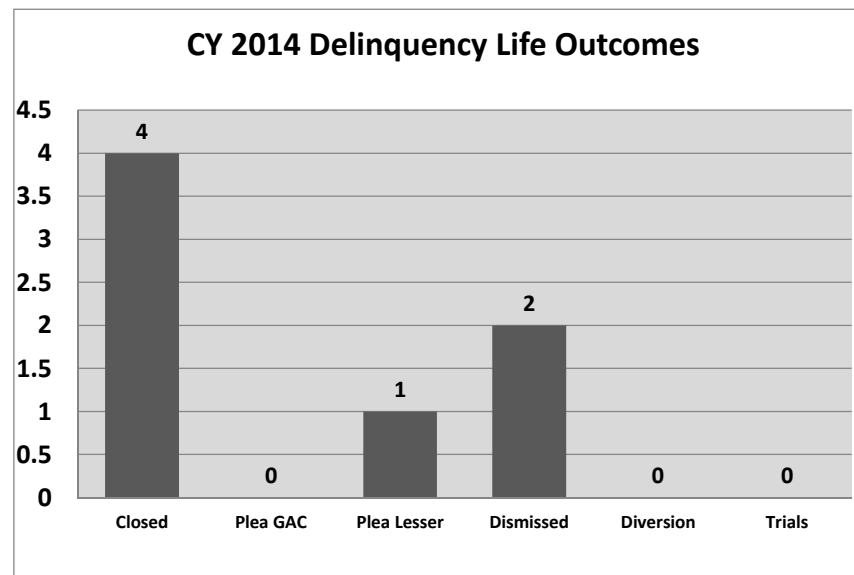
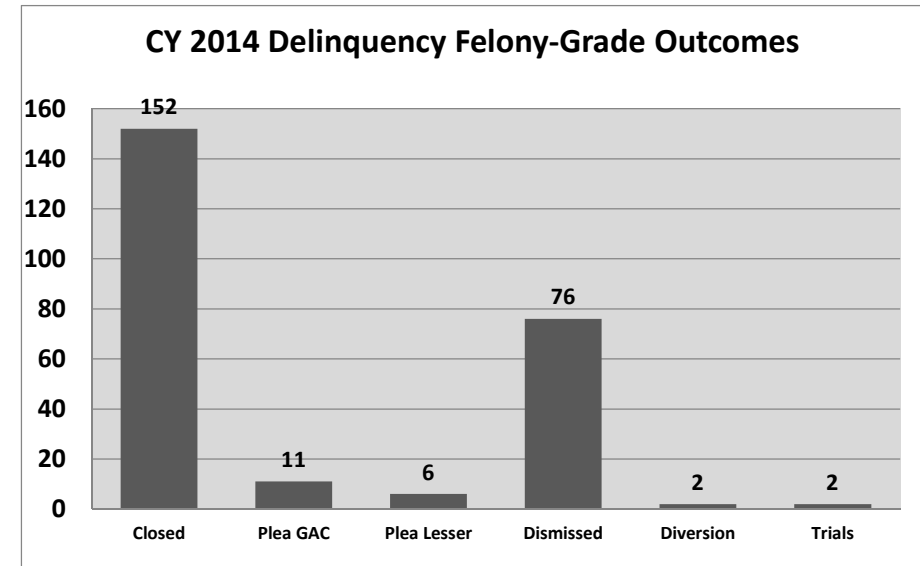
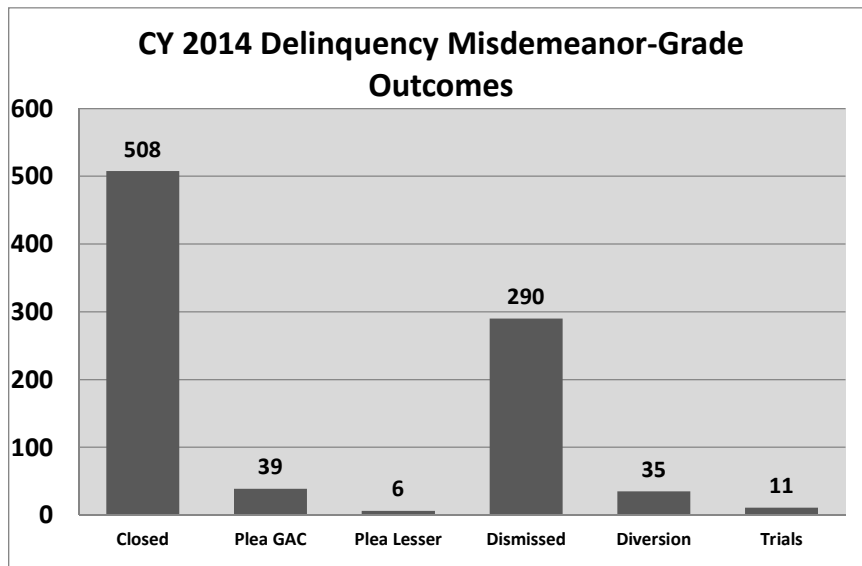


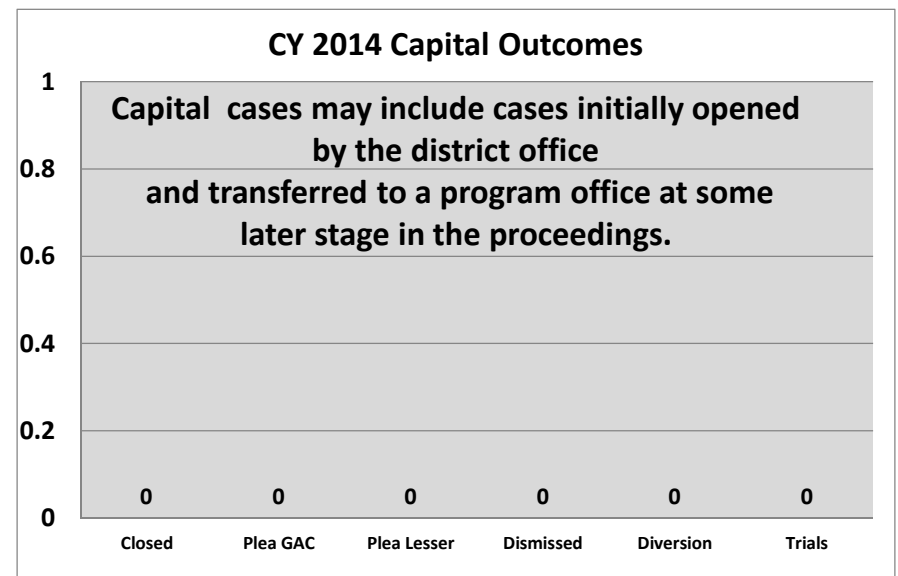
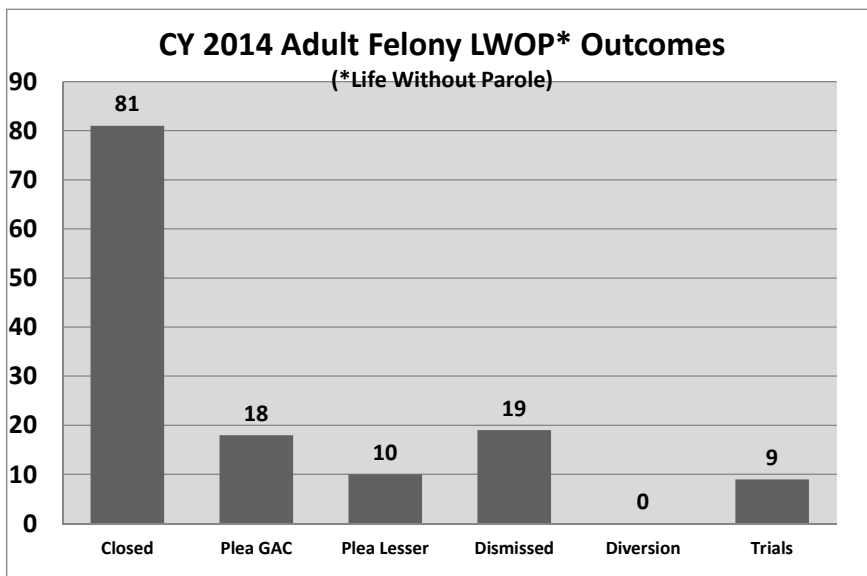
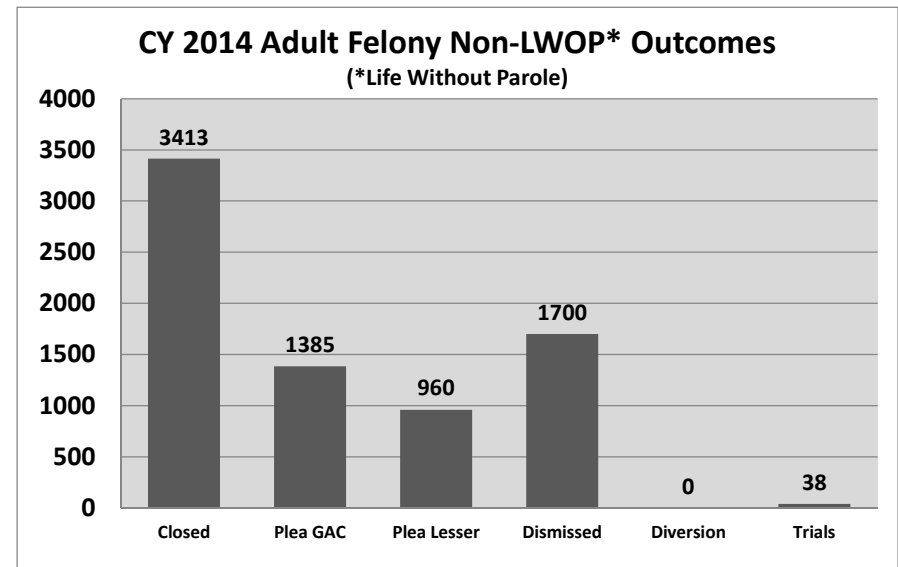
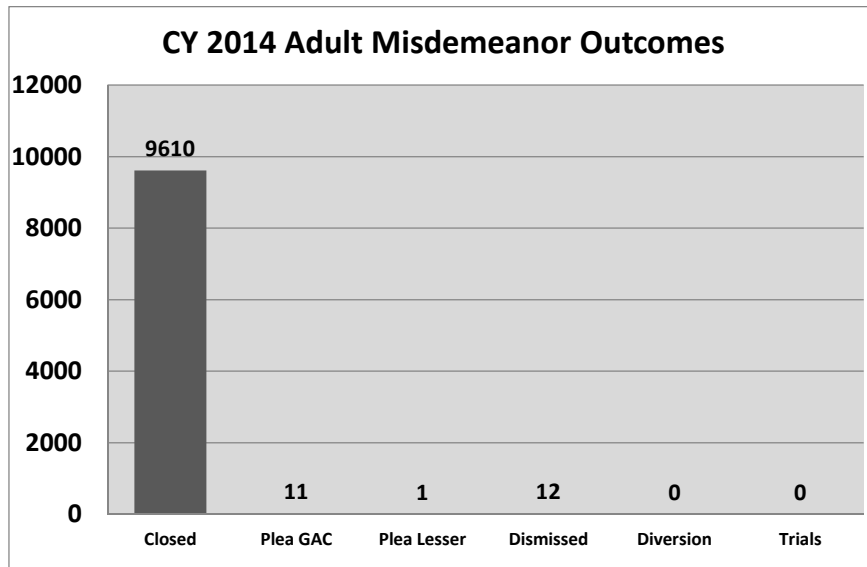
**CY 2014 CINC Termination Outcomes**



**CY 2014 FINS Outcomes**







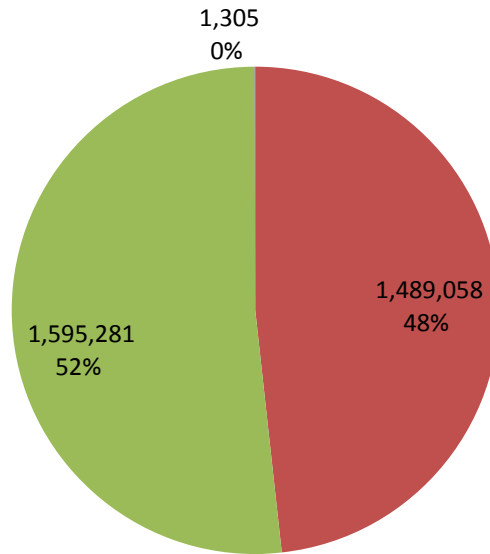
District 1 CY2014	Total CY2014
<b>District Defender: Alan Golden</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
<b>Total for Federal Government</b>	
State Government	
Department of Corrections	9,418
Child in Need of Care (CINC)	162,258
District Assistance Fund (DAF)	1,317,382
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
<b>Total for State Government</b>	<b>1,489,058</b>
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	212,545
Traffic Camera	-
Grants	86,250
Other Local Income -List source(s)	-
<b>\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs</b>	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	288,543
Traffic Court	939,497
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
<b>Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs</b>	<b>1,228,040</b>
<b>Charges For Services</b>	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	50,795
Partial Attorney Fees	
Reimbursements [as per 15:176]	17,650
Other Reimbursements	-
Other Local Income -List source(s)	-
<b>Total for Charges For Services</b>	<b>68,445</b>
<b>Total for Local Government</b>	<b>1,595,281</b>
<b>Investment Earnings</b>	
Interest Income	1,305
Other Investment Income - List source(s)	-
<b>Total for Investment Earnings</b>	<b>1,305</b>
<b>Other Sources (Grants &amp; Contributions)</b>	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
<b>Total for Other Sources (Grants &amp; Contributions)</b>	
<b>Total for REVENUE</b>	<b>3,085,644</b>

District 1 CY2014	Total CY2014
District Defender: Alan Golden	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	1,970,290
Accrued Leave	-
Payroll Taxes	26,109
Hospitalization and Disability Insurance	293,370
Retirement	212,786
Other	-
Total for Personnel Services and Benefits	2,502,555
Travel/Training	
Parking/Auto Tolls	11,361
Travel/Lodging/Per Diem/Mileage	14,015
Total for Travel/Training	25,377
Operating Services	
Advertisements	244
Workers' Compensation	7,228
Insurance - Malpractice	13,223
Insurance - Auto/Physical Liability	1,898
Insurance - Other	-
Lease - Office	227,072
Lease - Auto/Equipment	10,348
Lease - Other	13,725
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	16,539
Dues and Seminars	15,203
Law Library/Journals/Subscriptions	22,524
Office Supplies	26,014
Total for Operating Services	354,018
Professional Services	
Audit/Accounting Expense	9,200
Contract Clerical	-
Expert Witness	6,690
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	230,083
Contract - Juvenile Attorneys or CINC	125,125
Misdemeanor Attorney Contracts	103,750
Contract Attorneys - all other	-
IT/Technical Support	18,270
Total for Professional Services	493,119
Capital Outlay	
Major Acquisitions	35,607
Total for Capital Outlay	35,607
Other Charges	
Other Operating Expenses	1,748
Total for Other Charges	1,748
Total for EXPENDITURES	3,412,424



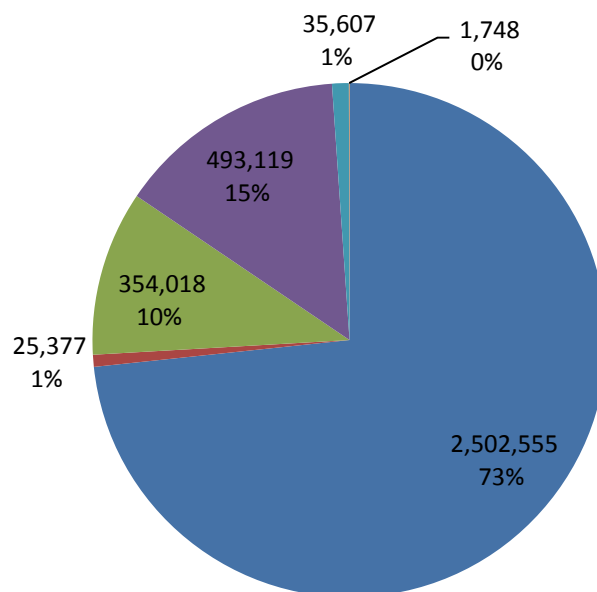
## Total CY14 Revenues

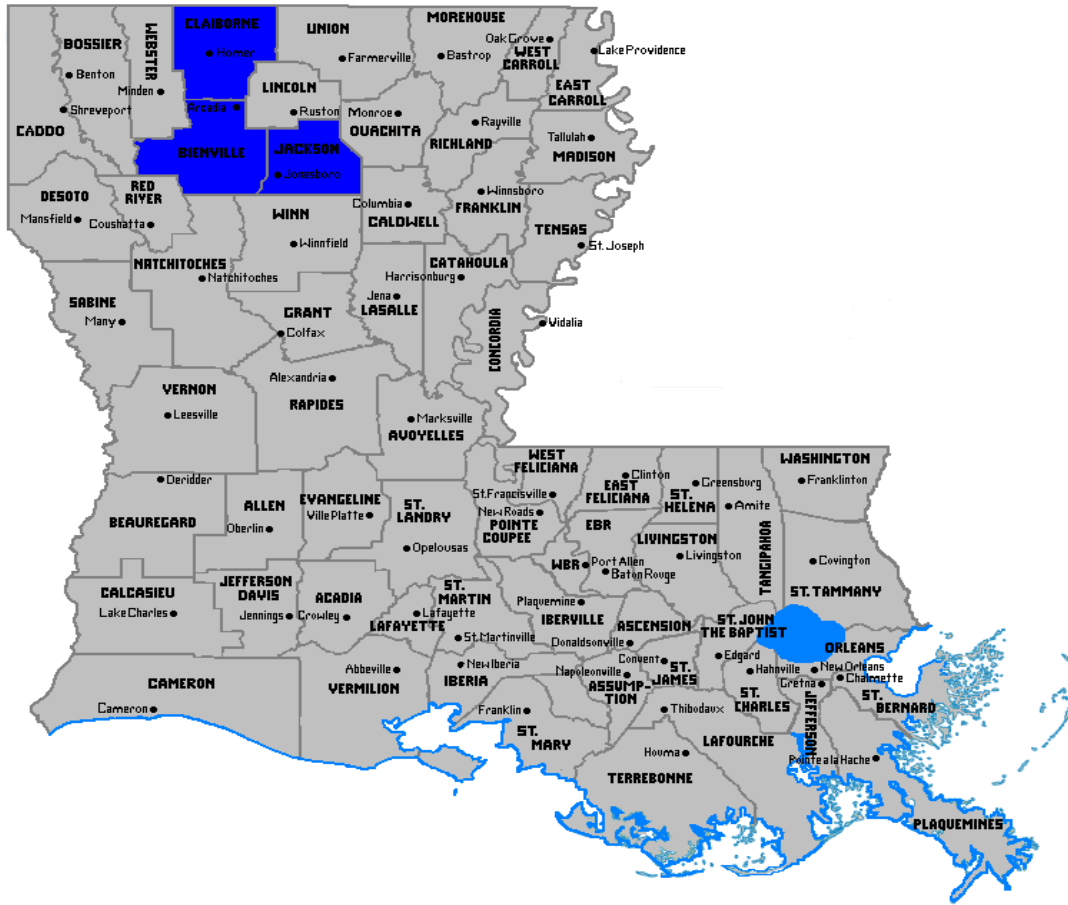
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





## THE 2<sup>ND</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

BIENVILLE (ARCADIA) - CLAIBORNE (HOMER) - JACKSON (JONESBORO)

DISTRICT DEFENDER: J. CLAY CARROLL  
525 EAST COURT AVENUE  
JONESBORO, LA 71251-0471  
(318) 259-4184

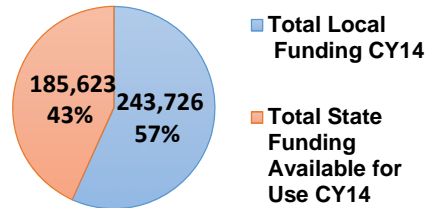
## 2ND JUDICIAL DISTRICT

During calendar year 2014, the 2nd Judicial District Public Defenders Office handled 1,043 cases. The office received \$429,349 in total revenues to handle these cases, approximately 57% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

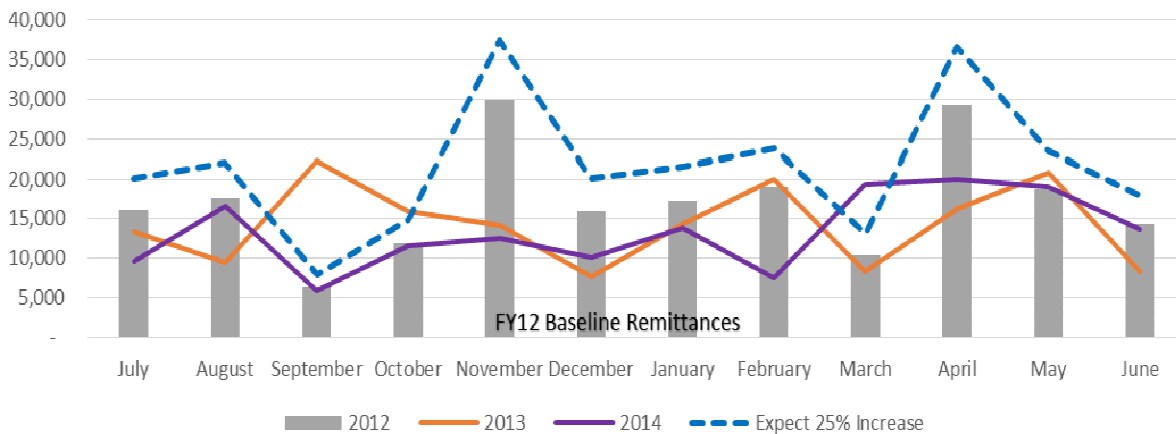
With the exception of a few anomalies, the 2nd has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 2nd Judicial District office had very nearly exhausted its fund balance by June 2014. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent during FY16.

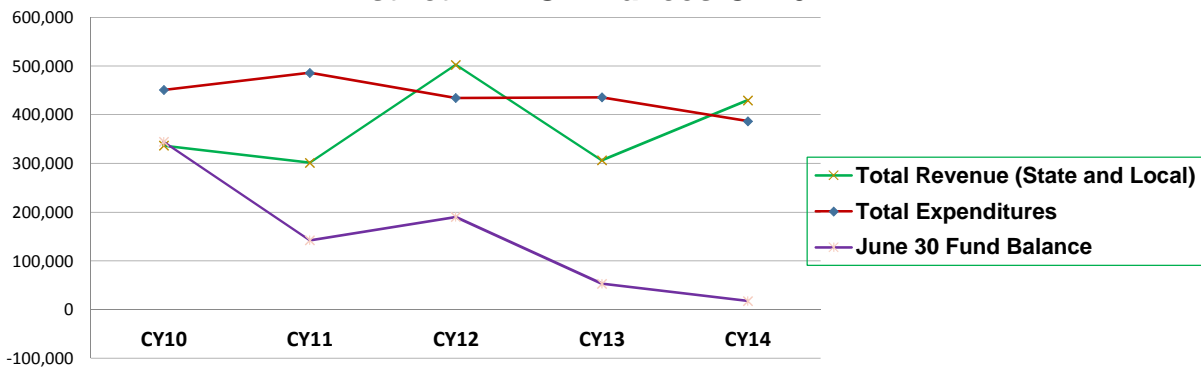
**District 2 PDO Revenue Sources  
CY14**



**Impact of Act 578 on District 2 PDO**



**District 2 PDO Finances CY10-14**

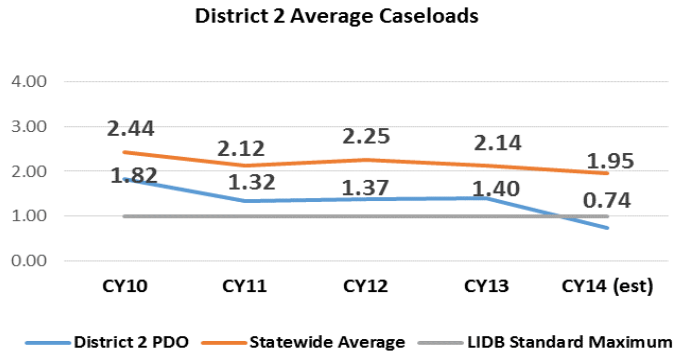


## BIENVILLE, CLAIBORNE, & JACKSON PARISHES

J. Clay Carroll  
District Defender  
525 East Court Avenue  
Jonesboro, LA 71251  
318-259-4184

In the 2nd Judicial District, public defense attorneys are retained on a contract basis with the average annual contract being \$53,760. Public defense attorneys in the district maintain caseloads near the recommended caseload limit for each attorney.

The 2nd Judicial District is a rural district that handles only a small number of cases each year, making generalizations difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.



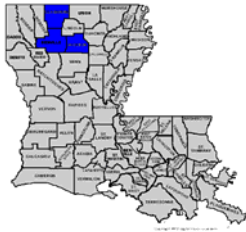
## CAPITAL REPRESENTATION

Since 2009, the 2nd Judicial District has handled one new capital prosecution.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 2nd Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 2<sup>ND</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Bienville - Arcadia; Claiborne - Homer; Jackson - Jonesboro
<b>Population</b>	47,822
<b>Juvenile Population</b>	10,425
<b>District Defender</b>	J. Clay Carroll
<b>Years as District Defender</b>	11
<b>Years in Public Defense</b>	16
<b>Office Manager</b>	Sallie Fenn
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Each attorney is responsible for their own CMS data entry.
<b>Primary Office Street Address</b>	525 East Court Avenue
<b>City</b>	Jonesboro
<b>ZIP</b>	71251-0471
<b>Primary Phone</b>	318-259-4184
<b>Primary Mailing Address</b>	P.O. Box 471, Jonesboro, 71251-0471
<b>Primary Fax Number</b>	318-259-6278
<b>Primary Emergency Contact</b>	Clay Carroll
<b>Primary Emergency Phone</b>	318-243-4482
<b>Secondary Emergency Contact</b>	Sallie Fenn
<b>Secondary Emergency Phone</b>	318-259-4184
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Bobby Culpepper
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	none
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	2nd JDC Div. A, 513 N. Main St., Homer, LA 71040; 2nd JDC Div. B, 200 Courthouse, 500 E. Court St., Jonesboro, LA 71251; 2nd JDC Div. C, 208 Courthouse, 100 Courthouse Dr., Arcadia, LA 71001
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	3 divisions
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Claiborne Parish - 1 attorney is assigned all felonies except drug cases and DWI and 1 attorney is assigned all misd. and drug and DWI felonies; Bienville and Jackson Parishes - 1 attorney in each parish is assigned all criminal cases

<b>Name of Adult Detention Facilities in This District</b>	Claiborne Parish Detention Center, Homer; Claiborne Parish Jail, Homer; Jackson Parish Correctional Center, Jonesboro; Bienville Parish Jail, Arcadia
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Bayou Dorchet Corr. Cntr, Minden; Richland Parish Det. Cntr, Rayville; LaSalle Corr. Cntr, Olla; Union Parish Det. Cntr., Farmerville
<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center, Coushatta; Green Oaks Detention Center, Monroe
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Many detainees are held in facilities which are 30 to 90 miles away resulting in additional time and travel costs per visit
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No. While there is no policy the shackles are usually removed prior to entering the courtroom
<b>Has Your District Experienced Any Difficulty Accessing District Attorney</b>	No
<b>Chief Judge of Criminal District Court</b>	Jenifer Ward Clason
<b>Juvenile Court Judges (Specify District of City Court)</b>	N/A
<b>Drug Court Judges</b>	N/A
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Indigency is determined by each assistant public defender after review of the applicant's financial information as provided.
<b>When is Assignment/Appointment of Counsel Made?</b>	At the 72 hr. hearing if in custody and at arraignment if out on bond.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Each assistant district defender in each parish handles intake
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Attorney visits with the client, explains general process and gathers needed information
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	480
<b>How Many Application Fees Were Waived?</b>	195
<b>How Many Application Fees Were Reduced?</b>	none
<b>Total Application Fee Dollars Collected in 2014</b>	5,760
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	

<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	196,567
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Reports from each Sheriff
<b>Who Collects the Assessed Court Fees?</b>	Sheriff of each Parish
<b>What, If Any, Accounting Documentation is Provided</b>	Summary report from Sheriff
<b>Who Remits the Court Fees Collected?</b>	Sheriff of each Parish
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	A breakdown sheet is provided showing the total collections and how much is paid to each entity listed.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	This determination is made by the Judge in each Division in conjunction with the assigned defender.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Attorney and/or probation provides amount assessed
<b>Who Collects the Assessed Partial Payments?</b>	Probation officer or payment is made directly to my office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Payment form showing amount of payment, total payments made to date and total assessment is sent with each payment.
<b>Who Remits the Partial Payments Collected?</b>	Probation officer or client
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom</b>	Same as fees collected
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	10,958
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private practice permitted, but No policy. While there is No formal policy, each attorney is aware primary responsibility is to the defender's office and No cases are to be taken that will be in conflict. The general policy of the former local board has been in place for over 12 years and I was advised of it when I was first hired.
<b>For the Contract Attorneys in Your District, Is There a Primary Immediate Needs</b>	Yes
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	no
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	no

<b>Immediate Critical Issue Areas</b>	Funding. The district is projected to have no reserves at the end of the fiscal year and if additional funding is not secured all contract attorneys may not be renewed. The district is also without the services of a full time investigator and need to be replaced as soon as funds are available.
<b>Long-Term Critical Issue Areas</b>	Caseload and/or workload will have to be reviewed on an ongoing basis to make sure that each attorney is within state standards. The issue will become whether appropriate funding will be available to meet future staffing needs.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Scott Killen - Contract Attorney; Josh Clayton - Contract Conflict Attorney
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	N/A
<b>Number of Expected New Attorney Hires in 2015</b>	4
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Each new hire is assigned a veteran defender to mentor new attorneys.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District Defender supervises all attorneys and the investigator.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	District Defender directly supervises all attorneys and
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	The district defender is the only supervisor and does maintain a reduced caseload.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	District Defender is partially reimbursed for medical insurance.



	Quarterly meetings are scheduled for all staff .
<b>Regular Meetings for Any Staff, Please Describe</b>	
<b>Number of NEW capital cases in CY14 handled by your office</b>	none
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	none
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
	None
<b>Number of Writs Your District Handled in 2014</b>	
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	All attorneys in the 2nd JDC are experienced with Juvenile Defendants.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Sen. Robert Kostelka, Sen. Robert Adley, , Sen. Richard Gallot, Jr., Rep. Patrick Jefferson, Rep. James Fannin
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	No changes in 2014
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
J. Clay Carroll	318-259-4184
Darrell R. Avery	318-259-9040
William Rick Warren	318-377-8150
Scott Killen	318-436-9954
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Sallie Fenn	318-259-4184

2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	J. Clay Carroll
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b>Operating Systems Used:</b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b>Case Management System(s): Check all that apply</b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b>Productivity Suites Used:</b>	
Microsoft Office 2013 (Word, Excel, etc.)	x
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b>Accounting Software</b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	x
Firefox	x
Google Chrome	
Other	
<b>HARDWARE:</b>	
Please enter the number of devices in your inventory.	

Television	
DVD	
VCR	
Desktop PCs	
Laptops	5
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	
Email Provider:	
Please list any software or computer equipment in which you need training:	

## 2nd District Defender Office CY 2014 Caseloads & Outcomes

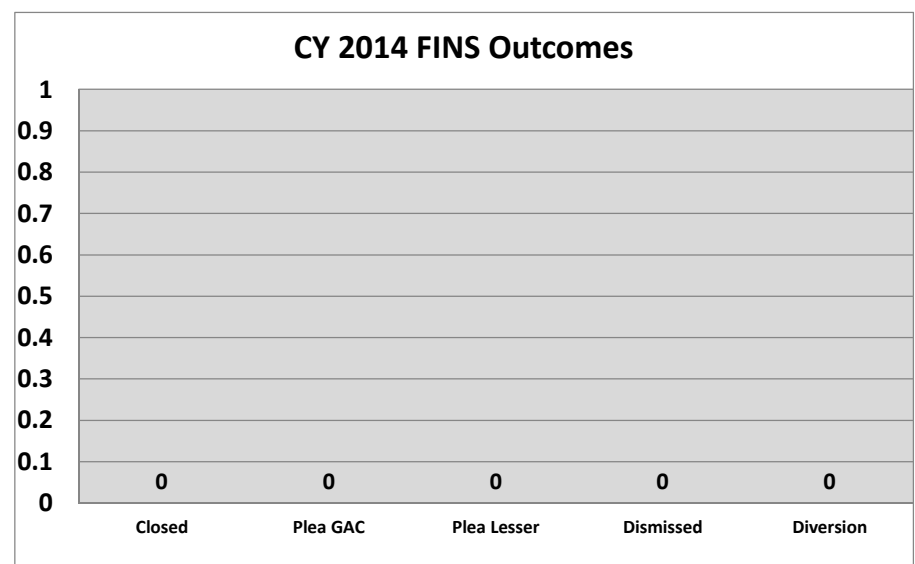
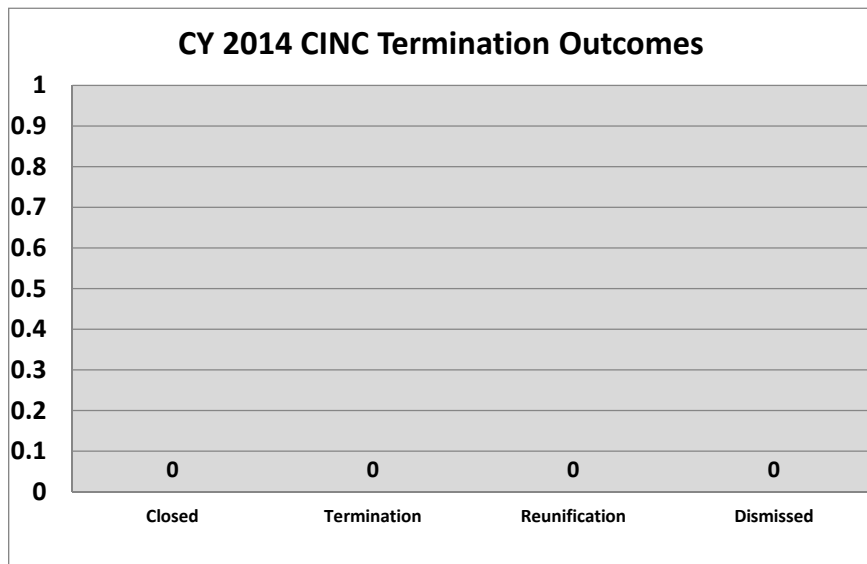
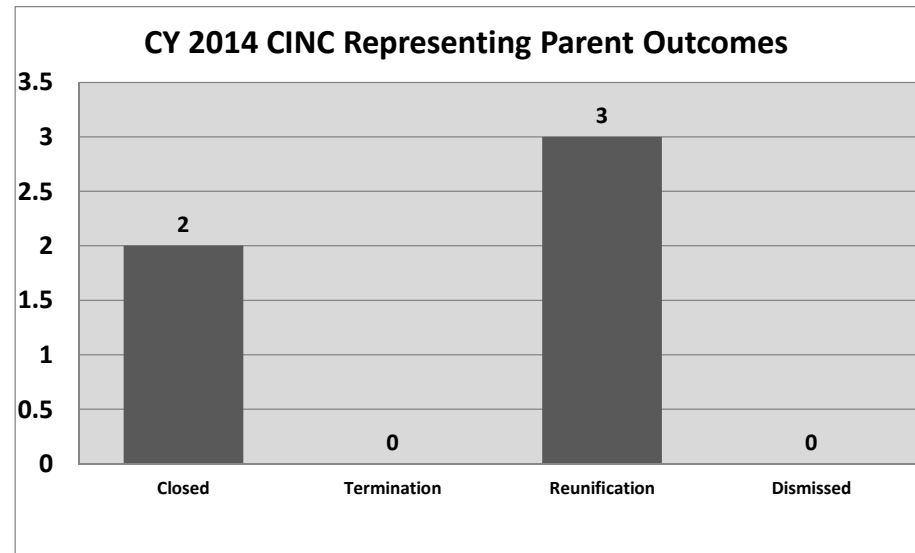
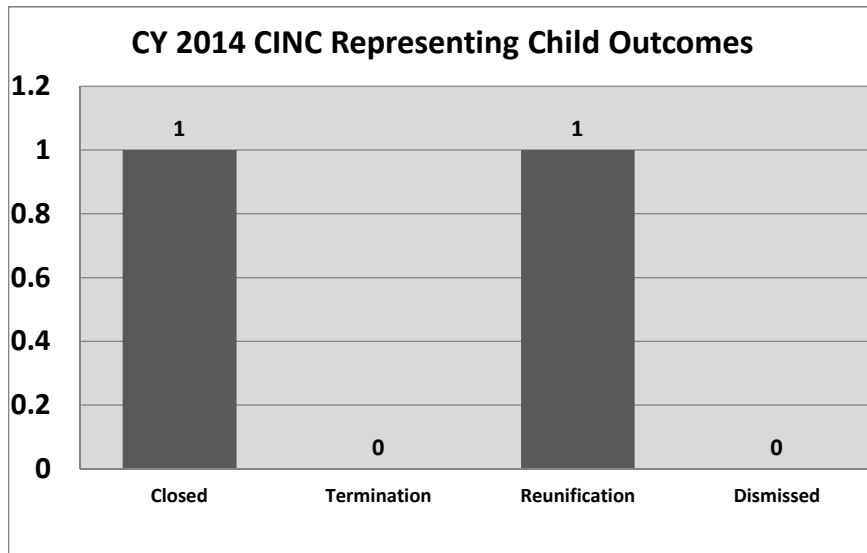
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	1	3	3	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	3	2	3	6	0	3	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	16	12	4	20	N/A	N/A	1	0	7	1	N/A	N/A	0	0	0
Delinquency Felony	2	3	1	3	N/A	N/A	0	0	1	0	N/A	N/A	0	0	0
Delinquency-Life	1	0	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	288	133	77	365	N/A	N/A	73	10	131	4	0	0	0	0	0
Adult Felony Non-LWOP**	416	192	183	599	N/A	N/A	68	30	108	0	0	0	0	0	0
Adult LWOP	4	2	3	7	N/A	N/A	0	1	1	0	0	1	0	0	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	27	30	12	39	N/A	N/A	1	0	1	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

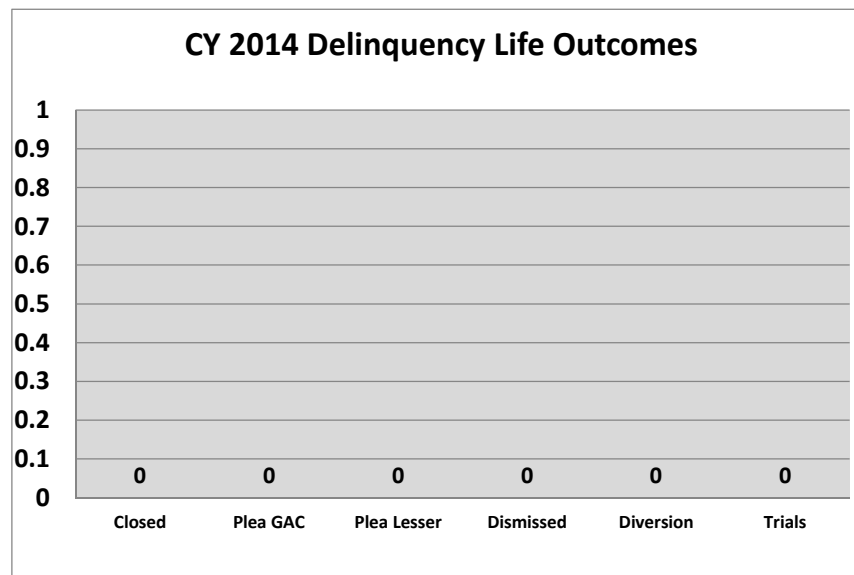
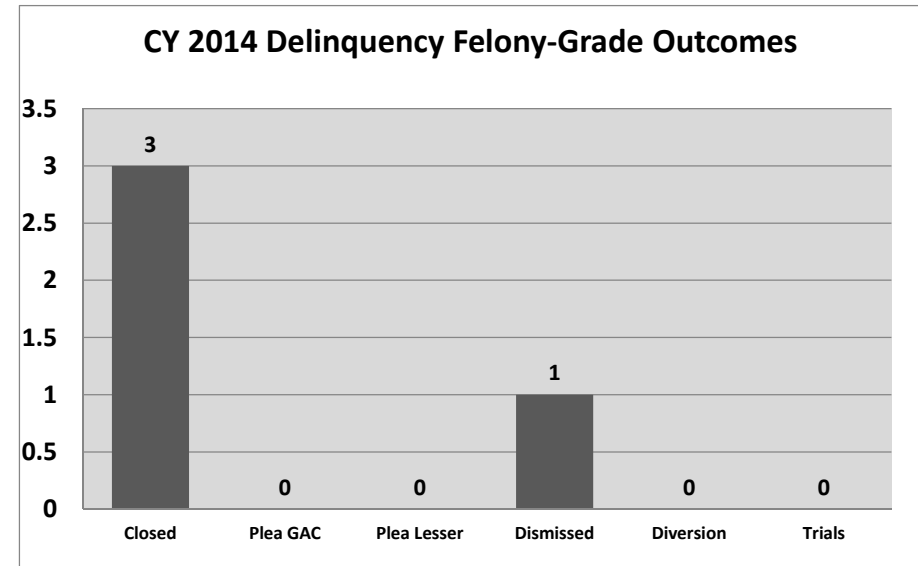
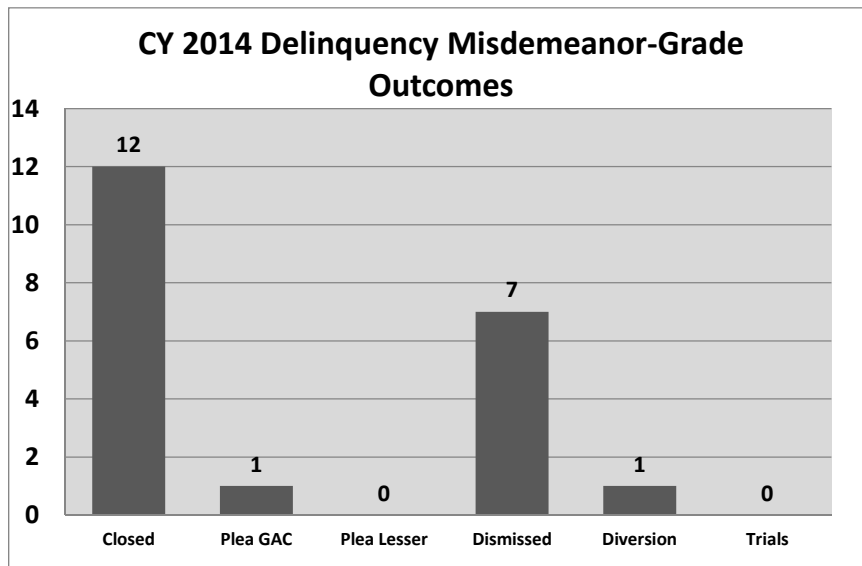
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

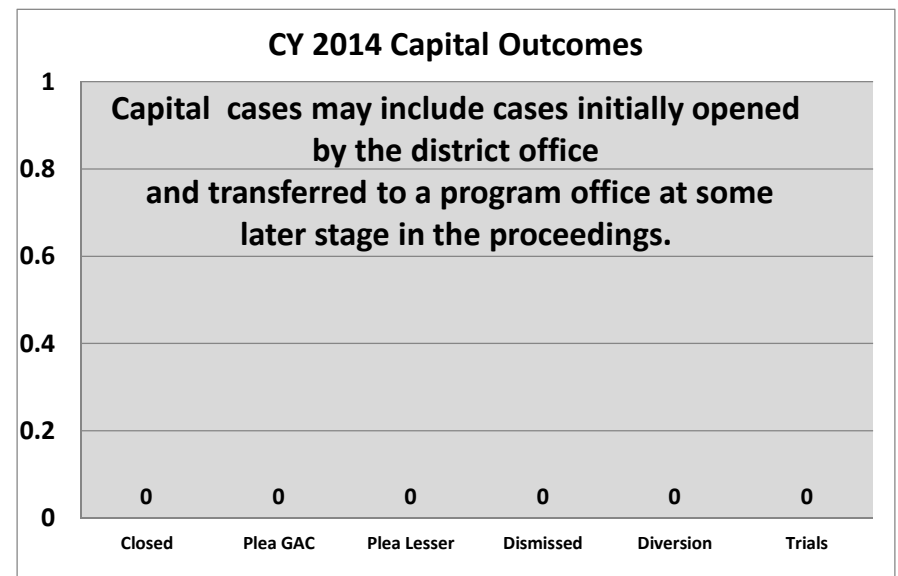
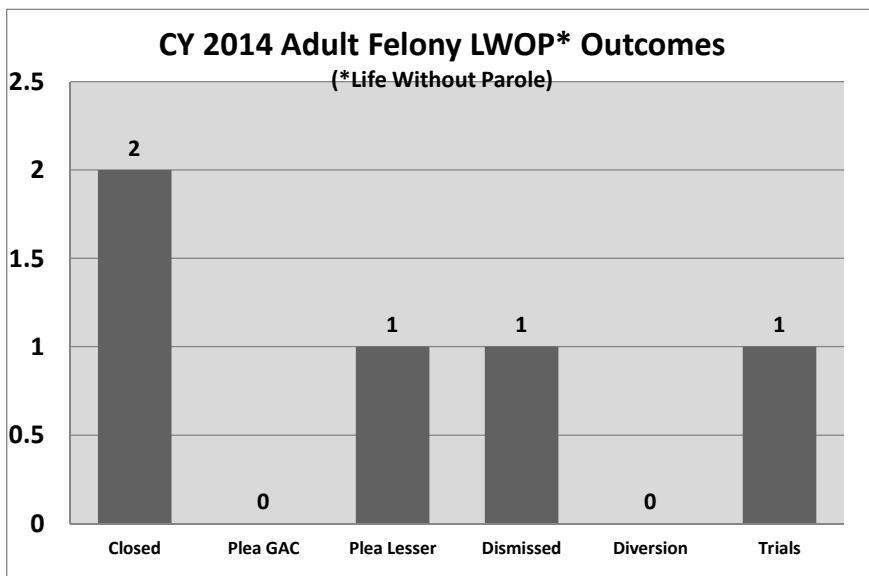
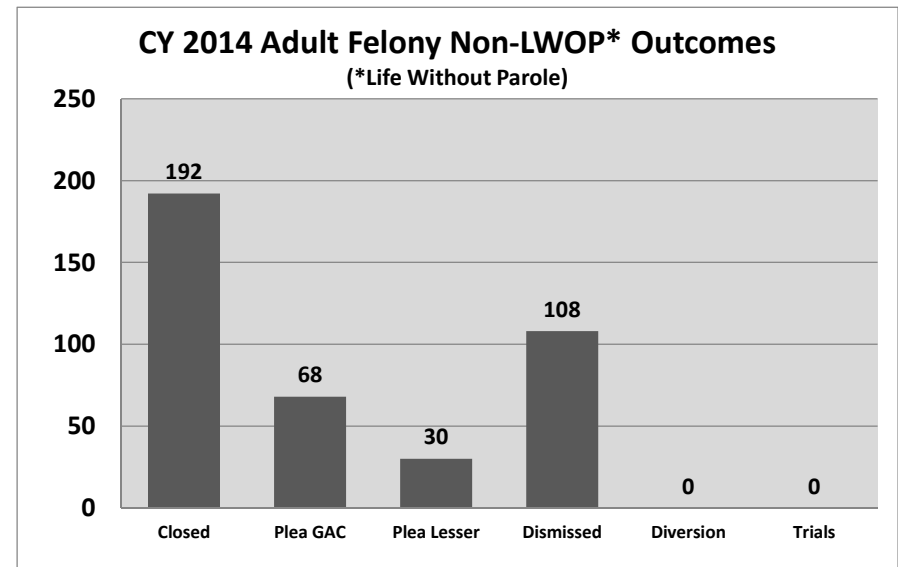
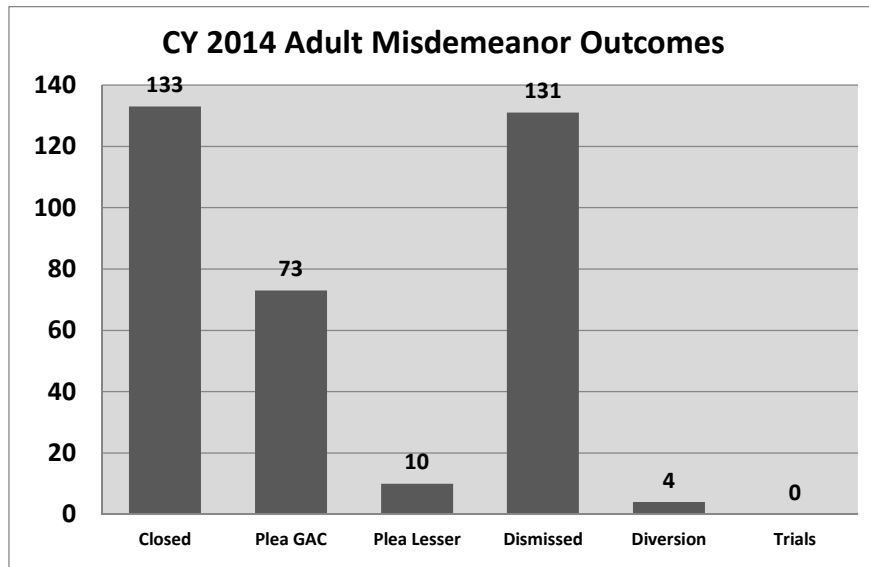
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.







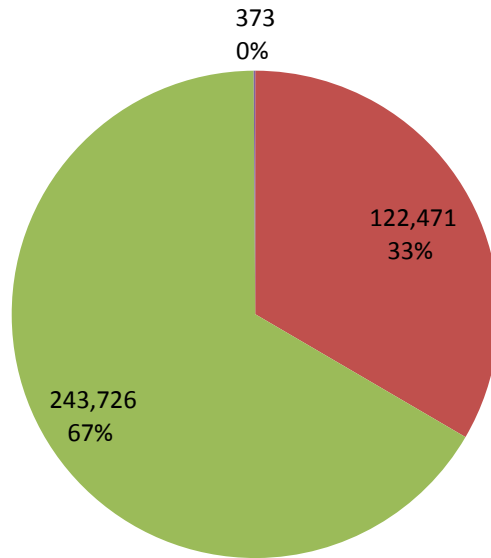
District 2 CY2014	Total CY2014
<b>District Defender: Clay Carroll</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
<b>Total for Federal Government</b>	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	2,585
District Assistance Fund (DAF)	119,886
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
<b>Total for State Government</b>	<b>122,471</b>
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	27,840
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	2,600
<b>\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs</b>	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	196,567
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
<b>Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs</b>	<b>196,567</b>
<b>Charges For Services</b>	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	5,760
Partial Attorney Fees	-
Reimbursements [as per 15:176]	10,958
Other Reimbursements	-
Other Local Income -List source(s)	-
<b>Total for Charges For Services</b>	<b>16,718</b>
<b>Total for Local Government</b>	<b>243,726</b>
<b>Investment Earnings</b>	
Interest Income	373
Other Investment Income - List source(s)	-
<b>Total for Investment Earnings</b>	<b>373</b>
<b>Other Sources (Grants &amp; Contributions)</b>	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
<b>Total for Other Sources (Grants &amp; Contributions)</b>	
<b>Total for REVENUE</b>	<b>366,570</b>



District 2 CY2014	Total CY2014
<b>District Defender: Clay Carroll</b>	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	-
Accrued Leave	-
Payroll Taxes	-
Hospitalization and Disability Insurance	13,000
Retirement	-
Other	-
Total for Personnel Services and Benefits	13,000
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	4,381
Total for Travel/Training	4,381
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	2,094
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	862
Office - Telephone/Utilities/Postage/Internet	136
Dues and Seminars	398
Law Library/Journals/Subscriptions	8,965
Office Supplies	-
Total for Operating Services	12,455
Professional Services	
Audit/Accounting Expense	7,000
Contract Clerical	-
Expert Witness	400
Investigators	3,100
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	33,000
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	313,312
IT/Technical Support	-
Total for Professional Services	356,812
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	144
Total for Other Charges	144
Total for EXPENDITURES	386,792

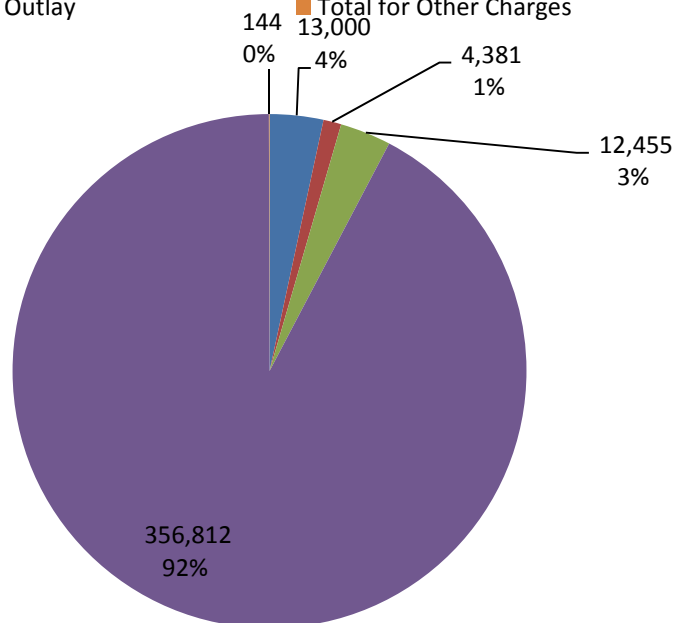
## Total CY14 Revenues

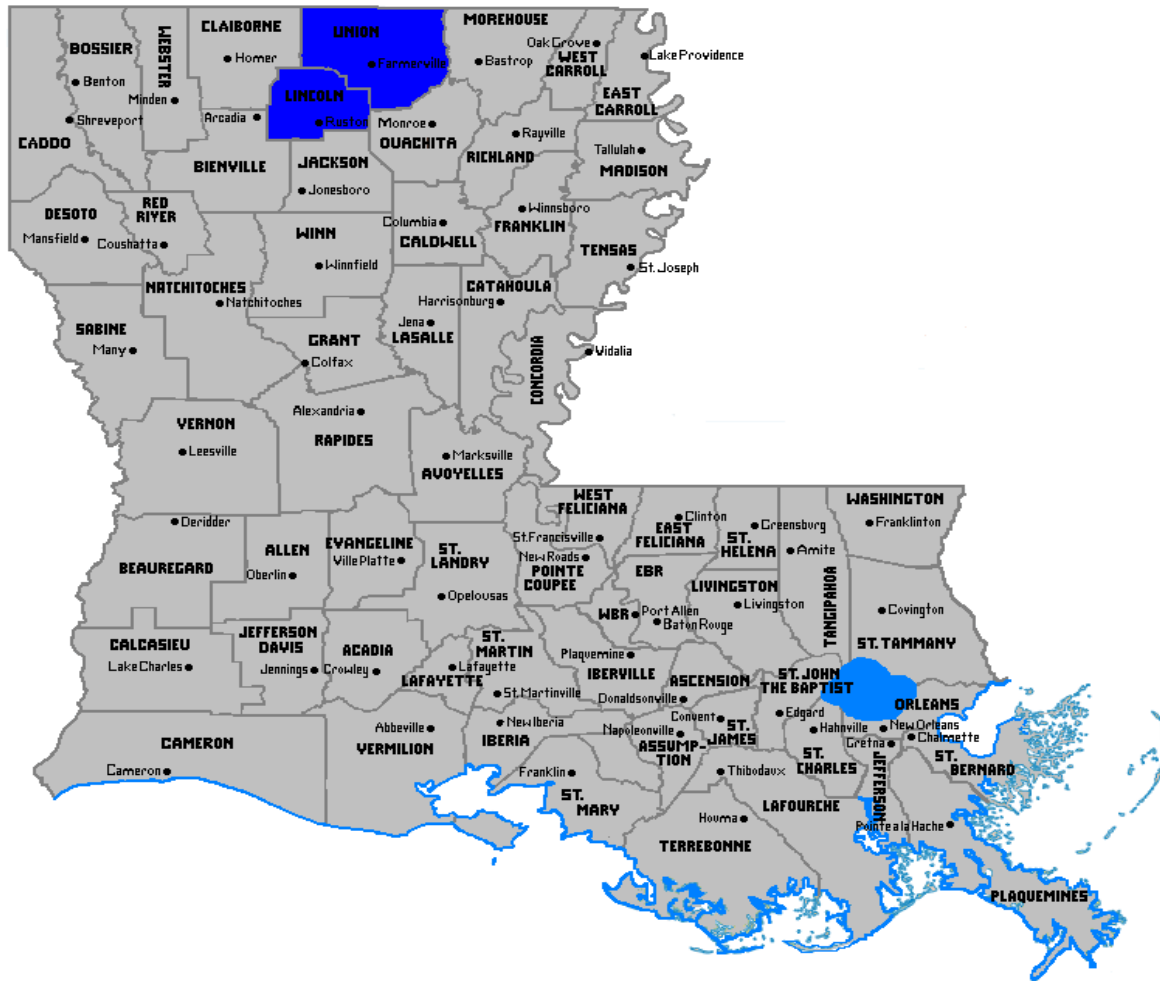
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





THE 3<sup>RD</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
LINCOLN (RUSTON) - UNION (FARMERVILLE)

DISTRICT DEFENDER: LEWIS A. JONES  
307 NORTH TRENTON STREET, SUITE 102  
RUSTON, LA 71270  
(318) 255-5100

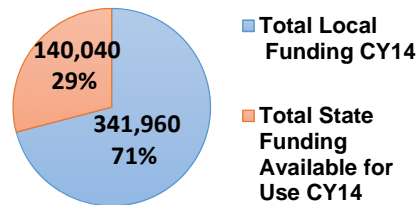
## 3RD JUDICIAL DISTRICT

During calendar year 2014, the 3rd Judicial District Public Defenders Office handled 1,971 cases. The office received \$482,000 in total revenues to handle these cases, approximately 71% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

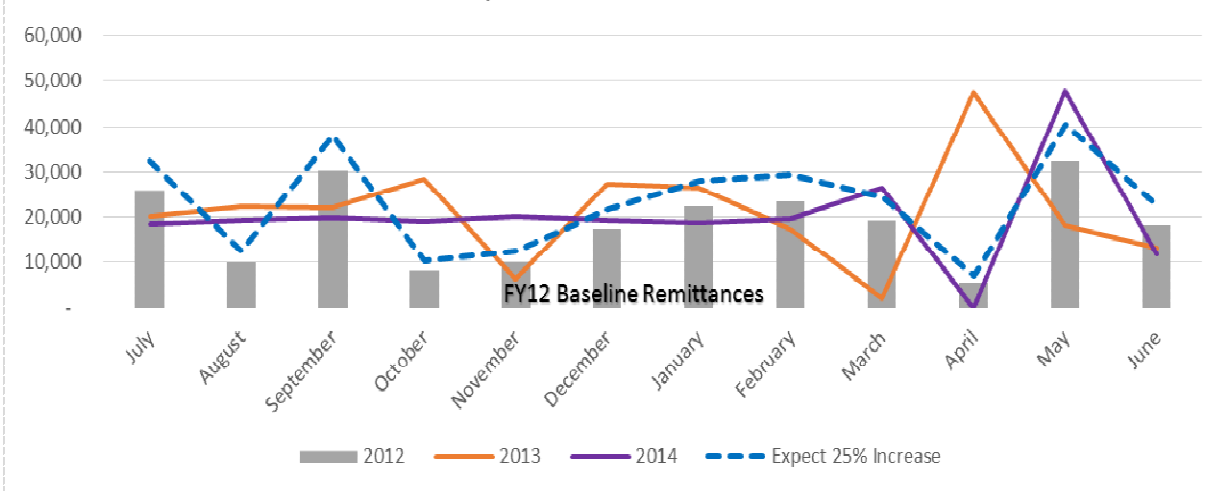
Since the inception of Act 578 (2012), local revenues associated with court costs have been unstable and erratic. As shown in the graph below, revenues have fallen below the 25% expected increase fifty percent of the time.

The 3rd Judicial District office's expenditures exceeded the office's revenues in CY10, CY11 and CY14. The fund balance grew slightly in CY12 and CY13. While it is too early to project when the 3rd Judicial District office will exhaust its fund balance, without a significant increase in revenues or reduction in expenditures, the office will eventually become insolvent.

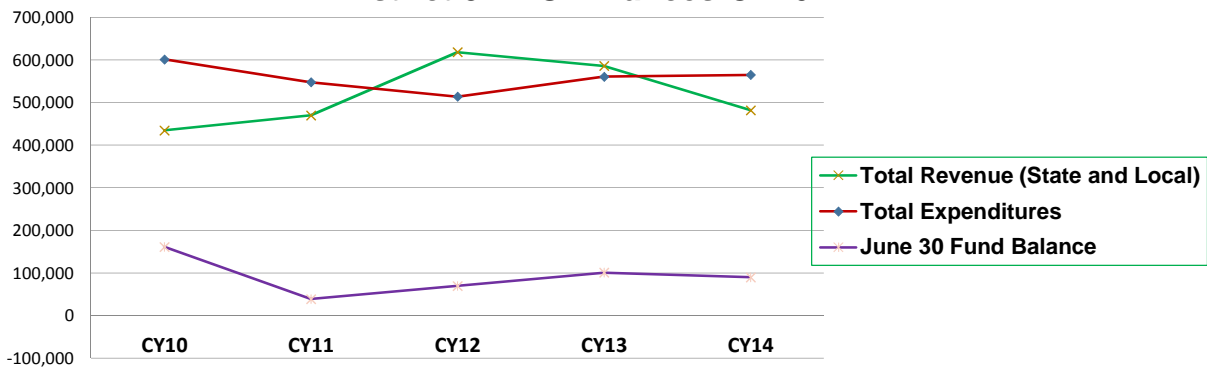
**District 3 PDO Revenue Sources  
CY14**



**Impact of Act 578 on District 3 PDO**



**District 3 PDO Finances CY10-14**



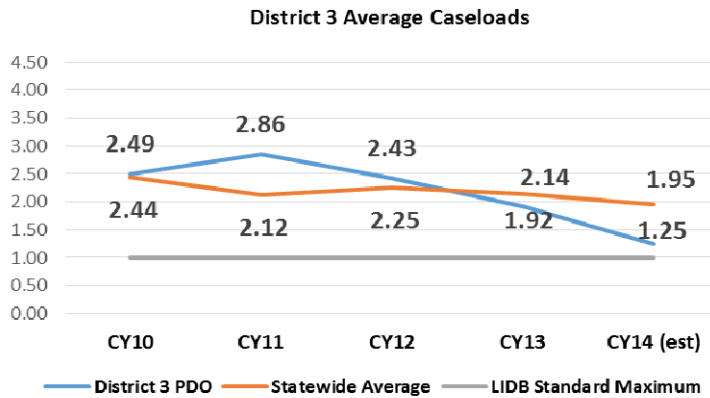
## LINCOLN AND UNION PARISHES

Lewis A. Jones  
District Defender  
307 N. Trenton Street, Suite 102  
Ruston, LA 71270  
318-255-5100

In the 3rd Judicial District, public defense attorneys maintain caseloads in excess of the recommended caseload limit for each attorney.

However, since CY13 caseloads in this district have been below the state average overload.

Since its inception in 2007, LPDB has continually strived to improve the quality of representation through supervision, adherence to standards of representation, and training. These improvements to representation are the cornerstones which lead to improved outcomes for clients.



## CAPITAL REPRESENTATION

Since 2009, the 3rd Judicial District has handled one new capital prosecution.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 3rd Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 3<sup>RD</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Lincoln - Ruston; Union - Farmerville
<b>Population</b>	69,456
<b>Juvenile Population</b>	14,833
<b>District Defender</b>	Lewis A. Jones
<b>Years as District Defender</b>	21 years, 8 months
<b>Years in Public Defense</b>	25
<b>Office Manager</b>	Rebecca Pesnell
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Rebecca Pesnell, office manager; Melissa Bryan, secretary; Nikki Brantley, secretary.
<b>Primary Office Street Address</b>	307 North Trenton Street, Suite 102
<b>City</b>	Ruston
<b>ZIP</b>	71270
<b>Primary Phone</b>	318-255-5100
<b>Primary Mailing Address</b>	Same
<b>Primary Fax Number</b>	318-255-4375
<b>Primary Emergency Contact</b>	Lewis A. Jones
<b>Primary Emergency Phone</b>	318-503-1444 (cell)
<b>Secondary Emergency Contact</b>	Gina L. Jones
<b>Secondary Emergency Phone</b>	318-251-3200 (work)
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Tom Sumrall
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	675
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Stephanie Perry of Wade & Perry, CPAs
<b>Courts and Locations</b>	3rd Judicial District Court, Lincoln Parish, Ruston; Ruston City Court; 3rd Judicial District Court, Union Parish, Farmerville
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	3 divisions in Lincoln District, 3 divisions in Union District, 1 in Ruston City Court, and a Drug Court in Lincoln and Union District Courts.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	One contract attorney handles Ruston City Court and Lincoln juvenile cases; one contract attorney handles felonies in Union Parish; one contract attorney handles misdemeanor, conflict, and juvenile cases in Union Parish; one contract attorney handles Lincoln misdemeanors; one contract attorney handles conflict cases and one criminal division in Lincoln Parish; one contract attorney handles all criminal cases in a separate division in Lincoln Parish; one contract attorney handles all criminal cases in a separate division in Lincoln Parish.

<b>Name of Adult Detention Facilities in This District</b>	Lincoln Parish Detention Center and Union Parish Detention Center
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Jackson Parish Correctional Center (Jonesboro) and Wade Correctional Center (Homer)
<b>Name of Juvenile Detention Facilities In This District</b>	There are no "juvenile detention facilities"; however, juveniles are sometimes held at the Methodist Children's Home in Ruston.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Johnny Gray Detention Center (Bossier City), Ware Detention (Coushatta), Green Oaks Detention Center (Monroe)
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	It is difficult to communicate with clients who are housed in parishes other than that in which their charges are pending.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Court does not have a written shackling procedure. Generally, they are not brought into the courtroom in leg restraints or hand cuffs. There is usually a bailiff at each courtroom door, but the juvenile is not restrained in the courtroom.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	John F. Belton, as of 1/12/15
<b>Chief Judge of Criminal District Court</b>	Jay B. McCallum
<b>Juvenile Court Judges (Specify District of City Court)</b>	Jay B. McCallum in Union Parish and Thomas W. Rogers in Lincoln Parish.
<b>Drug Court Judges</b>	Cynthia T. Woodard in Lincoln Parish and Jay B. McCallum in Union Parish.
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	If incarcerated, determined by judge via telephone within 72 hours of arrest. Otherwise, determined in court at the arraignment by the contract attorney handling court on that particular day.
<b>When is Assignment/Appointment of Counsel Made?</b>	By telephone within 72 hours of arrest if in custody. If not, at arraignment.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Robert Earle, contract attorney, in Union Parish. Forrest Moegle, contract attorney, in Lincoln Parish.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Within 72 hours of appointment, lawyer responsible for doing the intake visits with the defendant, answers any questions that they may have, and completes the intake form.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	Approximately 340
<b>How Many Application Fees Were Waived?</b>	Not sure exactly. Probably less than 50.
<b>How Many Application Fees Were Reduced?</b>	Less than 5.
<b>Total Application Fee Dollars Collected in 2014</b>	15,510
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	245,401
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	None
<b>Who Collects the Assessed Court Fees?</b>	Sheriff in district court and Marshal in city court. If on felony probation, may be collected through probation & parole.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	We receive documentation showing our portion of the fees collected from the collecting agencies; however, we do not get anything showing what was collected and distributed to other agencies.
<b>Who Remits the Court Fees Collected?</b>	Sheriff in district court and Marshal in city court. If collected through probation & parole, they do.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The Lincoln Parish Sheriff's Office, Union Parish Sheriff's Office, and the Ruston Marshal's Office provide documentation showing the number of cases for which the fee was collected and the total collected.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Rate charged, if any, is determined by the Court; however, this is rarely, if ever, done.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	Either the sheriff or the marshal's office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	Either the sheriff or Ruston Marshal.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The Lincoln Parish Sheriff's Office, Union Parish Sheriff's Office, and the Ruston Marshal's Office provide documentation showing the number of cases for which the fee was collected and the total collected.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	This is not broken out by the remitting agencies, so I cannot give an accurate figure. I would guess less than \$1000.
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Attorneys are permitted to have a private practice as long as it does not conflict with their contractual obligations; however, the policy is not in writing.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Not at this time.
<b>Primary Immediate Needs</b>	A guaranteed, steady flow of funding and 2 new computers.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing or staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Continued funding.
<b>Long-Term Critical Issue Areas</b>	Sufficient funding.
<b>Please List All New Hires in 2014 (Name and Title)</b>	None
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	None



<b>Number of Expected New Attorney Hires in 2015</b>	As of 1/31/15, I will no longer be the District Public Defender. I also expect one of my contract attorneys to resign. We will need a new District Defender and at least one contract attorney.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Have only hired one new attorney in years, and that attorney had many years of criminal experience. I have observed him in court and offered suggestions and tips that I thought would be helpful.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Other than the district defender, we only have 6 attorneys. All attorneys are directly supervised by the district defender. All attorneys are contract and, therefore, supervise their own support staff.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	All 6 contract attorneys are directly supervised by the District Defender.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No medical benefits provided.
<b>Regular Meetings for Any Staff, Please Describe</b>	No
<b>Number of NEW capital cases in CY14 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	0
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	All of our attorneys have experience with juvenile defendants.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Representatives are Rob Shadoin and Patrick Jefferson. Senator is Bob Kostelka.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None that I can think of.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	None

<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Gina L. Jones	318-251-3200
Forrest L. Moegle	318-254-0100
Rick Candler	318-255-1670
Deanna McCallum	318-368-3348
Robert Earle	318-368-2246
Bruce Hampton	318-368-7444
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Rebecca Pesnell	318-255-5100
Donnie Kimbell	318-245-3401

2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Lewis A. Jones
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b>Operating Systems Used:</b>	
Windows 8	
Windows 7	
Windows Vista	x
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b>Case Management System(s): Check all that apply</b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b>Productivity Suites Used:</b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b>Accounting Software</b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Firefox	x
Google Chrome	
Other	
<b>HARDWARE:</b>	
Please enter the number of devices in your inventory.	
Television	0
DVD	0
VCR	0

Desktop PCs	2
Laptops	0
Video Cameras	0
Digital Cameras	0
Video Conferencing Systems	0
B&W Laser Printers	1
Color Printers	0
Wireless Cards	0
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	0
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	5.33 Mb/s
Provider Name:	AT&T
Email Provider:	
Please list any software or computer equipment in which you need training:	Word and Power Point.

### 3rd District Defender Office CY 2014 Caseloads & Outcomes

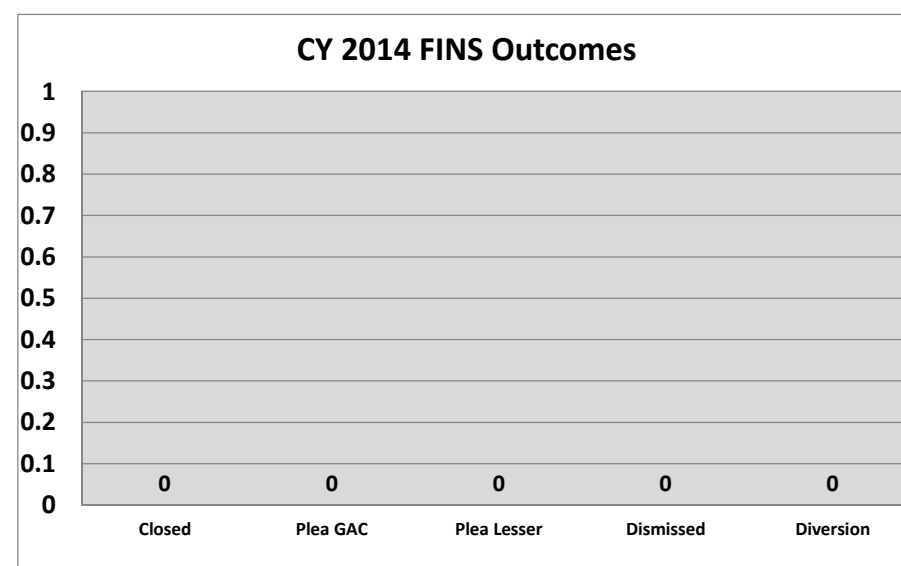
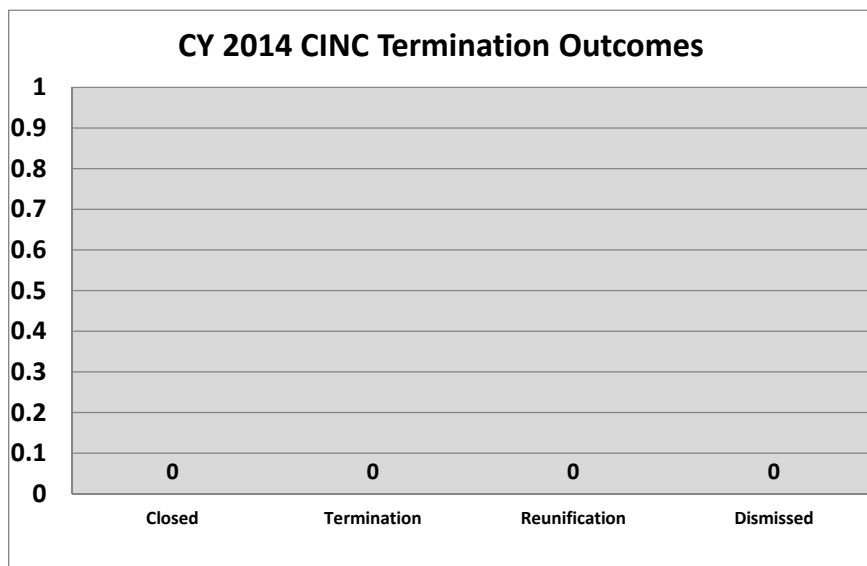
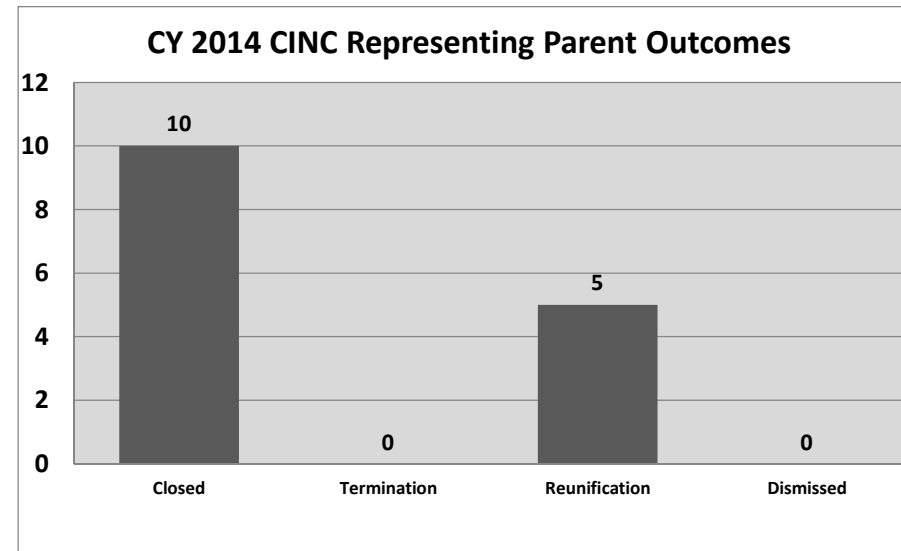
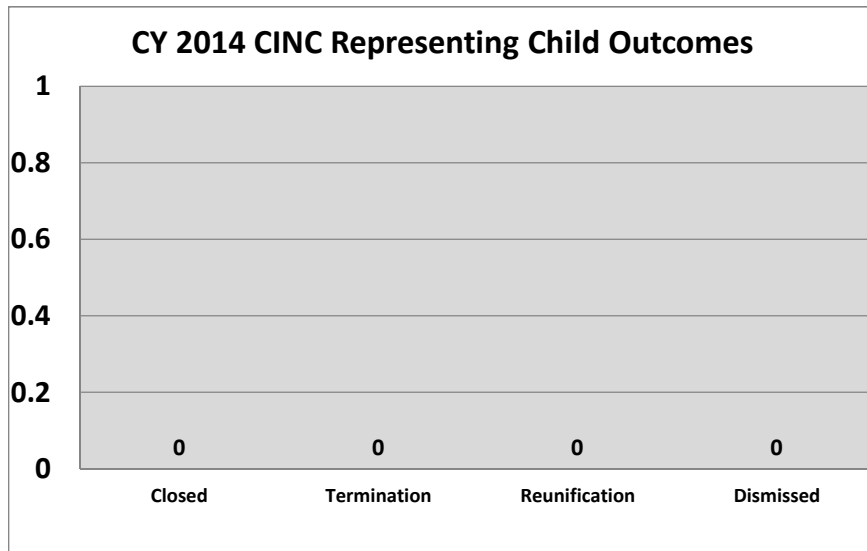
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	17	10	3	20	0	5	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	1	1	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	0	0	2	2	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	0	1	2	2	N/A	N/A	0	0	1	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	646	347	191	837	N/A	N/A	228	30	104	0	0	0	5	0	5
Adult Felony Non-LWOP**	522	345	234	756	N/A	N/A	305	78	59	0	0	1	0	2	3
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	245	154	107	352	N/A	N/A	0	0	5	0	N/A	N/A	N/A	N/A	0
PCR	1	0	0	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

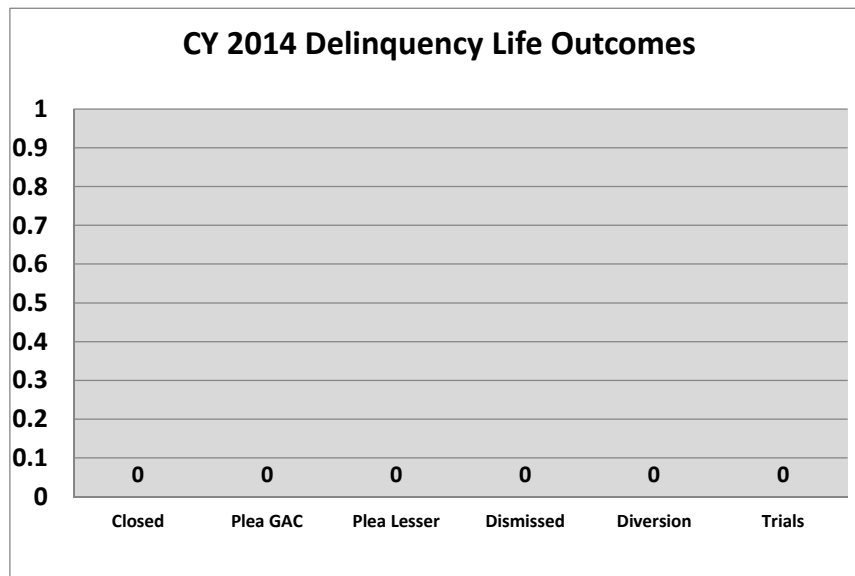
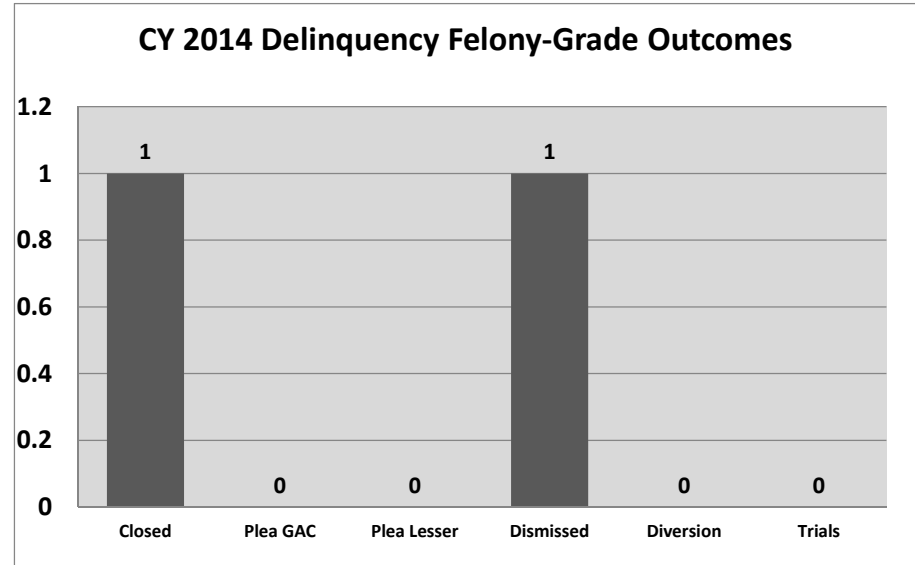
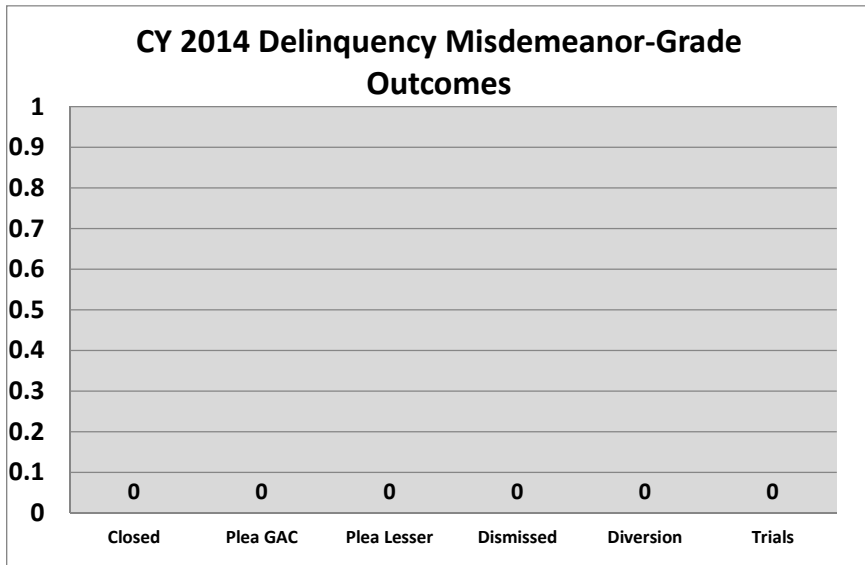
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

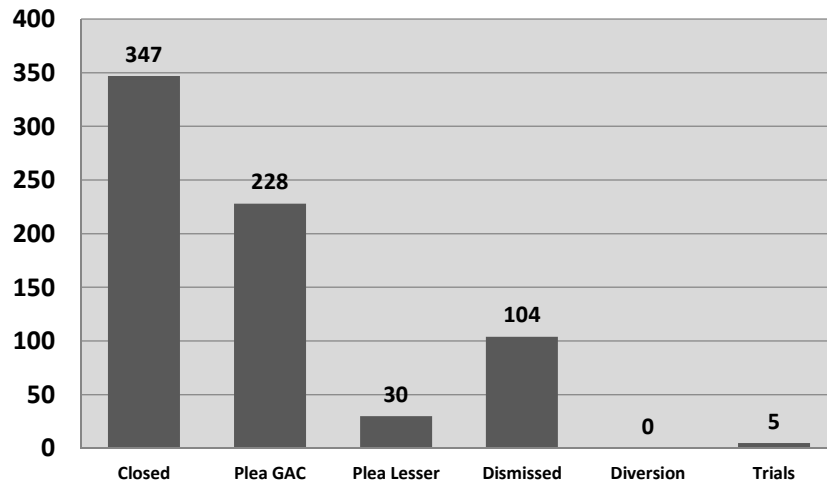
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

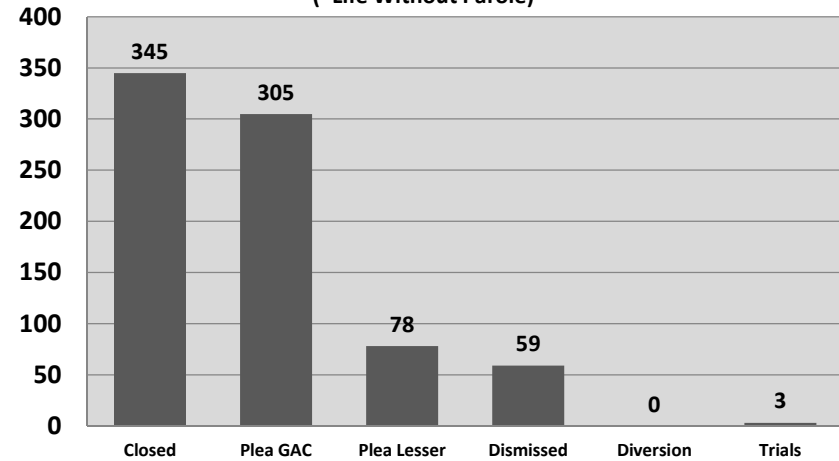




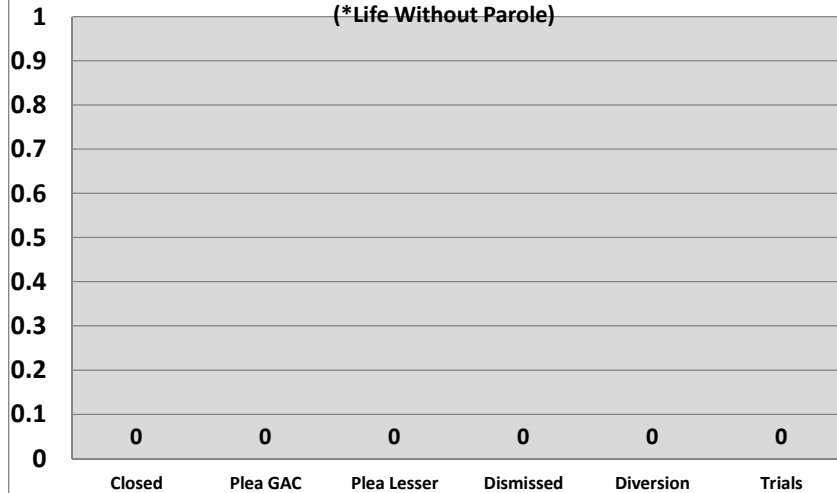
**CY 2014 Adult Misdemeanor Outcomes**



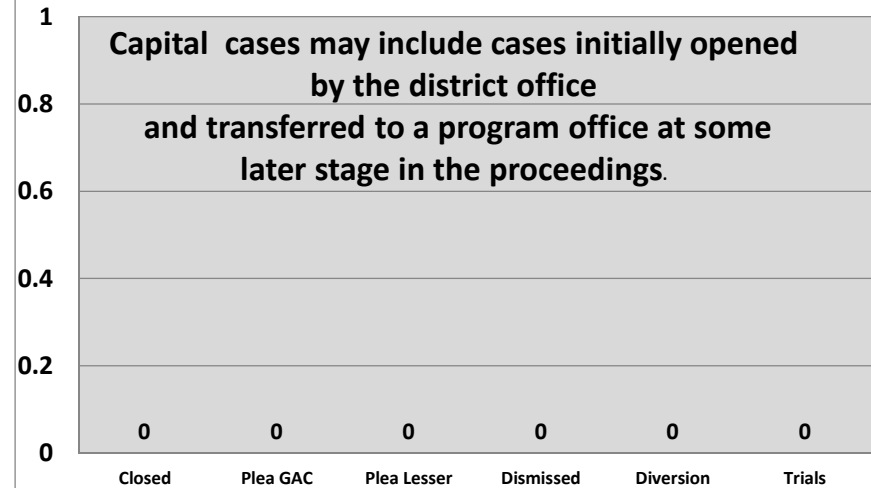
**CY 2014 Adult Felony Non-LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Adult Felony LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Capital Outcomes**



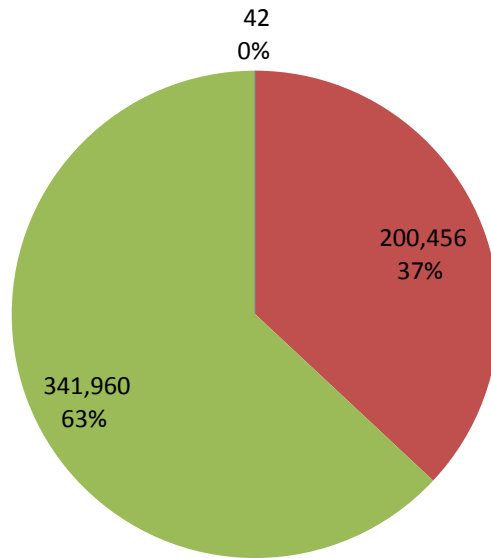


District 3 CY2014	Total CY2014
District Defender: Lewis A. Jones	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	6,454
District Assistance Fund (DAF)	194,002
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	200,456
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	315
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	62,939
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	55,187
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	225
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	169,921
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	18,605
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	243,939
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	15,510
Partial Attorney Fees	
Reimbursements [as per 15:176]	18,658
Other Reimbursements	-
Other Local Income -List source(s)	600
Total for Charges For Services	34,768
Total for Local Government	341,960
Investment Earnings	
Interest Income	42
Other Investment Income - List source(s)	-
Total for Investment Earnings	42
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	542,458

District 3 CY2014	Total CY2014
District Defender: Lewis A. Jones	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	25,200
Accrued Leave	-
Payroll Taxes	2,078
Hospitalization and Disability	
Insurance	-
Retirement	-
Other	0
Total for Personnel Services and Benefits	27,278
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	739
Insurance - Other	-
Lease - Office	5,640
Lease - Auto/Equipment	-
Lease - Other	1,840
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	1,084
Dues and Seminars	-
Law Library/Journals/Subscriptions	-
Office Supplies	-
Total for Operating Services	9,303
Professional Services	
Audit/Accounting Expense	9,470
Contract Clerical	-
Expert Witness	-
Investigators	37,500
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	92,400
Contract Attorneys - all other	388,904
IT/Technical Support	-
Total for Professional Services	528,274
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	131
Total for Other Charges	131
Total for EXPENDITURES	564,986

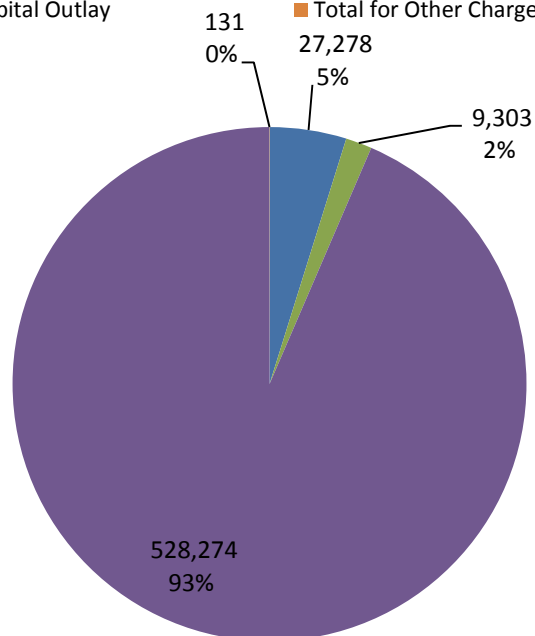
## Total CY14 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges



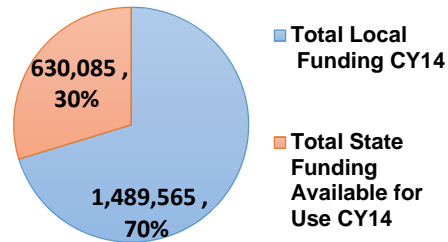


## 4TH JUDICIAL DISTRICT

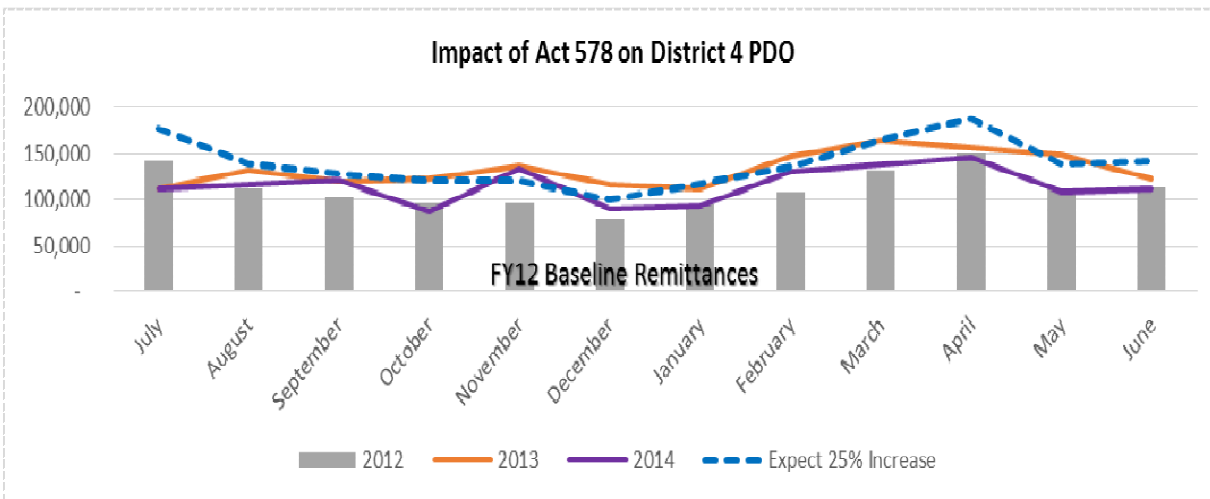
During calendar year 2014, the 4th Judicial District Public Defenders Office handled 11,609 cases. The office received \$2,119,650 in total revenues to handle these cases, approximately 70% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs. The 4th Judicial District office relies heavily on local revenues collected during peak months. However, as shown in the graph below during the months of May, June, July, and August 2014, receipts were down more than \$60,000. The 4th Judicial District office is not currently engaged in deficit spending. However if revenues continue to decline, the Judicial District will begin depleting the office's fund balance.

With the exception of seven months in the past two years since Act 578 (2012) was enacted, the 4th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578).

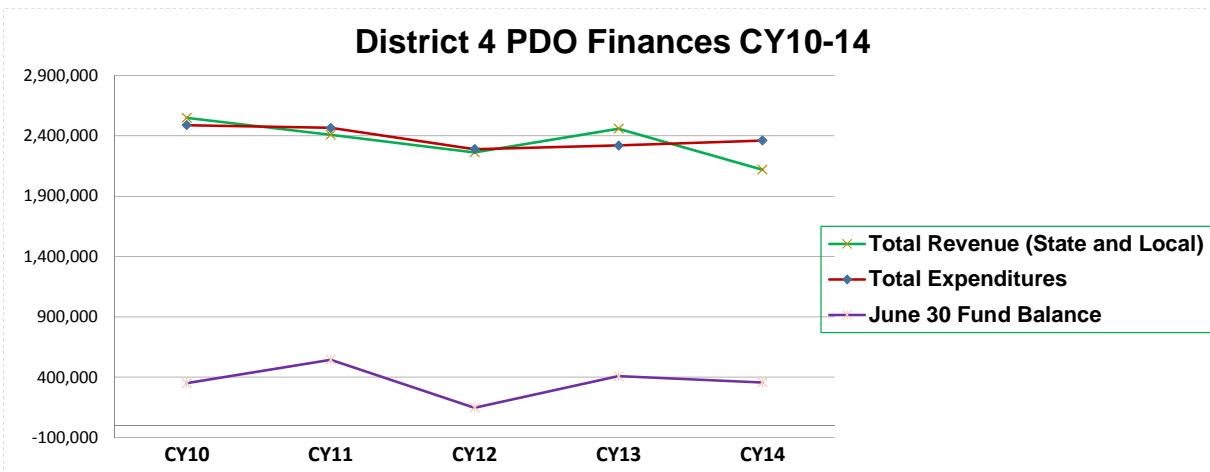
**District 4 PDO Revenue Sources  
CY14**



**Impact of Act 578 on District 4 PDO**



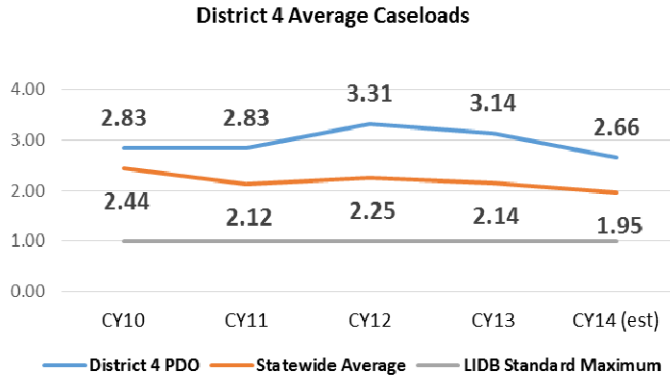
**District 4 PDO Finances CY10-14**



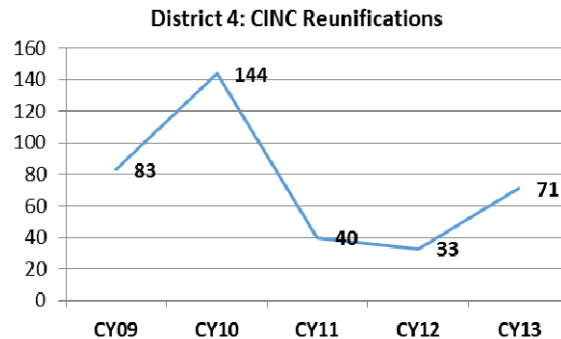
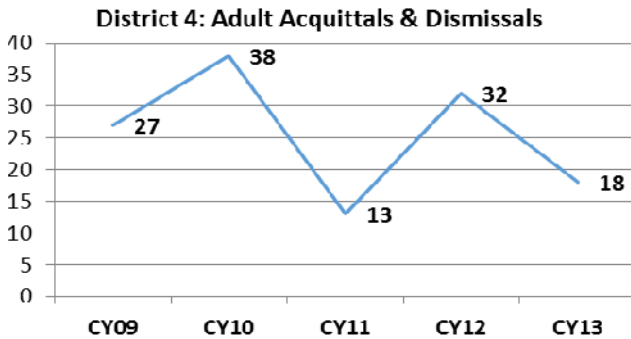
# OUACHITA AND MOREHOUSE PARISHES

Michael A. Courteau  
District Defender  
714 St. John Street  
Monroe, LA 71201  
318-322-6643

In the 4th Judicial District, public defense attorneys make an average annual salary of \$58,457 while maintaining caseloads almost three times the recommended caseload limit for each attorney.



Reliance on insufficient revenues have resulted in caseloads in excess of established caseload limits. Excessive caseloads limit each defender's ability to provide effect assistance of counsel to his/her clients.





## THE 4<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Ouachita - Monroe and Morehouse - Bastrop (4th JDC), Juvenile Only-West Carroll - Oak Grove, Franklin - Winnsboro and Richland - Rayville (5th JDC); and Caldwell - Columbia (37th JDC).
<b>Population</b>	183,277
<b>Juvenile Population</b>	62,517
<b>District Defender</b>	Michael A. Courteau
<b>Years as District Defender</b>	22
<b>Years in Public Defense</b>	25
<b>Office Manager</b>	Dixie Stout
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Zuleika Quinn - Data Entry Clerk, Bernay Hall - Receptionist, Carolyn Breedlove - Data Entry Clerk, Toyia Giles - Data Entry Clerk, Dylan Smith - Juvenile Investigator/Data Entry Clerk, Shondria Newton - Data Entry Clerk.
<b>Primary Office Street Address</b>	714 St. John Street
<b>City</b>	Monroe
<b>ZIP</b>	71201
<b>Primary Phone</b>	318-322-6643
<b>Primary Mailing Address</b>	714 Saint John Street
<b>Primary Fax Number</b>	318-325-7814
<b>Primary Emergency Contact</b>	Michael A. Courteau
<b>Primary Emergency Phone</b>	318-614-4727
<b>Secondary Emergency Contact</b>	Bob Noel
<b>Secondary Emergency Phone</b>	318-366-6668
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Owned by 4th JDC Public Defender Office
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$650 (Utilities) No mortgage/rent.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	George McGuffee

<b>Courts and Locations</b>	4th Judicial District Court, Ouachita and Morehouse Parishes in Monroe and Bastrop (includes Juvenile Courts); Monroe, West Monroe and Bastrop City Courts, Green Oaks Detention Center. 5th and 37th Judicial District Courts - Juvenile; Rayville, Winnsboro, and Oak Grove City Courts, NOTE: The PD office in the 4th Judicial District also handles juvenile matters in the 5th and 37th Districts. The juvenile data is compiled by the 4th JDC and reflected here.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	4 Sections in Ouachita Parish; 2 Sections in Morehouse Parish.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Ouachita Parish- Cases are assigned by case number and section. Morehouse Parish- by the Judge. Monroe City- by Staff, Juvenile in 5th, 37th, and 4th District, Monroe City and West Monroe City- determined by the case type.
<b>Name of Adult Detention Facilities in This District</b>	Ouachita Correctional Center; Morehouse Correctional; Bastrop City Jail
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Collington Correctional Center, Richwood Detention Center, Richland Parish Detention Center
<b>Name of Juvenile Detention Facilities In This District</b>	Green Oaks Detention Center; Swanson's
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Christian Acres
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Yes, during the period of time that a new video conference system was installed, visitation by attorney was limited.
<b>District Attorney</b>	Jerry Jones
<b>Chief Judge of Criminal District Court</b>	Judge Stephen Winters
<b>Juvenile Court Judges (Specify District of City Court)</b>	Chief Judge Sharon Marchman
<b>Drug Court Judges</b>	Yes. Judge Sharon Marchman
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	No
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Determined by Qualifications Investigators.
<b>When is Assignment/Appointment of Counsel Made?</b>	Upon determination of indigency and availability of case number and section.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Adult- Ray Cook, Mary Coleman, Carolyn Walker, Kenny Robideaux. Juvenile- Dylan Smith, Carolyn Breedlove.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes. Adult and Juvenile forms are both attached.



<b>Brief Explanation of Intake Process</b>	Qualification investigators are present in court and at jails and juvenile facilities to interview and determine qualifications as soon as the potential client is referred by a judge.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	7,823
<b>How Many Application Fees Were Waived?</b>	2,298
<b>How Many Application Fees Were Reduced?</b>	N/A
<b>Total Application Fee Dollars Collected in 2014</b>	\$67,889
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	1,301,077
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Sheriff and Clerks provide documentation.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Yes. Provided by the Sheriff and Clerks.
<b>Who Remits the Court Fees Collected?</b>	Sheriff, Clerk for Monroe City Court, West Monroe Marshall's Office, Probation
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Yes. Provided by the Sheriff and Clerk of Court.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Dependent upon each client's financial circumstances.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	We collect \$40 partial, Sheriff and various clerks collect in the other parishes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	We collect \$40 partial, Sheriff and various clerks collect in the other parishes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Each collecting agency now provides documentation.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted provided no conflict with indigent appointed cases

<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes. There are two contracts attached, one for adult and one for juvenile attorneys.
<b>Primary Immediate Needs</b>	Adequate funding.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Probably not this year.
<b>In CY14, have you instituted any downsizing or staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Paul Moore and Bobby Stephenson. Both were contract employees.
<b>Immediate Critical Issue Areas</b>	Local funding is down considerably. Measures have been taken to hopefully increase local funding.
<b>Long-Term Critical Issue Areas</b>	Consistent, reliable funding.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Dylan Smith- Juvenile Qualifications Investigator and Data Entry Clerk, Carolyn Breedlove- Child Support Qualifications Investigator and Data Entry Clerk, Bernay Hall - Receptionist, Toyia Giles - Data Entry Clerk, Lou Walker - Investigator, Amber Dannehl - Data Entry Clerk.
<b>Please List All Promotions in 2014 (Name and Title)</b>	Zuleika Quinn- Data Entry Clerk, Misty Emerel - IT Administrator.
<b>2014 Media Coverage and/or Major Accomplishments</b>	Refined Investigator Services.
<b>Number of Expected New Attorney Hires in 2015</b>	0
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. Nine training sessions per year. Mandatory attendance for all Contract Attorneys for a minimum of six sessions.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Yes. See attached.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	See attached.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Yes, as of 12/1/08
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes. District Defender.
<b>Regular Meetings for Any Staff, Please Describe</b>	Monthly mandatory training done at PD Office. Nine training sessions per year. Monthly contract lawyers and section heads meetings. Section heads formally meet with their lawyers ranging from monthly for juvenile to semi-annually for misdemeanor. One seminar per year paid for by ID office for continued juvenile or capital qualifications. Other requests considered individually by Dist. Defender, but attendance at seminar for capital penalty phase lawyer is encouraged.
<b>Number of NEW capital cases in CY14 handled by your office</b>	None

<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	None
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2014</b>	4
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	The Juvenile Section Head, Bobby Manning handles all these cases
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Representatives - Steve Plyant, Charles Chaney, Katrina Jackson, Jay Morris III, James Fannin, Frank Hoffman, Marcus Hunter. Senators - Neil Riser, Mike Walsworth, Francis Thompson, Bob Kostelka
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Logistics in that the local Correctional Center requires thirty driving minutes for an in-person conference.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	More specific hands on monthly training for contract attorneys.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Courteau, Michael A.	318-322-6643
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Adams, Layne	318-387-5552
Balsamo, Katy	318-812-3434
Bernheim, Sadye	318-387-4805
Britton, George	318-323-6107
Brown, Elizabeth	318-372-1731

Caldwell, Walter	318-396-0540
Cooper, Carl	318-387-1644
DeCelle, Malcolm	318-387-3500
Domangue, Dina	318-649-2626
Donald, Randy	318-322-8442
Hemphill, Caroline	318-439-0122
Hunter, Daniel	318-388-0883
Loveridge, David	318-361-5065
Manning, Bobby	318-324-1411
McElroy, Scott	318-283-0428
Noel, Bob	318-388-1700
Nolen, Jay	318-388-1655
Oliveaux, Darrell	318-340-7900
Perkins, Lee	318-387-5552
Racer, Bryan	318-324-1304
Ross, James	318-322-8776
Sullivan, Peggy	318-855-6038
Toombs, Clara	318-855-4864
Trahan, Ken	318-387-2776
Williams, Derrick	318-807-9045
Jones, Frederick	318-325-2644
Magee, Trey	318-340-7900
Allen, Marcy	318-362-0057
Burrell, VaRhonda	318-323-6107
Pierre, Rodney	318-323-4777
Charles Brumfield	318-281-4907
John Ellis	318-201-4212
David Summersgill	318-387-8331
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Branum, Chris	318-322-6643
Coleman, Mary	318-322-6643
Cook, Ray	318-322-6643
Emerel, Misty	318-322-6643
McGuffee, George	318-325-5867
Newton, Shondria	318-322-6643
Stout, Dixie	318-322-6643
Walker, Carolyn	318-322-6643
Wawrzyniak, Kazimer	318-322-6643
Quinn, Zuleika	318-322-6643
Robideaux, Kenny	318-322-6643
Bernay Hall	318-322-6643
Lou Walker	318-322-6643
Toyia Giles	318-322-6643
Dylan Smith	318-322-6643

## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.

**Survey Completer's Name**

Misty Emerel

**SOFTWARE:**

Mark an X in all that apply

**Operating Systems Used:**

Windows 8

x

Windows 7

x

Windows Vista

x

Windows Server 2000/2003/2008

x

Windows XP

Mac OSX

**Case Management System(s): Check all that apply**

defenderData (LPDB statewide system)

x

Other System (please name)

**Productivity Suites Used:**

Microsoft Office 2013 (Word, Excel, etc.)

x

Microsoft Office 2010

x

Microsoft Office 2007

x

Microsoft Office 2003

x

Previous Microsoft Office version

Corel Word Perfect

Other

x

**Accounting Software**

QuickBooks

x

Quicken

Intuit

Other (list here):

**Internet Browsers Used:**

Internet Explorer 6

Internet Explorer 7

Internet Explorer 8

Internet Explorer 9

x

Firefox

x

Google Chrome

x

Other

<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	
Television	0
DVD	0
VCR	0
Desktop PCs	13
Laptops	6
Video Cameras	2
Digital Cameras	7
Video Conferencing Systems	1
B&W Laser Printers	2
Color Printers	14
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	2
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	20mb
Provider Name:	Ouachita Parish Sheriff's Office/Centurytel
Email Provider:	N/A
Please list any software or computer equipment in which you need training:	

#### 4th District Defender Office CY 2014 Caseloads & Outcomes

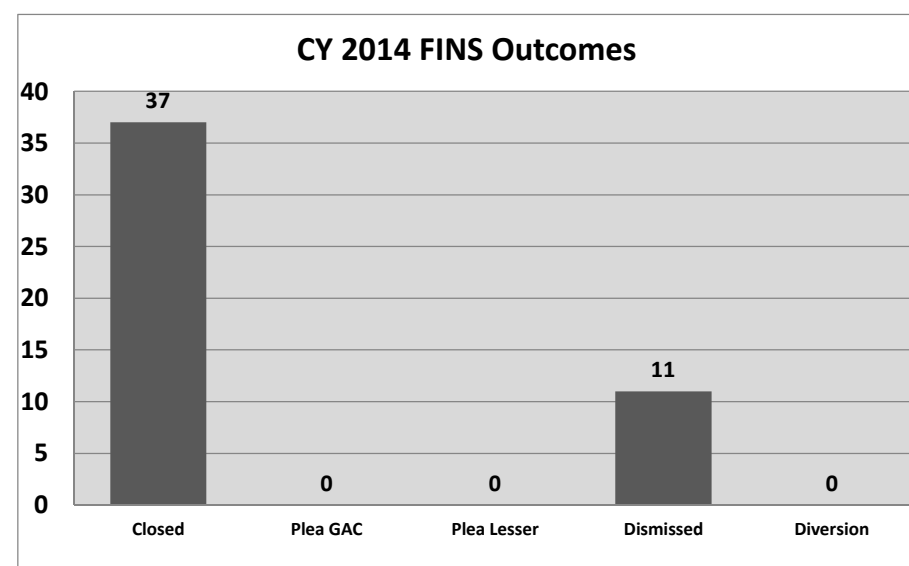
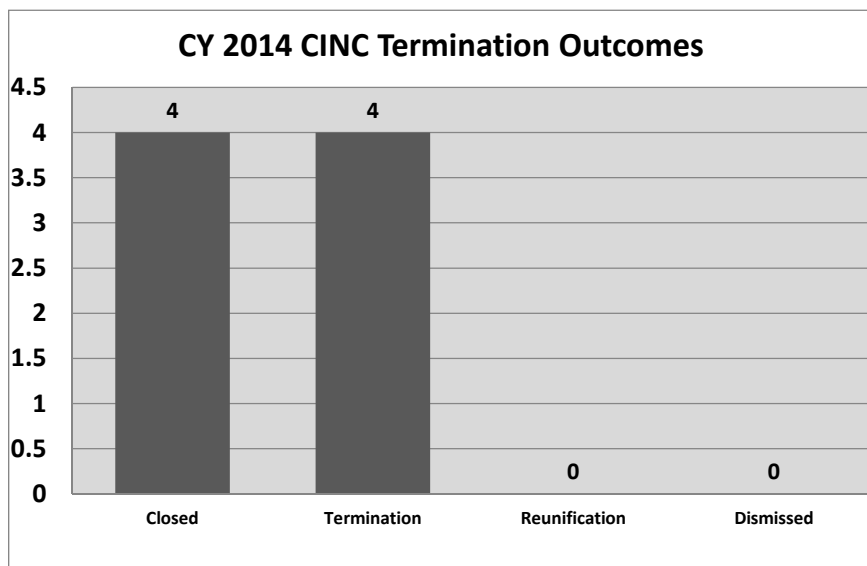
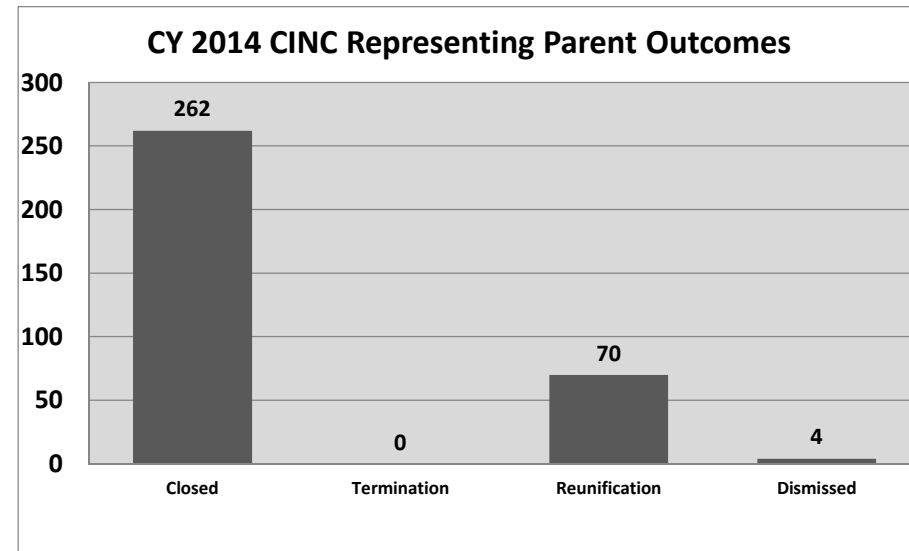
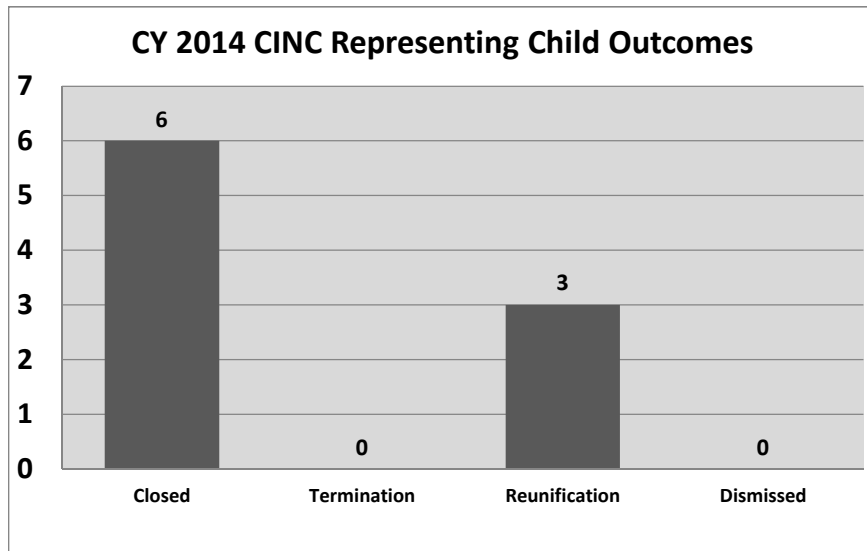
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	286	268	66	352	N/A	N/A	N/A	N/A	41	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	1	6	8	9	0	3	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	342	262	352	694	0	70	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	0
Termination	8	4	1	9	4	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	92	37	27	119	N/A	N/A	0	0	11	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	290	183	116	406	N/A	N/A	43	18	109	8	N/A	N/A	3	2	5
Delinquency Felony	104	96	88	192	N/A	N/A	34	25	69	1	N/A	N/A	0	0	0
Delinquency-Life	3	0	0	3	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	37	18	7	44	N/A	N/A	1	1	4	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	3470	3367	1361	4831	N/A	N/A	1102	506	796	58	0	0	9	31	40
Adult Felony Non-LWOP**	3091	2579	1697	4788	N/A	N/A	770	417	2293	8	0	29	0	24	53
Adult LWOP	50	60	88	138	N/A	N/A	11	27	44	0	0	3	0	2	5
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	19	15	3	22	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	2	1	0	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	1	1
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

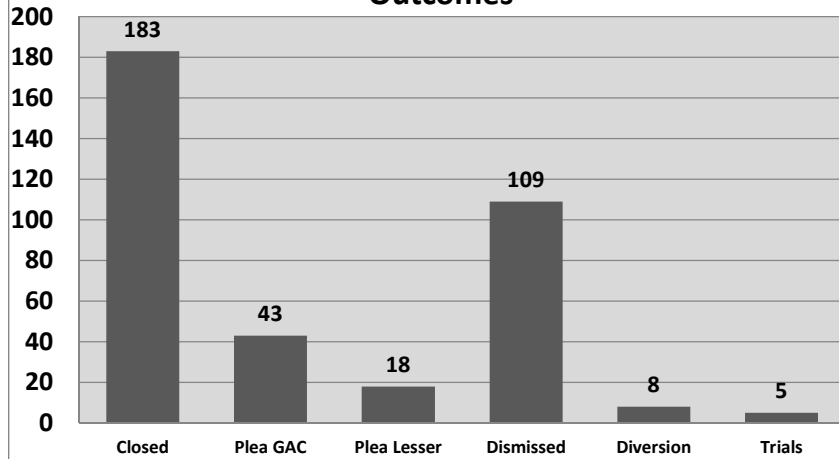
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

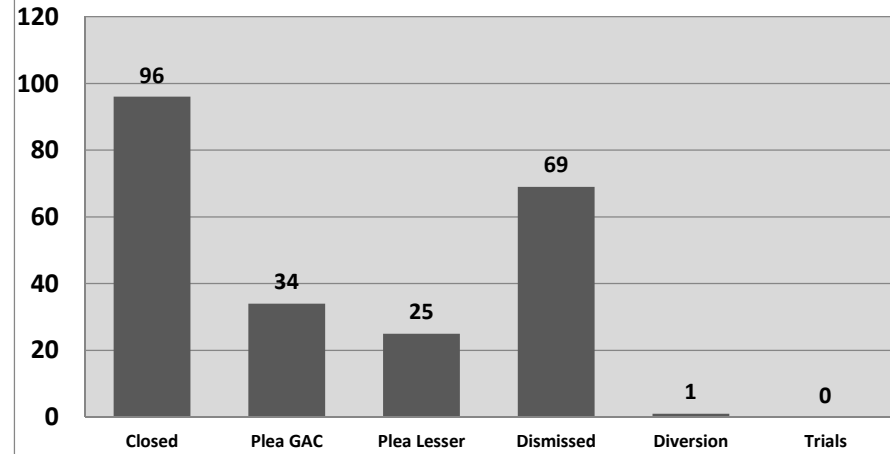




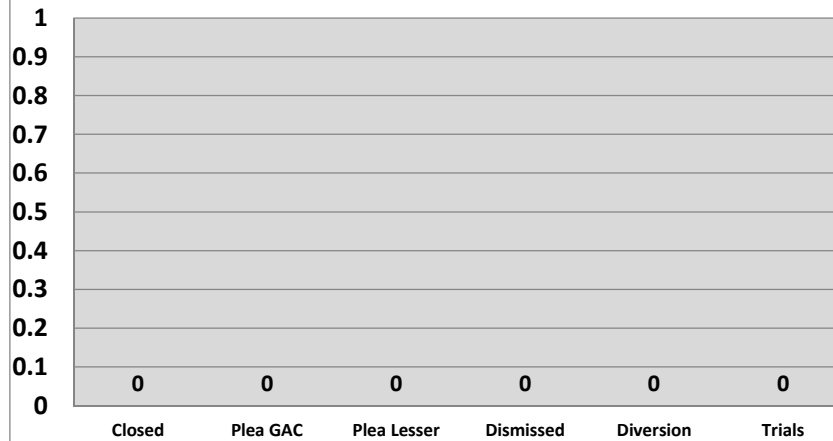
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**



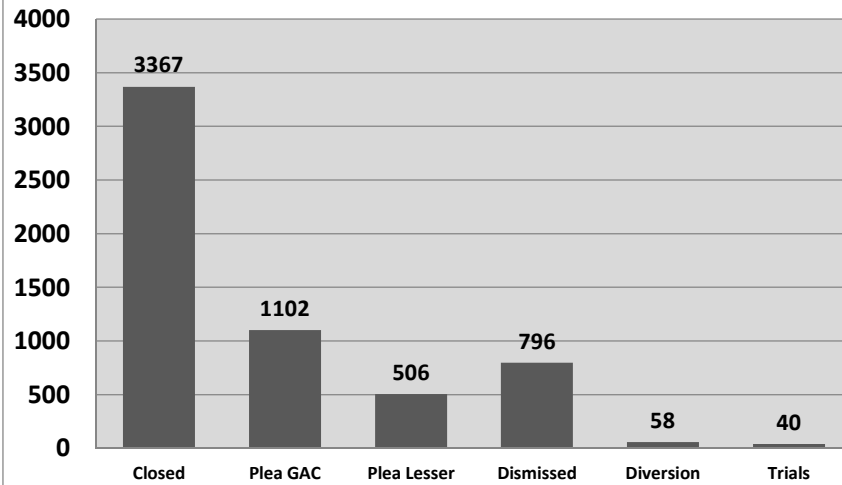
**CY 2014 Delinquency Felony-Grade Outcomes**



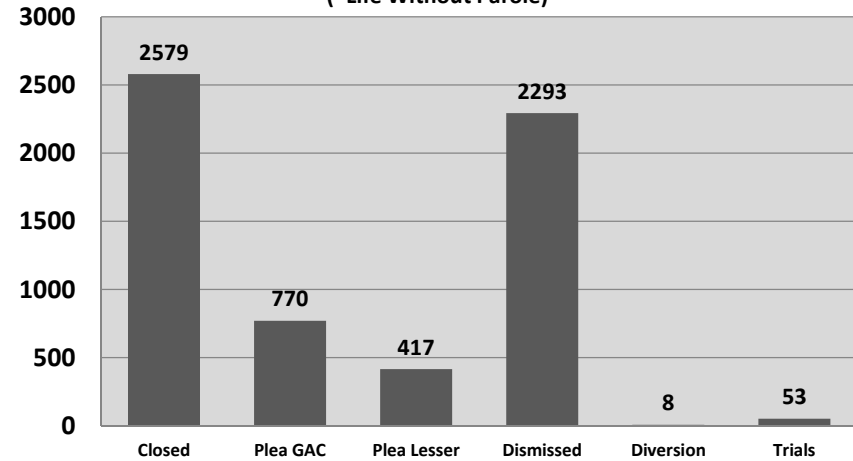
**CY 2014 Delinquency Life Outcomes**



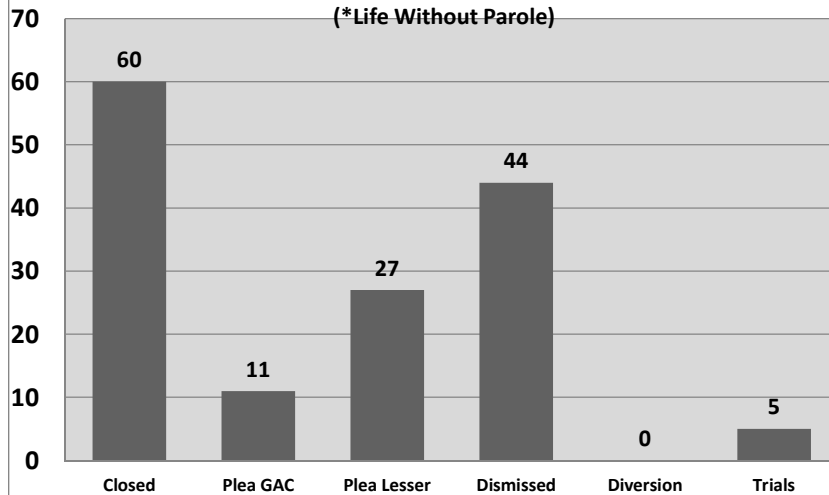
**CY 2014 Adult Misdemeanor Outcomes**



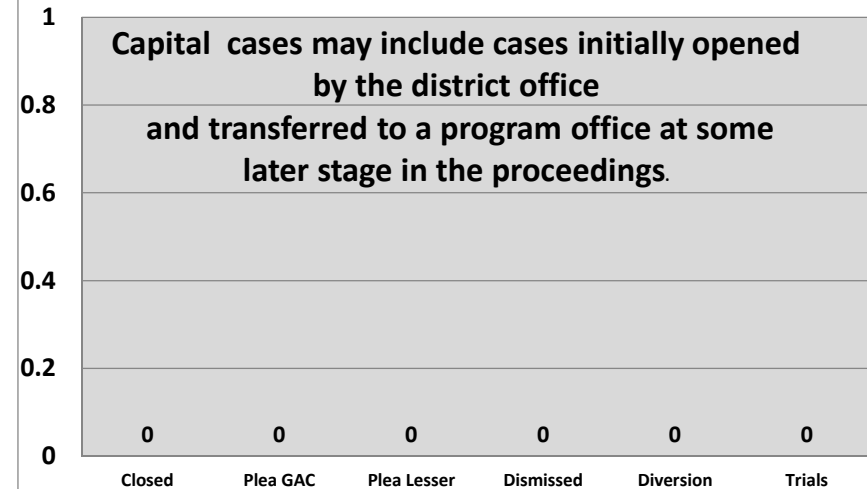
**CY 2014 Adult Felony Non-LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Adult Felony LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Capital Outcomes**

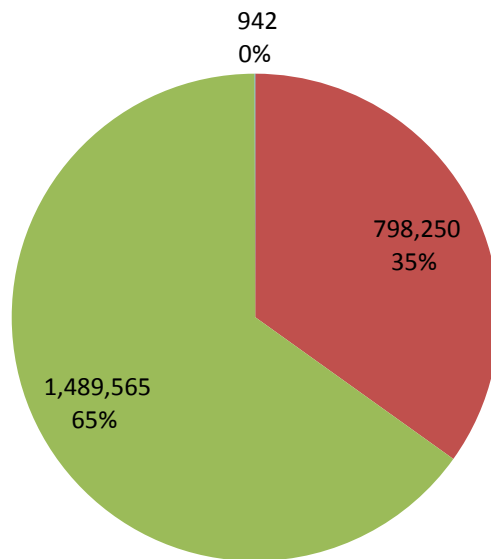


District 4 CY2014	Total CY2014
District Defender: Mike A. Courteau	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	143,604
District Assistance Fund (DAF)	654,646
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	798,250
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	10,550
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	31,559
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	187,720
City & City-Ward Courts	408,752
Judicial District Courts	700,082
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	29,262
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	1,325,816
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	62,320
Partial Attorney Fees	
Reimbursements [as per 15:176]	59,320
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	121,640
Total for Local Government	1,489,565
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	942
Total for Other Sources (Grants & Contributions)	942
Total for REVENUE	2,288,757

District 4 CY2014	Total CY2014
District Defender: Mike A. Courteau	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	551,311
Accrued Leave	-
Payroll Taxes	44,649
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	595,960
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	20,681
Total for Travel/Training	20,681
Operating Services	
Advertisements	335
Workers' Compensation	2,455
Insurance - Malpractice	2,269
Insurance - Auto/Physical Liability	460
Insurance - Other	2,710
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	13,973
Office - Telephone/Utilities/Postage/Internet	15,498
Dues and Seminars	510
Law Library/Journals/Subscriptions	-
Office Supplies	23,614
Total for Operating Services	61,825
Professional Services	
Audit/Accounting Expense	28,663
Contract Clerical	28,196
Expert Witness	17,081
Investigators	8,386
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	360,000
Misdemeanor Attorney Contracts	296,400
Contract Attorneys - all other	928,758
IT/Technical Support	12,949
Total for Professional Services	1,680,432
Capital Outlay	
Major Acquisitions	2,069
Total for Capital Outlay	2,069
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
Total for EXPENDITURES	2,360,967

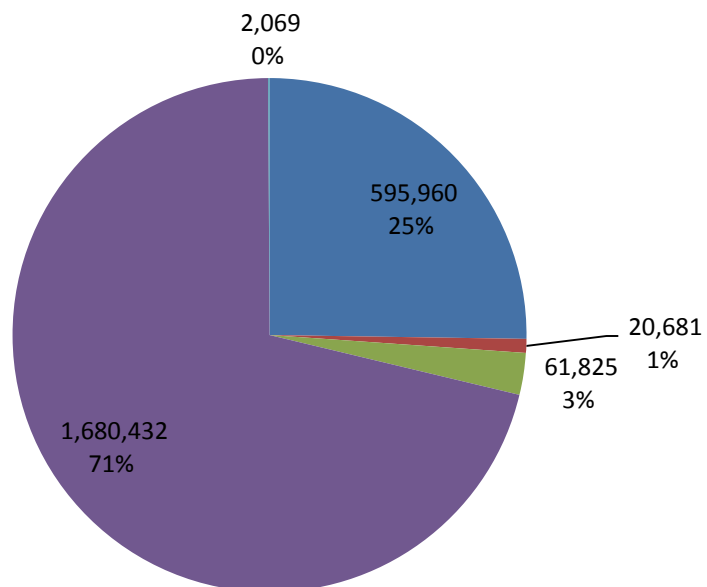
## Total CY14 Revenues

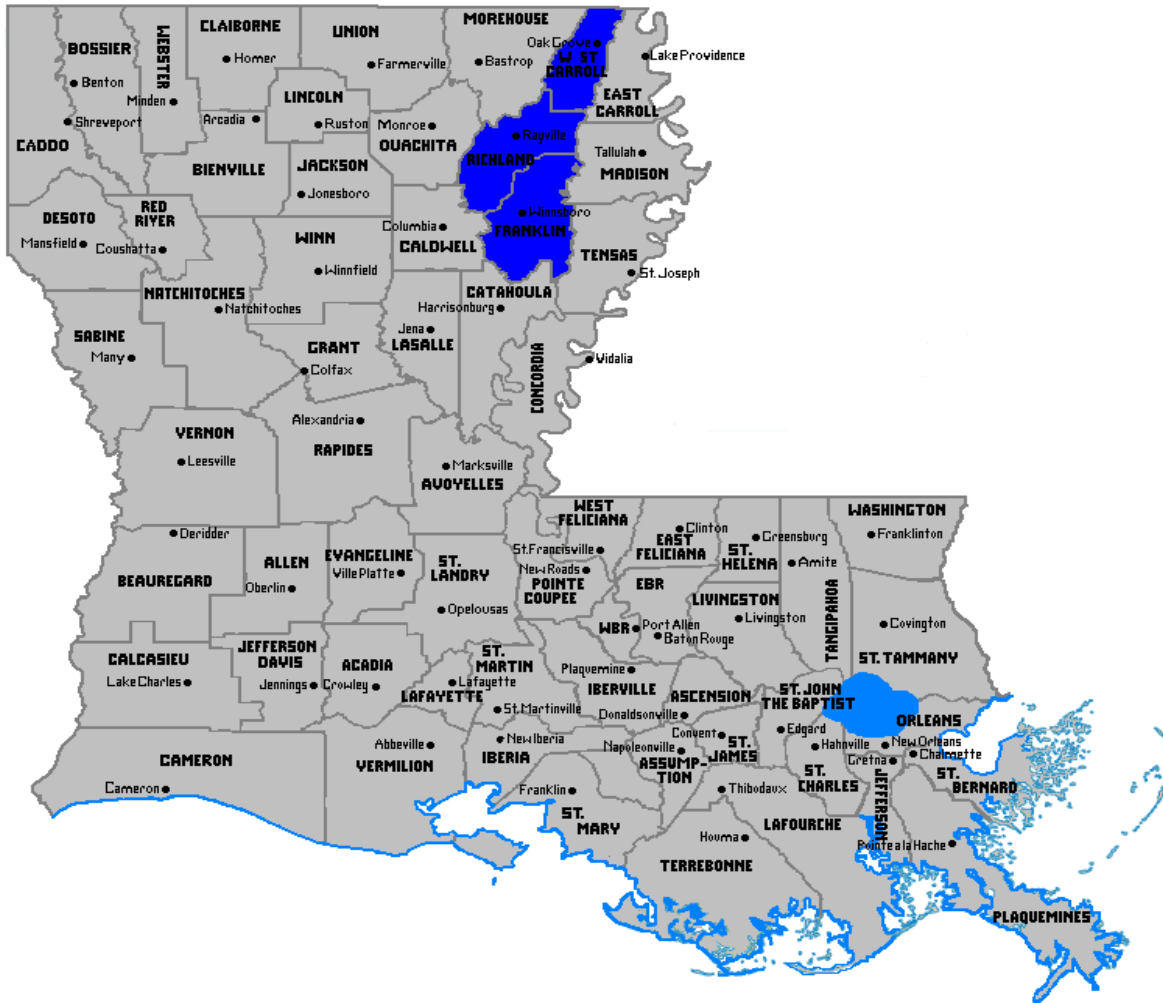
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





## THE 5<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

FRANKLIN (WINNSBORO) - RICHLAND (RAYVILLE) - WEST CARROLL (OAK GROVE)

DISTRICT DEFENDER: JAMES M. MILLER  
712 EAST JEFFERSON STREET  
OAK GROVE, LA 71263  
(318) 428-9430

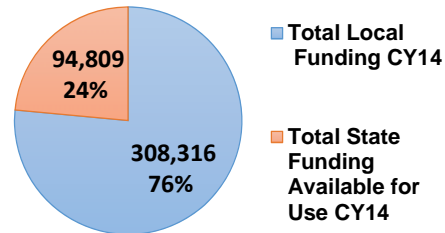
## 5TH JUDICIAL DISTRICT

During calendar year 2014, the 5th Judicial District Public Defenders Office handled 2,530 cases. The office received \$403,125 in total revenues to handle these cases, approximately 76% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

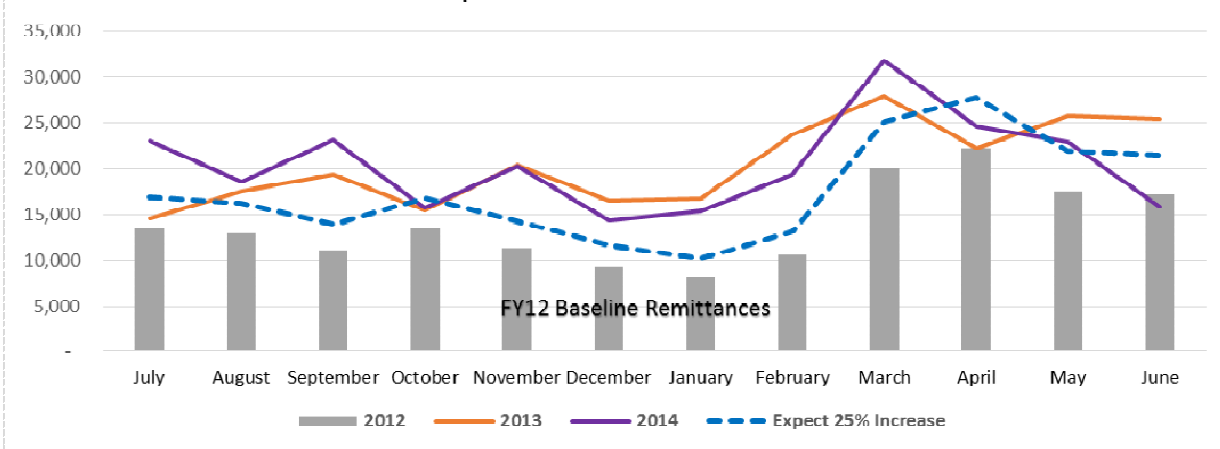
Since the inception of Act 578 (2012), local revenues have generally increased at a rate equal to or greater than expected, however the expenditures of the 5th Judicial District office continue to exceed revenues since CY10 in all but one year- CY12.

Therefore, the fund balance has been on the decline since CY12. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent toward the end of FY16.

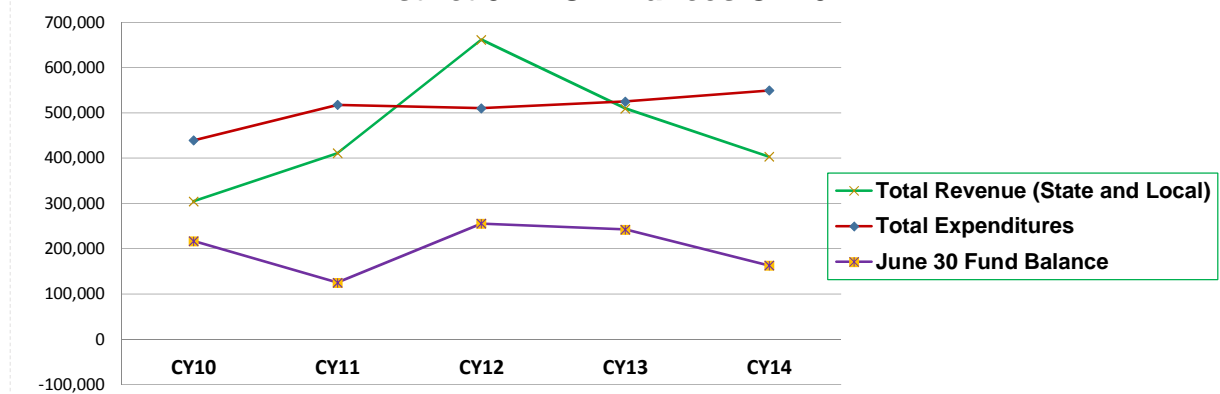
**District 5 PDO Revenue Sources  
CY14**



**Impact of Act 578 on District 5 PDO**



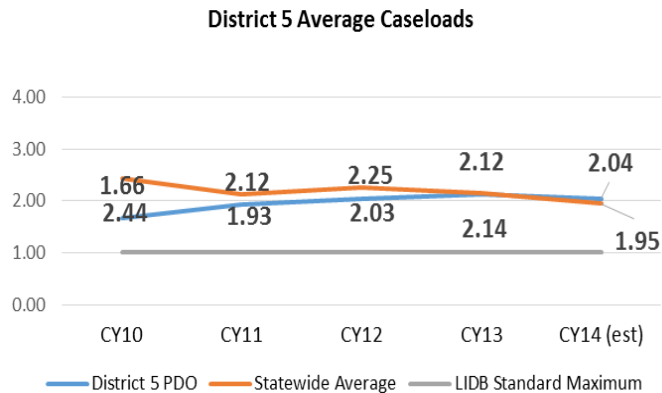
**District 5 PDO Finances CY10-14**



## WEST CARROLL, RICHLAND, FRANKLIN PARISHES

James Miller  
District Defender  
712 E. Jefferson St.  
Oak Grove, LA 71263  
318-428-9430

In the 5th Judicial District, public defense attorneys maintain caseloads twice the recommended caseload limit for each attorney, hovering near or above the state average overload.



## CAPITAL REPRESENTATION

Since 2009, the 5th Judicial District has handled four new capital prosecutions.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 5th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.







## THE 5<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Franklin - Winnsboro; Richland - Rayville; West Carroll - Oak Grove
<b>Population</b>	52,893
<b>Juvenile Population</b>	13,223
<b>District Defender</b>	James M. Miller
<b>Years as District Defender</b>	24
<b>Years in Public Defense</b>	39
<b>Office Manager</b>	Autumn Craig
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Autumn Craig, Database Compliance Officer; Mitzi Riser, Data Entry; Buffie McSwain, Data Entry; Jessica Patrick, Data Entry; Emily Shields, Data Entry; Amanda Wilkins, Data Entry.
<b>Primary Office Street Address</b>	712 East Jefferson Street
<b>City</b>	Oak Grove
<b>ZIP</b>	71263
<b>Primary Phone</b>	318-428-9430
<b>Primary Mailing Address</b>	P.O. Drawer 1207, Oak Grove, LA 71263
<b>Primary Fax Number</b>	318-428-4031
<b>Primary Emergency Contact</b>	James M. Miller
<b>Primary Emergency Phone</b>	318-428-8201
<b>Secondary Emergency Contact</b>	Autumn Craig
<b>Secondary Emergency Phone</b>	318-669-0321
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	20/20 Eyecare
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$600 rent plus \$231.18 utilities total \$831.18
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	John M. Gathings, CPA
<b>Courts and Locations</b>	Franklin Parish District Court, Winnsboro; Richland Parish District Court, Rayville; West Carroll Parish District Court, Oak Grove; and Winnsboro City Court, Winnsboro.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	3 Divisions in 3 District Courts; 1 Division in Winnsboro City Court.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Six attorneys working for the Chief, plus the Chief, makes 7 attorneys in this district. Three handle one-half of the felony workload in Franklin and Richland, and the same 3 handle all misdemeanors and felonies in West Carroll. One handles all misdemeanors and one-half of the felonies in Richland. Two attorneys each handle one-fourth of the felonies in Franklin, and those same 2 each handle one-half of all misdemeanors in Franklin. Those same 2 attorneys each handle one-half of the misdemeanor workload in Winnsboro City Court. The Chief does not handle cases and serves as only an administrator. The Chief makes all appointments of counsel.
<b>Name of Adult Detention Facilities in This District</b>	Franklin Detention Center; Winnsboro; Richland Detention Center, Rayville; West Carroll Parish Jail, Oak Grove.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Morehouse Detention Center, Collinston; Morehouse Parish Jail, Bastrop, LA; and Riverbend Detention Center, Lake Providence, LA.
<b>Name of Juvenile Detention Facilities In This District</b>	None in district
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	N/A -- The 5th District does not handle juvenile cases.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No, not so far
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	N/A - The 5th District does not handle juvenile cases.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	John M. Lancaster
<b>Chief Judge of Criminal District Court</b>	Judge James M. Stephens
<b>Juvenile Court Judges (Specify District of City Court)</b>	District Judge Terry Doughty is the juvenile court judge.
<b>Drug Court Judges</b>	Terry A. Doughty
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	Yes
<b>Name of Specialty and Brief Description:</b>	Non-support court and domestic disputes are handled by a Magistrate Judge.
<b>Indigency Determined by Whom and How?</b>	Judge-Questions them as to their financial status.
<b>When is Assignment/Appointment of Counsel Made?</b>	At time of arrest. If incarcerated -appointment within 72 hours of arrest. If on bond - judge will appoint at arraignment if determined indigent
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	James E. Hudson, Investigator
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes

<b>Brief Explanation of Intake Process</b>	Investigator meets with defendant, fills out personal data sheet, explains system, notes client's comments and forwards compiled information to appointed attorney and handles any follow-up investigation.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	When Judges question as to indigency, if the person is found indigent the \$40 assessment fee is assessed. We do not keep a record of how many the Judges have questioned. This is done by the Judges at arraignment.
<b>How Many Application Fees Were Waived?</b>	We do not keep a record of that. Sometimes the Judges do not assess those that are in jail.
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	5,590
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	226,637
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Franklin Parish Sheriff sends a detailed print out of money disbursed. Richland and West Carroll Sheriffs sends a form with their disbursement. West Carroll Sheriff also sends a print out. Winnsboro City Court sends a form with their disbursement. Attached is the form.
<b>Who Collects the Assessed Court Fees?</b>	The 3 Sheriffs and the Judge of Winnsboro City Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Franklin Parish Sheriff sends a detailed print out of money disbursed. Richland and West Carroll Sheriffs sends a form with their disbursement. West Carroll Sheriff also sends a print out. Winnsboro City Court sends a form with their disbursement.
<b>Who Remits the Court Fees Collected?</b>	The 3 Sheriffs and Winnsboro City Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Franklin Parish Sheriff sends a detailed print out of money disbursed. Richland and West Carroll Sheriffs sends a form with their disbursement. West Carroll Sheriff also sends a print out. Winnsboro City Court sends a form with their disbursement.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	This is not done.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	N/A
<b>Who Collects the Assessed Partial Payments?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	N/A

<b>Who Remits the Partial Payments Collected?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	N/A
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted. All attorneys are part-time (supposedly) but the workload is so heavy it seems full-time. Attorneys can take retained criminal cases and can maintain their usual private practice. This policy is not in writing.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	There is no written contract.
<b>Primary Immediate Needs</b>	Sufficient funding from State Office.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Funding from the State
<b>Long-Term Critical Issue Areas</b>	Funding from the State
<b>Please List All New Hires in 2014 (Name and Title)</b>	Emily Shields, Attorney
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	All 6 attorneys consult with each other about how to handle difficult cases; and also consult with the Chief.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chief Defender James Miller supervises 6 attorneys, the part-time office secretary, CPA and investigator.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	We do not have such a chart.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No

<b>Regular Meetings for Any Staff, Please Describe</b>	We maintain constant contact with each other through email and phone conferences.
<b>Number of NEW capital cases in CY14 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	0
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	Juvenile cases are handled by the 4th District, not the 5th District.
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	Such cases are handled in juvenile court and juvenile court matters are handled by the 4th District, not the 5th District.
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	In juvenile court the attorneys are provided by the 4th District, not the 5th District. If juveniles are transferred to adult court, one of the 6 attorneys will be appointed to represent that defendant as an adult.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator Neil Riser, Senator Francis Thompson, Senator Mike Walsworth, Representative Steven E. Pylant, Representative Charles R. Chaney, & Representative John C. Morris, III.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
James M. Miller	318-428-9430
Ellis, Carey J. III	318-728-2049
Caroline Hemphill	318-435-9595
Dawn H. Mims	318-728-9830
Robert N. Kordisch	318-303-4511
Emily Shields	318-435-7525
Amanda M. Wilkins	318-600-4246
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
James E. Hudson	318-376-9060
John Gathings	318-428-2973
Autumn Craig	318-428-9430

## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.

**Survey Completer's Name**

James M. Miller

**SOFTWARE:**

Mark an X in all that apply

**Operating Systems Used:**

Windows 8

Windows 7

x

Windows Vista

Windows Server 2000/2003/2008

Windows XP

x

Mac OSX

**Case Management System(s): Check all that apply**

defenderData (LPDB statewide system)

x

Other System (please name)

**Productivity Suites Used:**

Microsoft Office 2013 (Word, Excel, etc.)

Microsoft Office 2010

x

Microsoft Office 2007

x

Microsoft Office 2003

Previous Microsoft Office version

Corel Word Perfect

x

Other

**Accounting Software**

QuickBooks

Quicken

Intuit

Other (list here):

None

**Internet Browsers Used:**

Internet Explorer 6

Internet Explorer 7

x

Internet Explorer 8

x

Internet Explorer 9

x

Firefox

Google Chrome

Other

**HARDWARE:**

Please enter the number of devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	1
Laptops	7, with 3 inoperable
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	3, with 2 inoperable
Color Printers	1
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
	1 APC Battery Backup
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	AT&T
Email Provider:	AT&T
Please list any software or computer equipment in which you need training:	None

## 5th District Defender Office CY 2014 Caseloads & Outcomes

Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	746	839	373	1119	N/A	N/A	345	145	305	0	0	0	2	4	6
Adult Felony Non-LWOP**	865	946	526	1391	N/A	N/A	488	158	326	0	0	2	0	6	8
Adult LWOP	3	1	2	5	N/A	N/A	1	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	7	10	8	15	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

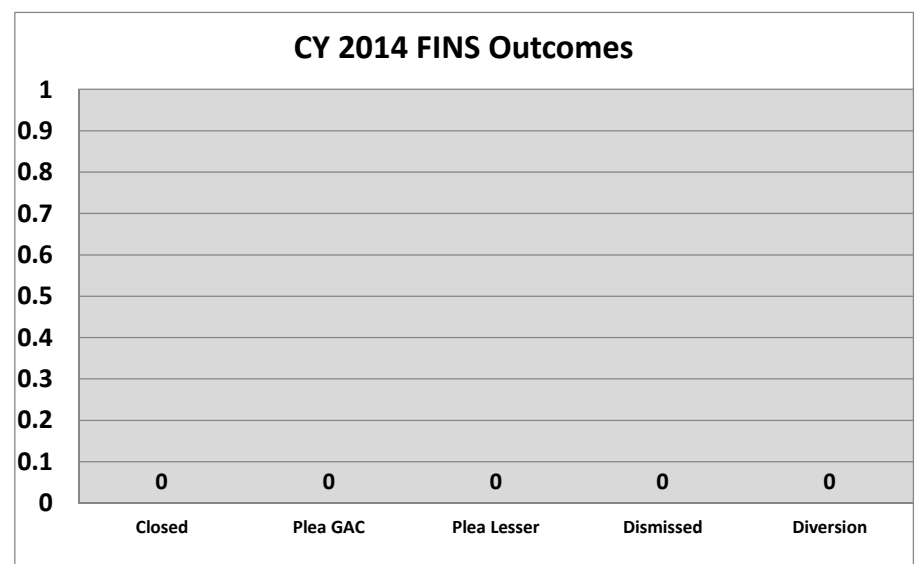
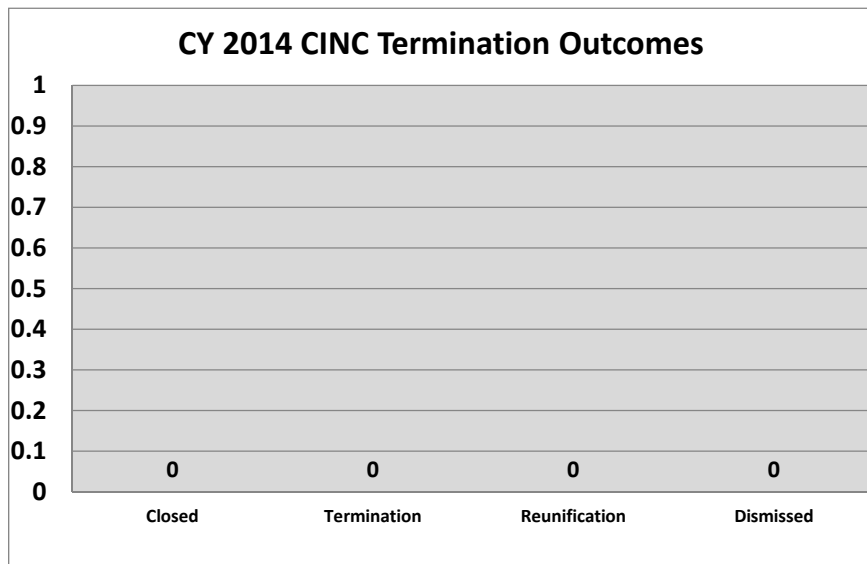
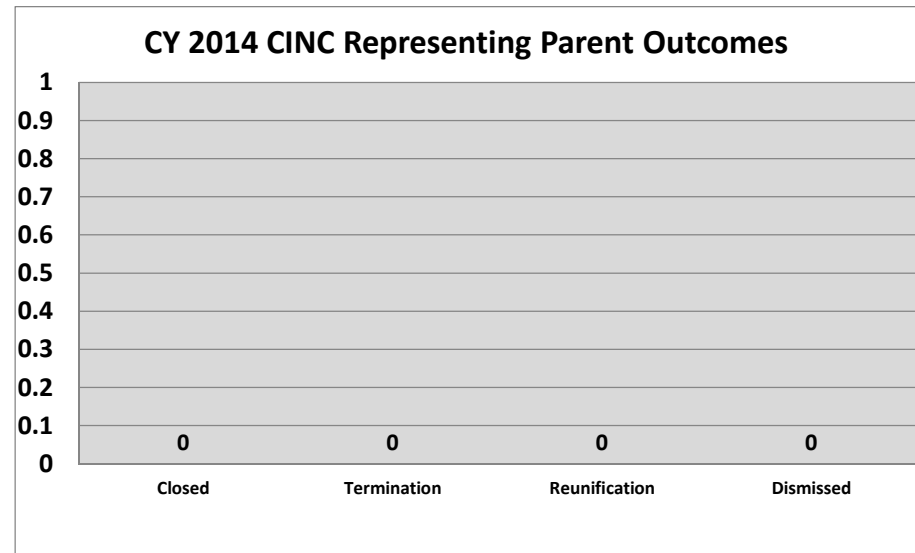
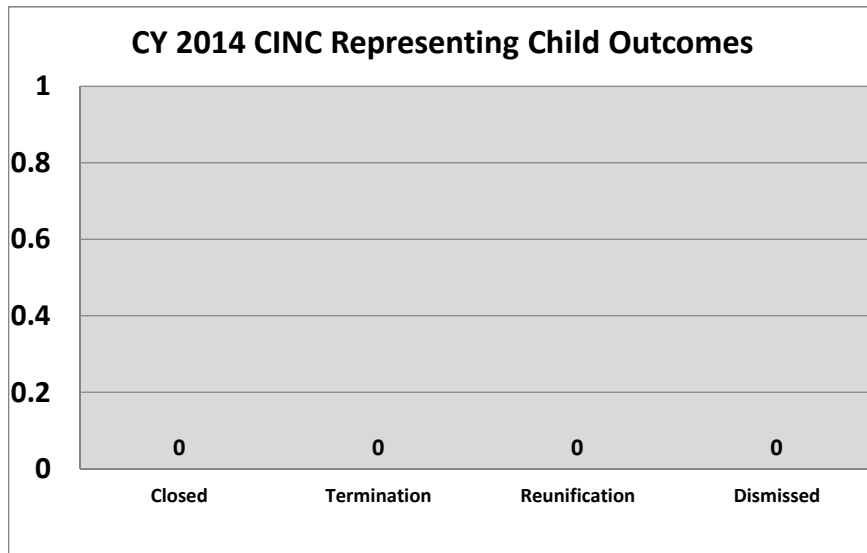
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

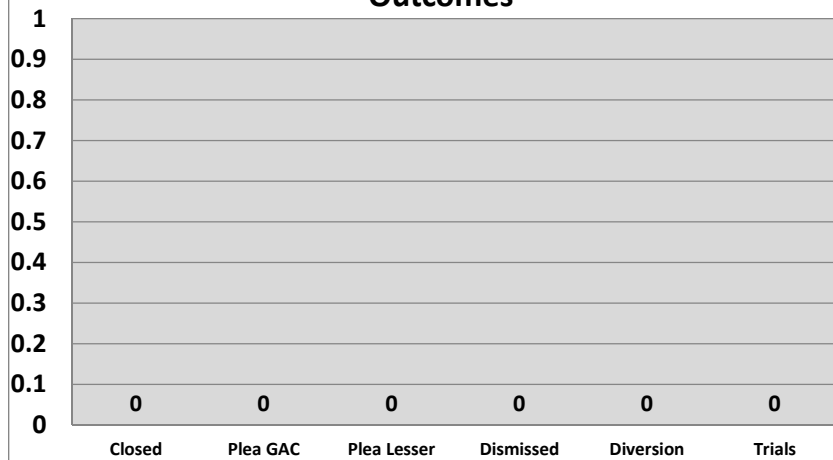
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

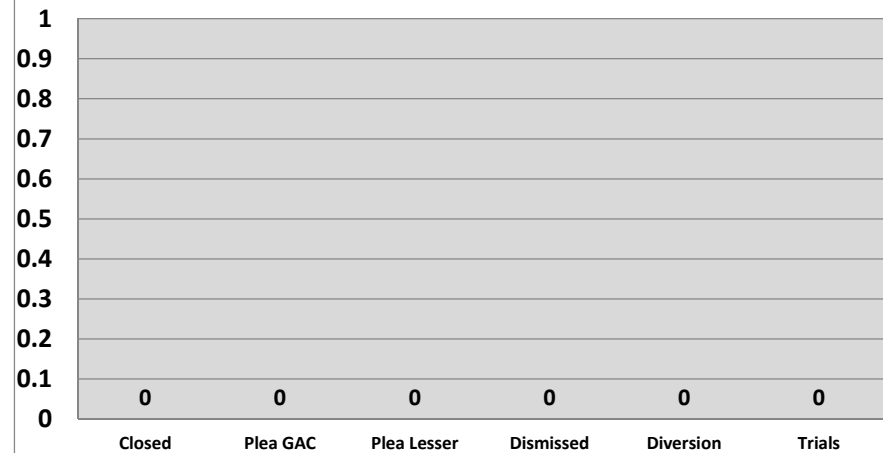




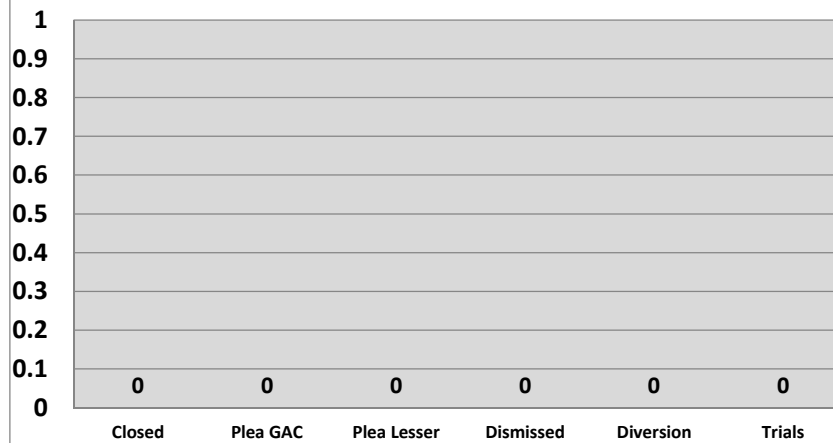
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**



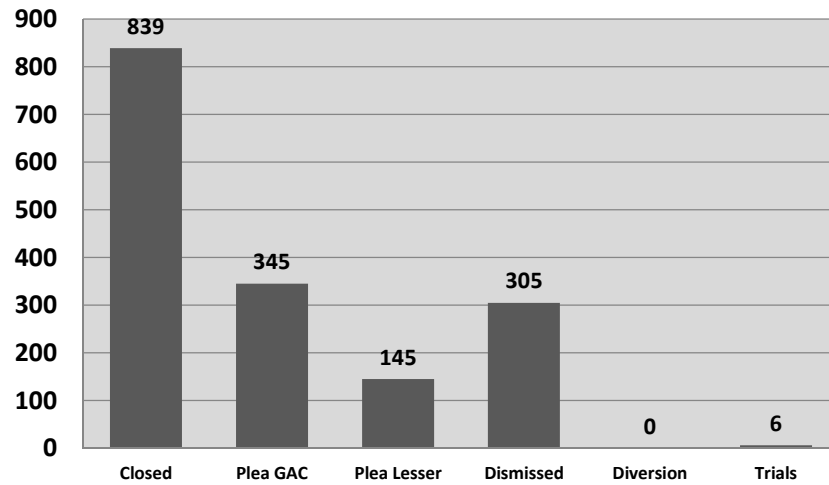
**CY 2014 Delinquency Felony-Grade Outcomes**



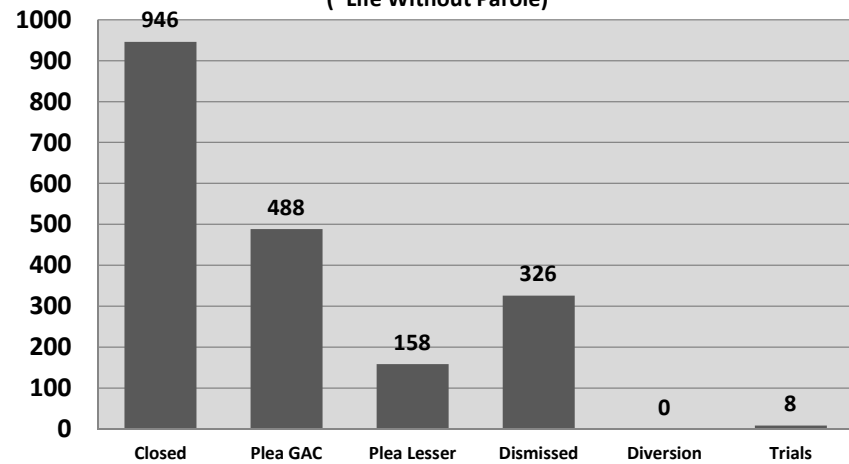
**CY 2014 Delinquency Life Outcomes**



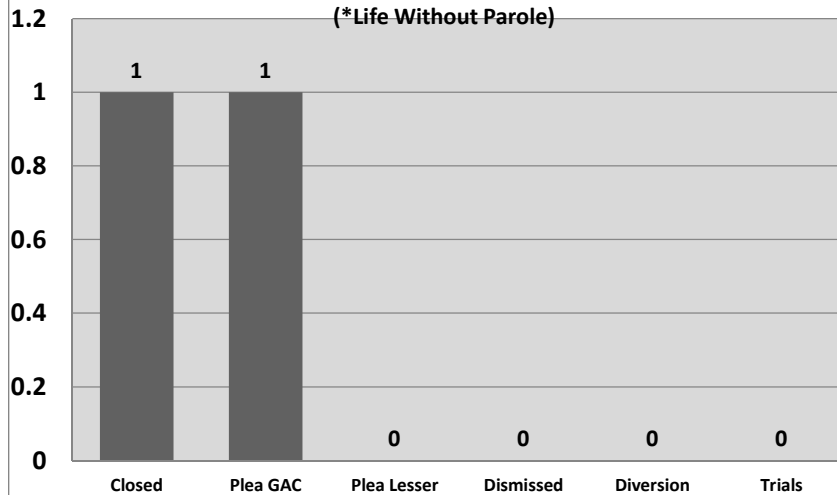
**CY 2014 Adult Misdemeanor Outcomes**



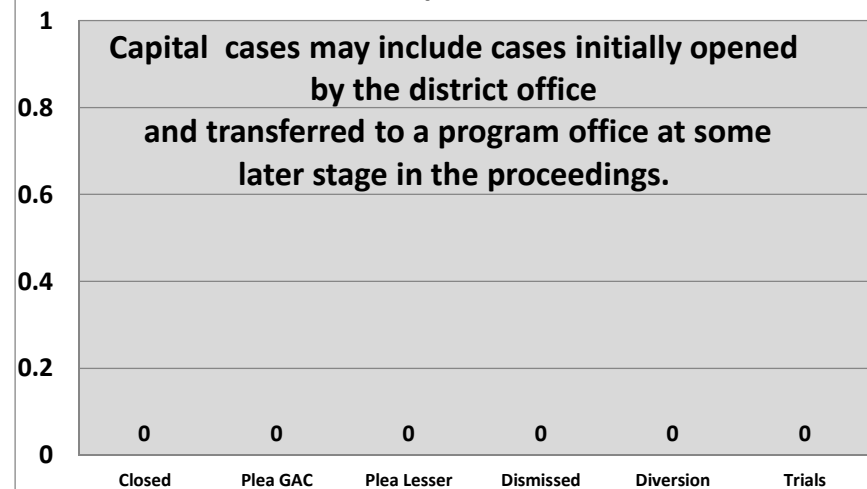
**CY 2014 Adult Felony Non-LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Adult Felony LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Capital Outcomes**

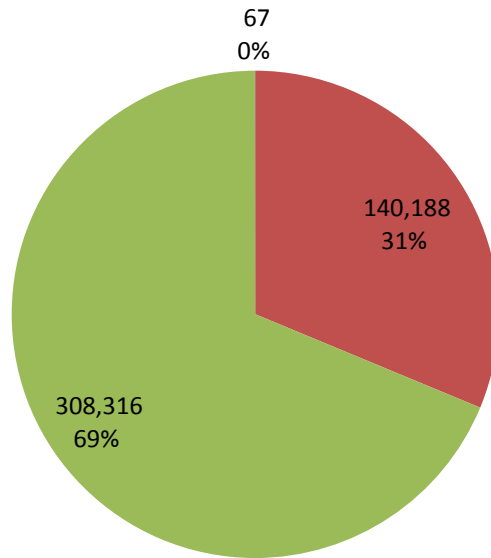


District 5 CY2014	Total CY2014
District Defender: James M. Miller	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	-
District Assistance Fund (DAF)	140,188
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	140,188
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	25,208
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	47,985
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	2,896
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	67,795
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	14,459
Parish Courts	-
Traffic Court	143,306
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	1,078
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	226,637
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	5,590
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	5,590
Total for Local Government	308,316
Investment Earnings	
Interest Income	67
Other Investment Income - List source(s)	-
Total for Investment Earnings	67
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	448,571

District 5 CY2014	Total CY2014
District Defender: James M. Miller	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	10,800
Accrued Leave	-
Payroll Taxes	1,838
Hospitalization and Disability Insurance	-
Retirement	-
Other	40
Total for Personnel Services and Benefits	12,678
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	7,841
Total for Travel/Training	7,841
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	-
Dues and Seminars	-
Law Library/Journals/Subscriptions	-
Office Supplies	-
Total for Operating Services	
Professional Services	
Audit/Accounting Expense	8,183
Contract Clerical	-
Expert Witness	-
Investigators	39,500
Interpreters	-
Social Workers	-
Capital Representation	4,785
Conflict	-
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	476,489
IT/Technical Support	-
Total for Professional Services	528,957
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	0
Total for Other Charges	0
Total for EXPENDITURES	549,476

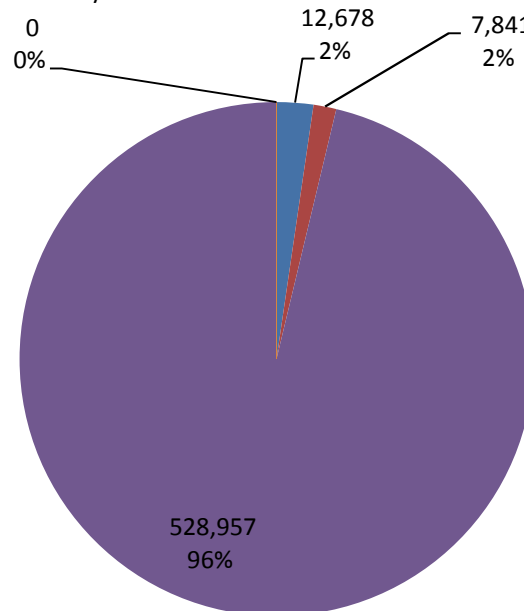
## Total CY14 Revenues

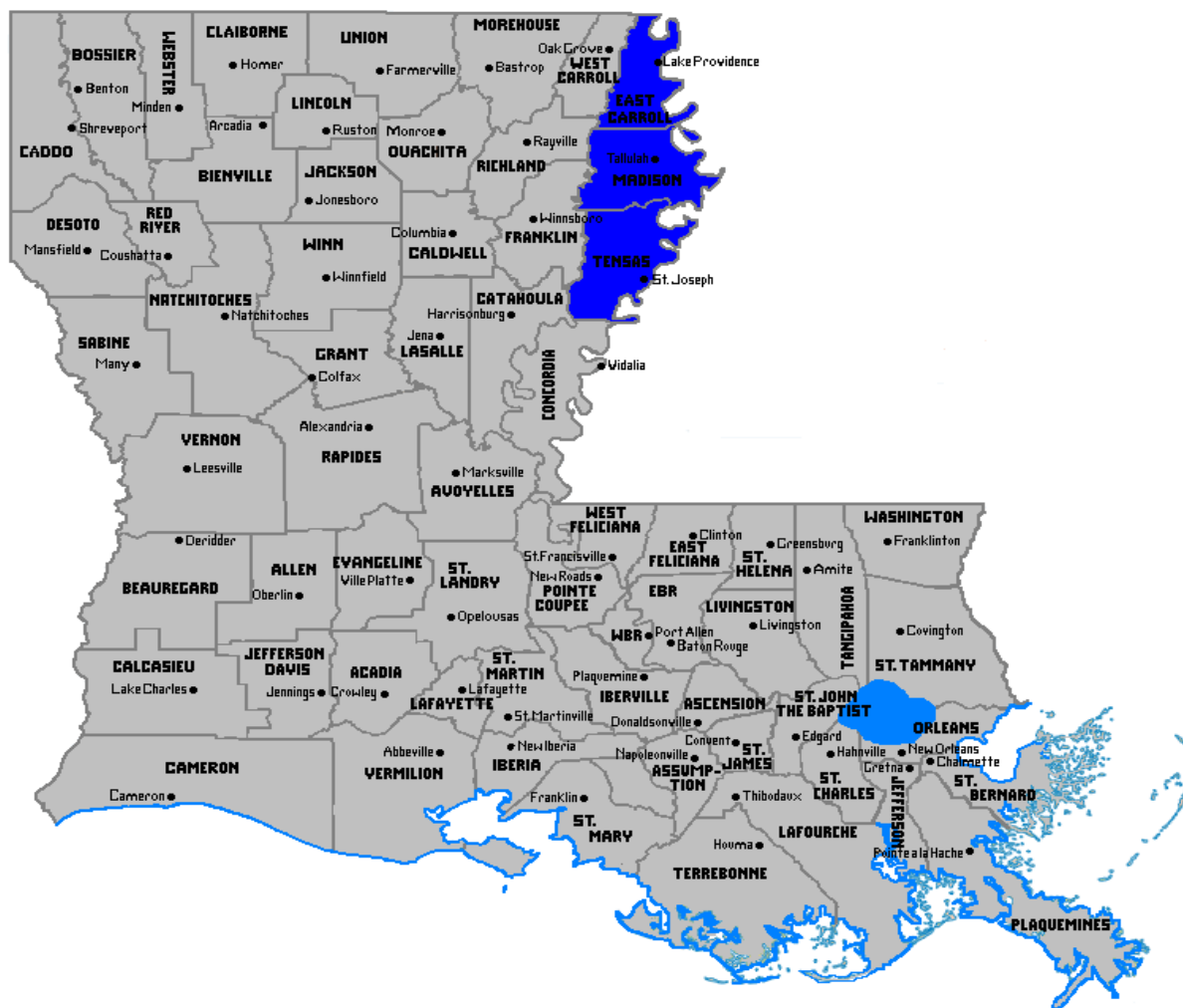
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





## THE 6<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

EAST CARROLL (LAKE PROVIDENCE) - MADISON (TALLULAH) - TENSAS (ST.  
JOSEPH)

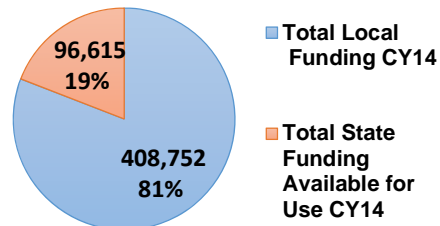
DISTRICT DEFENDER: LEROY SMITH, JR.  
411 DABNEY STREET  
TALLULAH, LA 71282  
(318) 574-2554, (318) 434-0101

## 6TH JUDICIAL DISTRICT

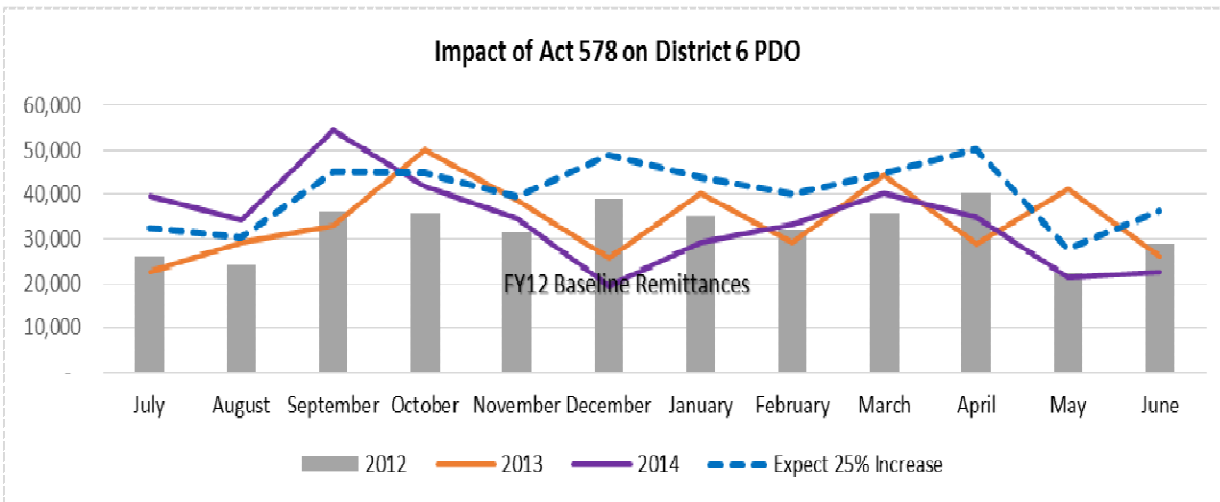
During calendar year 2014, the 6th Judicial District Public Defenders Office handled 1,665 cases. The office received \$505,368 in total revenues to handle these cases, approximately 81% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

With the exception of a few anomalies, the 6th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

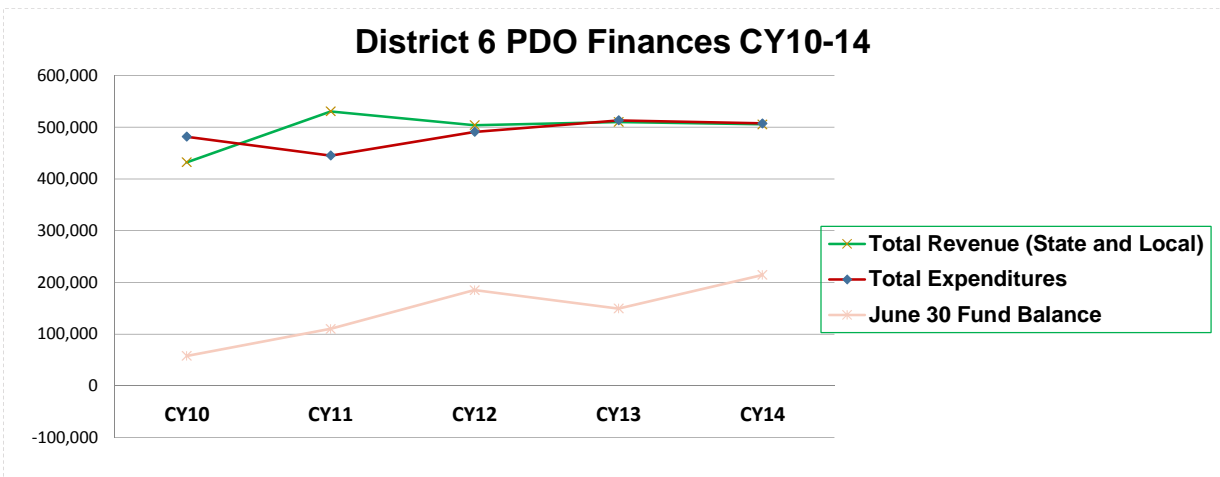
**District 6 PDO Revenue Sources  
CY14**



**Impact of Act 578 on District 6 PDO**



**District 6 PDO Finances CY10-14**



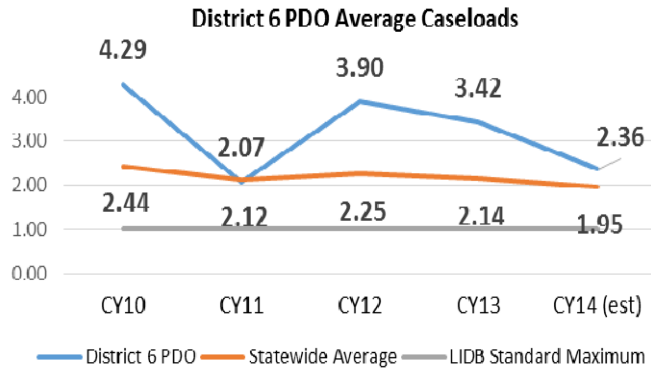


## EAST CARROLL, MADISON, TENSAS PARISHES

Leroy Smith, Jr.  
District Defender  
411 Dabney Street  
Tallulah, LA 71282  
318-574-2554

In the 6th Judicial District, public defense attorneys maintain caseloads more than twice the recommended caseload limit for each attorney.

The 6th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefitted from the training and supervision offered by LPDB.



## CAPITAL REPRESENTATION

Since 2009, there have been no new capital prosecutions in the 6th Judicial District.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 6th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 6<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	East Carroll - Lake Providence; Madison - Tallulah; Tensas - St. Joseph.
<b>Population</b>	26,415
<b>Juvenile Population</b>	4,251
<b>District Defender</b>	LeRoy Smith, Jr.
<b>Years as District Defender</b>	19 years
<b>Years in Public Defense</b>	19 years
<b>Office Manager</b>	Kathy Grady
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Kathy Grady, Office Manager
<b>Primary Office Street Address</b>	411 Dabney Street
<b>City</b>	Tallulah
<b>ZIP</b>	71282
<b>Primary Phone</b>	318-574-2554 or 318-434-0101
<b>Primary Mailing Address</b>	P. O. Box 486, Tallulah, 71282
<b>Primary Fax Number</b>	318-574-2536
<b>Primary Emergency Contact</b>	LeRoy Smith, Jr.
<b>Primary Emergency Phone</b>	318-341-1088
<b>Secondary Emergency Contact</b>	Kathy Grady (Office Manager)
<b>Secondary Emergency Phone</b>	318-341-0667
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	100 Cedar St Tallulah, La, 71282; Courthouse Building, Lake Providence, La 71250; 201 Hancock St St Joseph, La 71366
<b>Other District Office Contact Personnel (Primary Only)</b>	Sandra Bishop, Tallulah; Anita Perry, Lake Providence; Burney Ratcliff, St Joseph.
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Sidney Johnson; Owner.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Monthly rent \$600; Utilities \$965.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	David Hart, (Auditor) and May & Co.
<b>Courts and Locations</b>	6th JDC- Madison Court-- Tallulah, LA; Tensas Court-- St Joseph, LA; East Carroll Court--Lake Providence, LA.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	2 Divisions A --- Judge Michael Lancaster; Division B --- Judge John Crigler.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Each Lawyer is assign to a parish.
<b>Name of Adult Detention Facilities in This District</b>	Madison Correctional -Tallulah, LA; Riverbend Correctional - Lake Providence; Tensas Correctional - Waterproof, LA.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Richland Parish Correctional- Rayville, LA
<b>Name of Juvenile Detention Facilities In This District</b>	Christian Acres - Tallulah, LA

<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, Increases mileage costs because of the distances between facilities.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Sometime, depending on their crime.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	James Paxton
<b>Chief Judge of Criminal District Court</b>	Judge Michael Lancaster & Judge John Crigler
<b>Juvenile Court Judges (Specify District of City Court)</b>	6th Judge Michael Lancaster & Judge John Crigler
<b>Drug Court Judges</b>	None
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	CINC, FINS, Non Support Court, Traffic Court
<b>Name of Specialty and Brief Description:</b>	None
<b>Indigency Determined by Whom and How?</b>	Defender Office, Filling out a financial report.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Tommy Dunning and Kimble Marshall, Investigators.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes.
<b>Brief Explanation of Intake Process</b>	When our lawyers are appointed our investigator goes to where the client is housed to take information from client.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	101
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	3,995
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Yes. Through the sheriff's office if they pled guilty.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	339,238
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Madison Parish – Lisa Byrd, Tensas Parish – Nicei Gregory, East Carroll Parish- Lisa Cody, (EC does not send documentation).
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Madison Parish-Lisa Byrd; Tensas Parish-Nicei Gregory; East Carroll Parish-Lisa Cody.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Print out from Tensas, Madison and East Carroll.

<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Court assesses fees based on ability to pay.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Madison, Tensas, and East Carroll
<b>Who Collects the Assessed Partial Payments?</b>	Madison, Tensas, and East Carroll
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Same as above
<b>Who Remits the Partial Payments Collected?</b>	Sheriff's Department
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Same as above
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	3,120
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted - Criminal Practice
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Funds to hire additional attorneys
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	None
<b>Immediate Critical Issue Areas</b>	Number of conflict cases
<b>Long-Term Critical Issue Areas</b>	Instability of fines and costs
<b>Please List All New Hires in 2014 (Name and Title)</b>	None
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	Monthly court docket much faster and gained open file discovery.
<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Public Defender 2nd chair for younger attorneys in Jury trials.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Public Defender reviews case loads and assignments.

Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)	No
Please Attach Your Office Organizational Chart	See Attachment
Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe	No
Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit	Yes. Blue Cross-Blue Shield for office manager and one (1) investigator.
Regular Meetings for Any Staff, Please Describe	Monthly
Number of NEW capital cases in CY14 handled by your office	0
Number of pending capital cases (received prior to CY14) handled by your office during CY14?	None
Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)	0
Number of Writs Your District Handled in 2014	0
Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014	0
Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied	0
Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases	Assigned by Parishes
Please Provide the Names of All State Representatives and Senators from Your District	Madison Sen. Francis Thompson, Rep. Andy Andrews, Tensas Sen. Francis Thompson, Rep. Andy Andrews, East Carroll Sen. Francis Thompson Rep. Sam Little
Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?	Size of District
What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
LeRoy Smith	318-574-4111
Angela Claxton	318-574-5666
Jami Crews	601-317-7381
Douglas Busari	318-574-2955
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Kathy Grady	318-574-2554
Tommy Dunning	318-574-2554
Kimble Marshall	318-574-2554

2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Kathy Grady
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	x
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	1
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	x
Firefox	
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	1

DVD	0
VCR	0
Desktop PCs	2
Laptops	1
Video Cameras	0
Digital Cameras	2
Video Conferencing Systems	0
B&W Laser Printers	2
Color Printers	2
Wireless Cards	0
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	0
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	6mb down .5mb up
Provider Name:	Bell South
Email Provider:	Bell South
Please list any software or computer equipment in which you need training:	None

## 6th District Defender Office CY 2014 Caseloads & Outcomes

Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	20	21	21	41	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	10	19	19	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	25	15	28	53	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	2	4	3	5	N/A	N/A	0	0	1	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	17	12	2	19	N/A	N/A	13	0	1	0	N/A	N/A	0	0	0
Delinquency Felony	37	27	0	37	N/A	N/A	33	4	0	0	N/A	N/A	1	0	1
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	370	311	176	546	N/A	N/A	100	36	257	0	0	1	0	1	2
Adult Felony Non-LWOP**	562	539	383	945	N/A	N/A	125	138	402	0	0	1	0	2	3
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

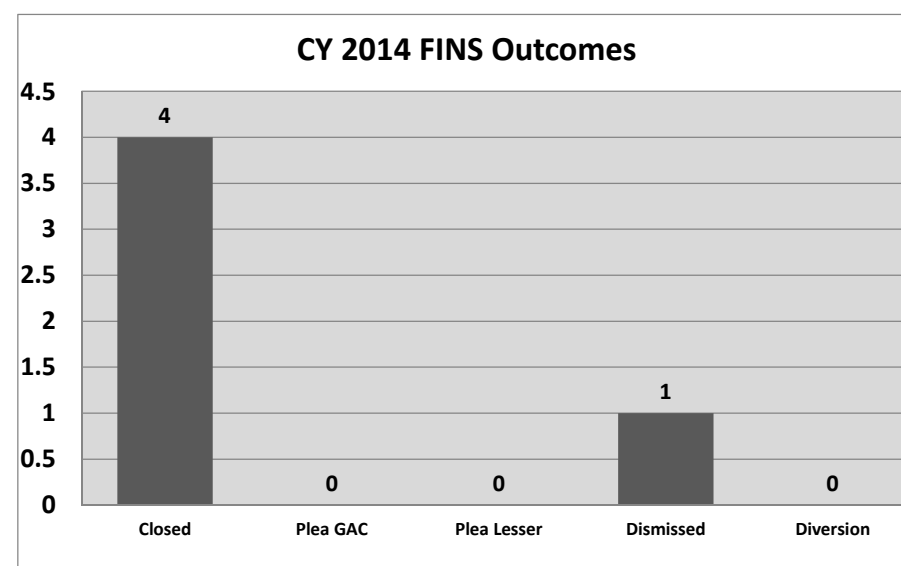
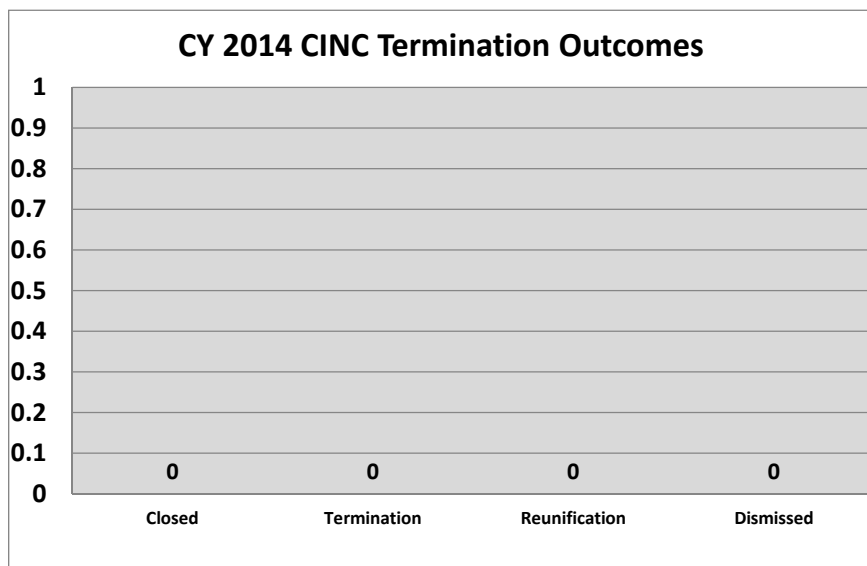
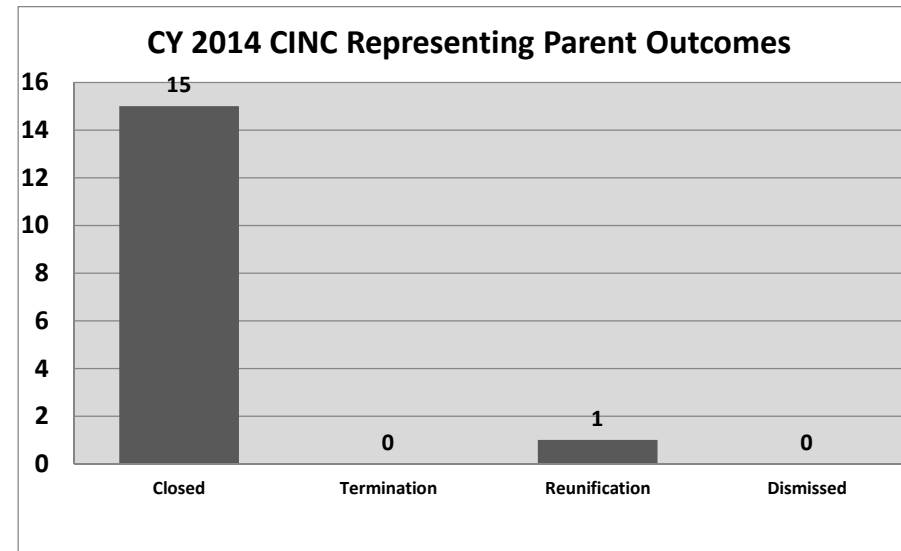
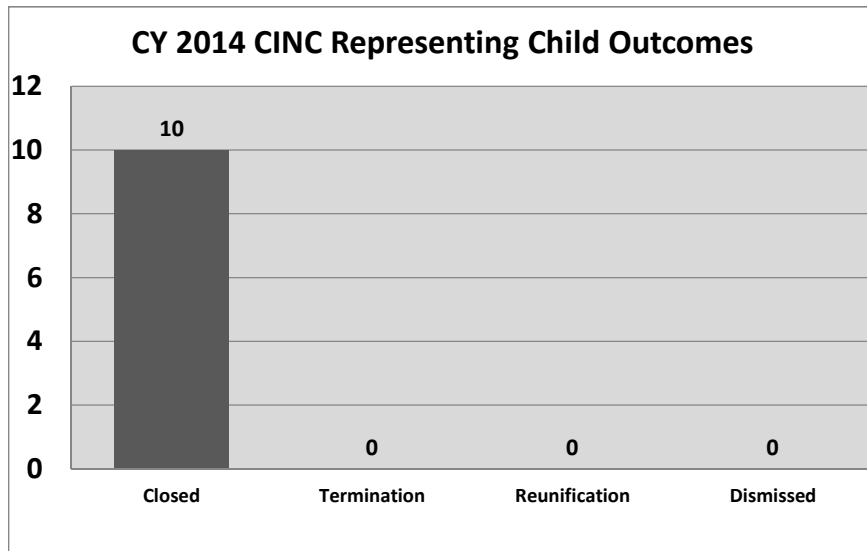
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

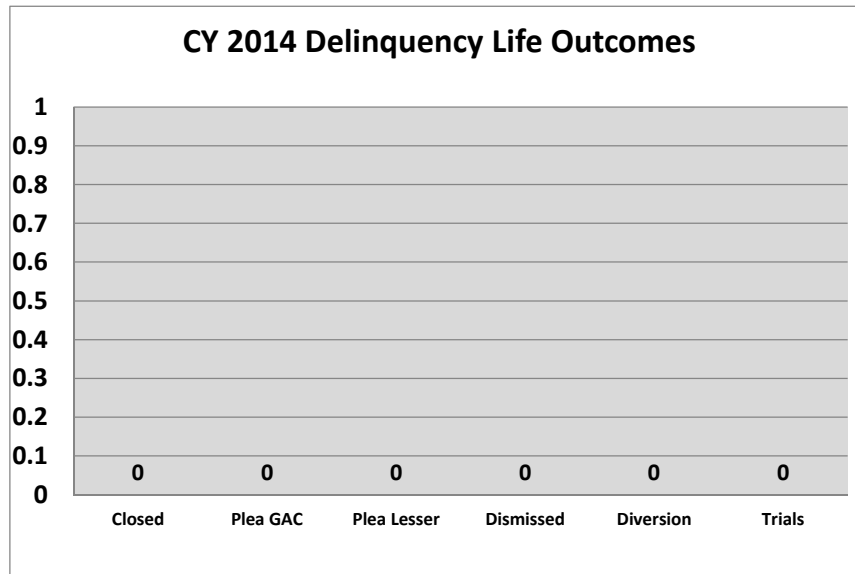
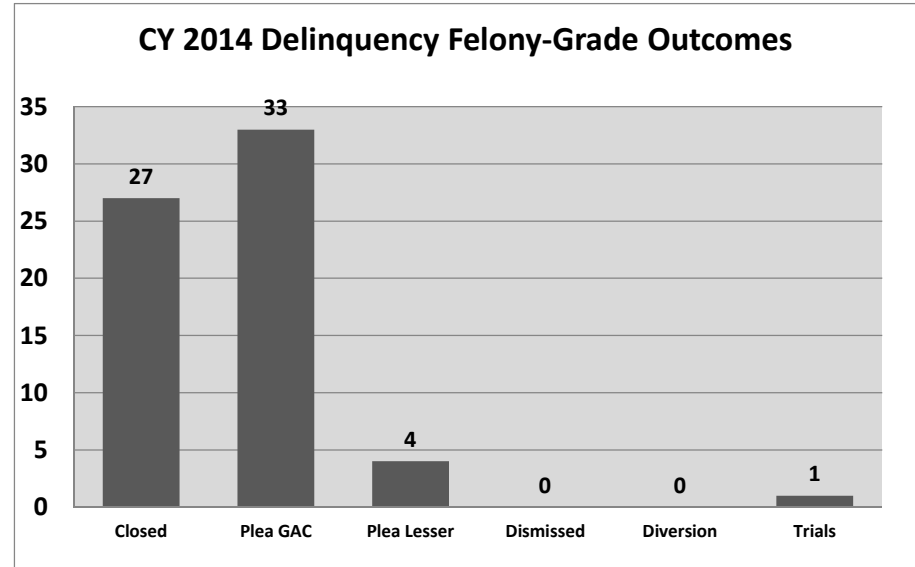
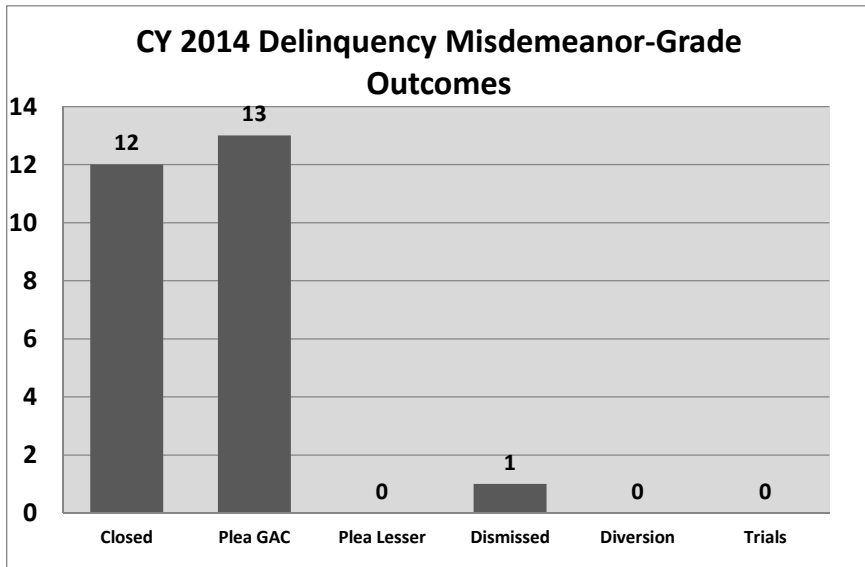
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

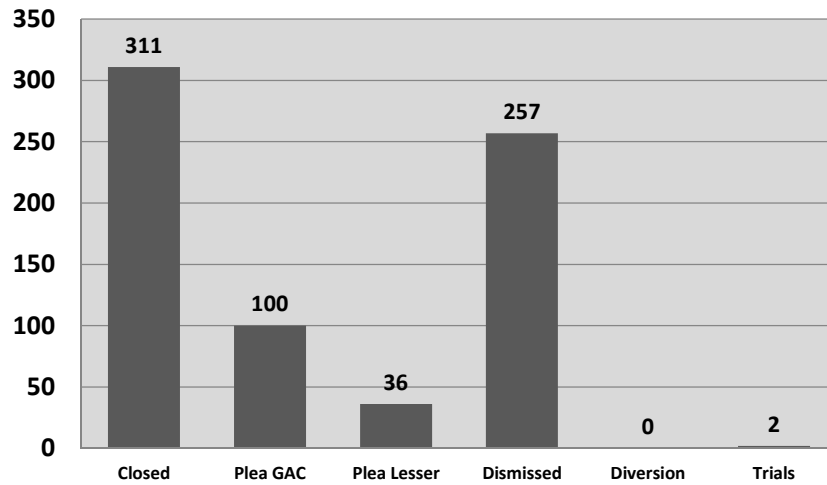
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



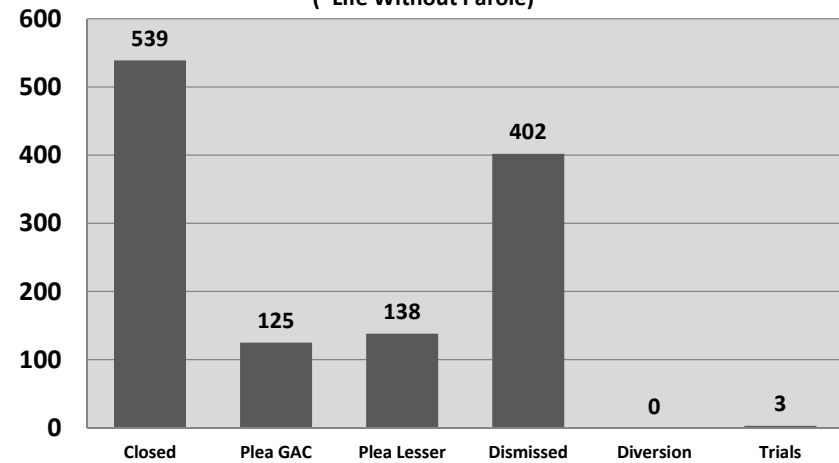




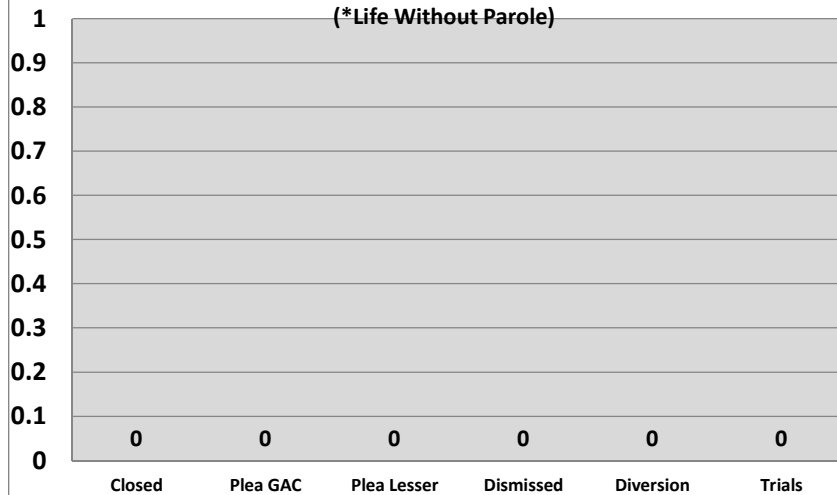
**CY 2014 Adult Misdemeanor Outcomes**



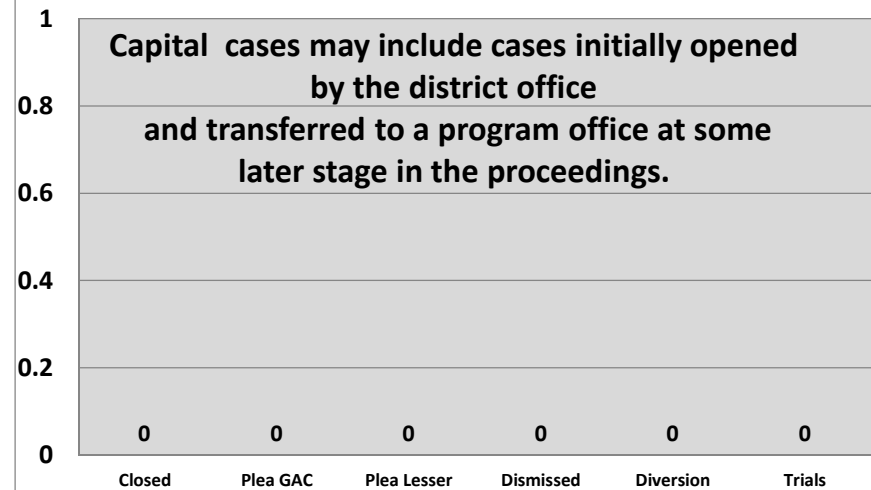
**CY 2014 Adult Felony Non-LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Adult Felony LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Capital Outcomes**

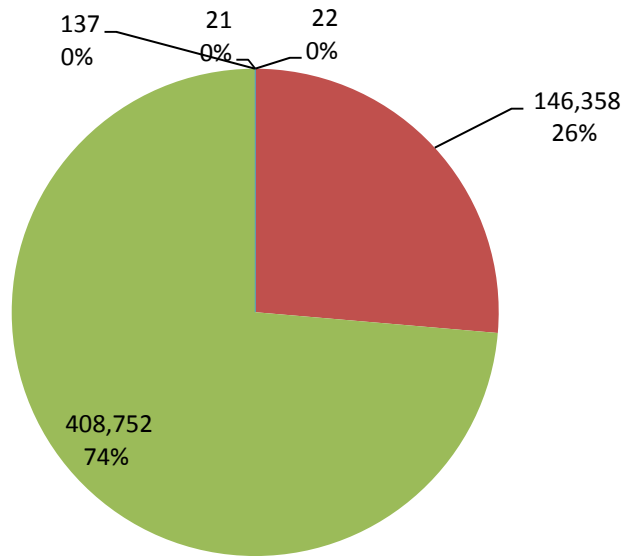


District 6 CY2014	Total CY2014
District Defender: Leroy Smith, Jr.	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	22
Total for Federal Government	22
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	9,810
District Assistance Fund (DAF)	136,548
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	146,358
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	26,010
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	375,626
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	375,626
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	3,995
Partial Attorney Fees	
Reimbursements [as per 15:176]	3,121
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	7,116
Total for Local Government	408,752
Investment Earnings	
Interest Income	137
Other Investment Income - List source(s)	-
Total for Investment Earnings	137
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	21
Total for Other Sources (Grants & Contributions)	21
Total for REVENUE	555,290

District 6 CY2014	Total CY2014
District Defender: Leroy Smith, Jr.	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	100,012
Accrued Leave	-
Payroll Taxes	22,199
Hospitalization and Disability Insurance	10,519
Retirement	-
Other	808
Total for Personnel Services and Benefits	133,539
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	23,580
Total for Travel/Training	23,580
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	5,608
Insurance - Auto/Physical Liability	2,090
Insurance - Other	-
Lease - Office	7,200
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	2,217
Office - Telephone/Utilities/Postage/Internet	9,568
Dues and Seminars	2,037
Law Library/Journals/Subscriptions	15,431
Office Supplies	1,755
Total for Operating Services	45,906
Professional Services	
Audit/Accounting Expense	6,835
Contract Clerical	-
Expert Witness	700
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	3,435
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	23,830
Contract Attorneys - all other	264,580
IT/Technical Support	-
Total for Professional Services	299,380
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	4,989
Total for Other Charges	4,989
Total for EXPENDITURES	507,394

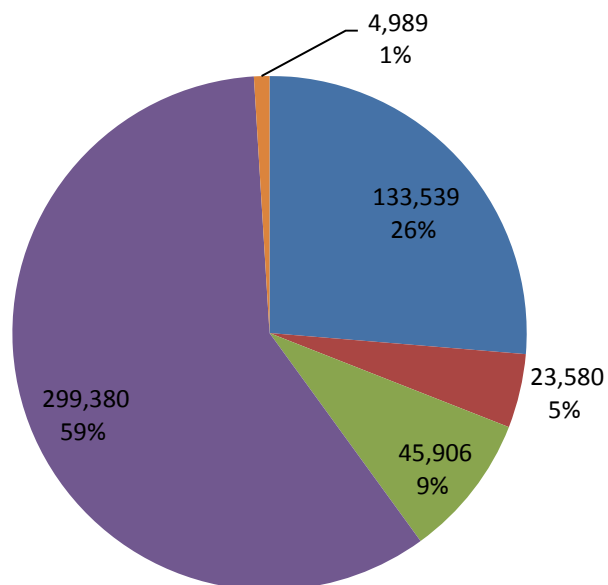
## Total CY14 Revenues

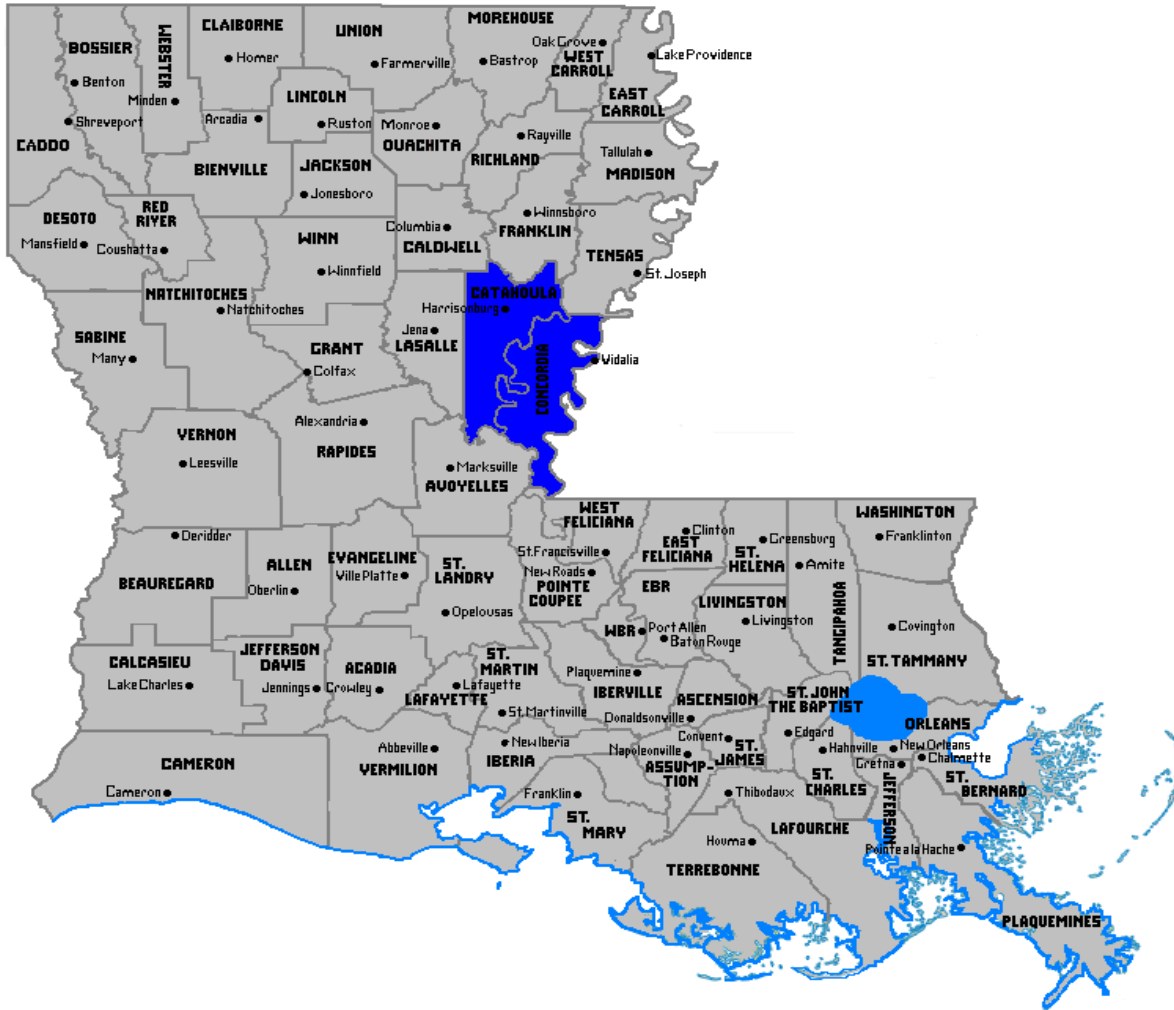
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





THE 7<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
CATAHOULA (HARRISONBURG) - CONCORDIA (VIDALIA)

DISTRICT DEFENDER: DERRICK CARSON  
4001 CARTER STREET, ROOM 4  
VIDALIA, LA 71373  
(318) 336-7548

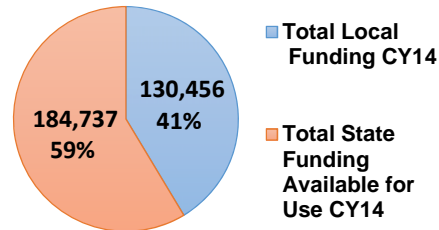
## 7TH JUDICIAL DISTRICT

During calendar year 2014, the 7th Judicial District Public Defenders Office handled 2,496 cases. The office received \$315,193 in total revenues to handle these cases, approximately 41% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

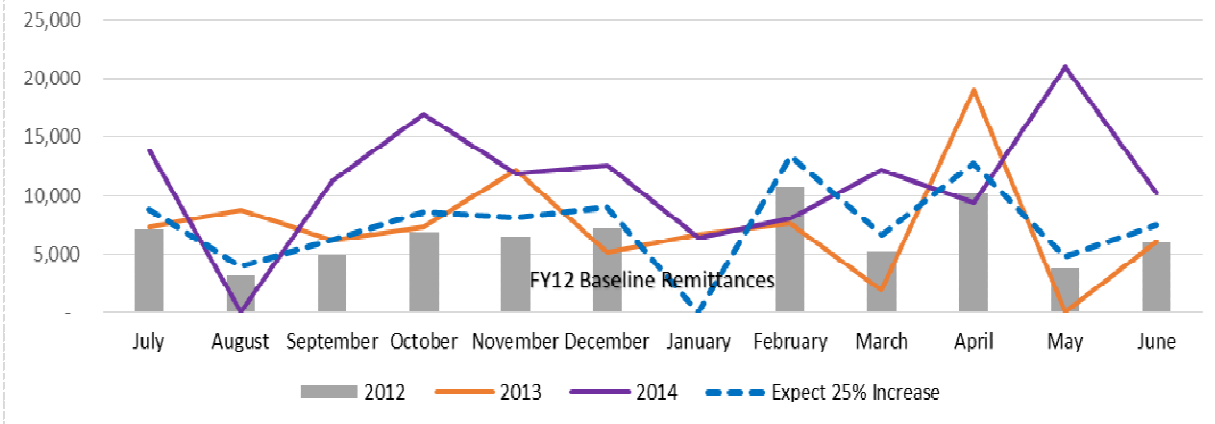
Since the inception of Act 578 (2012), local revenues associated with court costs have been unstable and erratic. As shown in the graph below, revenues have fallen below the 25% expected increase fifty percent of the time.

The 7th Judicial District office has nearly exhausted its fund balance. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent during FY16.

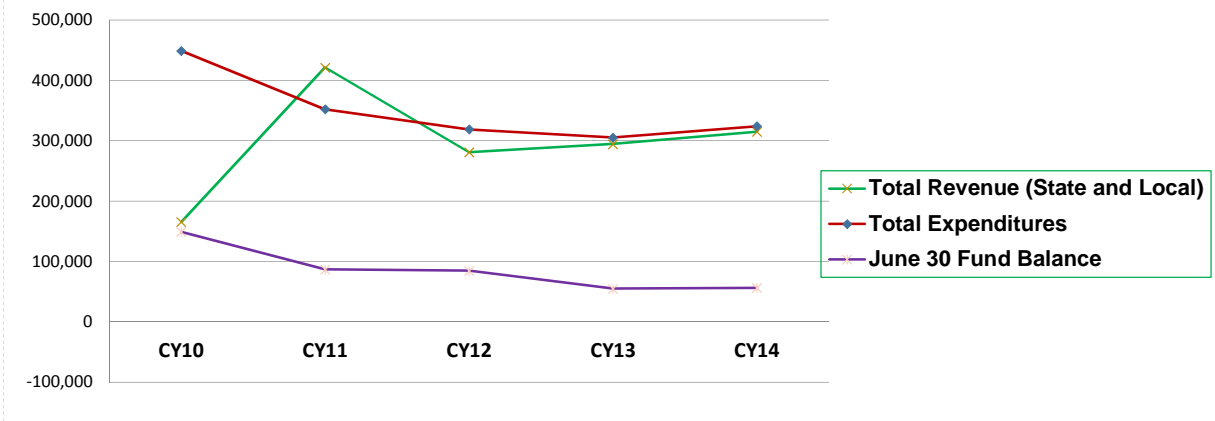
**District 7 PDO Revenue Sources  
CY14**



**Impact of Act 578 on District 7 PDO**



**District 7 PDO Finances CY10-14**



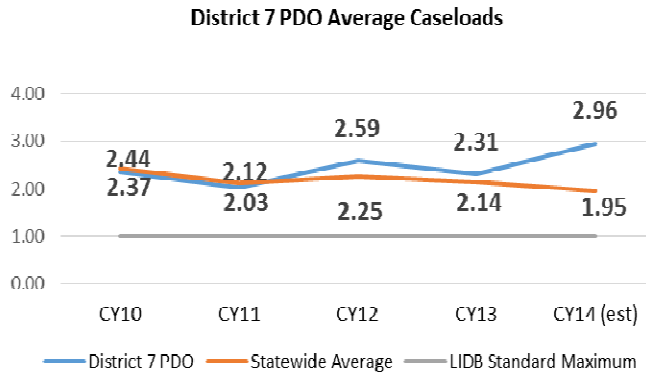


## CATAHOULA, CONCORDIA PARISHES

Derrick Carson  
District Defender  
4001 Carter Street, Room 4  
Vidalia, LA 71373  
318-336-7548

In the 7th Judicial District, public defense attorneys maintain caseloads almost three times the recommended caseload limit for each attorney.

The 7th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.



## CAPITAL REPRESENTATION

Since 2009, there have been no new capital prosecutions in the 7th Judicial District.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 7th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 7<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Concordia - Vidalia; Catahoula - Harrisonburg
<b>Population</b>	29,449
<b>Juvenile Population</b>	5,580
<b>District Defender</b>	Derrick Carson
<b>Years as District Defender</b>	14
<b>Years in Public Defense</b>	14
<b>Office Manager</b>	Judy Pugh
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Porchia Matthews
<b>Primary Office Street Address</b>	4001 Carter Street, Room 4
<b>City</b>	Vidalia
<b>ZIP</b>	71373
<b>Primary Phone</b>	318-336-7548
<b>Primary Mailing Address</b>	4001 Carter Street, Room 4, Vidalia, La. 71373
<b>Primary Fax Number</b>	318-336-2179
<b>Primary Emergency Contact</b>	Judy Pugh
<b>Primary Emergency Phone</b>	318-452-5746; 318-336-7548; 318-757-2870
<b>Secondary Emergency Contact</b>	Derrick Carson
<b>Secondary Emergency Phone</b>	318-623-0390; 318-757-0473
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Concordia Parish Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	None. Space provided by police jury.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Jeri Sue Tosspon, CPA.
<b>Courts and Locations</b>	7th Judicial District Court; Concordia Parish, Vidalia; 7th Judicial District Court, Catahoula Parish, Harrisonburg, La.; Vidalia City Court, Vidalia, La. (Ferriday Mayor's Court and Jonesville Mayor's Court, we do not represent nor get funds from these two courts).
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Div. A, Judge Kathy Johnson, Div. B. Judge Leo Boothe, Vidalia City Court, Judge George Murray.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Cases are referred by court to IDB office at magistrate hearing by form that is filled out by Clerk and sent to IDB office. Form is received, clients are interviewed, information is reviewed and counsel assigned.
<b>Name of Adult Detention Facilities in This District</b>	Concordia Parish Correctional Facility; Catahoula Correctional Facility.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Franklin Detention Center, Winnsboro, La. And women are held at Richland Corrections, Monroe, La.
<b>Name of Juvenile Detention Facilities In This District</b>	None in parish.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	The district used the St. James Juvenile Detention Center until its closure in June 2013, and since then juvenile clients had been housed at Assumption Youth Center and other facilities around the state at different times.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Inability to see clients on regular basis; budgeting travel expense; using time for travel that could be used to see local clients.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Catahoula Corrections allows access but does not try to accommodate, i.e. making investigator and attorneys wait longer periods to see clients.
<b>District Attorney</b>	Brad Burgett
<b>Chief Judge of Criminal District Court</b>	Judge Kathy Johnson
<b>Juvenile Court Judges (Specify District of City Court)</b>	Div. A, Judge Kathy Johnson, Div. B, Judge Leo Boothe.
<b>Drug Court Judges</b>	No
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	Yes. Judge George Murray, Vidalia City Court.
<b>Name of Specialty and Brief Description:</b>	Misdemeanor cases within the Vidalia city limits.
<b>Indigency Determined by Whom and How?</b>	Judge determines at magistrate hearing, refers to PDO, application filled out.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest. Both incarcerated and bonded defendants are appointed counsel at magistrate hearing or arraignment.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Jimmie Darden, Investigator, Derrick Carson, Attorney; Judy Pugh, Paralegal, Porchia Matthews, Data Entry
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes have a application form, interview sheet that is filled out at interview.
<b>Brief Explanation of Intake Process</b>	Defendant appointed at Magistrate Hearing, appointment sheet filled out by clerk, sent to our office someone interviews defendant.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	1,949
<b>How Many Application Fees Were Waived?</b>	None

<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	5,491
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	93,111 is total collected from parishes do not have itemized list 23,960 collected from City of Vidalia, not itemized.
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Disbursement sheet provided by Sheriff's Office.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Disbursement sheet provided by Sheriff's Office.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Disbursement sheet provided by Sheriff's Office.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	If defendant's income is above normal range for this area and above guidelines a completed form is submitted to Judge to determine payment amount.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	If fees assessed copy of court minutes from Clerk of Court.
<b>Who Collects the Assessed Partial Payments?</b>	Judge orders to pay our office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Sheriff's Office
<b>Who Remits the Partial Payments Collected?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Sheriff's Office
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	2,692
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted, but no policy established.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Funding- having to cut employees time and salaries, having to cut attorneys and/or not replace when one leaves.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Possibility, keeping close eye on spending and looking for ways to increase spending.

<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	None at present
<b>Immediate Critical Issue Areas</b>	Funding to continue providing services.
<b>Long-Term Critical Issue Areas</b>	Funding & Training.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Andy Magoun-Contract Attorney, Anna Ferguson, Conflict Counsel, Darrell Hickman-Conflict Counsel, Devan Pardue, Conflict Counsel, conflict counsels are part time as needed basis.
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2015</b>	If funding available, at least three.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	None
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	No organization chart District operates under the Chief who oversees and delegates cases to the attorneys. Office Administration and Chief oversee the office.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	None
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, usually quarterly, discuss any new information, get feedback.
<b>Number of NEW capital cases in CY14 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	None
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Juvenile Attorney follows case.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Andy Anders, Representative; Vance McAllister Senator for 2014

<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Timely receiving information to identify potential conflicts and distance for client visitation for women housed elsewhere.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	None due to funding issues
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Robert Clark	319-336-5886
HuCheryl Walker	601-334-0862
Andy Magoun	318-403-1101
Anna Ferguson	318-757-1700
John Reeves	318-744-5457
Darrell Hickman	318-730-2403
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Jimmie Darden	318-336-7548
Judy Pugh, Paralegal/Administrator	318-336-7548
Porchia Matthews	318-336-7548

## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Judy Pugh
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Firefox	
Google Chrome	x
Other	Mozilla Firefox

<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	1
DVD	0
VCR	0
Desktop PCs	3
Laptops	0
Video Cameras	0
Digital Cameras	
Video Conferencing Systems	0
B&W Laser Printers	2
Color Printers	1
Wireless Cards	1
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	0
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	
No Internet Connection	
Connection Speed:	
Provider Name:	Cableone
Email Provider:	ATT
Please list any software or computer equipment in which you need training:	



## 7th District Defender Office CY 2014 Caseloads & Outcomes

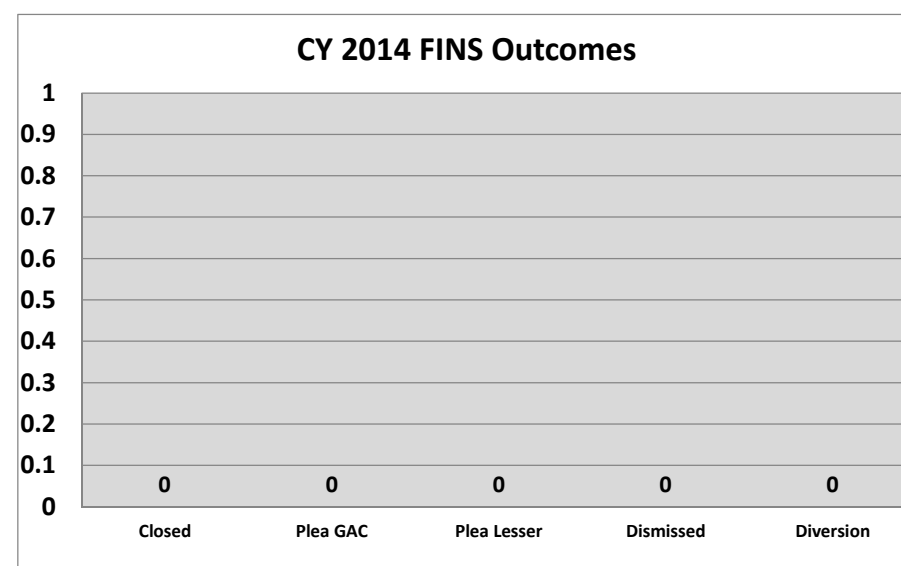
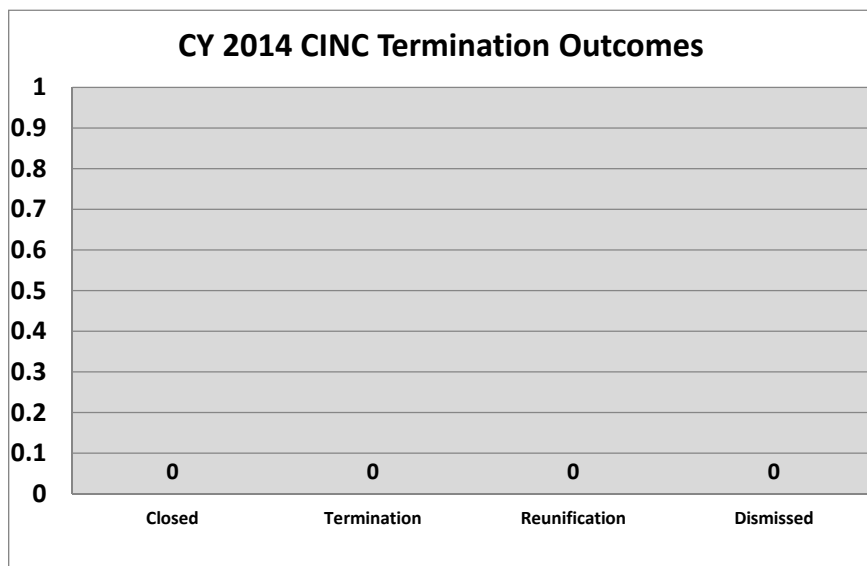
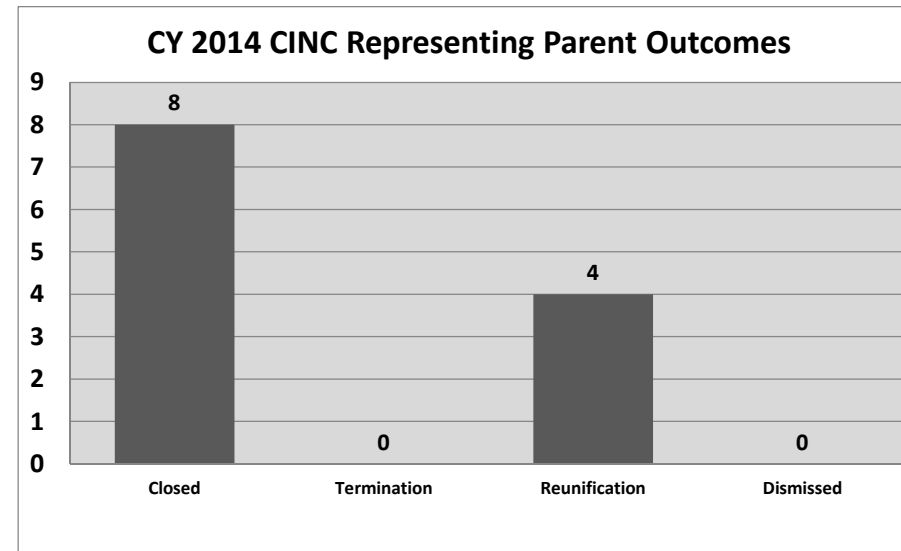
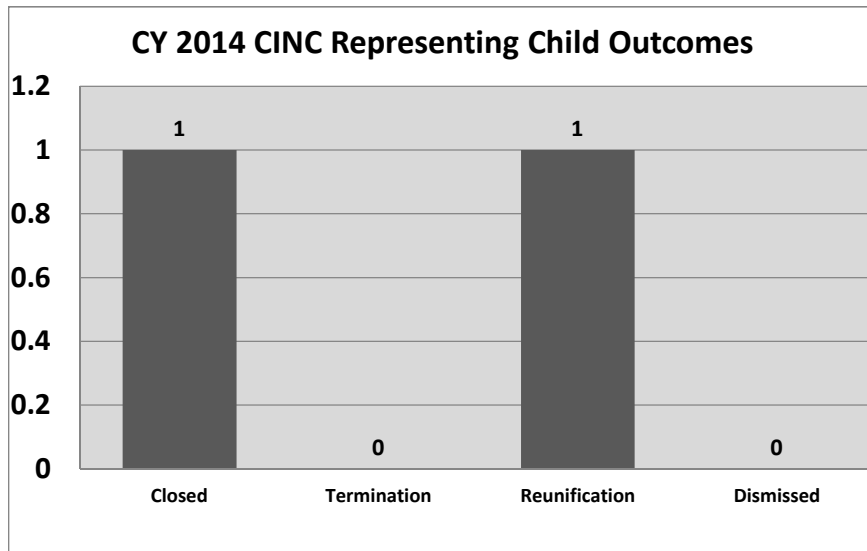
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	2	0	0	2	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	1	1	1	2	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	28	8	22	50	0	4	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	2	3	2	4	N/A	N/A	2	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	43	16	3	46	N/A	N/A	14	1	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	503	338	130	633	N/A	N/A	14	3	13	0	0	0	0	0	0
Adult Felony Non-LWOP**	1368	1026	387	1755	N/A	N/A	28	14	54	0	0	2	0	0	2
Adult LWOP	1	0	0	1	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	1	1	2	3	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

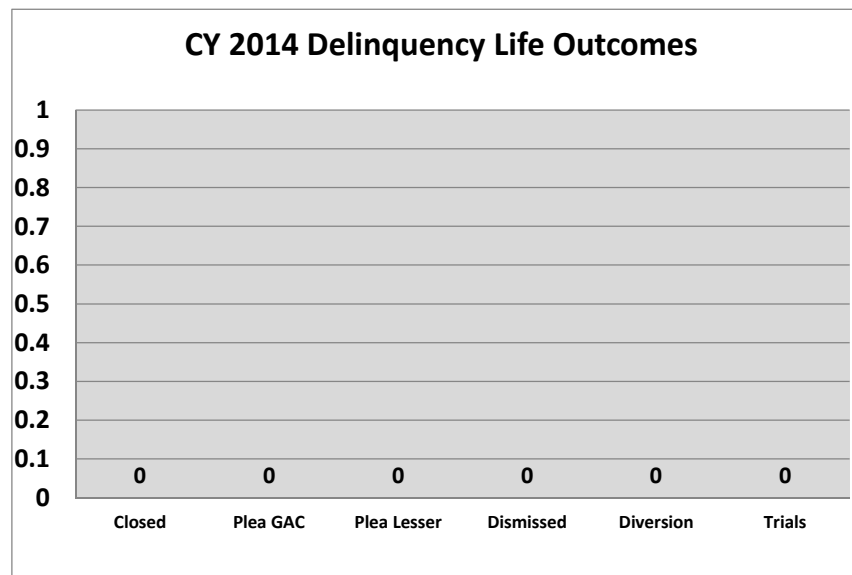
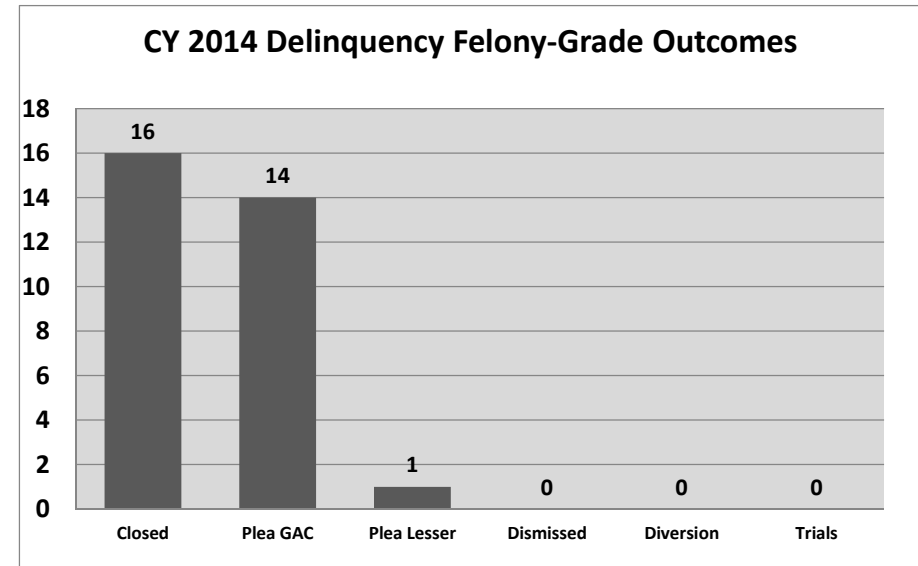
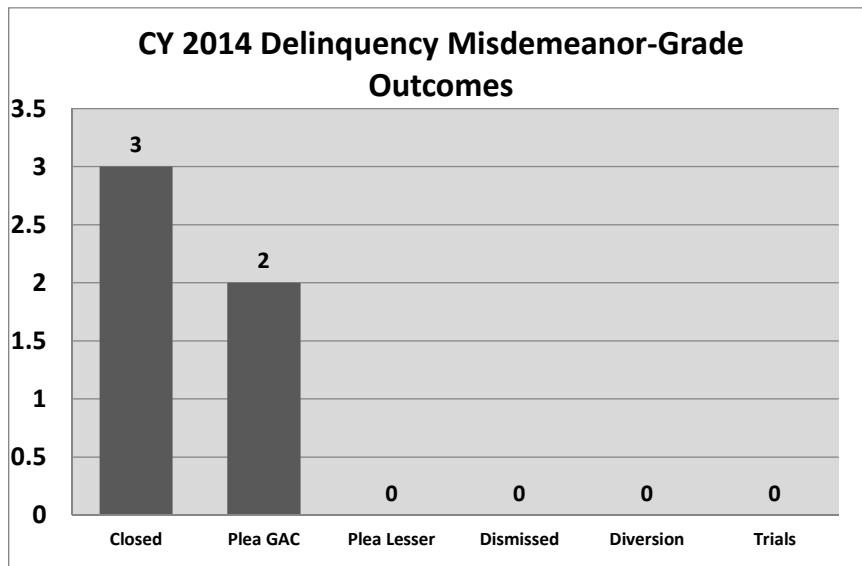
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

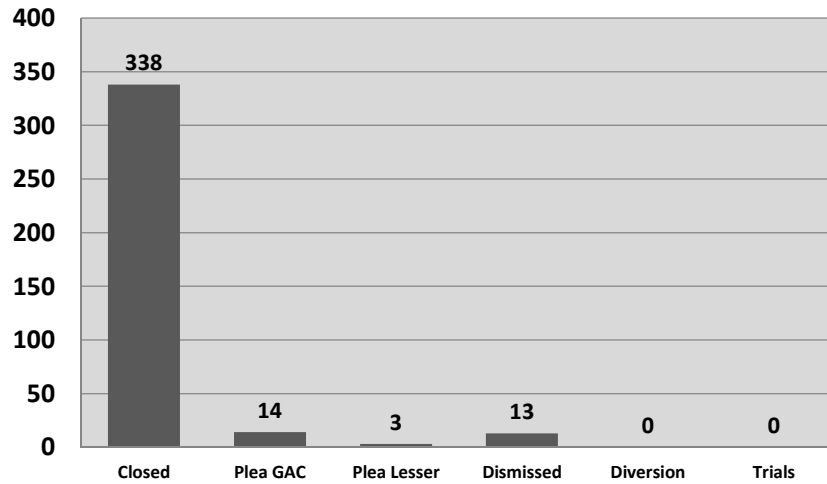
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

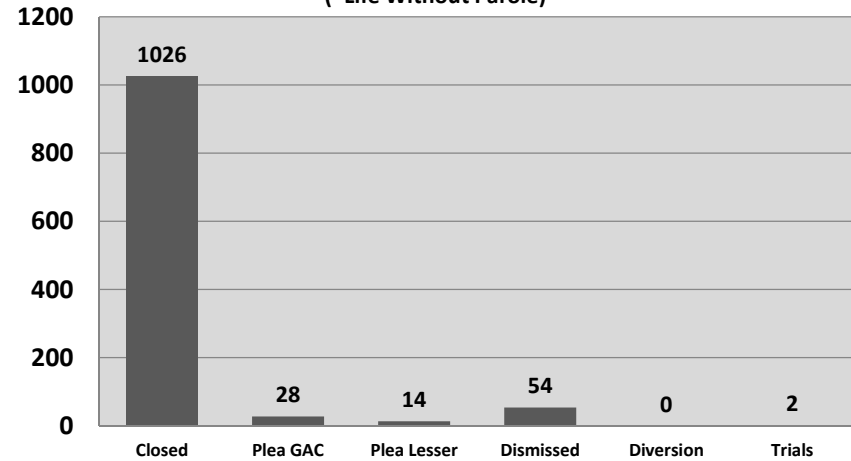




**CY 2014 Adult Misdemeanor Outcomes**



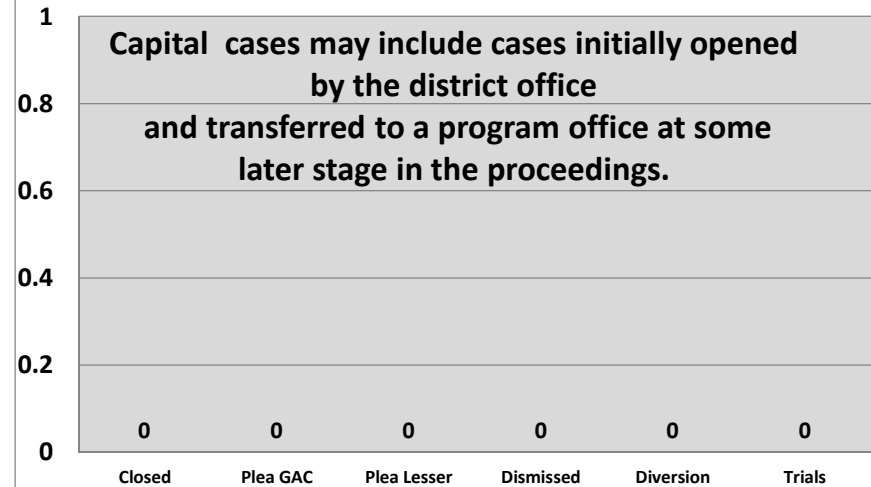
**CY 2014 Adult Felony Non-LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Adult Felony LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Capital Outcomes**

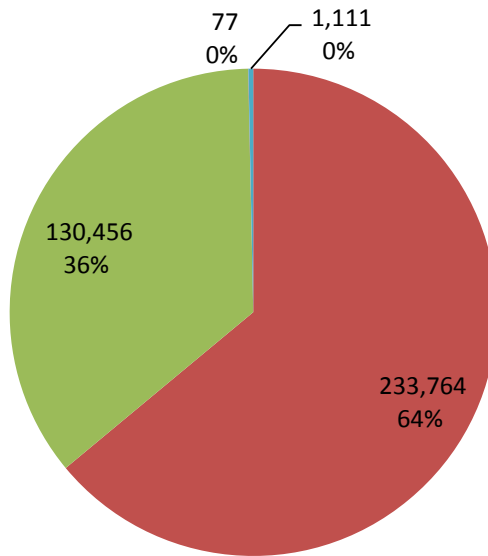


District 7 CY2014	Total CY2014
District Defender: Derrick Carson	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	5,558
District Assistance Fund (DAF)	198,598
Supplemental/Emergency Funds	29,608
Grants	-
Other State Income -List source(s)	-
Total for State Government	233,764
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	4,070
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	13,470
Parish Courts	39,285
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	67,005
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	119,760
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	6,626
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	6,626
Total for Local Government	130,456
Investment Earnings	
Interest Income	77
Other Investment Income - List source(s)	-
Total for Investment Earnings	77
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	1,111
Total for Other Sources (Grants & Contributions)	1,111
Total for REVENUE	365,408

District 7 CY2014	Total CY2014
District Defender: Derrick Carson	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	130,695
Accrued Leave	-
Payroll Taxes	2,734
Hospitalization and Disability Insurance	-
Retirement	18,552
Other	-
Total for Personnel Services and Benefits	151,981
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	5,873
Total for Travel/Training	5,873
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	4,911
Insurance - Auto/Physical Liability	-
Insurance - Other	250
Lease - Office	421
Lease - Auto/Equipment	1,367
Lease - Other	550
Office Repair and Maintenance	150
Office - Telephone/Utilities/Postage/Internet	4,979
Dues and Seminars	-
Law Library/Journals/Subscriptions	4,000
Office Supplies	4,534
Total for Operating Services	21,162
Professional Services	
Audit/Accounting Expense	5,163
Contract Clerical	-
Expert Witness	-
Investigators	17,973
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	73,091
Contract - Juvenile Attorneys or CINC	10,462
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	37,600
IT/Technical Support	-
Total for Professional Services	144,288
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	725
Total for Other Charges	725
Total for EXPENDITURES	324,028

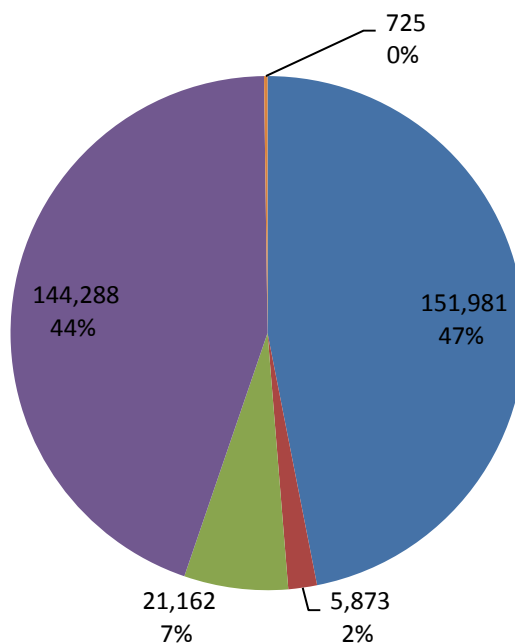
## Total CY14 Revenues

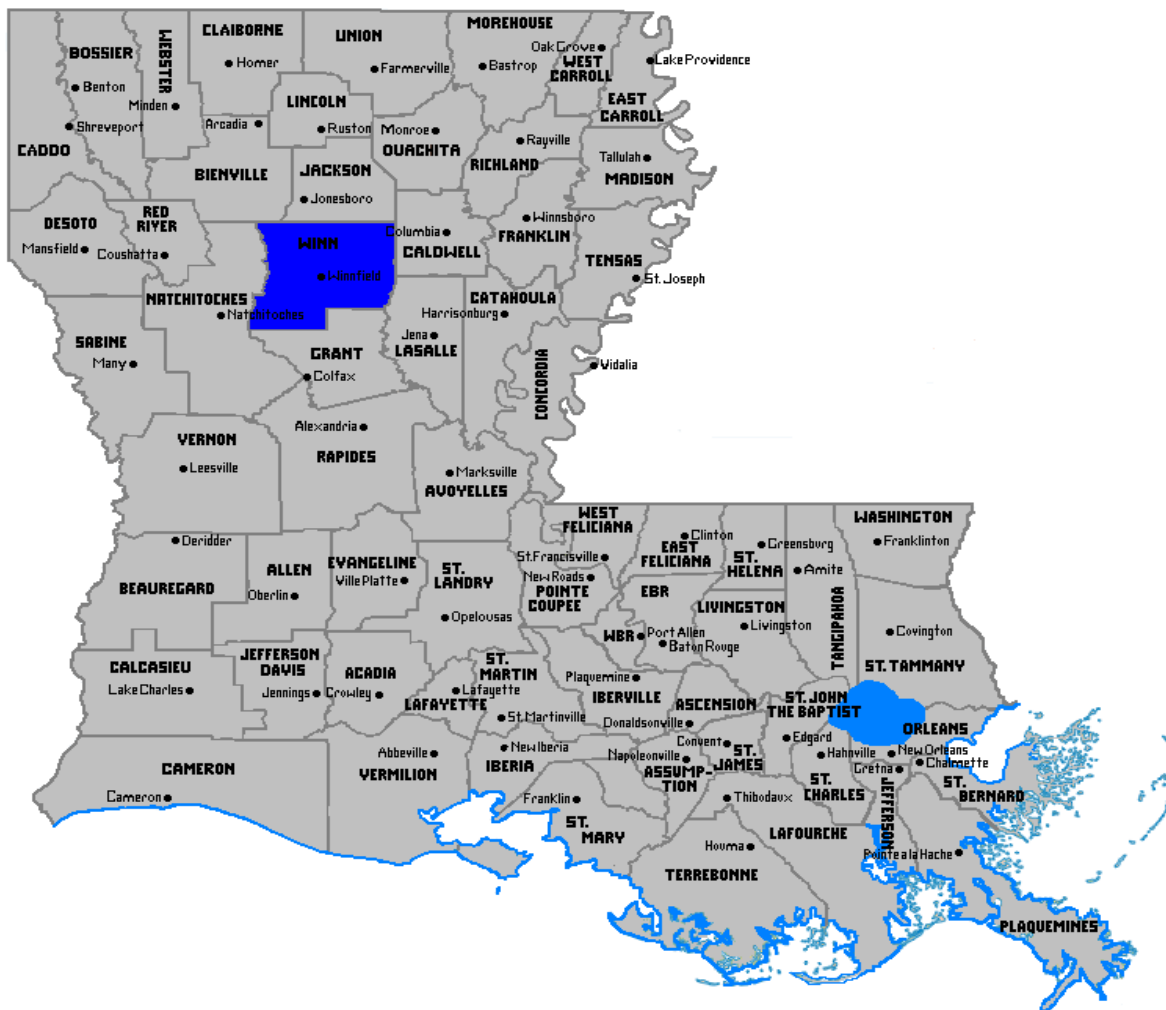
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





THE 8<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
WINN (WINNFIELD)

DISTRICT DEFENDER: HERMAN A. CASTETE  
116 WEST MAIN STREET  
WINNFIELD, LA 71483  
(318) 628-3592



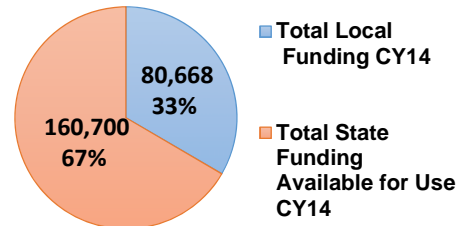
## 8TH JUDICIAL DISTRICT

During calendar year 2014, the 8th Judicial District Public Defenders Office handled 963 cases. The office received \$241,367 in total revenues to handle these cases. As local funding is largely insufficient, approximately 67% of revenues came from state funding.

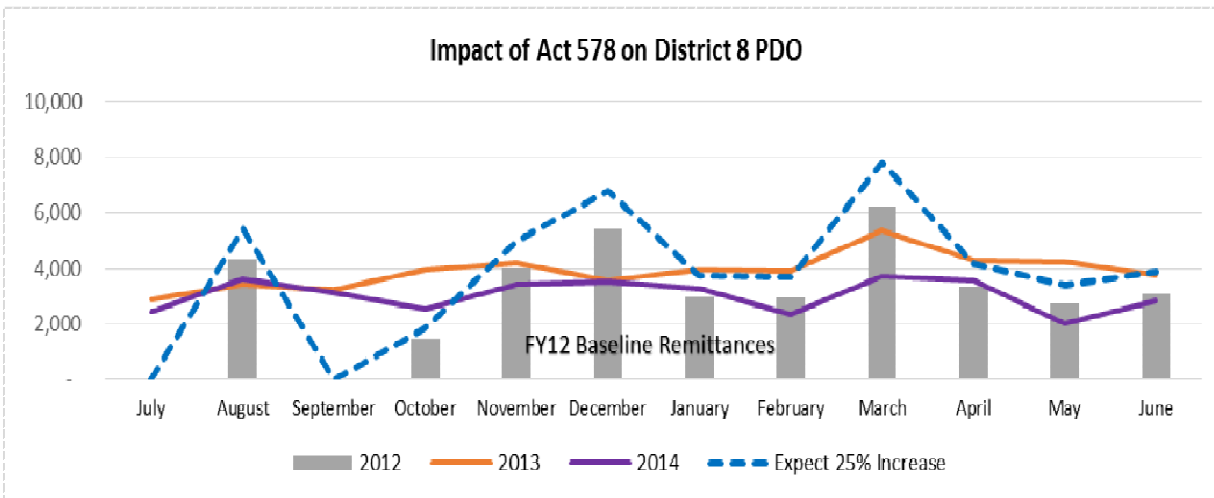
With the exception of a few months, the 8th Judicial Office has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 8th Judicial District office has nearly exhausted its fund balance. Without an increase in revenues or reduction in expenditures, the office is expected to become insolvent during FY16.

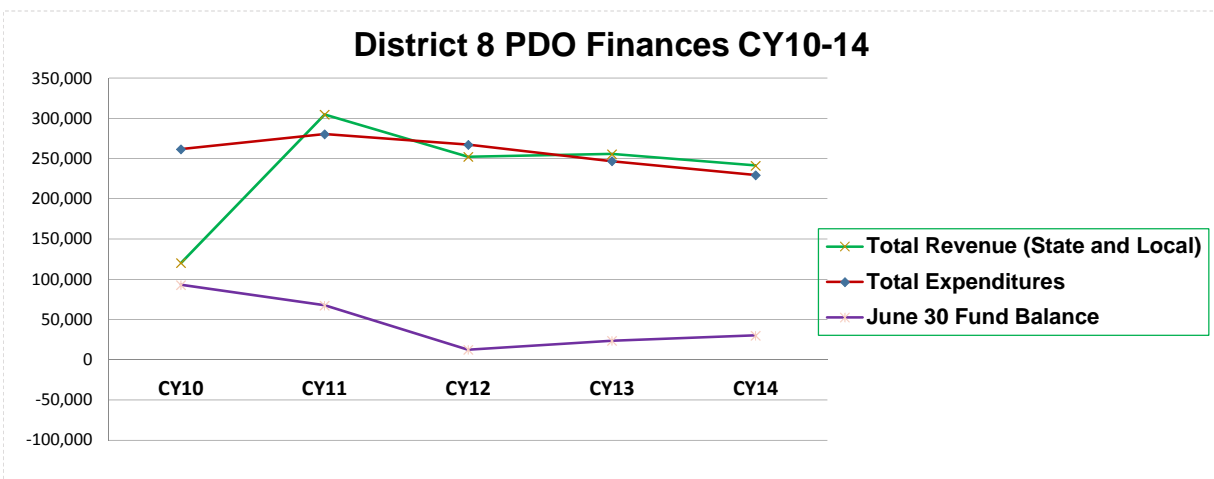
**District 8 PDO Revenue Sources  
CY14**



**Impact of Act 578 on District 8 PDO**



**District 8 PDO Finances CY10-14**

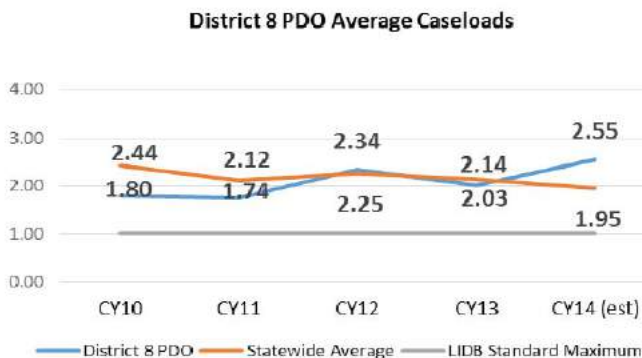


## WINN PARISH

Herman A. Castete  
District Defender  
116 West Main Street  
Winnfield, LA 71483  
318-628-3592

In the 8th Judicial District, public defense attorneys maintain caseloads more than twice the recommended caseload limit for each attorney.

The 8th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.



## CAPITAL REPRESENTATION

Since 2009, there have been no new capital prosecutions in the 8th Judicial District.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 8th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 8<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Winn - Winnfield
<b>Population</b>	15,313
<b>Juvenile Population</b>	3,442
<b>District Defender</b>	Herman A. Castete
<b>Years as District Defender</b>	14
<b>Years in Public Defense</b>	34
<b>Office Manager</b>	Herman Castete
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Vicky Keiffer, Jan Brown
<b>Primary Office Street Address</b>	116 West Main Street
<b>City</b>	Winnfield
<b>ZIP</b>	71483
<b>Primary Phone</b>	318-628-3592
<b>Primary Mailing Address</b>	Post Office Box 428, Winnfield, LA 71483
<b>Primary Fax Number</b>	318-628-5080
<b>Primary Emergency Contact</b>	Herman Castete
<b>Primary Emergency Phone</b>	318-628-3592
<b>Secondary Emergency Contact</b>	Deborah C. Castete
<b>Secondary Emergency Phone</b>	318-805-4525
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Lasyone Rentals, Lasyone Building, Winnfield, LA
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,600
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	8th Judicial District Court, Winnfield, LA 71483
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	One
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Counsel assigned temporarily at 72 hours hearing and normally permanently assigned at arraignment. Felony cases are assigned to the felony attorney and misdemeanors to the misdemeanor attorney except in conflict situations in which both may be appointed as needed as well as a contracted conflict attorney.

<b>Name of Adult Detention Facilities in This District</b>	Winn Parish Jail, Winnfield, LA; Winnfield City Jail, Winnfield, LA
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Jackson Parish Detention Center, Jonesboro, LA; Caldwell Detention Center, Columbia, LA; Catahoula Detention Center, Harrisonburg, LA.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Detention Center, Coushatta, LA.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Juveniles are not routinely shackled. The Court's policy is that shackles be used only if they are a flight risk or considered a danger to others.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	None since the new Sheriff took office.
<b>District Attorney</b>	Christopher Nevils
<b>Chief Judge of Criminal District Court</b>	Jacque D. Derr (1/1/09)
<b>Juvenile Court Judges (Specify District of City Court)</b>	Jacque D. Derr, District Judge
<b>Drug Court Judges</b>	None
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Public Defender in court at the time of arraignment.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest. Incarcerated defendant - counsel appointed within 72 hours of arrest; bonded defendant - at arraignment.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Michael Hataway, Investigator for the District Public Defender or John Wooten, Jr.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes.
<b>Brief Explanation of Intake Process</b>	Investigator usually does initial interview and reports to Chief Defender who then assigns counsel.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes.
<b>How Many Applications for Services Were Received?</b>	360
<b>How Many Application Fees Were Waived?</b>	150
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	7,580
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	35,930

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Itemized listing submitted with payment from WPSO.
<b>Who Collects the Assessed Court Fees?</b>	WPSO
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Itemized listing submitted with payment from WPSO.
<b>Who Remits the Court Fees Collected?</b>	WPSO
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Itemized listing submitted with payment from WPSO.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Determined by Public Defender and Judge.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Copy of sentencing document furnished at time Defendant is sentenced.
<b>Who Collects the Assessed Partial Payments?</b>	Public Defender's Office (Vicky Keiffer, Jan Brown, John Wooten, Mike Hataway).
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Copy of receipt for payment from database; office receipt book; original money order.
<b>Who Remits the Partial Payments Collected?</b>	Clients remit to Public Defender Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Copy of receipt for payment from database; office receipt book; original money order.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	22,793
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	All attorneys are contract and therefore can maintain a private practice.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Accountant, Conflict Attorney
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes. Termination of new cases for Juvenile and CINC Attorney. Position to be terminated after pending cases are completed. Terminate one part-time investigator. Terminate one part-time secretary. Discontinue West Law.
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No. Action is to begin Monday, January 12, 2015.
<b>Immediate Critical Issue Areas</b>	DAF Funding
<b>Long-Term Critical Issue Areas</b>	DAF Funding
<b>Please List All New Hires in 2014 (Name and Title)</b>	None
<b>Please List All Promotions in 2014 (Name and Title)</b>	None

<b>2014 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. Case by case review, analysis and preparation until attorney is ready for solo.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District Defender personally oversees the operation of the office. Attorneys are assigned cases and their progress is supervised as required. Non-attorney personnel have specific task assignments which are supervised by the District Defender.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	None. Everyone answers to the District Defender.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None for District Defender. No new Juvenile and CINC cases will be taken after 1/12/15.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No.
<b>Regular Meetings for Any Staff, Please Describe</b>	State Board Meetings when not in conflict with Court Docket; Office Staff Meetings monthly.
<b>Number of NEW capital cases in CY14 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	0
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2014</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Jim Fannin Representative; Robert Kostelka Senator; Rick Gallot Senator; Gerald Long Senator.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	No changes in service have been implemented.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	

<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Herman A. Castete - District Defender	318-628-3592
Laura J. Johnson	318-628-3592
Keith Gates	318-648-9800
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Michael Hataway – Investigator	318-628-3592
John Wooten, Jr. – Investigator	318-628-3592
Vicky Keiffer	318-628-3592
Jan Brown	318-628-3592

## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Herman Castete
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	x
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	6
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	x
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	x
Firefox	x
Google Chrome	x
Other	



<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	0
DVD	5 thru computer
VCR	0
Desktop PCs	5
Laptops	2
Video Cameras	0
Digital Cameras	0
Video Conferencing Systems	0
B&W Laser Printers	3
Color Printers	1
Wireless Cards	2
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	0
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	Sudden Link
Email Provider:	
Please list any software or computer equipment in which you need training:	Quick Books

## 8th District Defender Office CY 2014 Caseloads & Outcomes

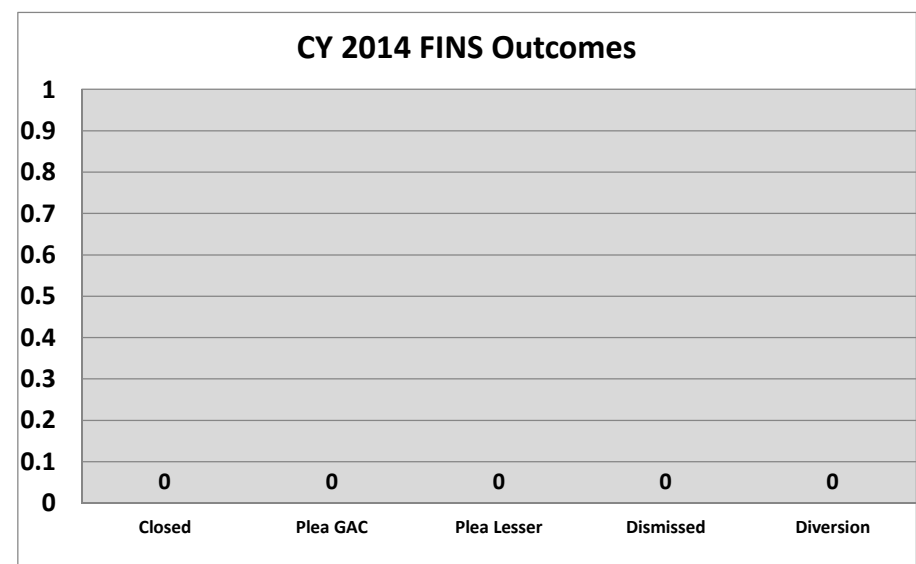
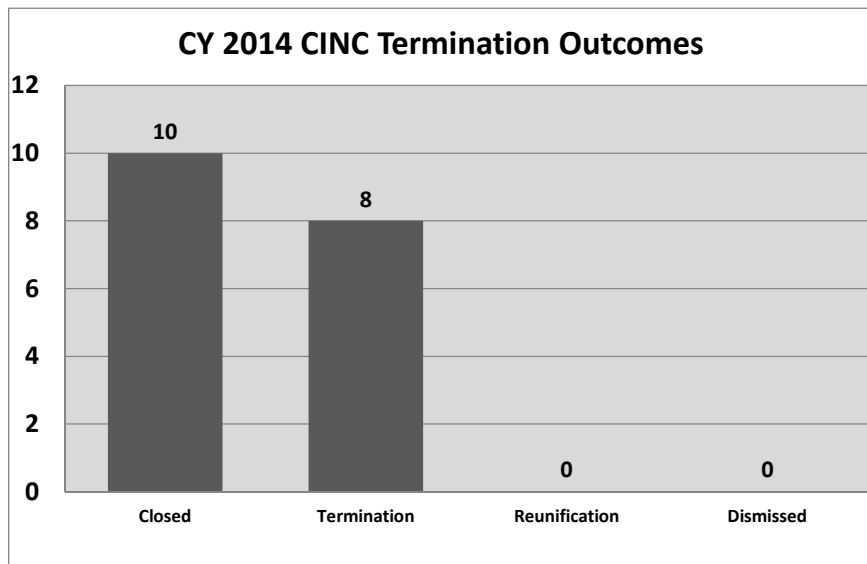
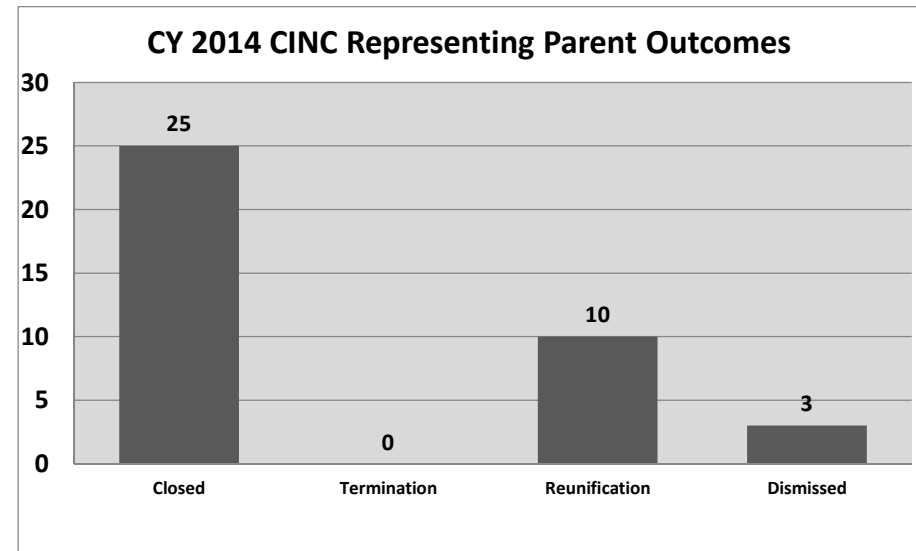
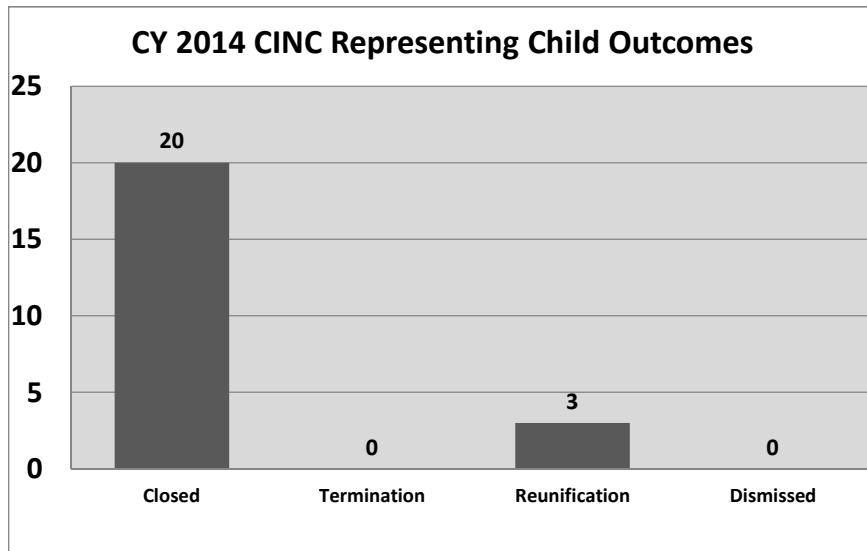
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	13	20	19	32	0	3	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	25	25	23	48	0	10	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	0
Termination	0	10	12	12	8	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	22	26	9	31	N/A	N/A	5	1	13	4	N/A	N/A	1	0	1
Delinquency Felony	4	4	1	5	N/A	N/A	2	0	3	1	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	237	207	96	333	N/A	N/A	105	29	226	0	0	0	0	2	2
Adult Felony Non-LWOP**	251	252	169	420	N/A	N/A	94	75	294	0	0	3	0	0	3
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	54	33	28	82	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

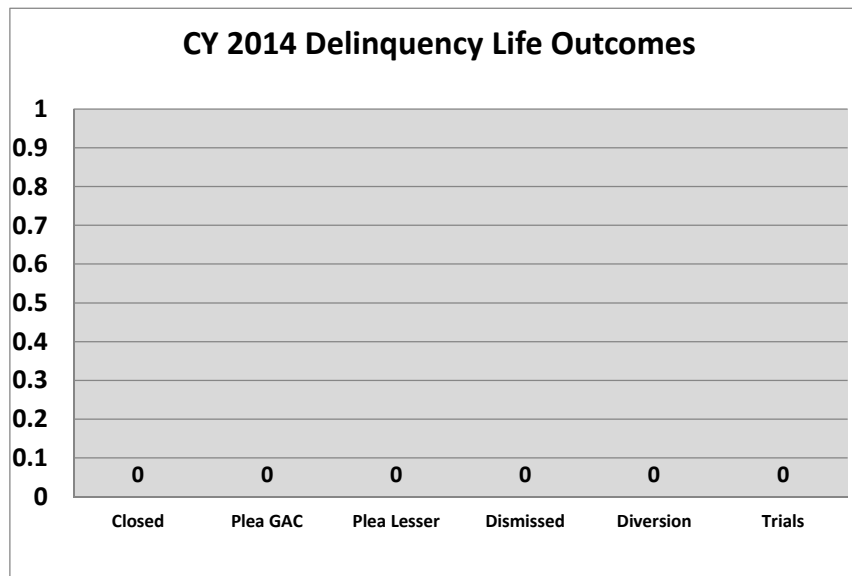
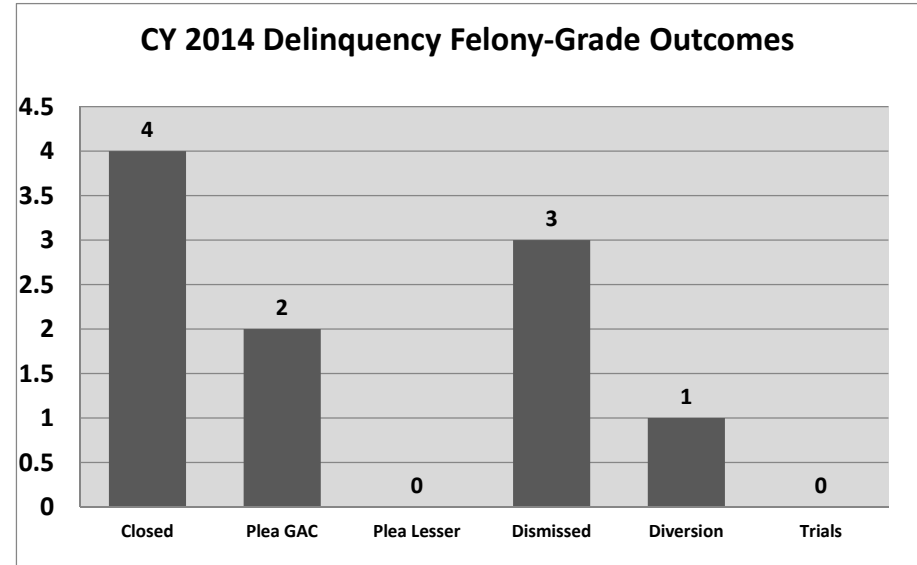
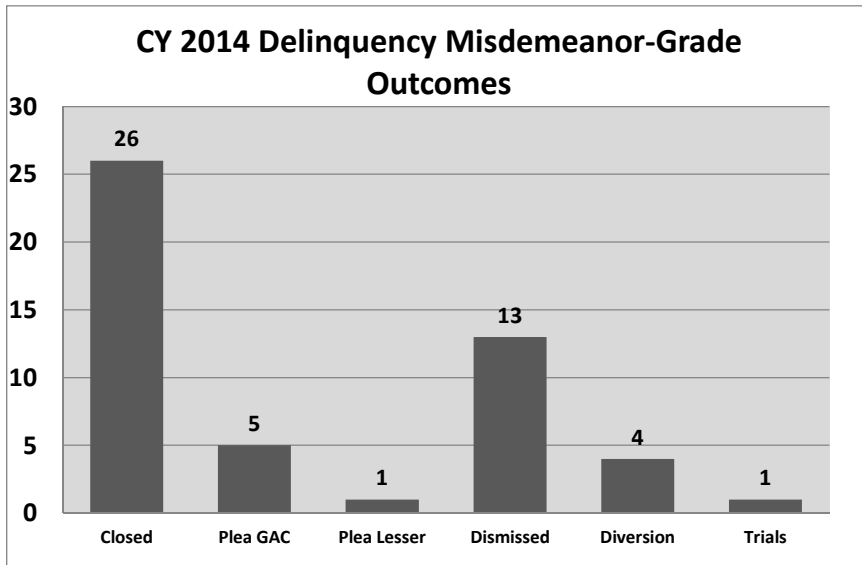
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

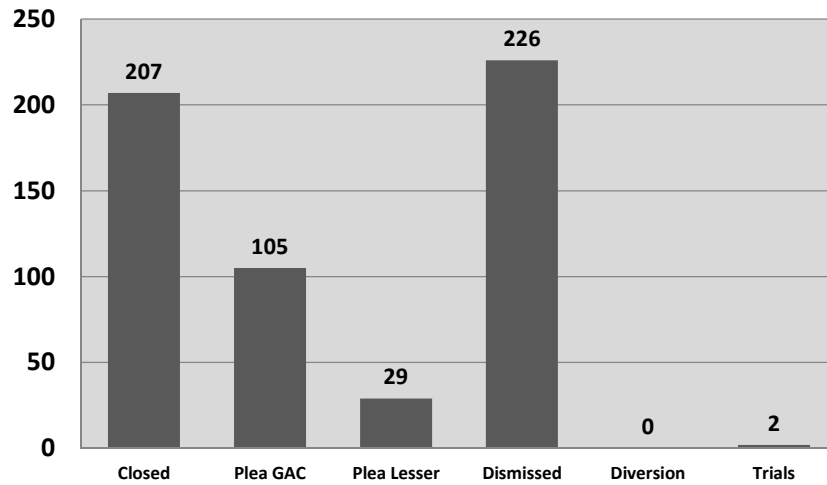
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

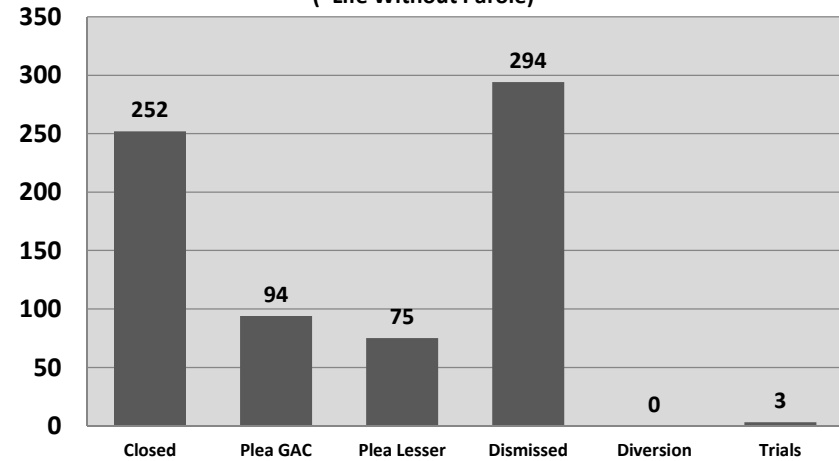




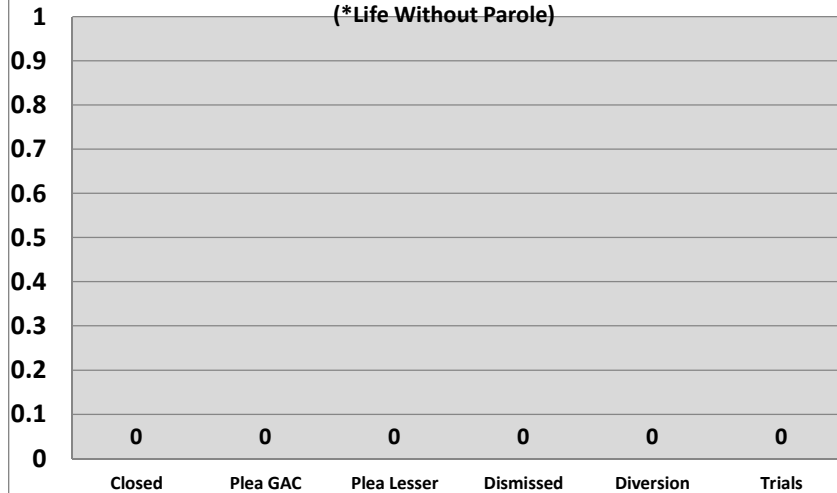
**CY 2014 Adult Misdemeanor Outcomes**



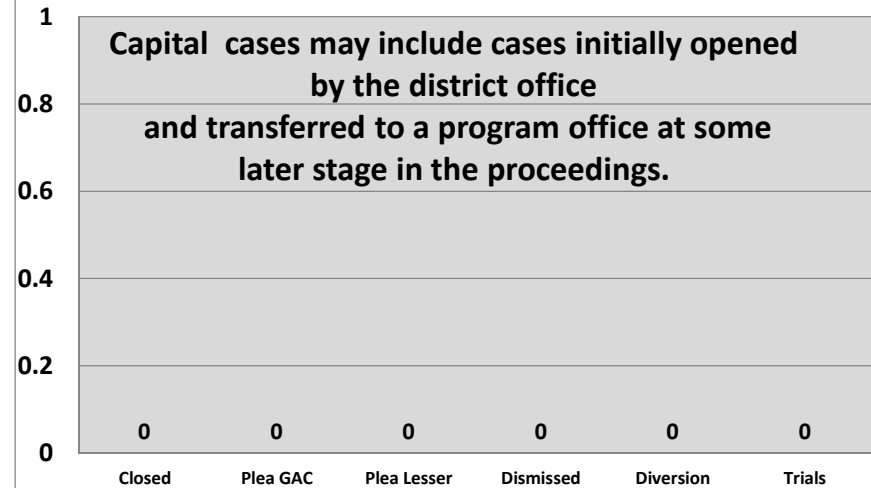
**CY 2014 Adult Felony Non-LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Adult Felony LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Capital Outcomes**

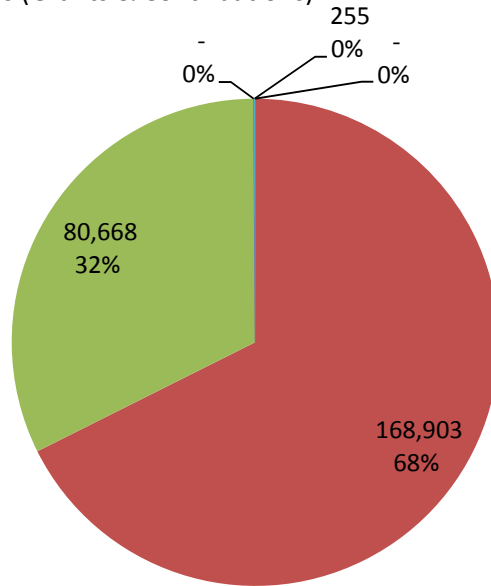


District 8 CY2014	Total CY2014
District Defender: Herman A. Castete	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	7,435
District Assistance Fund (DAF)	148,224
Supplemental/Emergency Funds	13,244
Grants	-
Other State Income -List source(s)	-
Total for State Government	168,903
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	12,365
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	35,930
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	35,930
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	7,581
Partial Attorney Fees	
Reimbursements [as per 15:176]	24,793
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	32,373
Total for Local Government	80,668
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	-
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	255
Total for Other Sources (Grants & Contributions)	255
Total for REVENUE	249,826

District 8 CY2014	Total CY2014
District Defender: Herman A. Castete	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	53,718
Accrued Leave	-
Payroll Taxes	5,020
Hospitalization and Disability Insurance	-
Retirement	-
Other	457
Total for Personnel Services and Benefits	59,195
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	1,072
Total for Travel/Training	1,072
Operating Services	
Advertisements	-
Workers' Compensation	1,100
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	337
Lease - Office	6,000
Lease - Auto/Equipment	1,543
Lease - Other	-
Office Repair and Maintenance	2,805
Office -	
Telephone/Utilities/Postage/Internet	10,629
Dues and Seminars	700
Law Library/Journals/Subscriptions	3,523
Office Supplies	2,201
Total for Operating Services	28,838
Professional Services	
Audit/Accounting Expense	2,920
Contract Clerical	-
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	4,500
Contract - Juvenile Attorneys or CINC	18,000
Misdemeanor Attorney Contracts	30,000
Contract Attorneys - all other	84,000
IT/Technical Support	671
Total for Professional Services	140,091
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	263
Total for Other Charges	263
Total for EXPENDITURES	229,460

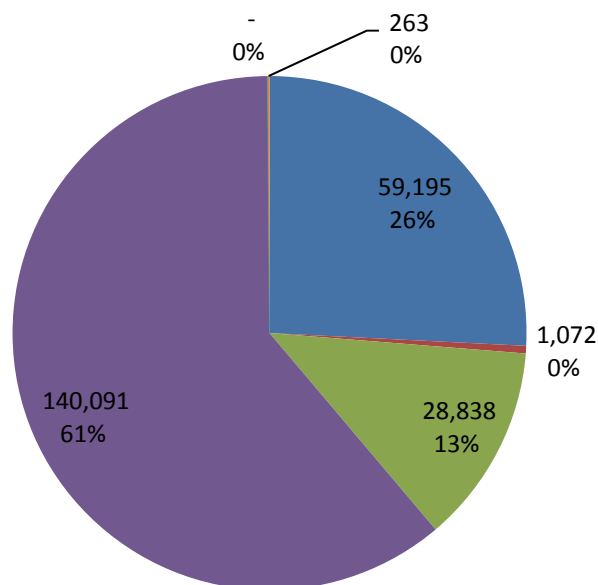
## Total CY14 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges







THE 9<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDER'S OFFICE  
RAPIDES (ALEXANDRIA)

DISTRICT DEFENDER: GLEN G. CORTELLO  
1115 6<sup>TH</sup> STREET  
ALEXANDRIA, LA 71301  
(318) 443-7082

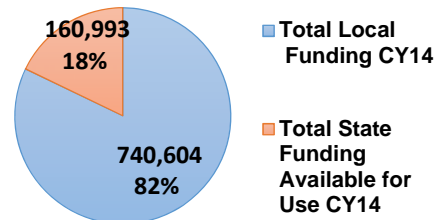
## 9TH JUDICIAL DISTRICT

During calendar year 2014, the 9th Judicial District Public Defenders Office handled 6,807 cases. The office received \$901,597 in total revenues to handle these cases, approximately 82% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

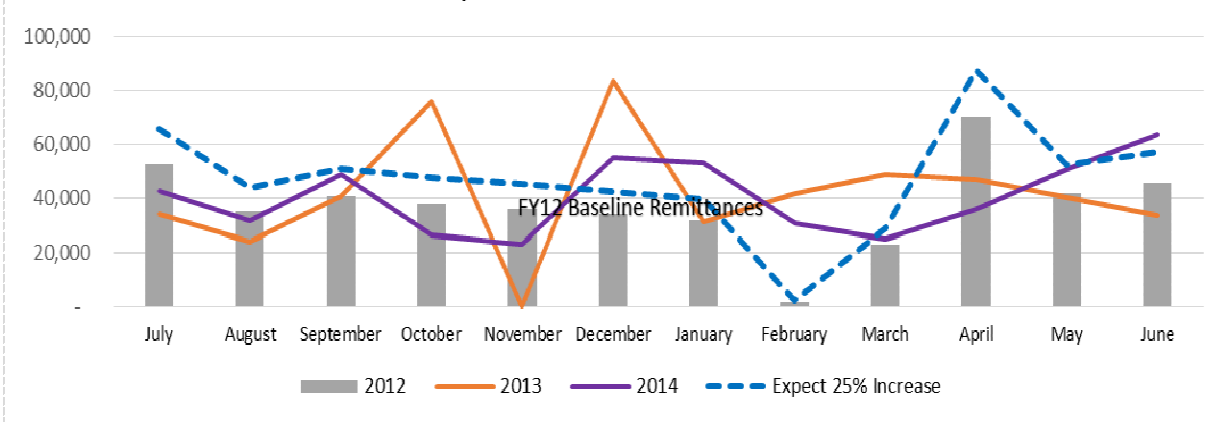
Since the inception of Act 578 (2012), local revenues associated with court costs have been unstable and erratic. As shown in the graph below, revenues have fallen below the 25% expected increase more than fifty percent of the time.

The 9th Judicial District office is not currently engaged in deficit spending. However, revenues are largely insufficient resulting in attorney caseloads that exceed client representation standards.

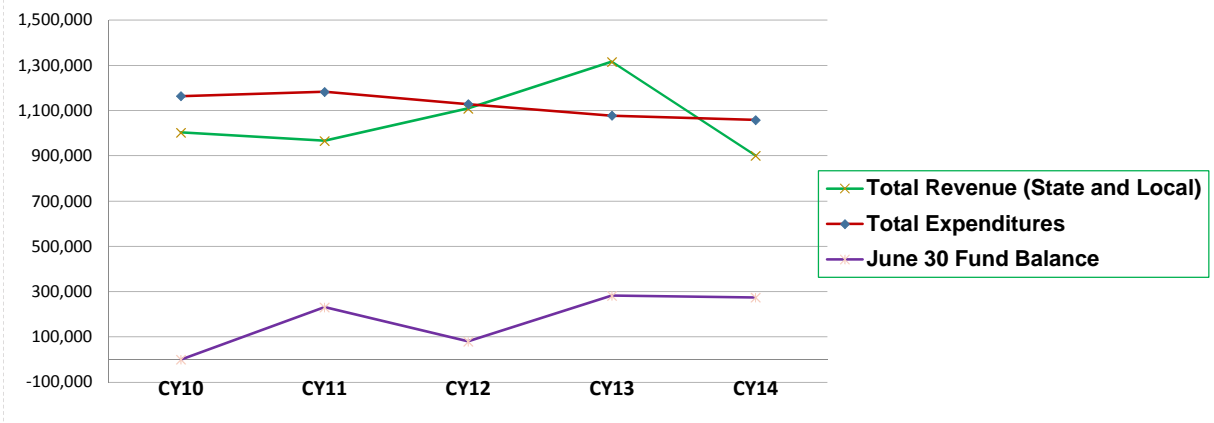
**District 9 PDO Revenue Sources  
CY14**



**Impact of Act 578 on District 9 PDO**



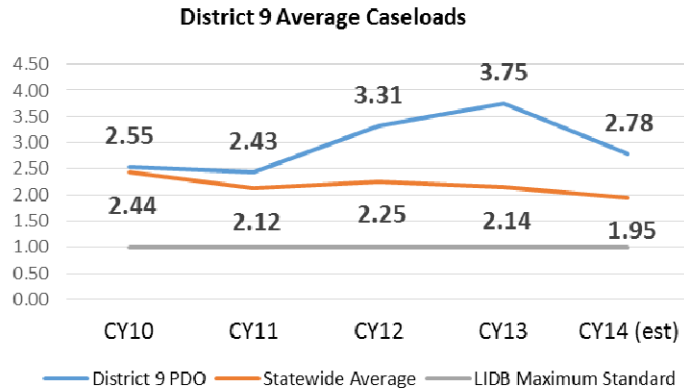
**District 9 PDO Finances CY10-14**



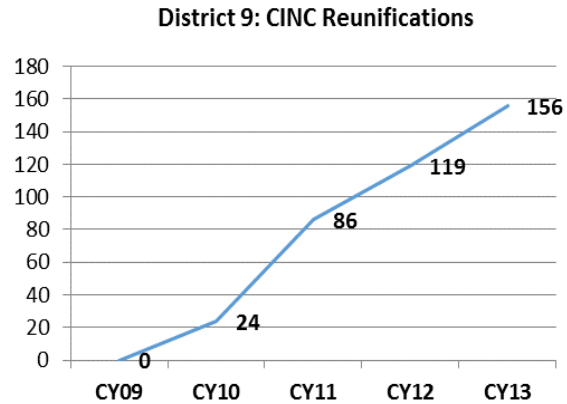
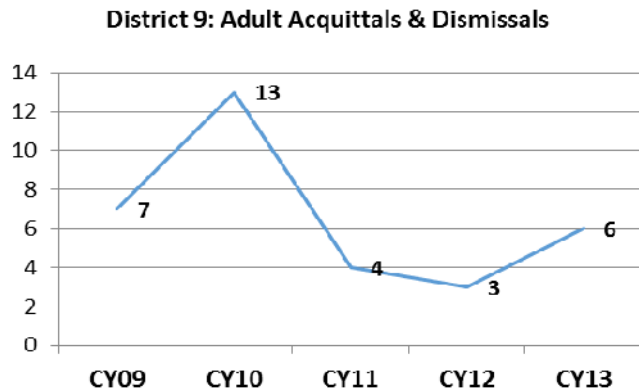
# RAPIDES PARISH

Glenn G. Cortello  
District Defender  
1115 6th Street  
Alexandria, LA 71301  
318-443-7082

In the 9th Judicial District, public defense attorneys make an average annual salary of \$50,739 while maintaining caseloads almost three times the recommended caseload limit for each attorney



Although caseloads remain high due to insufficient revenues, through increased training and supervision, adult client acquittals and dismissals are relatively frequent and CINC reunifications have significantly improved over the last five years.





## THE 9<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Rapides - Alexandria
<b>Population</b>	131,613
<b>Juvenile Population</b>	33,900
<b>District Defender</b>	Glenn G. Cortello
<b>Years as District Defender</b>	1
<b>Years in Public Defense</b>	10
<b>Office Manager</b>	Sara V. Strother
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Cheryl Gauthier, Jessica Martinez, Debra Warren
<b>Primary Office Street Address</b>	1115 6th Street
<b>City</b>	Alexandria
<b>ZIP</b>	71301
<b>Primary Phone</b>	318-443-7082
<b>Primary Mailing Address</b>	P O Box 166 Alexandria, LA 71301
<b>Primary Fax Number</b>	318-443-7085
<b>Primary Emergency Contact</b>	Glenn G. Cortello
<b>Primary Emergency Phone</b>	318-623-7135
<b>Secondary Emergency Contact</b>	Sara V. Strother
<b>Secondary Emergency Phone</b>	318-613-4305
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Investigative/Juvenile Division - 525 Johnston Street, Alexandria, 71301
<b>Other District Office Contact Personnel (Primary Only)</b>	Cecil Bunn, Chief Investigator, (318) 442-8752
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	1115 6th Street, Lyle Guillory; Owner, Johnston Street, LaVergne Turpin.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	6th St - \$1,000 - 4th St - \$400
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	No. Payne, Moore & Herrington
<b>Courts and Locations</b>	Ninth Judicial District Court, Rapides Parish, Alexandria; Alexandria City Court; Pineville City Court; Ninth Judicial District Juvenile Court.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	9th Judicial District Court – 2, 1 Standby Court for Extra Trials; Alexandria City Court - 1; Pineville City Court – 1.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Felony attorneys are appointed counsel on a rotated basis. Misdemeanor attorneys are appointed counsel on a rotated basis where necessary and also appointed at court during arraignment; Juvenile cases are appointed by type to individual juvenile attorneys specifically assigned by Supervising Juvenile Defender. Four attorneys man this court and one other attorney is available on a standby basis.
<b>Name of Adult Detention Facilities in This District</b>	DC-1, Rapides Courthouse, Murray Street, Alexandria; DC-3, 7400 Academy Drive, Alexandria.

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Name of Juvenile Detention Facilities In This District</b>	Renaissance Home for Youth - 6177 Bayou Rapides Road, Alexandria
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, it affects office functions and the attorneys assigned, but have never made representation impossible, just harder on the system, usually when clients are transferred to other parishes for charges in those jurisdictions.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Only when we have to drive to conduct an interview. Sometimes it necessitates written correspondence.
<b>District Attorney</b>	Phillip Terrell
<b>Chief Judge of Criminal District Court</b>	Hon. J. Davidson
<b>Juvenile Court Judges (Specify District of City Court)</b>	Hon. Patricia Koch
<b>Drug Court Judges</b>	Hon M. Doggett
<b>Mental Health Court Judges</b>	No.
<b>Other Specialty Court</b>	Yes.
<b>Name of Specialty and Brief Description:</b>	Hon. J. Davidson
<b>Indigency Determined by Whom and How?</b>	Glenn G. Cortello and Sara Strother
<b>When is Assignment/Appointment of Counsel Made?</b>	At the 230.1 hearing in the jail; if on bond - as soon as he/she makes application at PD Office or at arraignment.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Glenn G. Cortello Sara Strother
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	If the district defender is not available, the office manager handles intake -- processes the application and appoints attorney; or, the investigators if in jail.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	5,307
<b>How Many Application Fees Were Waived?</b>	332
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	31,715
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	629,170
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	We receive monthly documentation total, but not individual listing from all three courts.

<b>Who Collects the Assessed Court Fees?</b>	The Sheriff in 9th J.D.; the City Marshall in Alex Cty Ct; the Clerk in Pineville City Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	The Sheriff in 9th J.D.; the City Marshall in Alex Cty Ct; the Clerk in Pineville City Court.
<b>Who Remits the Court Fees Collected?</b>	The Sheriff in 9th J.D.; the City Marshall in Alex Cty Ct; the Clerk in Pineville City Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The Sheriff in 9th J.D.; the City Marshall in Alex Cty Ct; the Clerk in Pineville City Court.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	The usual fee for misdemeanor representation is -\$0 to \$100; Felony representation - \$100 - \$250 and up to \$400 in unusual cases. Usually no fee assessed for juveniles
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	The usual fee for misdemeanor representation is -\$0 to \$100; Felony representation - \$100 - \$250 and up to \$400 in unusual cases. Usually no fee assessed for juveniles
<b>Who Collects the Assessed Partial Payments?</b>	This office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None. We collect.
<b>Who Remits the Partial Payments Collected?</b>	This office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None. We collect.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	41,354
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Yes it is in writing; i.e. their contract
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Received under 180,000 for 2014.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Restoration of DAF funds that have been cut.
<b>Long-Term Critical Issue Areas</b>	Retaining enough capital attorneys on staff so we do not have to go outside the district.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Debra Warren - Full Time
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2015</b>	Some attorneys transferring to DA Office. In process of replacements.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, District Defender taught law for 10 years in graduate school. He now mentors all new attorneys.

<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes, Handbooks – Supplemented as new policies or revisions of policies occur.
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Sam Giordano-Misd; Heather Cooley-Juv.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	Have none.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Yes. Two of the three do. Misdemeanor supervisor does not.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No. Only workmen's compensation coverage for attorney and staff.
<b>Regular Meetings for Any Staff, Please Describe</b>	As needed
<b>Number of NEW capital cases in CY14 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	0
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None.
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Rep Hazel, Harris, Dixon Senators, Gallot, Long, Riser
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	Better morale, new District Defender.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Glenn G. Cortello	318-443-7083
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Bridgett Brown	318-443-9000
James Chrishon	318-448-6353
Deidre Fuller	318-448-3456
Mahogany Watkins	318-442-6240
Michael Jeansonne	318-290-3240
Sam Giordano	318-445-5567
Earl Vassar	318-715-2630
Ronald Collins	318-769-1111
Clifton Spears	318-442-6240
Heather Cooley	318-445-3121

Joseph Kutch	318-448-6155
J. Marc Lampert	318-445-4528
Shelby Bohannon	318-445-7477
Darryl Hickman	318-448-6353
Harold Murry	318-448-0000
Allen Smith	318-448-3234
Brian Thompson	318-473-0052
Camille Giordano	318-445-5567
Robert Elliott	318-487-5218
Tiffany Sanders	318-443-9080
<b>Non Attorney Employees and Contractors and Other</b>	
<b><u>Staff</u></b>	<b><u>Contact Information</u></b>
Strother, Sara	318-443-7082
Testa, Helen	318-443-7082
Gauthier, Cheryl	318-443-7082
Martinez, Jessica	318-443-7082
Westbrook, Linda	318-443-7082
Bunn, Cecil	318-443-7082
Higgs, Leslie	318-443-7082
Debra Warren - Full-Time	318-443-7082
Vercher, Brandon	318-443-7082



2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Sara Strother
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	x
Windows 7	x
Windows Vista	x
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Firefox	
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	

Television	
DVD	
VCR	
Desktop PCs	9
Laptops	3
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	
Color Printers	9
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	Suddenlink
Email Provider:	
Please list any software or computer equipment in which you need training:	

## 9th District Defender Office CY 2014 Caseloads & Outcomes

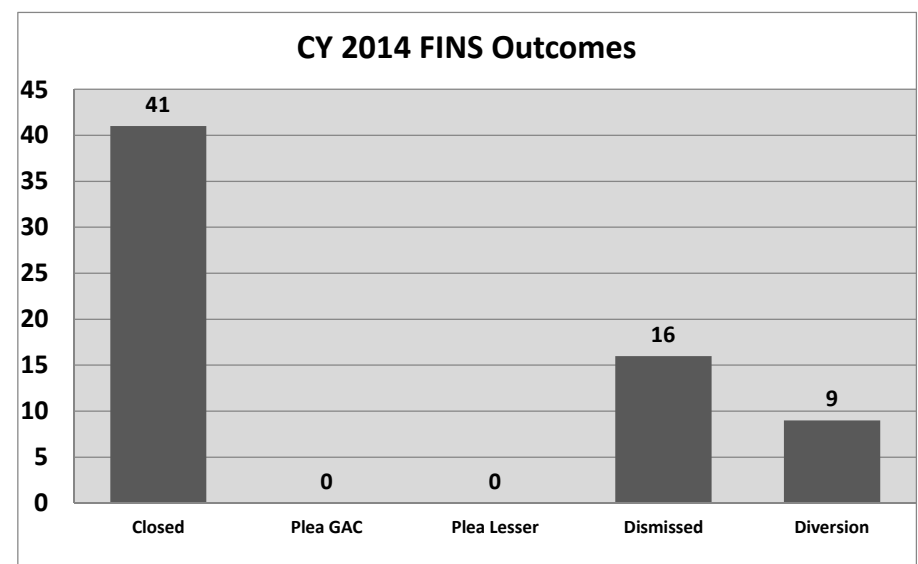
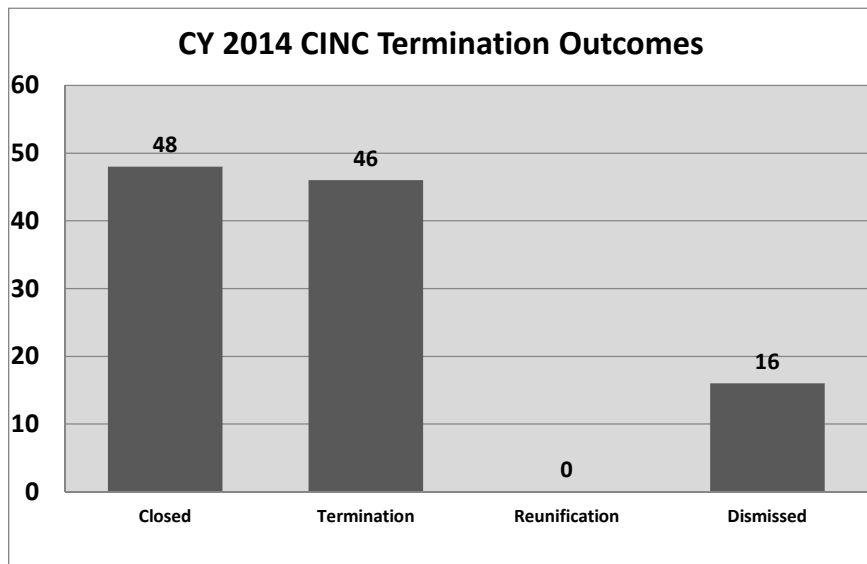
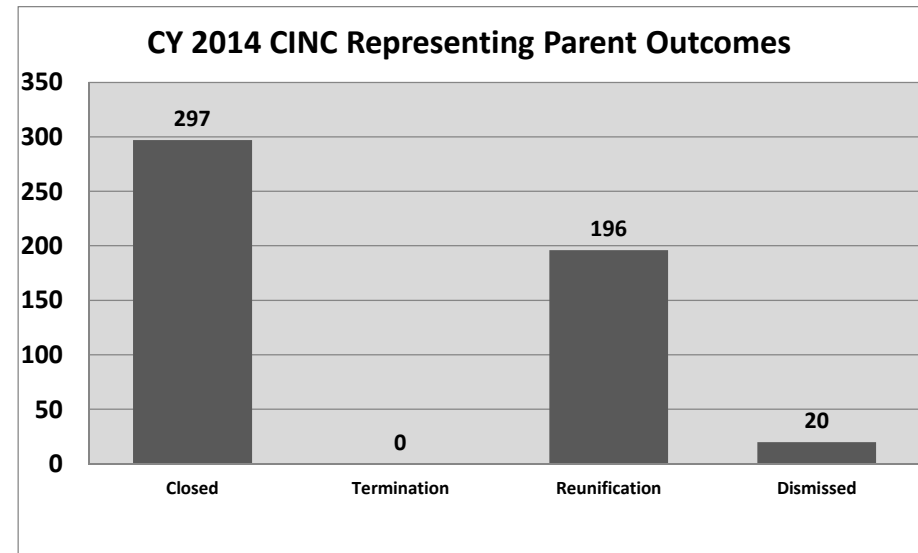
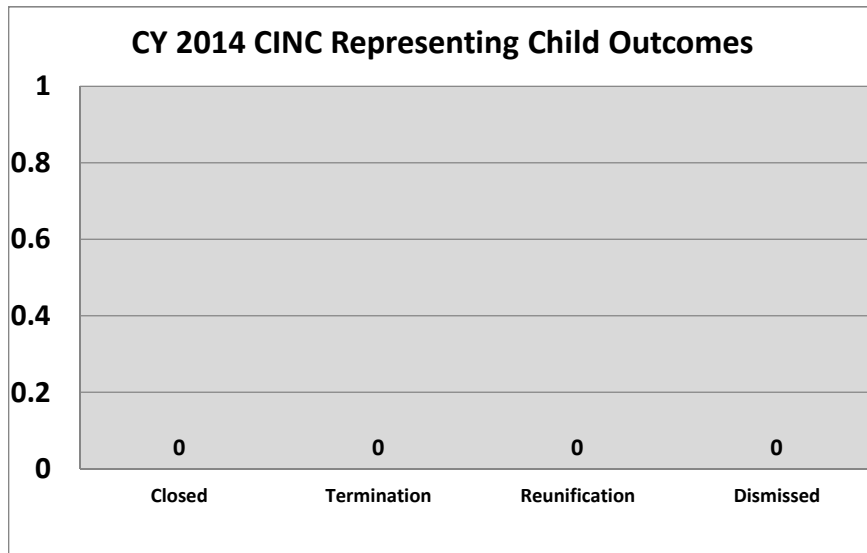
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	6	0	0	6	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	244	297	211	455	0	196	N/A	N/A	20	N/A	N/A	N/A	N/A	N/A	0
Termination	42	48	18	60	46	0	N/A	N/A	16	N/A	N/A	N/A	N/A	N/A	0
FINS	42	41	17	59	N/A	N/A	0	0	16	9	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	13	11	6	19	N/A	N/A	7	1	4	3	N/A	N/A	0	0	0
Delinquency Felony	81	68	27	108	N/A	N/A	59	8	22	21	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	2750	2623	273	3023	N/A	N/A	1163	213	1397	131	0	0	2	0	2
Adult Felony Non-LWOP**	1830	1706	928	2758	N/A	N/A	831	292	1370	0	0	2	3	0	5
Adult LWOP	36	37	35	71	N/A	N/A	27	14	1589	0	0	2	0	0	2
Capital***	1	3	2	3	N/A	N/A	0	1	0	0	0	0	0	0	0
Revocations	241	188	1	242	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	1	2	2	3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

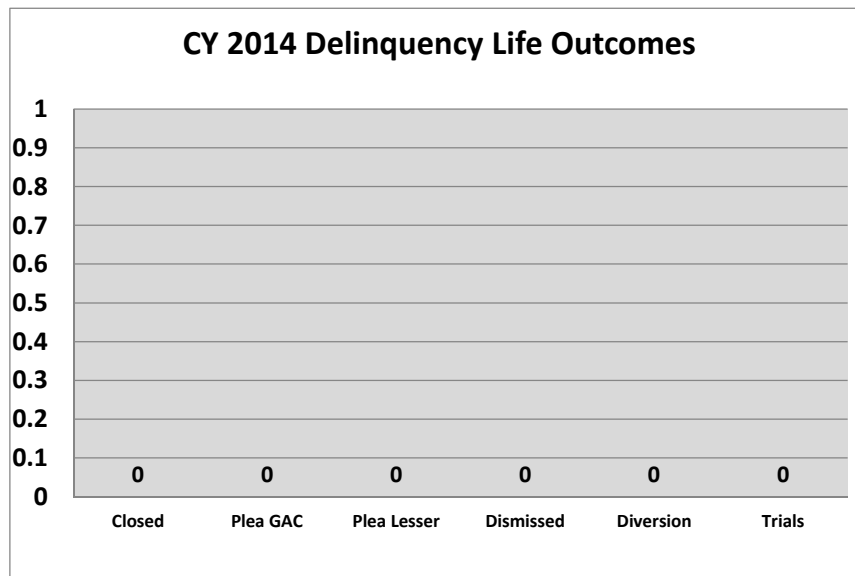
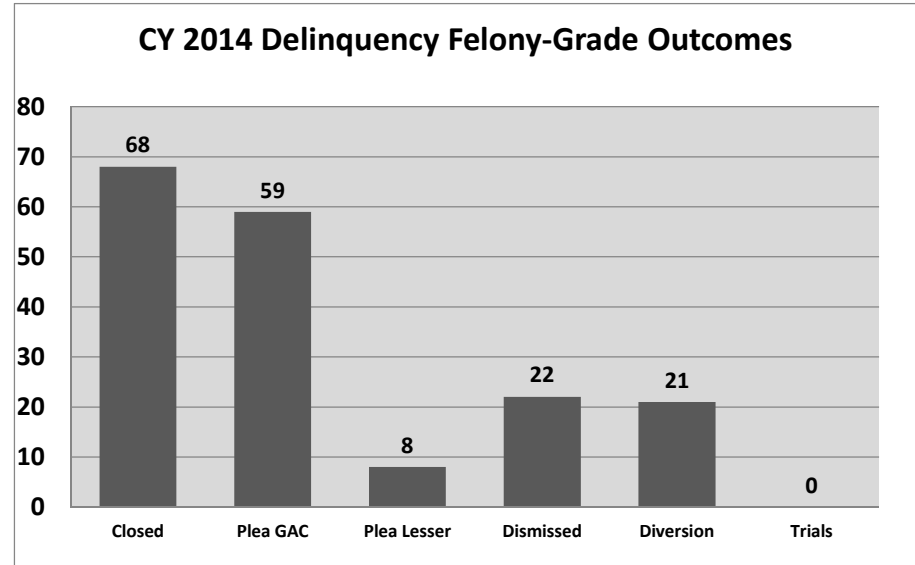
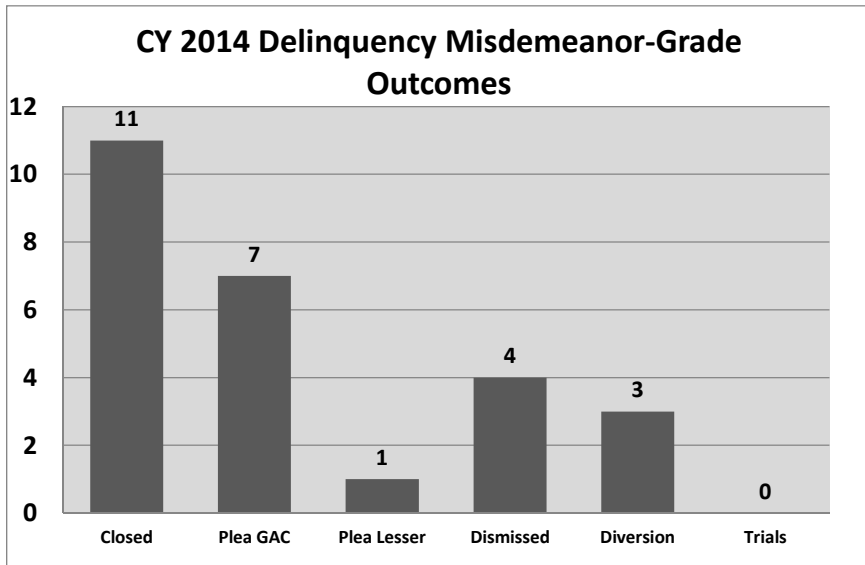
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

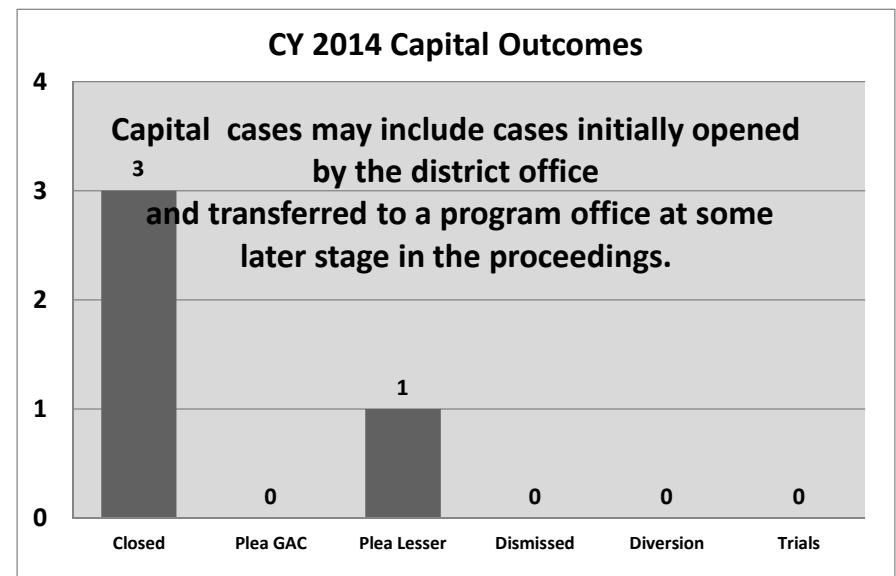
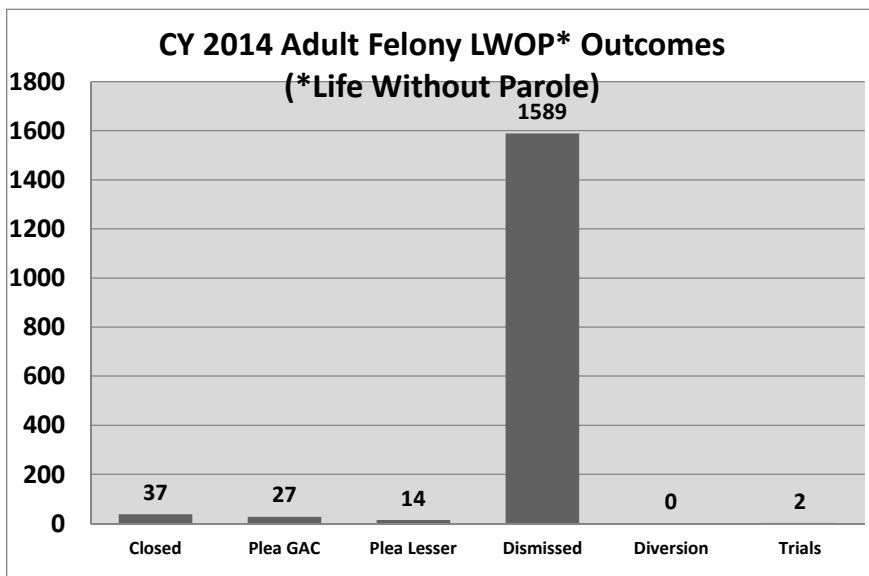
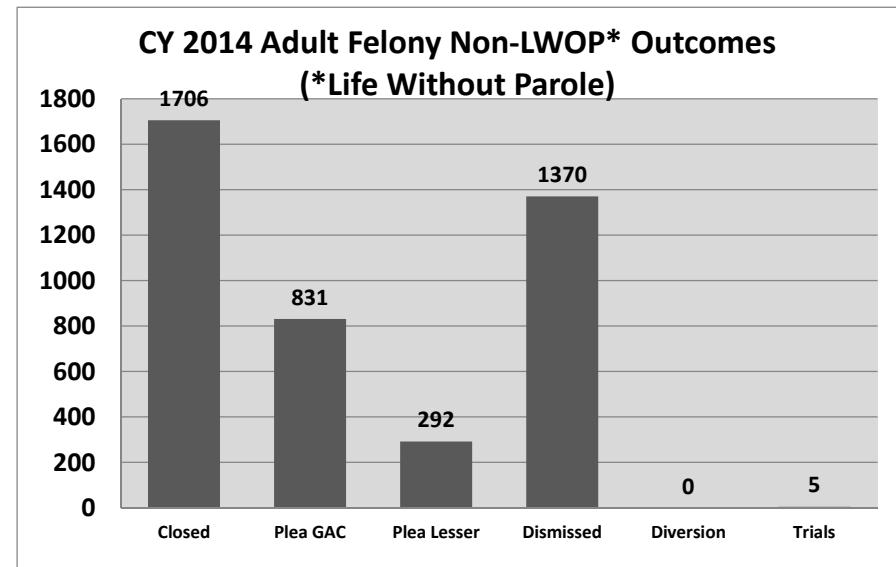
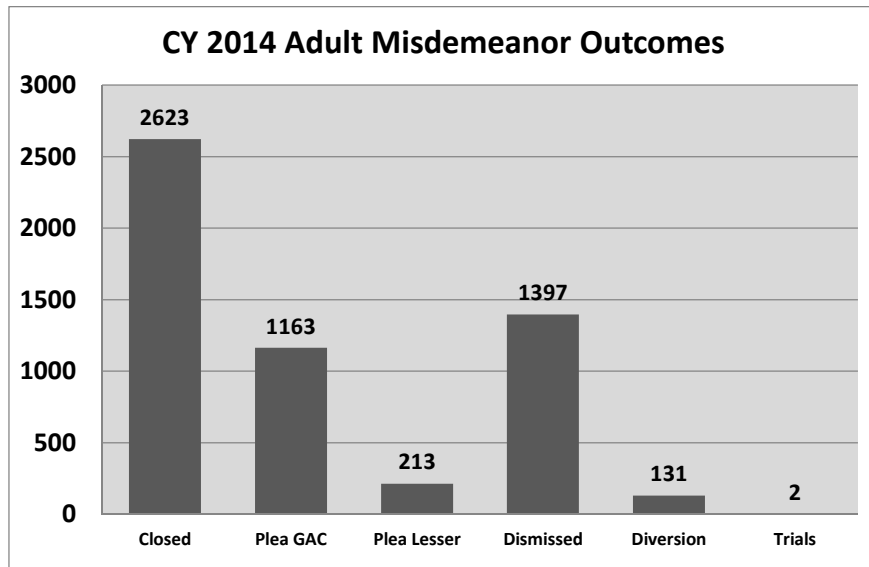
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.







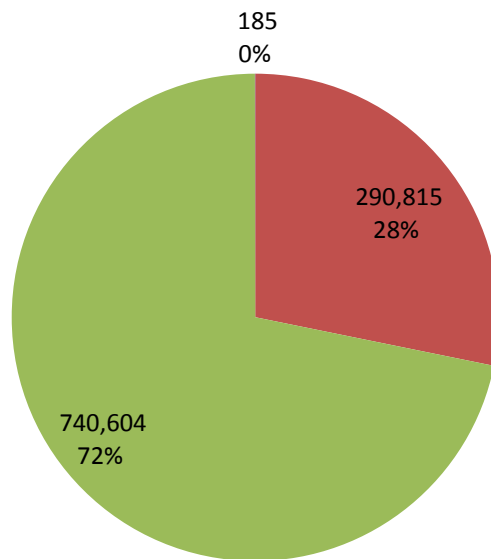
District 9 CY2014	Total CY2014
District Defender: Glenn G. Cortello	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	114,767
District Assistance Fund (DAF)	170,548
Supplemental/Emergency Funds	-
Grants	5,500
Other State Income -List source(s)	-
Total for State Government	290,815
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	53,841
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	313,219
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	302,617
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	615,836
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	70,928
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	70,928
Total for Local Government	740,604
Investment Earnings	
Interest Income	185
Other Investment Income - List source(s)	-
Total for Investment Earnings	185
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	1,031,604

District 9 CY2014	Total CY2014
District Defender: Glenn G. Cortello	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	320,788
Accrued Leave	-
Payroll Taxes	5,037
Hospitalization and Disability Insurance	-
Retirement	48,871
Other	-
Total for Personnel Services and Benefits	374,696
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	1,972
Total for Travel/Training	1,972
Operating Services	
Advertisements	1,654
Workers' Compensation	1,438
Insurance - Malpractice	19,593
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	18,000
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	21,814
Dues and Seminars	3,238
Law Library/Journals/Subscriptions	-
Office Supplies	17,766
Total for Operating Services	83,502
Professional Services	
Audit/Accounting Expense	19,428
Contract Clerical	-
Expert Witness	1,500
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	102,575
Misdemeanor Attorney Contracts	117,800
Contract Attorneys - all other	356,842
IT/Technical Support	-
Total for Professional Services	598,145
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	-
Total for Other Charges	
Total for EXPENDITURES	1,058,315



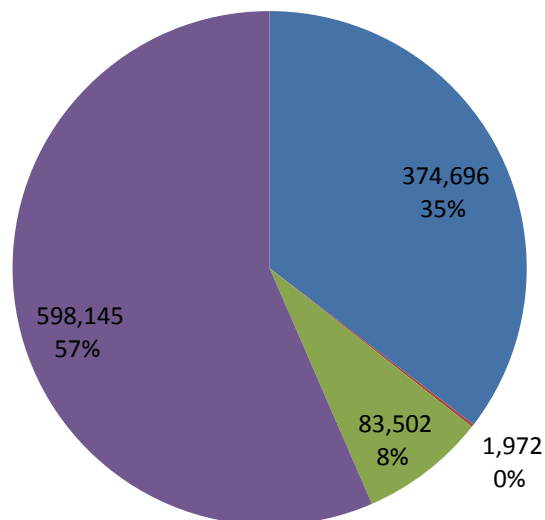
## Total CY14 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





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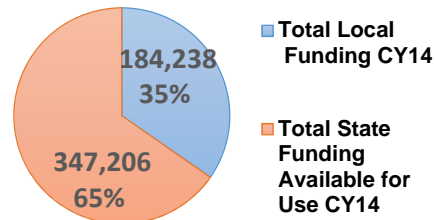
# 10TH JUDICIAL DISTRICT

During calendar year 2014, the 10th Judicial District Public Defenders Office handled 1,608 cases. The office received \$531,445 in total revenues to handle these cases. As local funding is largely insufficient, approximately 65% of revenues came from state funding.

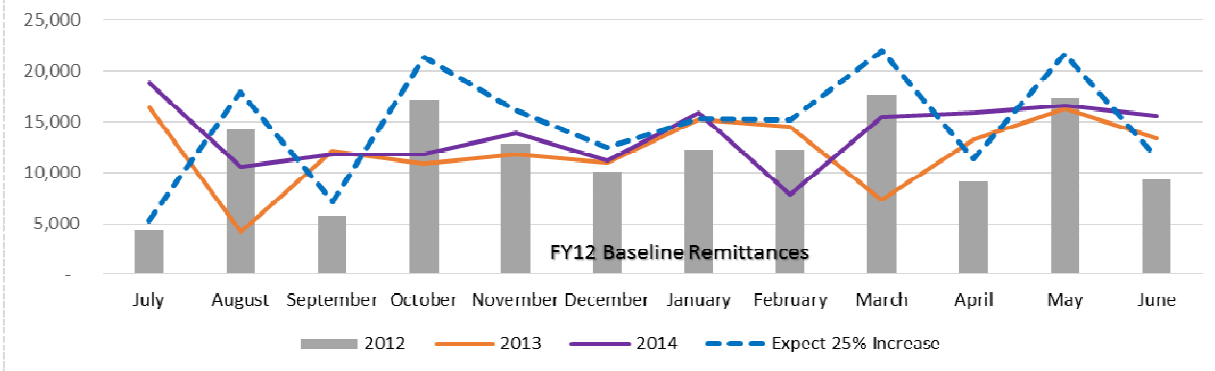
Since the inception of Act 578 (2012), local revenues associated with court costs have been unstable and erratic. As shown in the graph below, revenues have fallen below the 25% expected increase fifty percent of the time.

The 10th Judicial District office has nearly exhausted its fund balance, which just six years ago was \$270,436. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent during FY16.

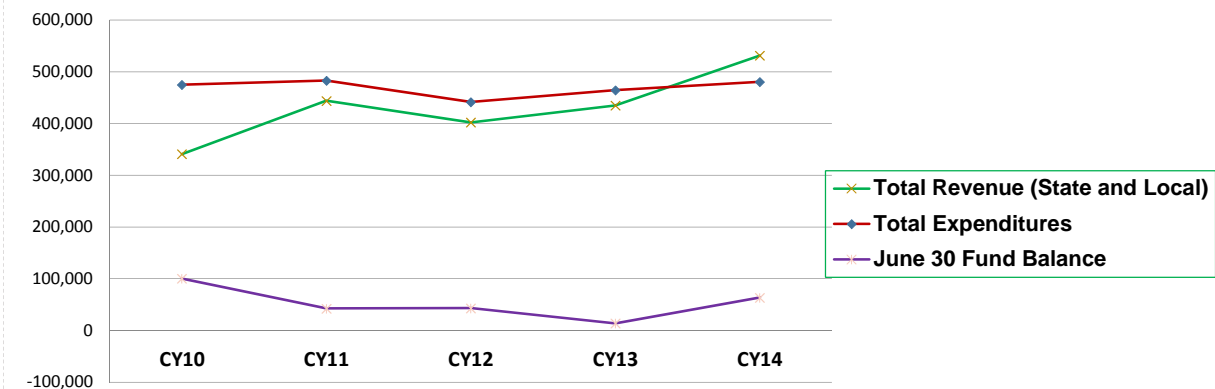
**District 10 PDO Revenue Sources  
CY14**



**Impact of Act 578 on District 10**



**District 10 PDO Finances CY10-14**

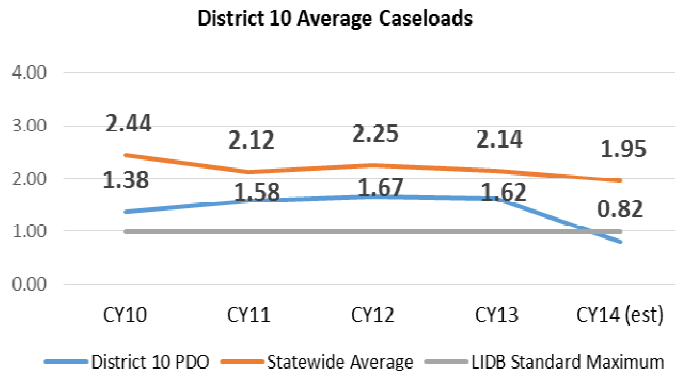


## NATCHITOCHES PARISH

Brett Brunson  
District Defender  
710 Third Street  
Natchitoches, LA 71457  
318-352-9311

In the 10th Judicial District, public defense attorneys maintain caseloads near the recommended caseload limit for each attorney.

Through increased training and supervision, client outcomes in CINC cases have significantly improved over the last five years.



## CAPITAL REPRESENTATION

Since 2009, there have been no new capital prosecutions in the 10th Judicial District.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 10th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 10TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Natchitoches - Natchitoches
<b>Population</b>	39,566
<b>Juvenile Population</b>	9,600
<b>District Defender</b>	Brett Brunson
<b>Years as District Defender</b>	7.5
<b>Years in Public Defense</b>	12.5
<b>Office Manager</b>	Alice Martin
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Alice Martin, Office Manager, and Holly Spillman, file clerk.
<b>Primary Office Street Address</b>	710 Third Street
<b>City</b>	Natchitoches
<b>ZIP</b>	71457
<b>Primary Phone</b>	318-352-9311
<b>Primary Mailing Address</b>	PO Box 12, Natchitoches, LA 71458
<b>Primary Fax Number</b>	318-352-8019
<b>Primary Emergency Contact</b>	Brett Brunson
<b>Primary Emergency Phone</b>	318-471-9806 - cell
<b>Secondary Emergency Contact</b>	Alice Martin
<b>Secondary Emergency Phone</b>	318-663-4522 - cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	none
<b>Other District Office Contact Personnel (Primary Only)</b>	none
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	McCoy, Roberts & Begnaud, L.L.C.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,600
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Rozier, Harrington & McKay, CPAs
<b>Courts and Locations</b>	10th Judicial District Court, Natchitoches Parish, 200 Church Street, Natchitoches, 71457; Natchitoches City Court, 314 Amulet Street, Natchitoches, 71457.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	3 - 2 District Court Division and 1 City Court
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Judges forward assignment requests to the PDO and PDO assigns contract attorneys. Volunteers are appointed in CINC and a few juvenile cases.

<b>Name of Adult Detention Facilities in This District</b>	Natchitoches Parish Detention Center, 299 Edwina Drive, Natchitoches, LA, 71457
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles Parish Detention Center, Richland Parish Jail.
<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center, Rt.1 Box 6000 (Hwy 71), Coushatta, LA 71019
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Client contact is less frequent and more costly due to travel expenses. We receive tardy notifications of out-of-parish detainment.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes. At request of counsel, they allow removal.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Van H. Kyzar
<b>Chief Judge of Criminal District Court</b>	Eric R. Harrington
<b>Juvenile Court Judges (Specify District of City Court)</b>	Yes. Dee Ann Hawthorne - District Court
<b>Drug Court Judges</b>	Yes. Eric R. Harrington
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	Yes. Fred Gahagan
<b>Name of Specialty and Brief Description:</b>	City Court - Adult Misdemeanor, FINS, CINC, and Juvenile Delinquency
<b>Indigency Determined by Whom and How?</b>	Administrator - application is reviewed and determination is made using the Annual Federal Poverty Guidelines. (200%)
<b>When is Assignment/Appointment of Counsel Made?</b>	If incarcerated, after 72-hour hearing; If out on bond, at arraignment
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Alice Martin, Administrator
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Application is reviewed and determination is made using the Annual Federal Poverty Guidelines. (200%)
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	700+
<b>How Many Application Fees Were Waived?</b>	None / Fee is always requested, but not always received.
<b>How Many Application Fees Were Reduced?</b>	None / they are given an option to pay in increments.
<b>Total Application Fee Dollars Collected in 2014</b>	6,569
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	84,971 from S.O. 86,028 from City

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	They say they do, but we have observed multiple cases in which they did not. Usually those involving multiple year sentences to hard labor.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	None
<b>Who Collects the Assessed Court Fees?</b>	Sheriff & City Marshall
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Itemized Lists
<b>Who Remits the Court Fees Collected?</b>	Sheriff & City Marshall
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Itemized Lists
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	When the client is between 100% and 200% of the federal poverty guidelines, we request the court to impose a partial reimbursement. We are sending an order to the judge at arraignment, but only a few have been ordered to pay to date.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	PDO if it is imposed at arraignment. City Marshall and Sheriff if it is imposed as part of a sentence.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	City Marshall and Sheriff.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The payments are listed on the itemization and we have to distinguish between them and the \$35 assessments.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	1,350
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted. The District Defender is the only full time employee who does not represent other clients. Other attorneys are part-time contract attorneys and would not contract if they gave up private practice to do so.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	More money.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No. We should be ok until February 2016. I have met with our 2 new judges and they have agreed to sign partial reimbursement orders at arraignment, for payments to the PDO while charges are pending rather than after a plea.
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No. But we are losing our investigator in January 2015 and are unable to replace him. Kem Jones.
<b>Immediate Critical Issue Areas</b>	Lack of reserve funds. Lack of stable revenue.
<b>Long-Term Critical Issue Areas</b>	Funding

<b>Please List All New Hires in 2014 (Name and Title)</b>	Verity Bell, contract attorney to replace Charles Whitehead, Jr.
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	Shreveport Times, Natchitoches Times and area TV covered PDO assignment of 3 codefendants charged with human trafficking. David Williams, Kathryn Wydhalm & Verity Bell successfully handled bond reduction hearing at which serious challenge was made on the merits, resulting in 90% reductions of bonds and release of clients. Brett Brunson presented on Professionalism at LACDL Crim Lit seminar and was elected President of the association for 2015.
<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	All. New attorney is sent to LPDB, LPDA or LACDL seminars. I suggest hearings and trials to observe. I get them experience with misdemeanors and then appoint them as co-counsel with me to learn how to handle felony matters. I provide resources and advice.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	We are small, so I directly supervise all staff and contract attorneys.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	N/A 1 Full Time Employee
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No written policy, but as the only supervisory staff, the District Defender attends most court dates and observes and assists contract attorneys. All attorneys are experienced enough to handle serious felony trials. We use a team approach to jury trials, with at least two attorneys.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No.
<b>Regular Meetings for Any Staff, Please Describe</b>	Monthly meetings with all staff. LPDB meetings. Regional District Defender Meetings and LACDL Board Meetings and phone conferences.
<b>Number of NEW capital cases in CY14 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	0
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2014</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0



<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	N/A
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Gerald Long, State Senator; Kenny Cox, State Representative
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	We implemented a rotating schedule for contract attorneys to attend 72 hr. hearings and encourage them to see their clients at the Detention Center when they are out there. The District Defender has assisted contract attorneys in preparing for trial and trying cases. We have encouraged a team approach to trial preparation, particularly crime scene investigation and voir dire preparation. I share important court decisions and helpful information from the LACDL list serve with all attorneys. I continue to participate in the District Defender Group started several years ago to gain insight into what other districts are doing and to share that with our attorneys. I have tried to more closely monitor local funding, following a precipitous decline in funding last summer. I have met with the judges, DA, LPDB staff and other District Defenders in an effort to address the problem and increase local funding.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Ted Brett Brunson	318-352-9311
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Jason Methvin	318-352-7272
Kathryn Widhalm	318-352-9311
Bell, Verity	318-573-2213
David Williams	318-792-2583
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Charles Whitehead, III	318-352-6481
Alice Martin	318-352-9311
Kem Jones	318-872-2988

2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Brett Brunson
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	Client Bookkeeping Solutions
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Firefox	x
Google Chrome	
Other	

<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	3 provided by the District Defender
Laptops	
Video Cameras	
Digital Cameras	2
Video Conferencing Systems	1
B&W Laser Printers	2
Color Printers	1
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	cp-tel
Email Provider:	cp-tel
Please list any software or computer equipment in which you need training:	

## 10th District Defender Office CY 2014 Caseloads & Outcomes

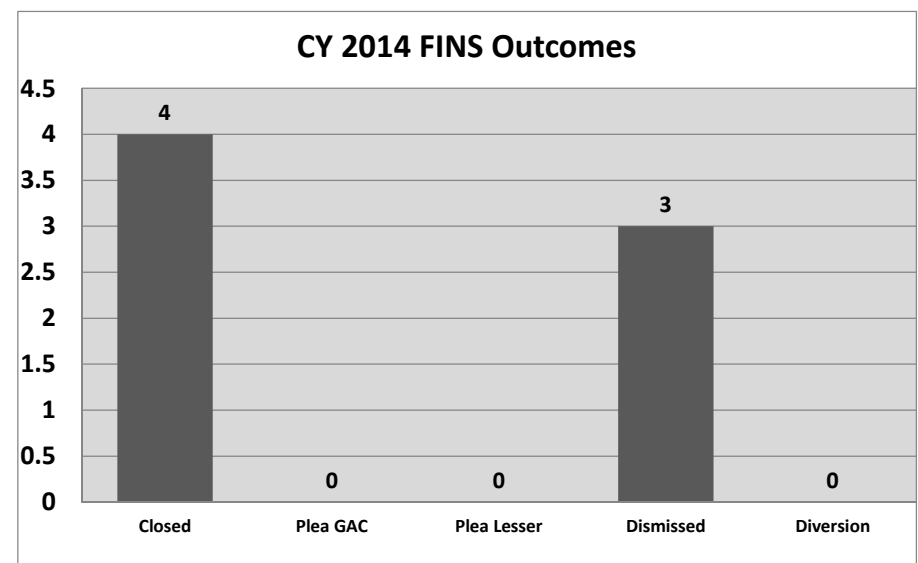
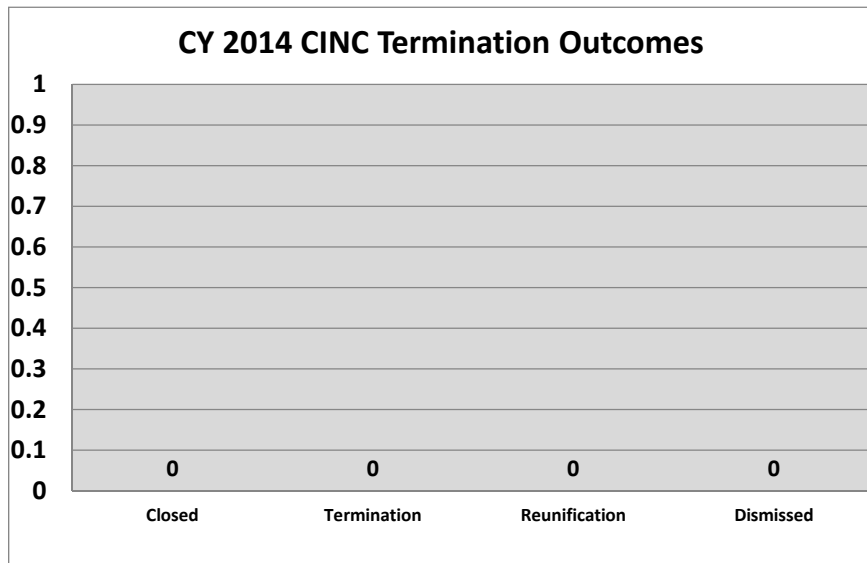
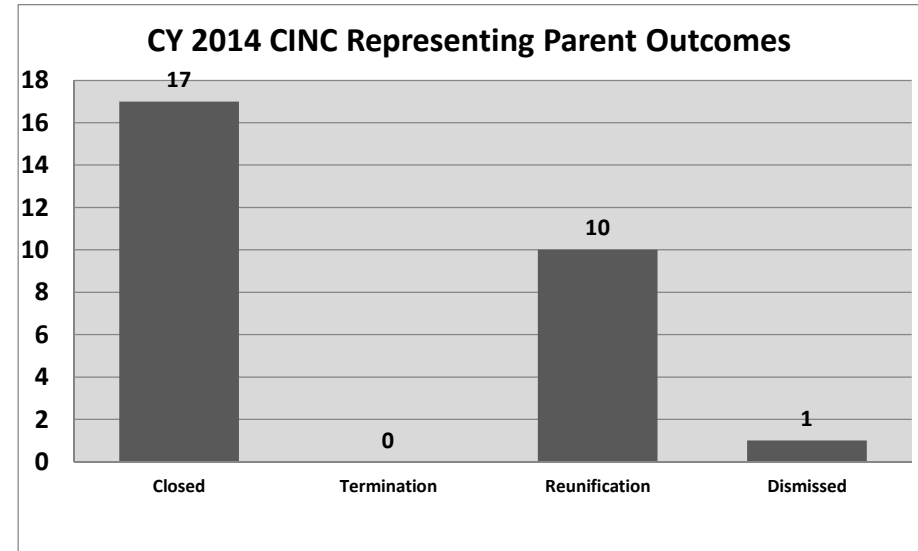
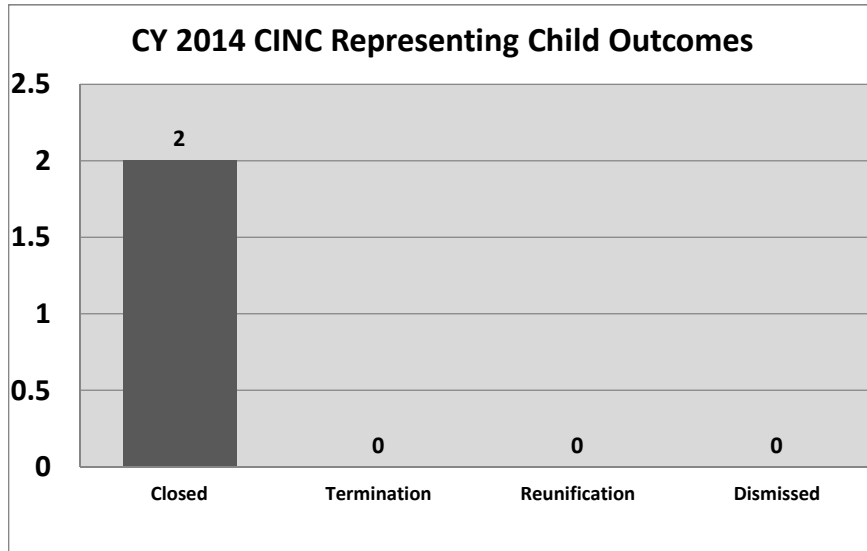
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	1	2	2	3	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	15	17	30	45	0	10	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	1	1	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	2	4	5	7	N/A	N/A	0	0	3	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	40	30	18	58	N/A	N/A	5	0	23	2	N/A	N/A	0	0	0
Delinquency Felony	16	19	21	37	N/A	N/A	5	1	33	3	N/A	N/A	0	1	1
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	253	183	112	365	N/A	N/A	50	8	201	16	0	0	0	0	0
Adult Felony Non-LWOP**	634	487	412	1046	N/A	N/A	164	99	820	35	0	4	0	7	11
Adult LWOP	4	9	14	18	N/A	N/A	0	5	4	0	0	1	0	0	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	7	67	21	28	N/A	N/A	2	0	5	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

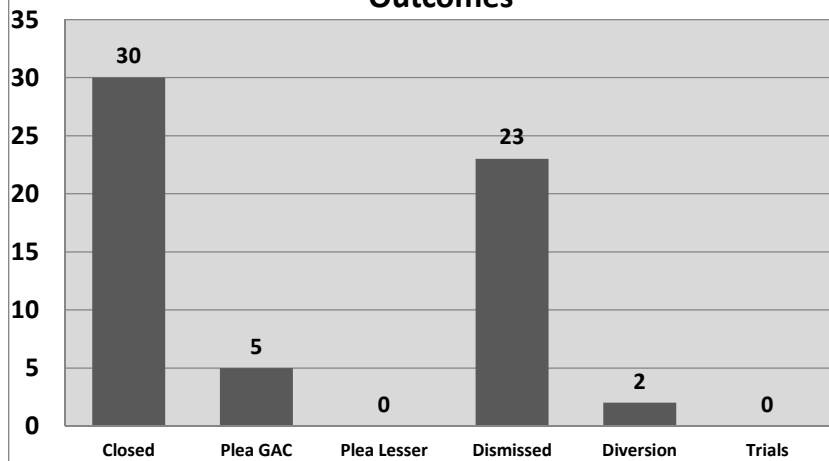
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

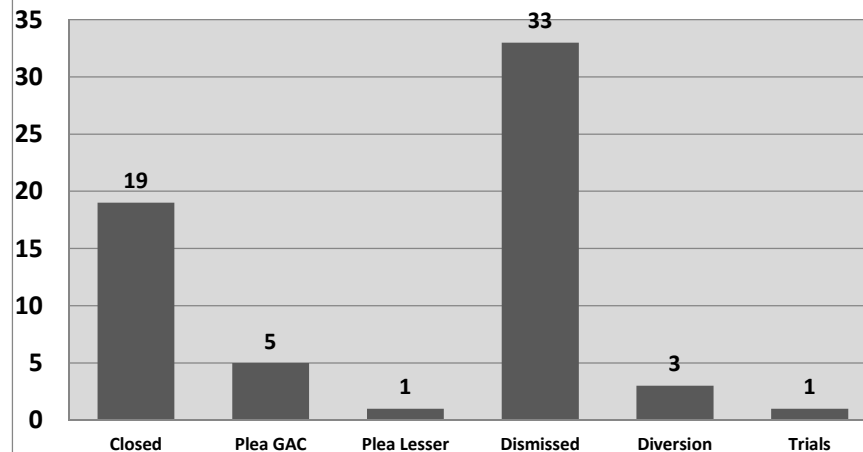
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



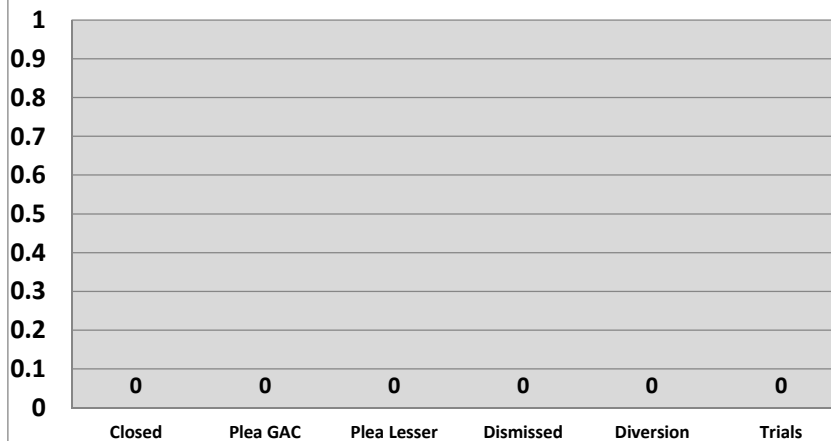
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**



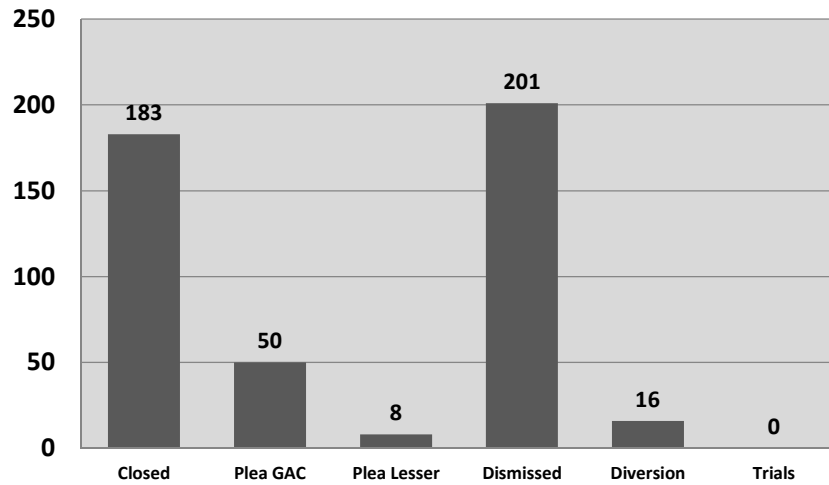
**CY 2014 Delinquency Felony-Grade Outcomes**



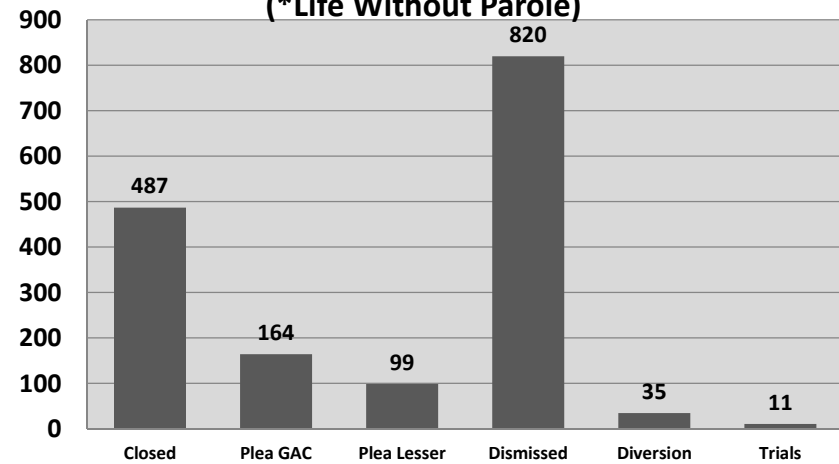
**CY 2014 Delinquency Life Outcomes**



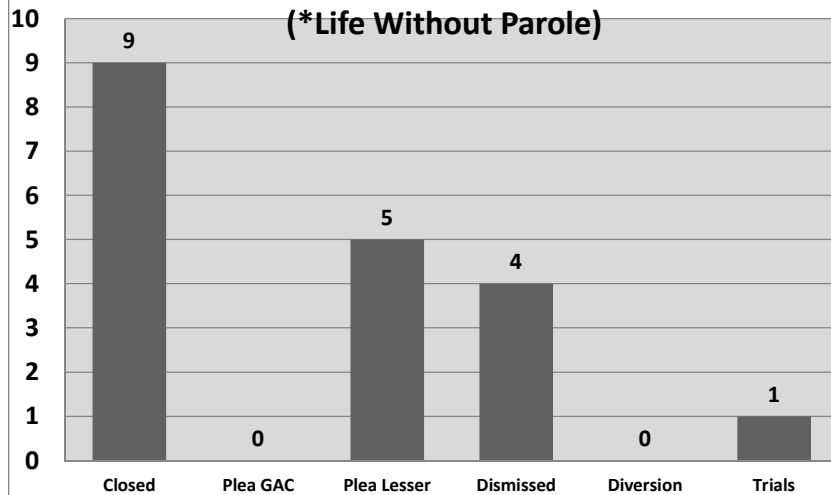
**CY 2014 Adult Misdemeanor Outcomes**



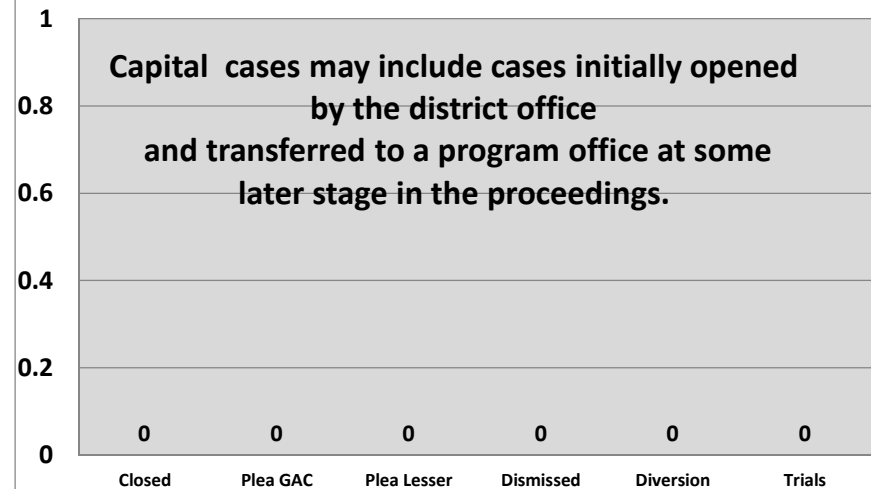
**CY 2014 Adult Felony Non-LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Adult Felony LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Capital Outcomes**



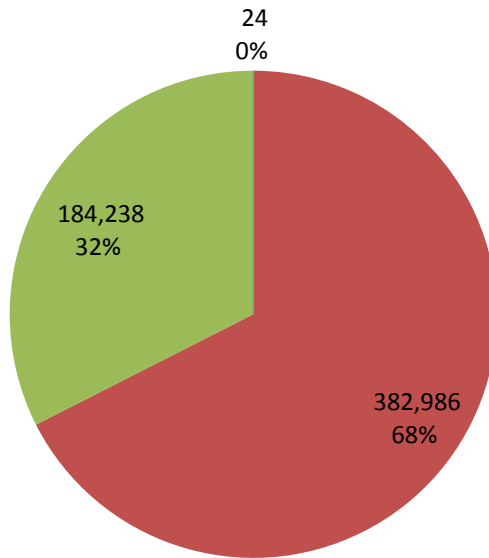
District 10 CY2014	Total CY2014
District Defender: Brett Bunson	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	8,343
District Assistance Fund (DAF)	305,460
Supplemental/Emergency Funds	69,183
Grants	-
Other State Income -List source(s)	-
Total for State Government	382,986
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	-
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	96,338
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	79,980
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	176,318
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	6,570
Partial Attorney Fees	
Reimbursements [as per 15:176]	1,350
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	7,920
Total for Local Government	184,238
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	24
Total for Other Sources (Grants & Contributions)	24
Total for REVENUE	567,249



District 10 CY2014	Total CY2014
District Defender: Brett Bunson	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	112,178
Accrued Leave	-
Payroll Taxes	23,196
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	135,374
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	2,235
Total for Travel/Training	2,235
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	7,214
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	12,000
Lease - Auto/Equipment	2,007
Lease - Other	-
Office Repair and Maintenance	384
Office - Telephone/Utilities/Postage/Internet	7,978
Dues and Seminars	3,143
Law Library/Journals/Subscriptions	809
Office Supplies	1,292
Total for Operating Services	34,828
Professional Services	
Audit/Accounting Expense	5,807
Contract Clerical	25,200
Expert Witness	-
Investigators	31,250
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	10,859
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	5,000
Contract Attorneys - all other	229,687
IT/Technical Support	-
Total for Professional Services	307,803
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	266
Total for Other Charges	266
Total for EXPENDITURES	480,506

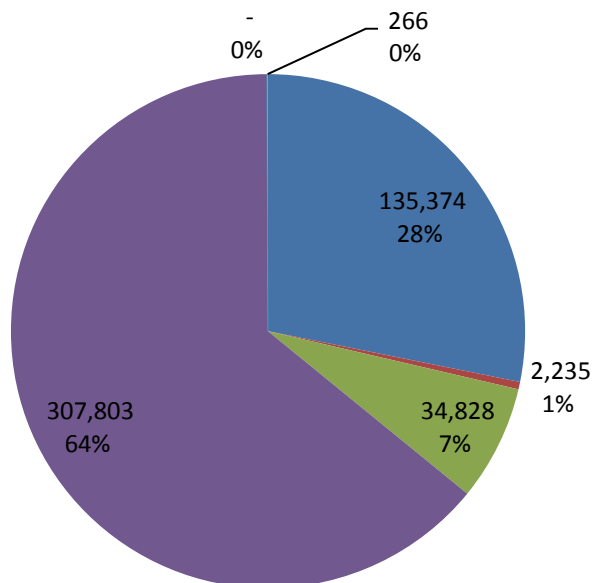
## Total CY14 Revenues

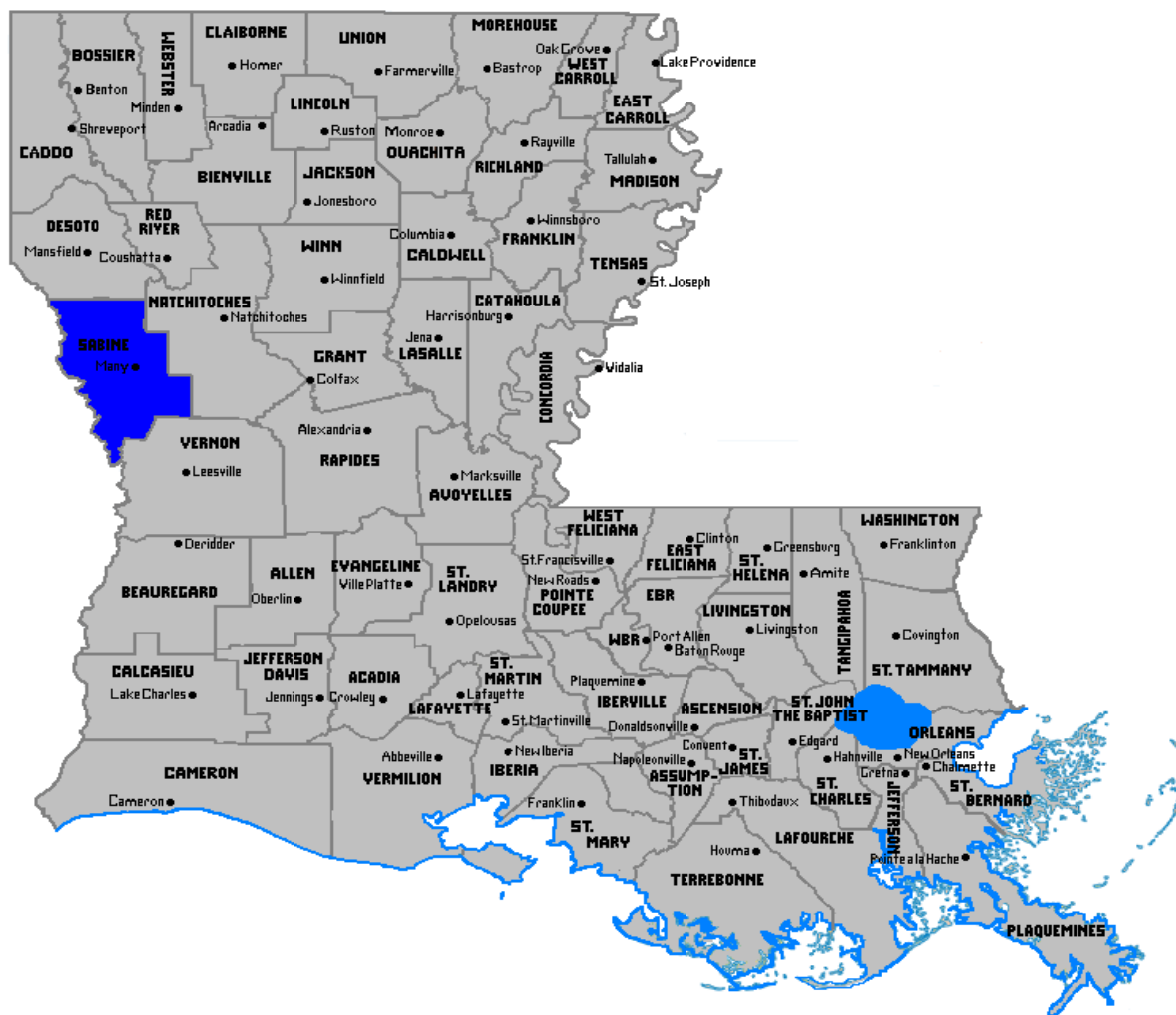
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





## THE 11<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

SABINE (MANY)

DISTRICT DEFENDER: STEVEN R. THOMAS  
111 NORTH WASHINGTON  
MANSFIELD, LA 71052  
(318) 872-6250

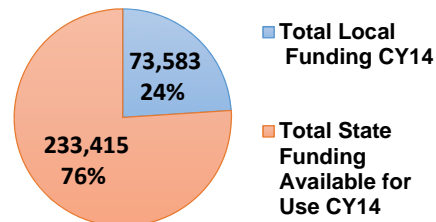
# 11TH JUDICIAL DISTRICT

During calendar year 2014, the 11th Judicial District Public Defenders Office handled 1,589 cases. The office received \$306,998 in total revenues to handle these cases. As local funding is largely insufficient, approximately 76% of revenues came from state funding.

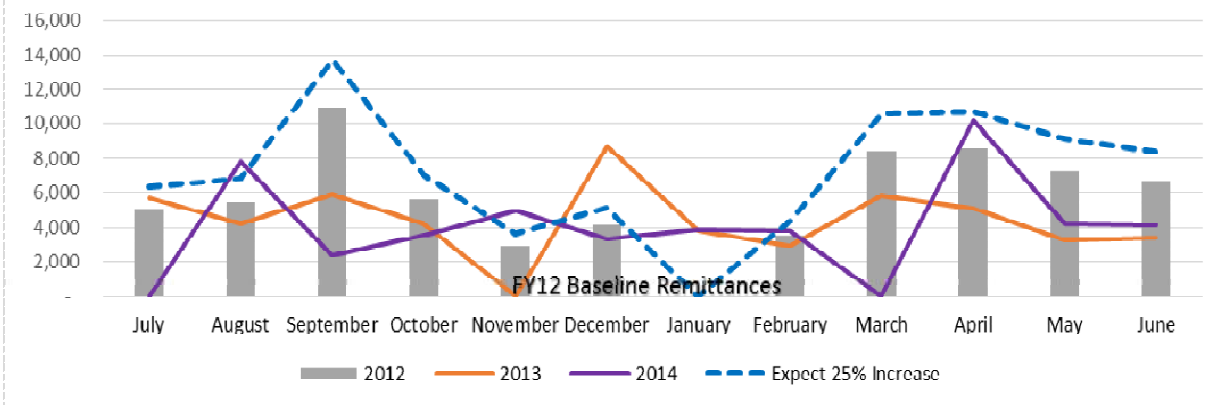
The 11th has failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012), in fact revenues are generally lower than pre-Act 578 levels.

The 11th Judicial District office's expenditures exceed the office's revenues. The district has remained solvent only due to a cooperative endeavor agreement with the 42nd Judicial District.

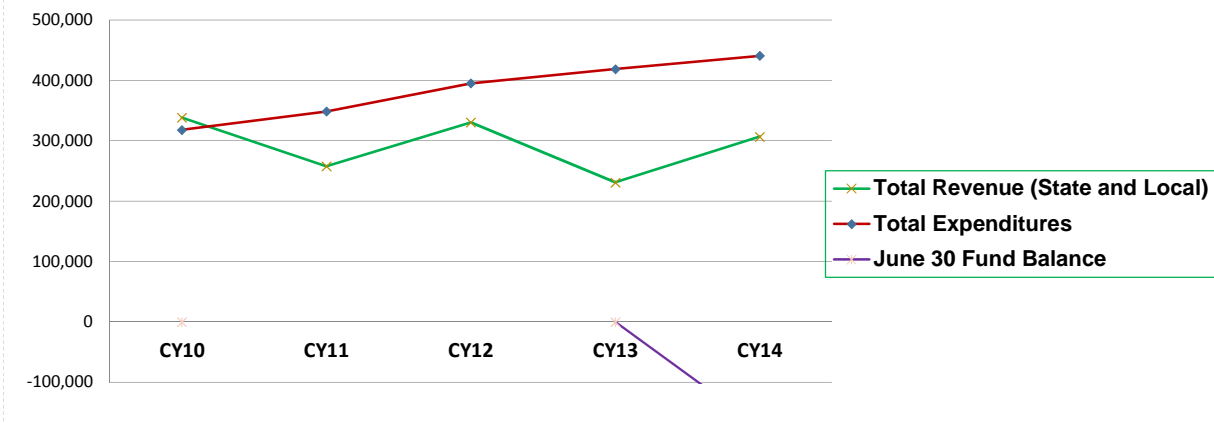
**District 11 PDO Revenue Sources  
CY14**



**Impact of Act 578 on District 11 PDO**



**District 11 PDO Finances CY10-14**

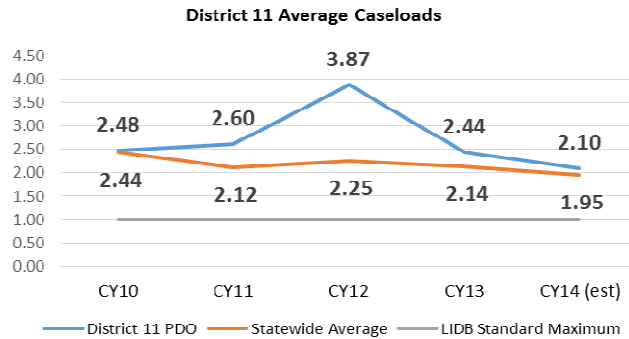


## SABINE PARISH

Steven Thomas  
District Defender  
111 N. Washington Avenue  
Mansfield, LA 71052  
318-872-6250

In the 11th Judicial District, public defense attorneys maintain caseloads twice the recommended caseload limit for each attorney.

The 11th Judicial District is a rural district that handles only a small number of cases each year. However, public defense attorneys have benefited from the training and supervision offered by LPDB.



## CAPITAL REPRESENTATION

Since 2009, the 11th Judicial District has handled five new capital prosecutions.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 11th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 11<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Sabine - Many
<b>Population</b>	24,233
<b>Juvenile Population</b>	5,922
<b>District Defender</b>	Steven R. Thomas
<b>Years as District Defender</b>	15
<b>Years in Public Defense</b>	34
<b>Office Manager</b>	Cheri Sewell
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Valerie Wells, Cheri Sewell & Pam Mathis
<b>Primary Office Street Address</b>	111 North Washington
<b>City</b>	Mansfield
<b>ZIP</b>	71052
<b>Primary Phone</b>	318-872-6250
<b>Primary Mailing Address</b>	P.O. Box 1004 Mansfield La. 71052
<b>Primary Fax Number</b>	318-872-6262
<b>Primary Emergency Contact</b>	Steven R. Thomas
<b>Primary Emergency Phone</b>	cell: 318-465-7001
<b>Secondary Emergency Contact</b>	Brian McRae
<b>Secondary Emergency Phone</b>	cell: 318-286-2486 Brian McRae
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	Brian McRae cell: 318-286-2486
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Steven R. Thomas
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Donated by Steven R. Thomas
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Deborah Dees CPA
<b>Courts and Locations</b>	11 JDC Sabine Parish, Many, Louisiana, Mayor's Court, Many, Louisiana
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	One division
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	All 72 hour hearing forms are sent to District Defender who assigns attorneys.
<b>Name of Adult Detention Facilities in This District</b>	Sabine Parish Detention Center, P.O. Box 1550, Many La. 71449
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	N/A

<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center, Coushatta La.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, distance from clients impacts access and greatly increases costs for attorneys, mileage, etc.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Don M. Burkett
<b>Chief Judge of Criminal District Court</b>	Stephen Beasley
<b>Juvenile Court Judges (Specify District of City Court)</b>	Stephen Beasley
<b>Drug Court Judges</b>	N/A
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Initially, at 72 hour by district judge based on poverty guidelines. Subsequently after questionnaire by district defender.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest. Within 72 hours of notice to PD office
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Brian C. McRae, Intake Attorney.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes.
<b>Brief Explanation of Intake Process</b>	Primarily by teleconference within 72 hours of notice of appointment
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	308
<b>How Many Application Fees Were Waived?</b>	135
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	7,360
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	62,459
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Form Provided by Sabine Sheriffs Department

<b>Who Collects the Assessed Court Fees?</b>	Sabine Sheriffs Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Check stub from Sabine Sheriffs Department and copy of disbursement form.
<b>Who Remits the Court Fees Collected?</b>	Sabine Parish Sheriff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Check Stub from Sabine and copy of form from Sabine Sheriffs Office
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	District Defender makes determination
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Provided by probation office/form.
<b>Who Collects the Assessed Partial Payments?</b>	Probation office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Report from Probation office
<b>Who Remits the Partial Payments Collected?</b>	Probation Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Report from Probation Office
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	2,865
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private practice is permitted for contract attorneys. No it is not in writing.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	More funding.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No, not yet
<b>Immediate Critical Issue Areas</b>	Critical shortfall in revenue. The 11th has little/no concern and is unwilling to change anything. uncertainty in revenue source makes it difficult to plan and impossible to grow/improve my program. Poor revenue from Sabine is getting progressively worse and any reduction in DAF would force us to reconsider the fairness of the agreement and practical/moral basis for continuing it.
<b>Long-Term Critical Issue Areas</b>	See above.
<b>Please List All New Hires in 2014 (Name and Title)</b>	None
<b>Please List All Promotions in 2014 (Name and Title)</b>	None



<b>2014 Media Coverage and/or Major Accomplishments</b>	State vs. Ingram, T-Dale Woolbert, successfully presented a writ to the La. Supreme Court reversing the Third Circuit of Appeals grant of a Motion to Suppress. I included this because such a thing is as rare as an Alabama fan with a full set of teeth.
<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, I pay for seminars for attorneys. I also work individually with attorneys about strategies and approach on particular cases. We also train on the data base. We have quarterly training as well.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chief Defender- Steven R. Thomas, Assistant District Defender- Brian C. McRae, and staff contract attorneys.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	See attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Supervisory staff has reduced case load.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, quarterly staff meetings for attorneys, and bi-monthly staff meeting for support staff.
<b>Number of NEW capital cases in CY14 handled by your office</b>	State vs. Bartholemey is a 2014 capital case in which we provided initial representation.
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	0
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2014</b>	3
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Both. Attorneys responsible for representation in juvenile delinquency cases also handle adult felonies. The case stays with them.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Frank A. Howard, State Representative, Gerald Long, Senator
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Attorney dissatisfaction due to changes mandated by the 307 board.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	Improved house training for attorneys and staff

<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Steven R. Thomas	318-872-6250
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Brian C. McRae	318-872-2973
D. Scott Kendrick	318-354-9146
Richard Woolbert	318-918-5767
Rebecca Rial	318-645-6265
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Kem Jones	318-872-2988
Maura Dees	318-872-3007
Cheri Sewell	318-872-6250
Pam Mathis	318-872-6250
Valerie Wells	318-872-2973

2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Valerie Wells
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Firefox	x
Google Chrome	x
Other	

<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	0
DVD	1
VCR	0
Desktop PCs	6
Laptops	3
Video Cameras	0
Digital Cameras	0
Video Conferencing Systems	2
B&W Laser Printers	0
Color Printers	0
Wireless Cards	0
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	0
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	High
Provider Name:	cep-tel
Email Provider:	cep-tel
Please list any software or computer equipment in which you need training:	

## 11th District Defender Office CY 2014 Caseloads & Outcomes

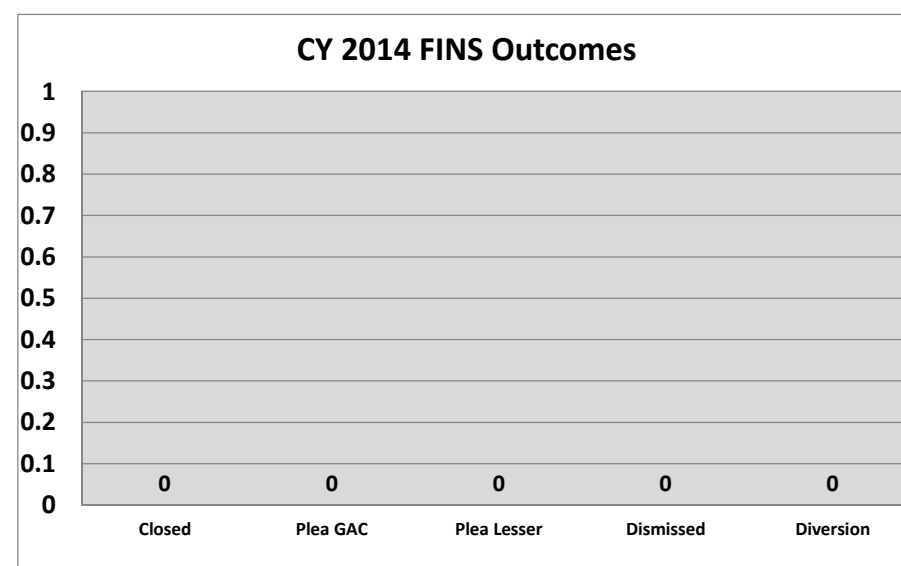
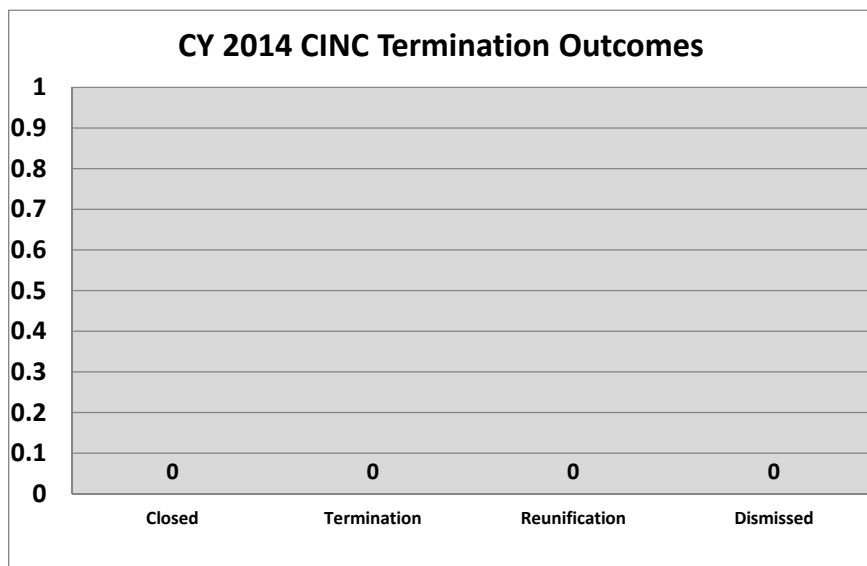
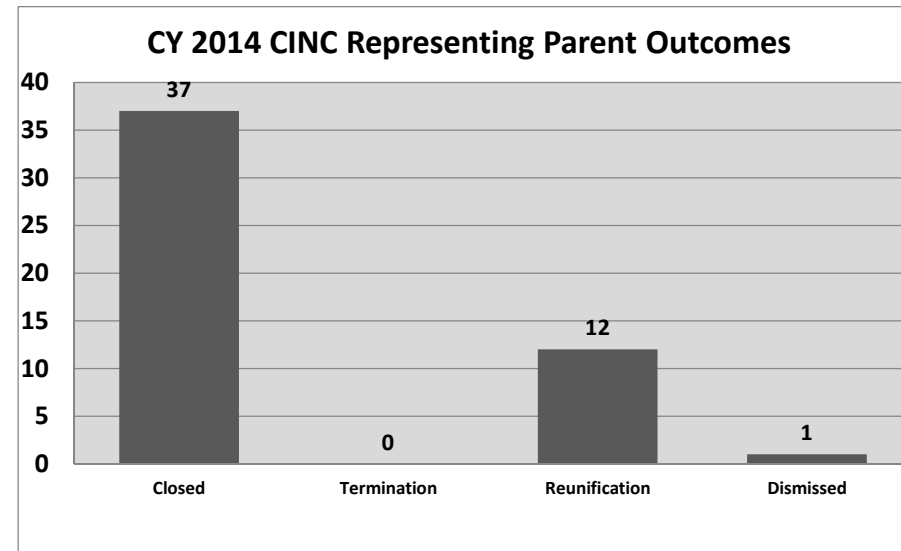
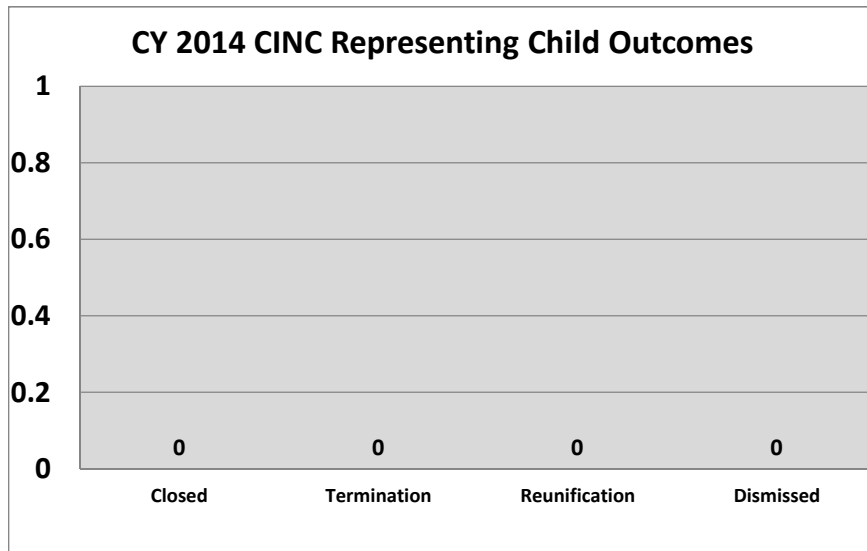
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	2	1	0	2	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	54	37	75	129	0	12	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	53	8	4	57	N/A	N/A	8	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	16	2	6	22	N/A	N/A	2	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	1	0	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	430	451	139	569	N/A	N/A	303	17	323	3	0	0	7	12	19
Adult Felony Non-LWOP**	394	374	157	551	N/A	N/A	232	69	150	6	0	1	4	1	6
Adult LWOP	3	0	0	3	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	226	225	27	253	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	1	1	1	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

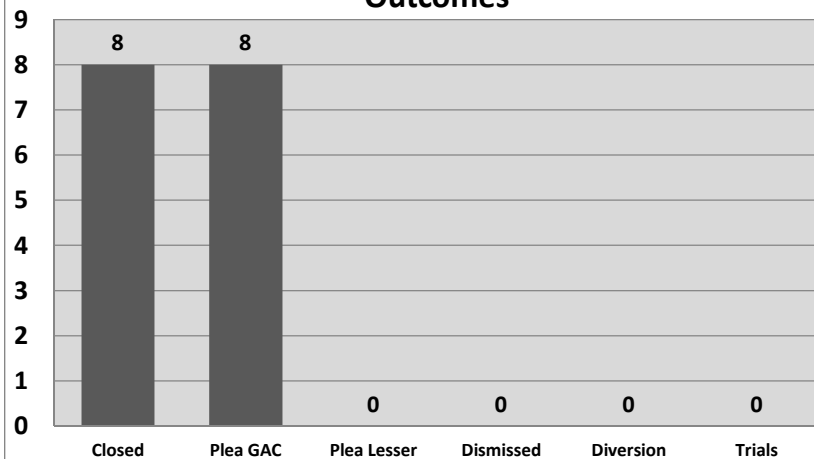
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

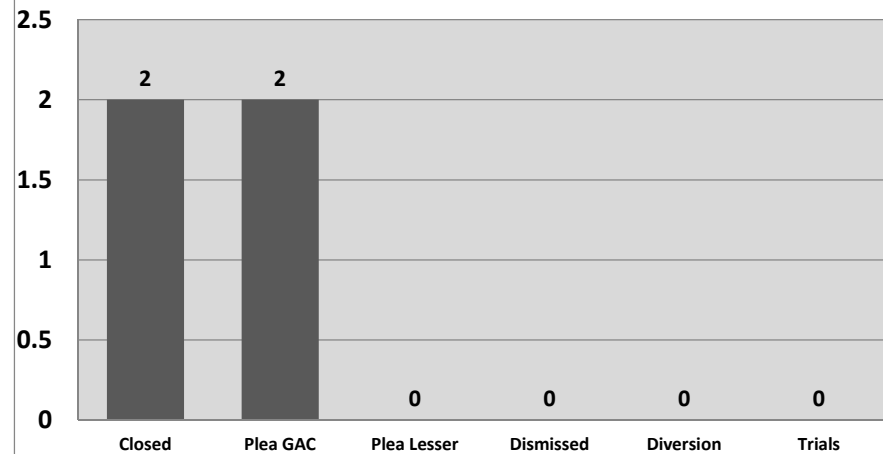
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



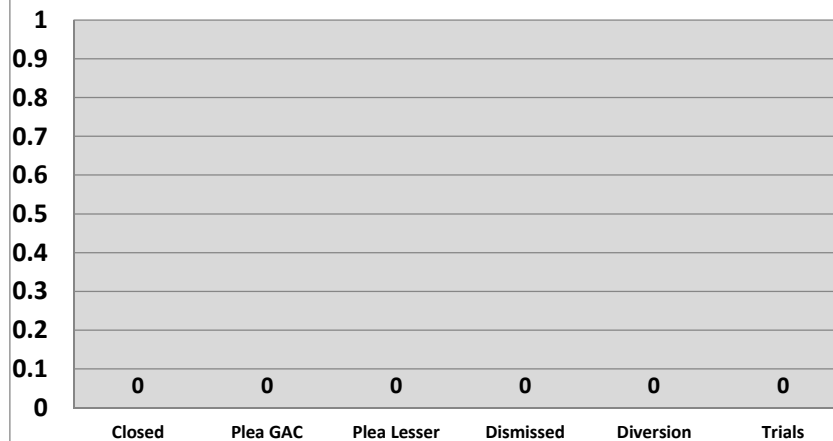
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**



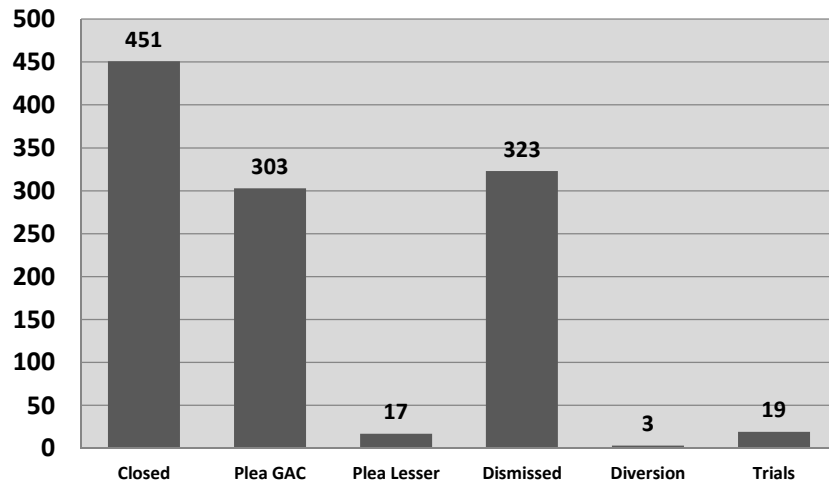
**CY 2014 Delinquency Felony-Grade Outcomes**



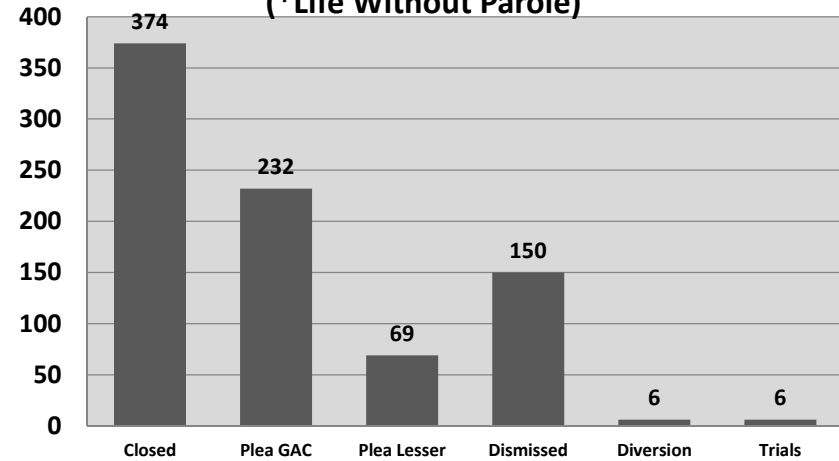
**CY 2014 Delinquency Life Outcomes**



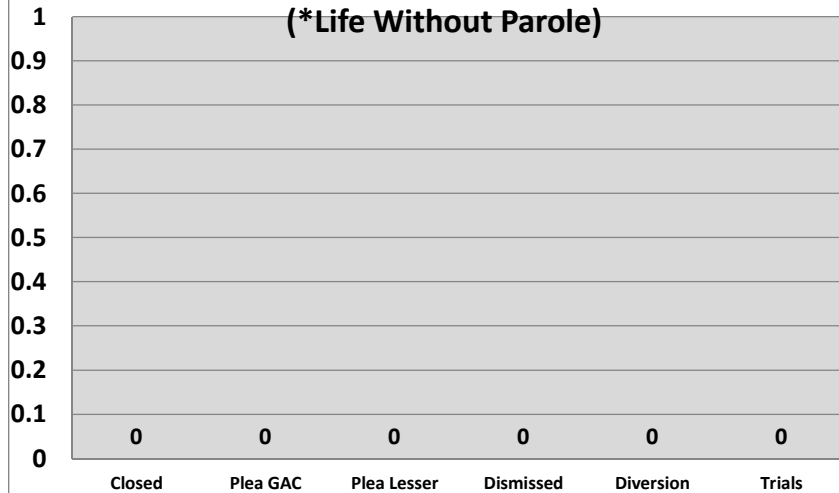
**CY 2014 Adult Misdemeanor Outcomes**



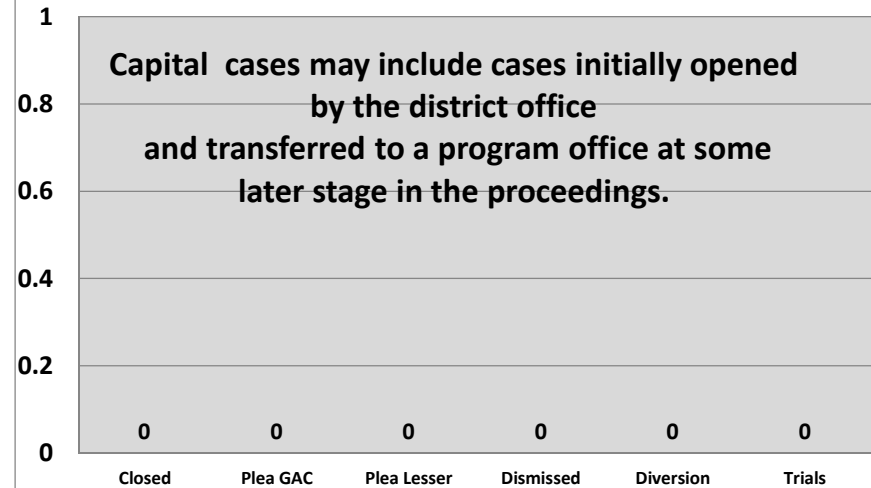
**CY 2014 Adult Felony Non-LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Adult Felony LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Capital Outcomes**



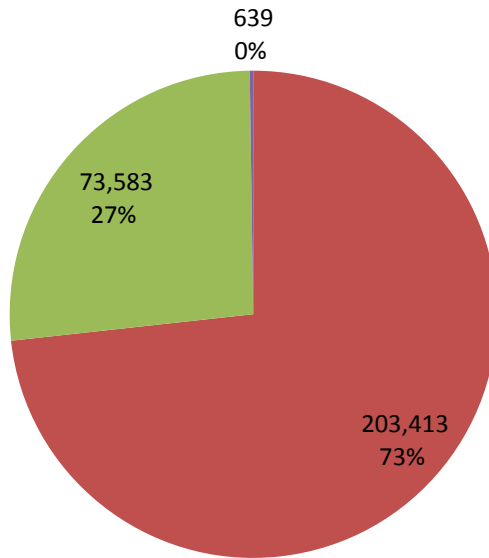


District 11 CY2014	Total CY2014
District Defender: Steven R. Thomas	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	23,257
District Assistance Fund (DAF)	180,056
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	100
Total for State Government	203,413
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	13,324
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	550
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	49,781
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	49,781
<b>Charges For Services</b>	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	7,160
Partial Attorney Fees	
Reimbursements [as per 15:176]	2,768
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	9,928
Total for Local Government	73,583
<b>Investment Earnings</b>	
Interest Income	639
Other Investment Income - List source(s)	-
Total for Investment Earnings	639
<b>Other Sources (Grants &amp; Contributions)</b>	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
<b>Total for REVENUE</b>	<b>277,635</b>

District 11 CY2014	Total CY2014
District Defender: Steven R. Thomas	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	46,500
Accrued Leave	-
Payroll Taxes	3,557
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	50,057
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	12,085
Total for Travel/Training	12,085
Operating Services	
Advertisements	167
Workers' Compensation	239
Insurance - Malpractice	2,255
Insurance - Auto/Physical Liability	-
Insurance - Other	1,260
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	6,076
Dues and Seminars	1,496
Law Library/Journals/Subscriptions	929
Office Supplies	1,236
Total for Operating Services	13,659
Professional Services	
Audit/Accounting Expense	5,025
Contract Clerical	-
Expert Witness	1,000
Investigators	15,000
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	18,603
Contract - Juvenile Attorneys or CINC	36,000
Misdemeanor Attorney Contracts	12,000
Contract Attorneys - all other	276,481
IT/Technical Support	749
Total for Professional Services	364,857
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	-
Total for Other Charges	
Total for EXPENDITURES	440,659

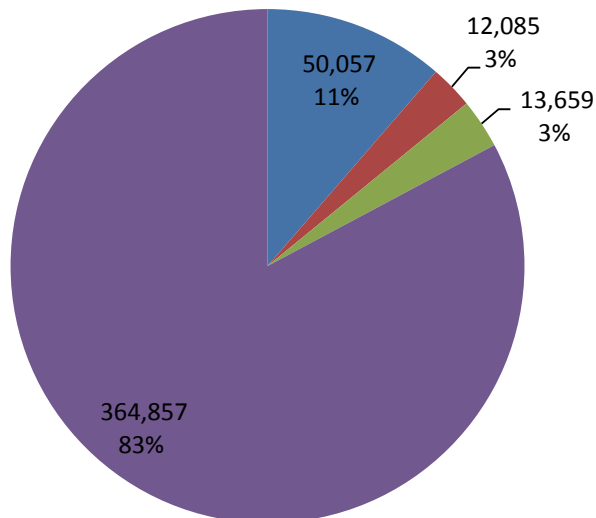
## Total CY14 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





## THE 12<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

AVOYELLES (MARKSVILLE)

DISTRICT DEFENDER: BRADLEY P. DAUZAT  
110 E. MARK STREET  
MARKSVILLE, LA 71351  
(318) 253-0091

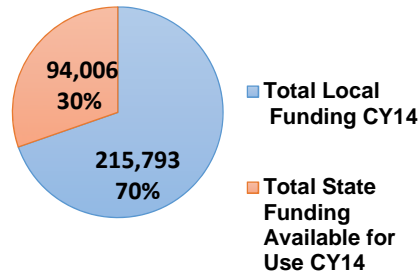
## 12TH JUDICIAL DISTRICT

During calendar year 2014, the 12th Judicial District Public Defenders Office handled 3,438 cases. The office received \$309,799 in total revenues to handle these cases, approximately 70% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

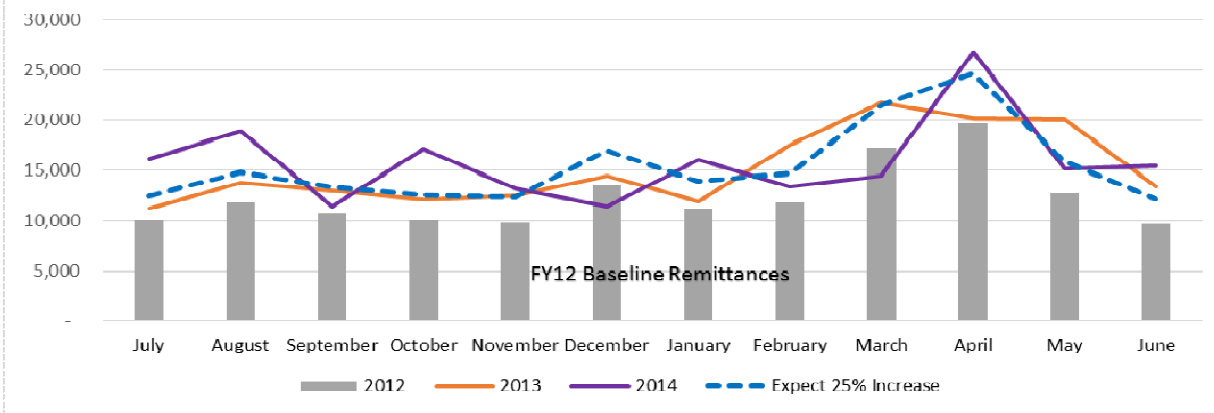
Since the inception of Act 578 (2012), local revenues associated with court costs have fallen below the 25% expected increase more than seventy-five percent of the time.

The 12th Judicial District office has nearly exhausted its fund. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent toward the end of FY15.

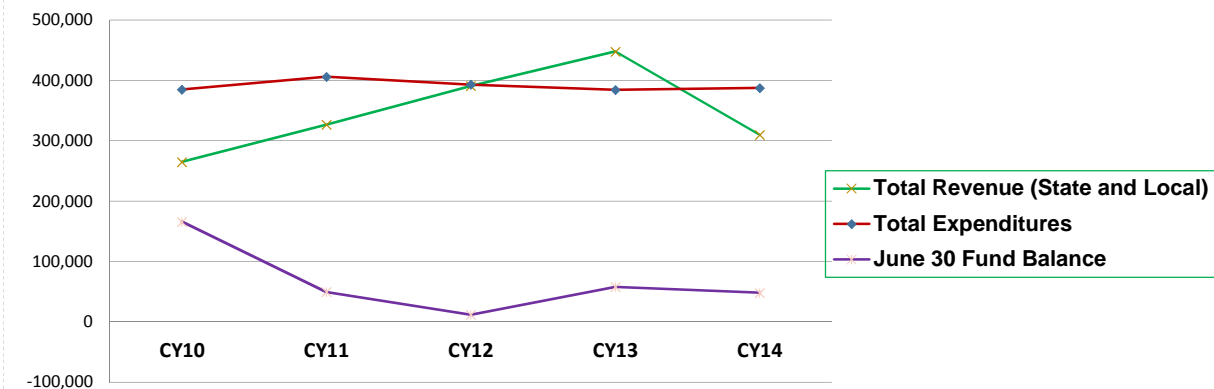
**District 12 PDO Revenue Sources CY14**



**Impact of Act 578 on District 12 PDO**



**District 12 PDO Finances CY10-14**

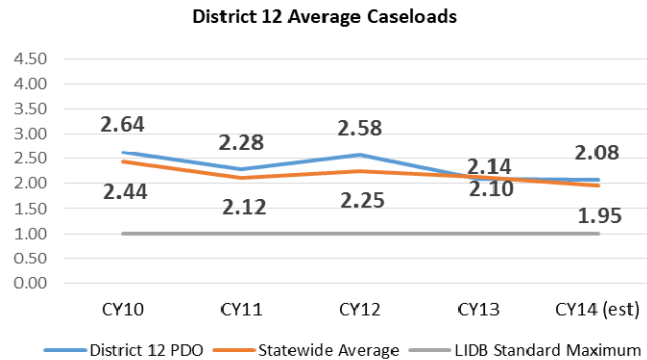


## AVOYELLES PARISH

Bradley P. Dauzat  
District Defender  
110 E. Mark Street  
Marksville, LA 71351  
318-253-0091

In the 12th Judicial District, public defense attorneys make an average annual salary of \$46,693 while maintaining caseloads twice the recommended caseload limit for each attorney.

Although caseloads remain high due to insufficient revenues, through increased training and supervision, adult client outcomes have significantly improved over the last five years.



## CAPITAL REPRESENTATION

Since 2009, the 12th Judicial District has handled one new capital prosecution.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 12th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 12<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Avoyelles - Marksville
<b>Population</b>	42,073
<b>Juvenile Population</b>	10,054
<b>District Defender</b>	Bradley P. Dauzat
<b>Years as District Defender</b>	7
<b>Years in Public Defense</b>	9
<b>Office Manager</b>	V. Elaine Benjamin
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	V. Elaine Benjamin
<b>Primary Office Street Address</b>	110 E Mark Street
<b>City</b>	Marksville
<b>ZIP</b>	71351
<b>Primary Phone</b>	318-253-0091
<b>Primary Mailing Address</b>	P.O. Box 111, Marksville, LA 71351
<b>Primary Fax Number</b>	318-253-0088
<b>Primary Emergency Contact</b>	Elaine Benjamin
<b>Primary Emergency Phone</b>	318-253-0091
<b>Secondary Emergency Contact</b>	Bradley Dauzat
<b>Secondary Emergency Phone</b>	318-253-7964
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	bdmanagement
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,350
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Ducote & Company
<b>Courts and Locations</b>	12th Judicial District Court, Avoyelles Parish, Marksville; Marksville City Court; Bunkie City Court.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	4- 2 district court divisions 2 city courts.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	2 criminal court divisions - 2 public defenders (contract) per division handling felonies; 1 attorney handles misd. in both divisions; 1 full time juvenile attorney - district and city courts and 2 conflict hourly attorney as needed (felony & CINC).
<b>Name of Adult Detention Facilities in This District</b>	Bunkie Detention Center; Sheriff's Office/Men's Parish Jail.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Rapides (only for special cases - rare/frequent).
<b>Name of Juvenile Detention Facilities In This District</b>	Avoyelles Parish Sheriff's Office Temporary Housing.

<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Rapides (only for special cases - rare/frequent).
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Marginally -- however, defense attorney are allowed any request necessary to facilitate proper representation.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No shackles before the Judge.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	None
<b>District Attorney</b>	Charles Riddle, III
<b>Chief Judge of Criminal District Court</b>	William Bennett
<b>Juvenile Court Judges (Specify District of City Court)</b>	William Bennett District Court, Kerry Spruill, District Court, Angelo Piazza III Marksville City Court; Derrick Earles Bunkie City Court.
<b>Drug Court Judges</b>	William Bennett
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Initial inquiry by Judge then by application to chief defender. Incarceration automatically qualifies.
<b>When is Assignment/Appointment of Counsel Made?</b>	At 72 hour hearing. If incarcerated - at 72 hour hearing; if on bond - at 72 hour hearing, upon application, or at arraignment - whichever occurs first.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Bradley Dauzat, Chief Defender
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes, no change from previous form.
<b>Brief Explanation of Intake Process</b>	The chief defender is the primary counsel at 72 hour hearing. At arraignment, a more thorough intake is completed which becomes part of the client file.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	1,140
<b>How Many Application Fees Were Waived?</b>	None, applications fees waived on inmate clients.
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	9,300
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	192,919
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Collected by Sheriff & Judicial Administrator.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Monthly invoices from Sheriff and from City Courts.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff and City Court Clerks
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Itemized listing is provided each month.



<b>Who Remits the Court Fees Collected?</b>	Sheriff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	See above
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	N/A
<b>Who Collects the Assessed Partial Payments?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	N/A
<b>Who Remits the Partial Payments Collected?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	N/A
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	0
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private practice and criminal practice permitted provide no conflict.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Insure funding and continued training of personnel.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	None as of date
<b>Immediate Critical Issue Areas</b>	Provide a central file storage area for all closed P.D. files. Adjust other structure to meet fiscal issues.
<b>Long-Term Critical Issue Areas</b>	Explore possibility of purchasing a building for the PDO.
<b>Please List All New Hires in 2014 (Name and Title)</b>	None
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	The foremost accomplishment by this office is the advances made in docket control determining which cases get the proper focus to shorten the time from arrest to trial. Also, profile article in local publication on District Defender.
<b>Number of Expected New Attorney Hires in 2015</b>	No new attorneys.

<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	12th JDC has 2 criminal court divisions with 2 defenders (1 senior and 1 junior) in each along with the chief. Each junior has a more experienced senior attorney upon which they can get advice and experience. Juniors are asked to sit on senior trials and seniors are asked to monitor junior trials. Chief monitors all. Juvenile defender is responsible only to the client and the chief. Chief takes criminal cases because he chooses to and each defender is assigned cases equally by the chief.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	None
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	12th JDC has 2 criminal court divisions with 2 defenders (1 senior and 1 junior) in each along with the chief. Each junior has a more experienced senior attorney upon which they can get advice and experience. Juniors are asked to sit on senior trials and seniors are asked to monitor junior trials. Chief monitors all. Juvenile defender is responsible only to the client and the chief. Chief takes criminal cases because he chooses to and each defender is assigned cases equally by the chief.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	No chart necessary
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No. See supervisory structure above.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Elaine Benjamin
<b>Regular Meetings for Any Staff, Please Describe</b>	Chief Defender Bradley Dauzat attends state board meetings each month.
<b>Number of NEW capital cases in CY14 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	None
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Robert Johnson – Rep. Eric Lafleur - Senate.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Clients failure to consult with his/her counsel.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	More effort was spent in supervisory role and file review with defenders.

<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Bradley Dautat	318-253-7964
Maxwell Bordelon	318-253-0091
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Keith Manuel	318-253-5126
Derek Manuel	318-717-1199
Allen Smith	318-448-3234
Mary Helen Johnson	318-253-0935
Derrick Whittington	318-253-5852
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Elaine Benjamin	318-253-0091
Freeman Ford	318-253-0091

2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	V. Elaine Benjamin
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	x (own excel program to monitor clients)
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	x
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Firefox	x
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	

Television	0
DVD	3
VCR	0
Desktop PCs	1
Laptops	4
Video Cameras	0
Digital Cameras	0
Video Conferencing Systems	0
B&W Laser Printers	2
Color Printers	1
Wireless Cards	0
Smartphones (Funded by Office)	2
iPad/Tablets (Funded by Office)	0
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	AT&T
Email Provider:	AT&T
Please list any software or computer equipment in which you need training:	Power Point

## 12th District Defender Office CY 2014 Caseloads & Outcomes

Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	5	6	6	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	2	7	7	9	3	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	45	34	34	79	N/A	N/A	0	0	0	1	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	52	388	387	439	N/A	N/A	11	1	9	2	N/A	N/A	0	7	7
Delinquency Felony	27	21	25	52	N/A	N/A	1	0	7	1	N/A	N/A	0	5	5
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	1293	1289	297	1590	N/A	N/A	617	52	496	52	4	1	4	6	15
Adult Felony Non-LWOP**	751	1000	504	1255	N/A	N/A	429	193	191	52	2	8	1	1	12
Adult LWOP	5	7	3	8	N/A	N/A	1	1	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

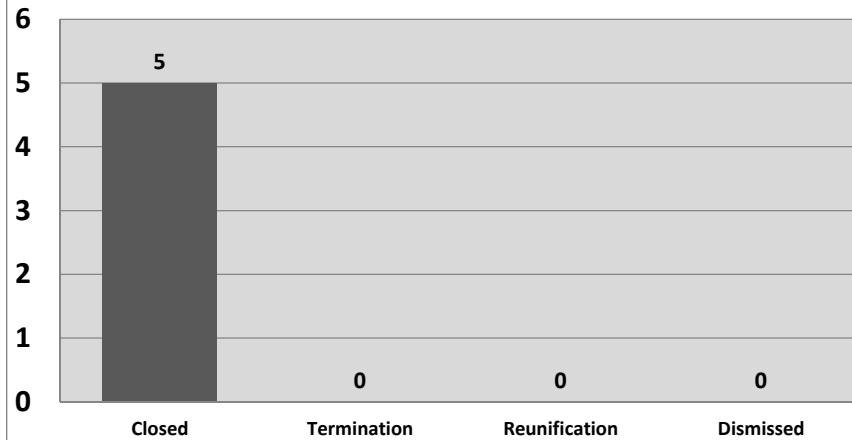
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

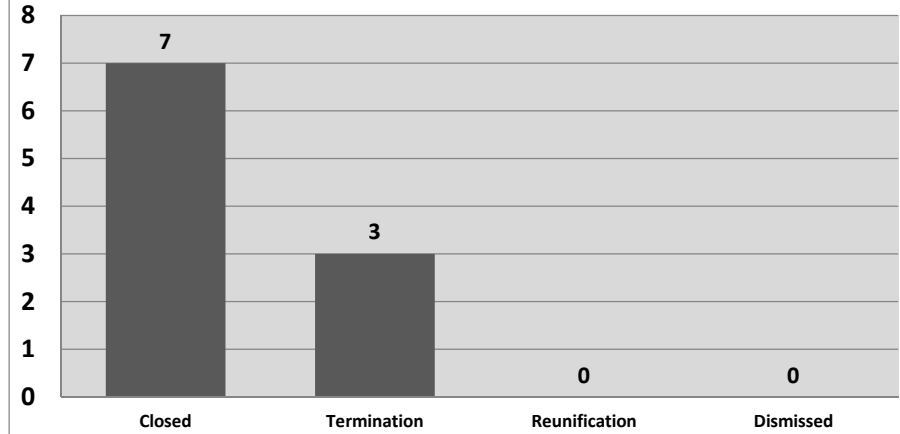
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

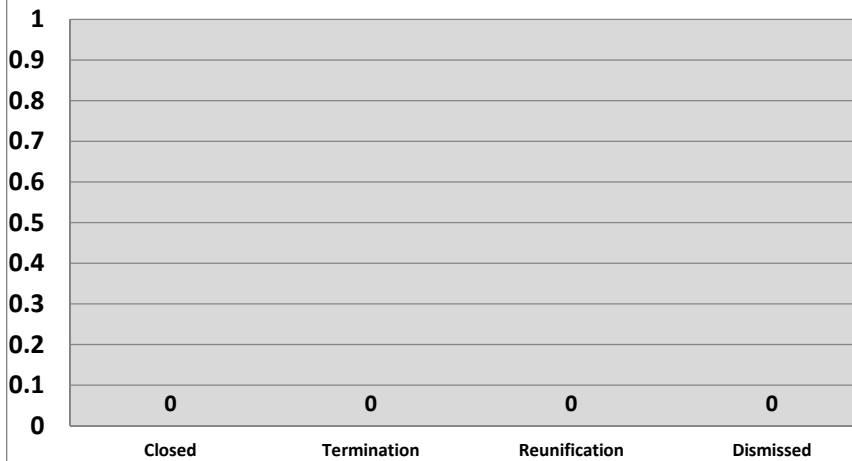
**CY 2014 CINC Representing Child Outcomes**



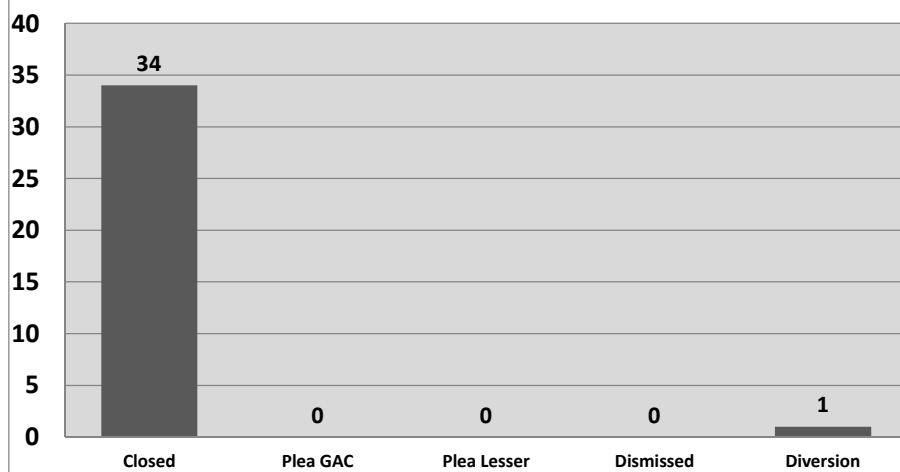
**CY 2014 CINC Representing Parent Outcomes**



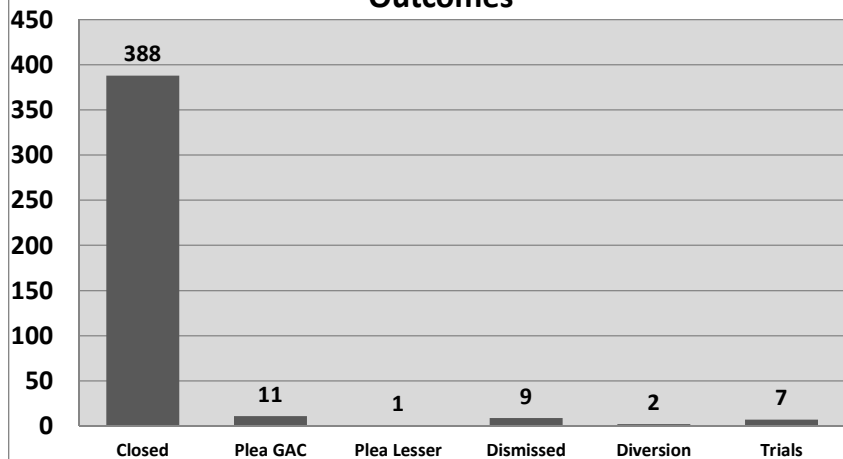
**CY 2014 CINC Termination Outcomes**



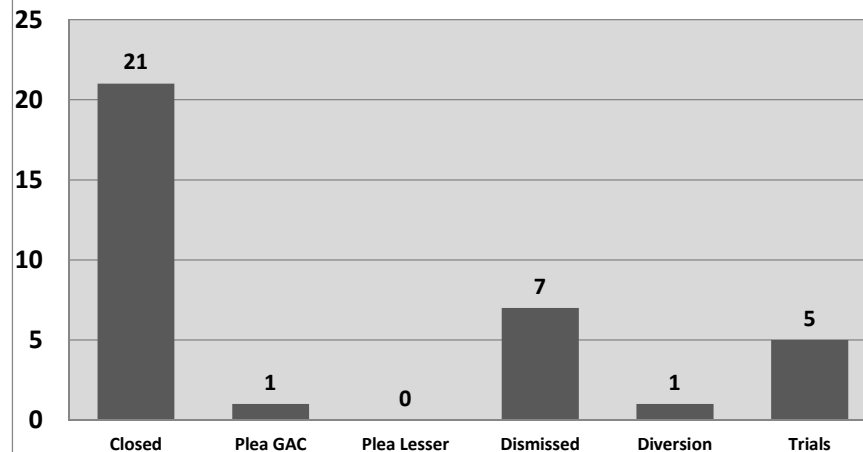
**CY 2014 FINS Outcomes**



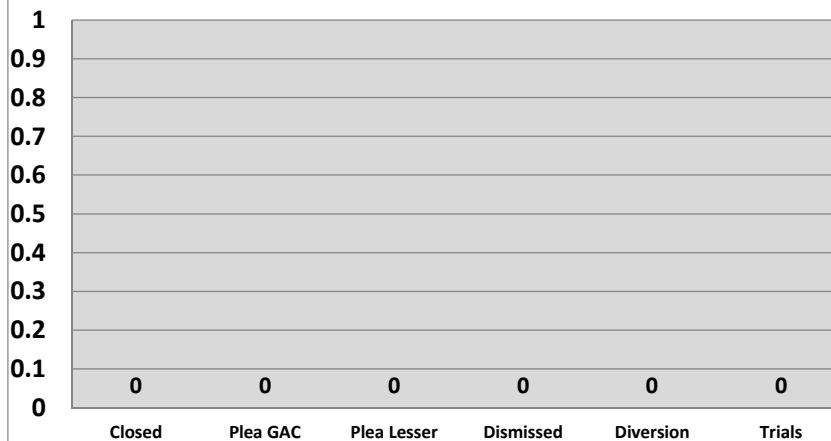
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**



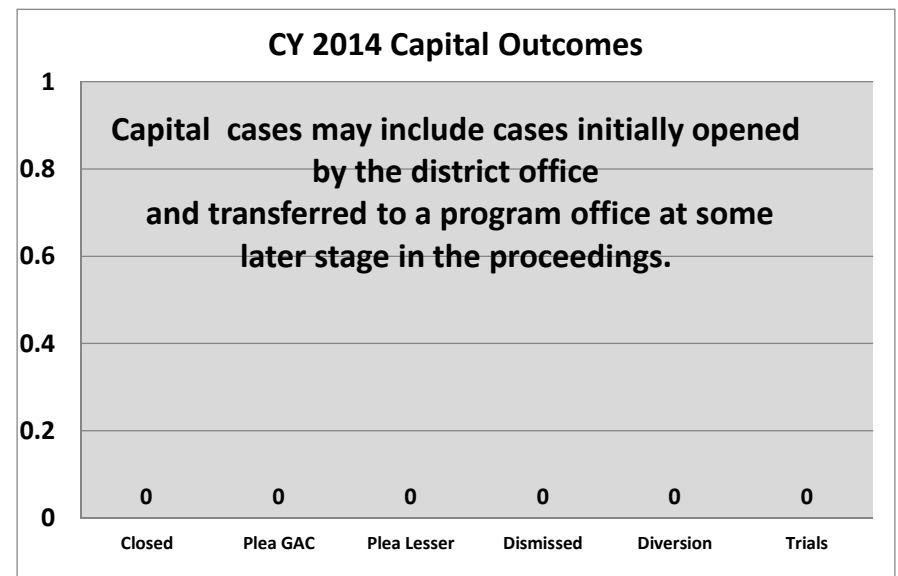
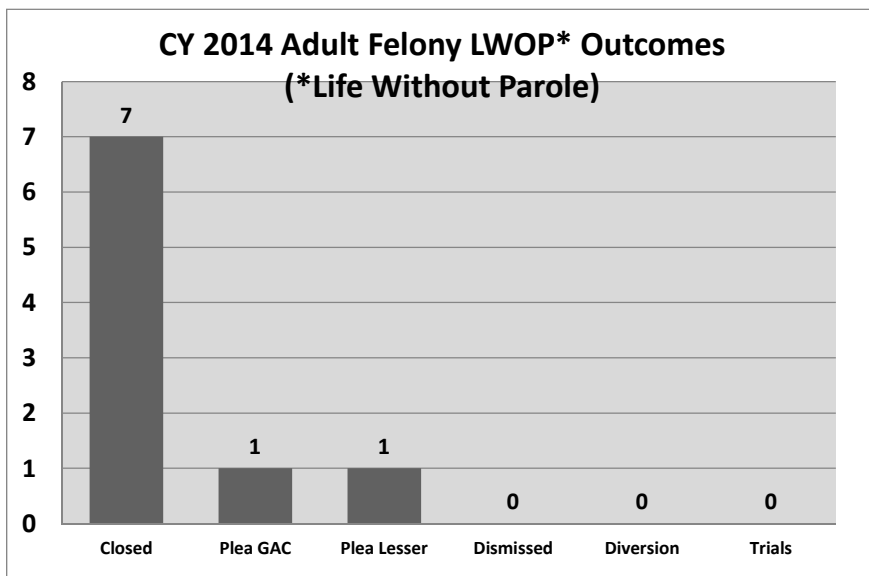
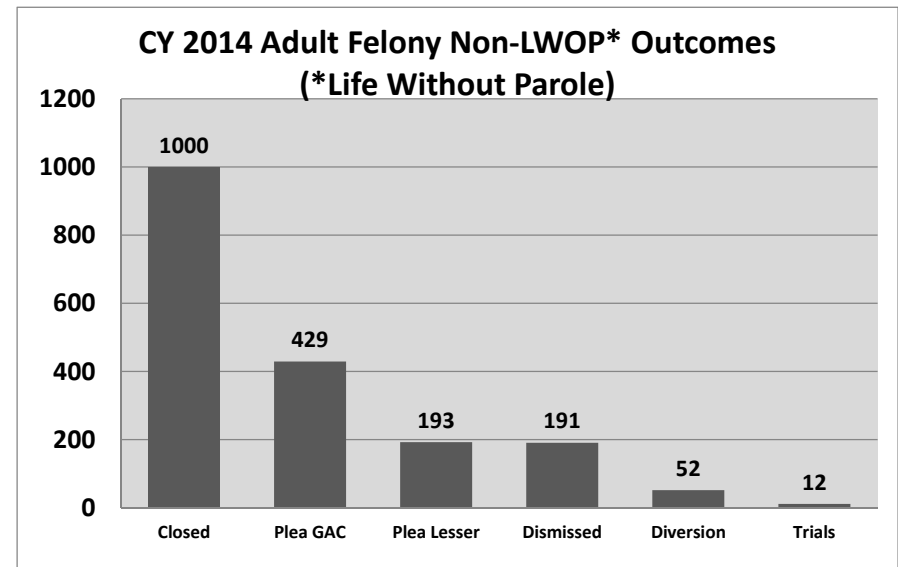
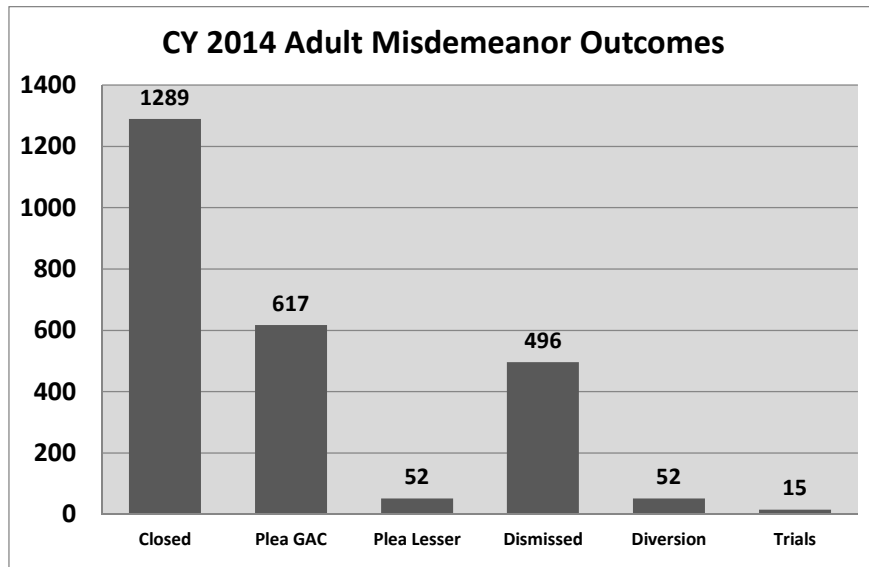
**CY 2014 Delinquency Felony-Grade Outcomes**



**CY 2014 Delinquency Life Outcomes**





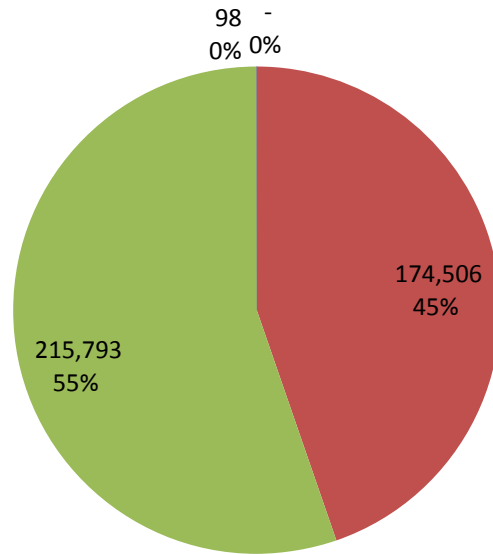


District 12 CY2014	Total CY2014
District Defender: Bradley P. Dautat	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	1,589
District Assistance Fund (DAF)	159,616
Supplemental/Emergency Funds	13,301
Grants	-
Other State Income -List source(s)	-
Total for State Government	174,506
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	13,281
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	42,729
Judicial District Courts	103,414
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	38,290
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	447
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	184,880
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	10,242
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	7,390
Total for Charges For Services	17,632
Total for Local Government	215,793
Investment Earnings	
Interest Income	98
Other Investment Income - List source(s)	-
Total for Investment Earnings	98
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	390,397

District 12 CY2014	Total CY2014
District Defender: Bradley P. Dautat	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	137,600
Accrued Leave	-
Payroll Taxes	2,492
Hospitalization and Disability Insurance	3,815
Retirement	19,499
Other	-
Total for Personnel Services and Benefits	163,406
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	304
Total for Travel/Training	304
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	5,968
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	7,800
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	7,382
Dues and Seminars	-
Law Library/Journals/Subscriptions	-
Office Supplies	1,042
Total for Operating Services	22,192
Professional Services	
Audit/Accounting Expense	3,102
Contract Clerical	-
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	1,807
Contract - Juvenile Attorneys or CINC	253
Misdemeanor Attorney Contracts	30,100
Contract Attorneys - all other	165,800
IT/Technical Support	190
Total for Professional Services	201,252
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	276
Total for Other Charges	276
Total for EXPENDITURES	387,430

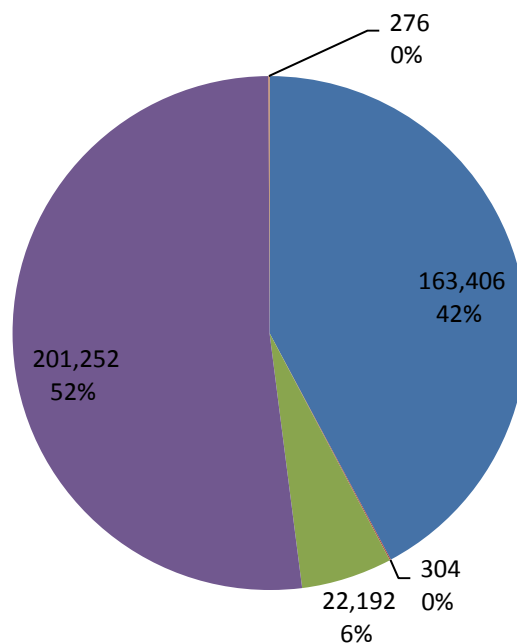
## Total CY14 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





THE 13<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
EVANGELINE (VILLE PLATTE)

DISTRICT DEFENDER: ALEX D. CHAPMAN, JR.  
801 WEST LINCOLN ROAD  
VILLE PLATTE, LA 70586  
(337) 363-2229

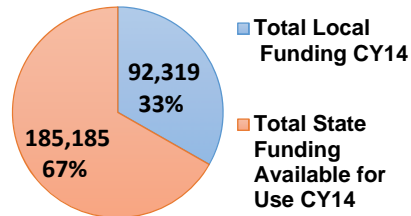
# 13TH JUDICIAL DISTRICT

During calendar year 2014, the 13th Judicial District Public Defenders Office handled 1,467 cases. The office received \$277,504 in total revenues to handle these cases. As local funding is largely insufficient, approximately 67% of revenues came from state funding.

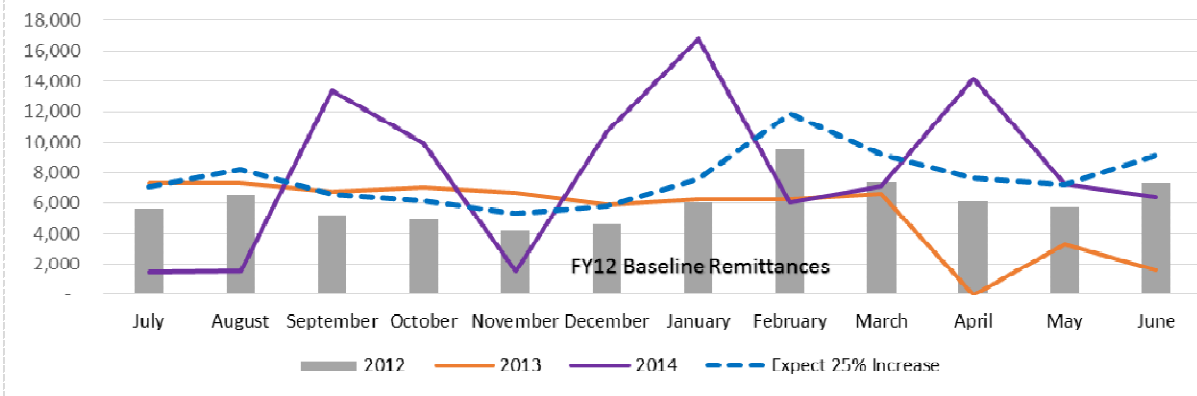
With the exception of a few month, the 13th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 13th Judicial District office has exhausted its fund balance. Without an increase in revenues or reduction in expenditures, the office is expected to become insolvent during FY16.

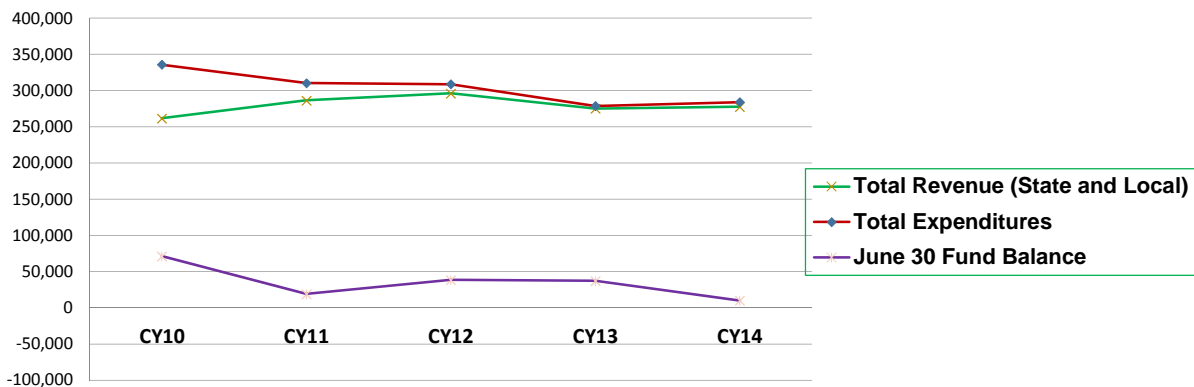
**District 13 PDO Revenue Sources CY14**



**Impact of Act 578 on District 13 PDO**



**District 13 PDO Finances CY10-14**



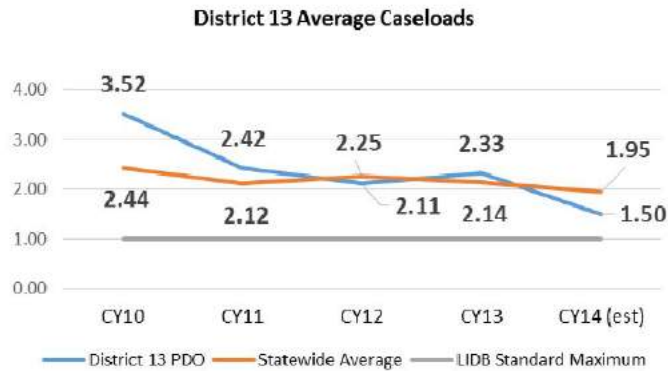
## EVANGELINE PARISH

Alex D. Chapman, Jr.  
District Defender  
801 West Lincoln Road  
Ville Platte, LA 70586  
337-363-2229

In the 13th Judicial District, public defense attorneys maintain caseloads in excess of the recommended caseload limit for each attorney.

However, the caseloads have fallen much more in line with state average workloads..

The 13th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.



## CAPITAL REPRESENTATION

Since 2009, there have been no new capital prosecutions in the 13th Judicial District.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 13th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 13<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Evangeline - Ville Platte
<b>Population</b>	33,984
<b>Juvenile Population</b>	9,167
<b>District Defender</b>	Alex D. Chapman, Jr.
<b>Years as District Defender</b>	9
<b>Years in Public Defense</b>	16
<b>Office Manager</b>	Phyllis Lafleur
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Phyllis Lafleur - Admn. Asst/Secretary/Data Entry; Faye Chapman - Secretary/Data Entry; Anna Pellerin - Secretary/Data Entry; Renee Brown - Secretary/Data Entry; Tosha LeBouef - Secretary/Data Entry.
<b>Primary Office Street Address</b>	801 W. Lincoln Road
<b>City</b>	Ville Platte
<b>ZIP</b>	70586
<b>Primary Phone</b>	337-363-2229
<b>Primary Mailing Address</b>	Same as street address.
<b>Primary Fax Number</b>	337-363-6024
<b>Primary Emergency Contact</b>	Alex D. Chapman, Jr.
<b>Primary Emergency Phone</b>	337-831-0058 - cell
<b>Secondary Emergency Contact</b>	Phyllis Lafleur
<b>Secondary Emergency Phone</b>	337-789-1176 - cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Helen Dardeau. Rent paid to Ms. Dardeau.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	2,179.50/month combined
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Kolder, Champagne, Slaven & Co.
<b>Courts and Locations</b>	13th Judicial District Court, Ville Platte, LA; Ville Platte City Court, Ville Platte, LA
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	District Court - 2 divisions; City Court - 1 division.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	In Dist. Ct. def's are sequentially appointed at arraign or 72 hr hearings. In Juv. Proceedings 1 atty handles Dist. Ct. matters and 1 atty handles City Ct. matters.
<b>Name of Adult Detention Facilities in This District</b>	Evangeline Parish Sher. Dept., Ville Platte, LA; Basile Correctional, Basile, LA; Pine Prairie Correctional, Pine Prairie, LA; Mamou City Jail, Mamou, LA; Ville Platte City Jail, Ville Platte, LA.



<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Allen Correctional Ctr., Kinder, LA; Avoyelles Bunkie Det. Ctr., Bunkie, LA; Avoyelles Women's Correctional, Simmesport, LA.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No. Juveniles are unshackled.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Trent S. Brignac
<b>Chief Judge of Criminal District Court</b>	John Larry Vidrine; Thomas F. Fuselier
<b>Juvenile Court Judges (Specify District of City Court)</b>	John Larry Vidrine and Thomas F. Fuselier - District Court; Donald J. Launey - City Court.
<b>Drug Court Judges</b>	None
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Initially Judges at time of appointment of attorney.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time charges are filed. If is incarcerated - at 72 hour court hearing. If bonded out-at arraignment.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Attorney
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	The appointments are assigned during open court proceedings and/or faxed to attorney by Sheriff's Dept. for incarcerated clients and mailed to attorney by Clerk of Court for non-incarcerated clients.
<b>Brief Explanation of Intake Process</b>	Incarcerated clients visited by assigned indigent defense attorney within 72 hours of appointment to determine bond issues, need for investigation, conflicts and family communication.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	No
<b>How Many Applications for Services Were Received?</b>	N/A
<b>How Many Application Fees Were Waived?</b>	N/A
<b>How Many Application Fees Were Reduced?</b>	N/A
<b>Total Application Fee Dollars Collected in 2014</b>	N/A
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	N/A
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	Evangeline Parish Sheriff's Dept. - 78,117; Ville Platte City Court - 13,383; DOC - 6,334
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Private pay only.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Plea Bargain Agreements and Court Minutes.

<b>Who Collects the Assessed Court Fees?</b>	Probation and Parole, Evangeline Parish Sheriff Dept. and Ville Platte City Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Evangeline Parish Sheriff Dept.
<b>Who Remits the Court Fees Collected?</b>	Probation and Parole, Evangeline Parish Sheriff Dept. and Ville Platte City Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Evangeline Parish Sheriff Dept.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	N/A
<b>Who Collects the Assessed Partial Payments?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	N/A
<b>Who Remits the Partial Payments Collected?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	N/A
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private criminal practice by Indigent Defense Attorneys in this district is allowed but extremely rare.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes. See Attachment
<b>Primary Immediate Needs</b>	Maintain current funding and re-hiring investigators.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes, We will terminate the floater attorney position.
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Maintain current funding and re-hiring investigators.
<b>Long-Term Critical Issue Areas</b>	Maintain current funding and re-hiring investigators.
<b>Please List All New Hires in 2014 (Name and Title)</b>	N/A
<b>Please List All Promotions in 2014 (Name and Title)</b>	N/A
<b>2014 Media Coverage and/or Major Accomplishments</b>	Local radio and newspaper accounts of mistrial and Lessor Responsive Verdict.
<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. Monitoring, directly and indirectly, all attorneys and investigators.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Distribute information from Louisiana Indigence Defense Board.

<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District Defender - Alex Chapman, Jr. is supervising attorney for all indigent defenders; Supervising attorney for District Defender is Kelly Tate. 2 juvenile attorneys - one for 13th JDC and one for Ville Platte City Court; District Defender's office has one staff assistant to coordinate assignments, monthly reports and payroll. NOTE: the district's current structure only came into place after June, 2008, because prior to that the 13th JD Board/Judges distributed juvenile attorney and investigator funds by hiring (2) additional attorneys and three(3) additional investigators.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	None
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	No
<b>Number of NEW capital cases in CY14 handled by your office</b>	3
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	0
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2014</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	This is within the purview of the two juvenile attorneys of this district.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	State Representative – Bernard LeBas, State Senator – Eric Lafleur, Both of the 38th district
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	Always tried to be fair and supportive to all district personnel.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Alex D. Chapman, Jr.	337-363-2229
Kelly Tate	337-468-5271
Floyd Dupre	337-363-8058
Jacob Fusilier	337-363-6661
Justin West	337-363-2772

Alicia Phillips-Kelly	337-363-1955
Gilbert J. Aucoin	337-363-2223
<b>Non Attorney Employees and Contractors and Other <u>Staff</u></b>	<b><u>Contact Information</u></b>
Phyllis Lafleur	337-363-2229
Faye Chapman	337-468-5271
Tosha LeBouef	337-363-2223
Anna Pellerin	337-363-1955
Renee Brown	337-3632772

2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Phyllis Lafleur and Alex Chapman
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	x
Microsoft Office 2010	
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	
Firefox	x
Google Chrome	
Other	Internet Explorer 11
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	

Television	
DVD	
VCR	
Desktop PCs	
Laptops	2
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	
No Internet Connection	
Connection Speed:	1792 KB
Provider Name:	Centurylink DSL
Email Provider:	Centurylink DSL
Please list any software or computer equipment in which you need training:	

## 13th District Defender Office CY 2014 Caseloads & Outcomes

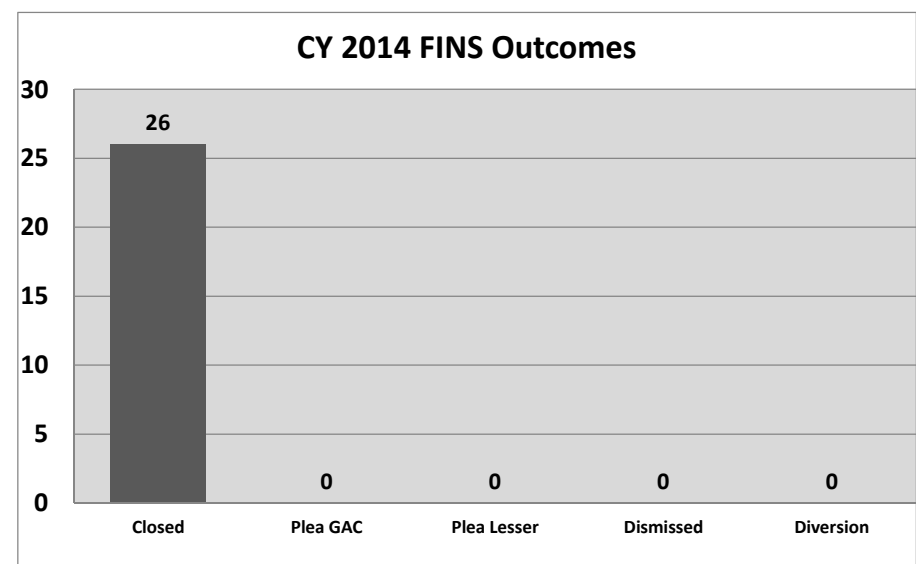
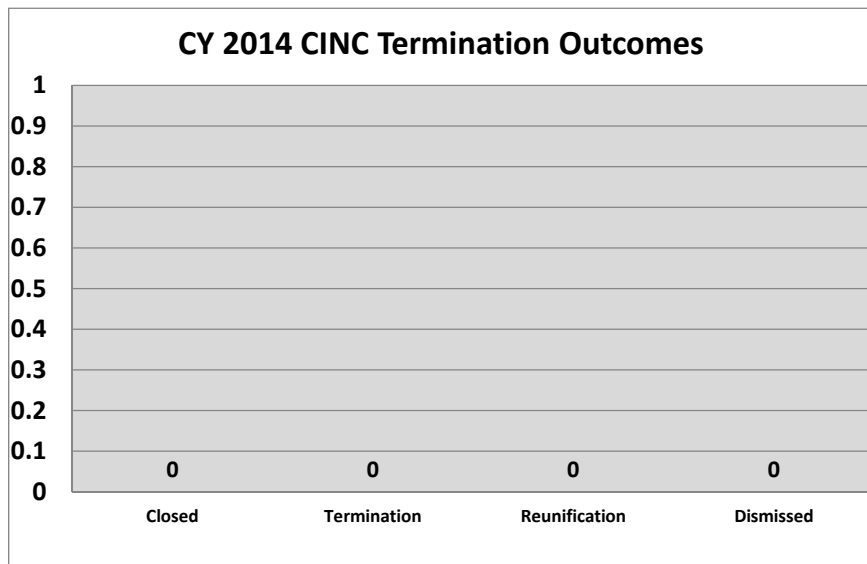
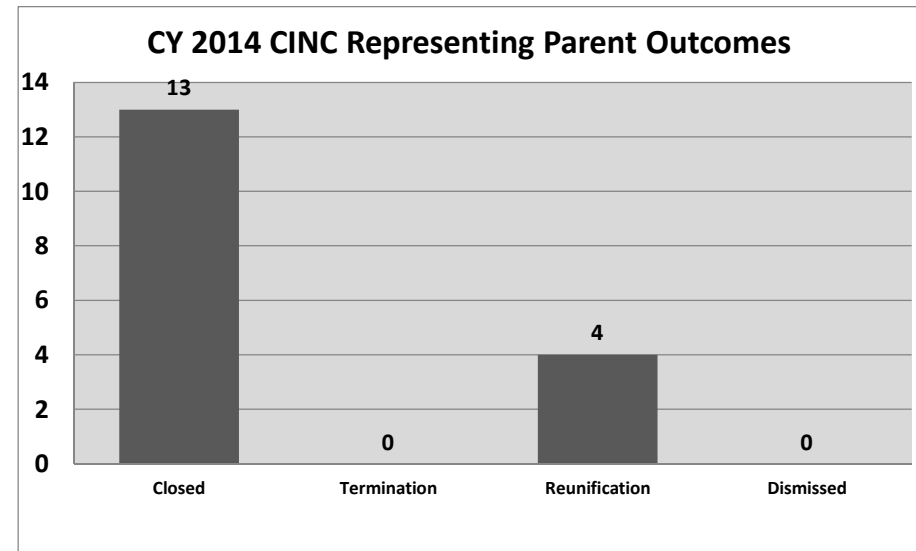
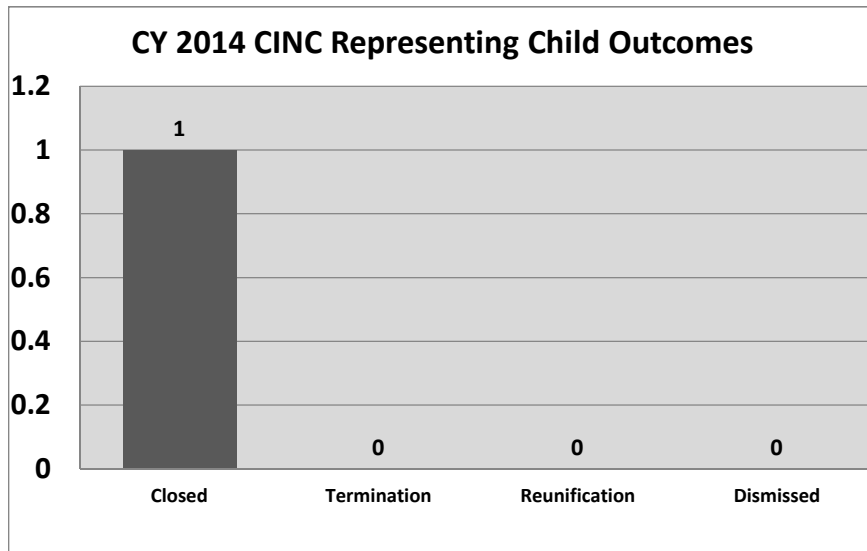
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	1	1	1	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	10	13	3	13	0	4	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	14	26	15	29	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	182	201	43	225	N/A	N/A	74	0	169	0	N/A	N/A	0	0	0
Delinquency Felony	46	51	10	56	N/A	N/A	55	0	42	2	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	176	126	60	236	N/A	N/A	114	5	73	5	0	0	0	1	1
Adult Felony Non-LWOP**	455	299	225	680	N/A	N/A	249	42	165	21	2	0	0	3	5
Adult LWOP	3	0	1	4	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	3	0	0	3	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	220	0	0	220	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

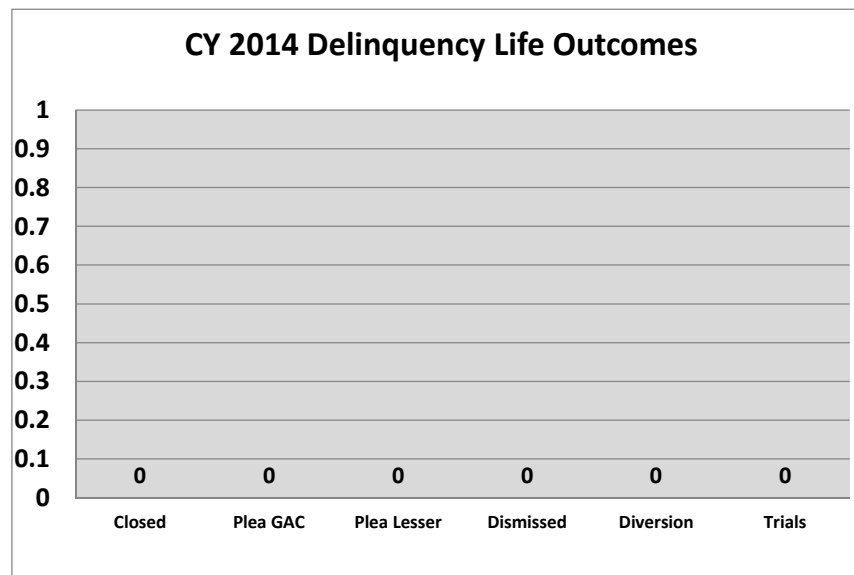
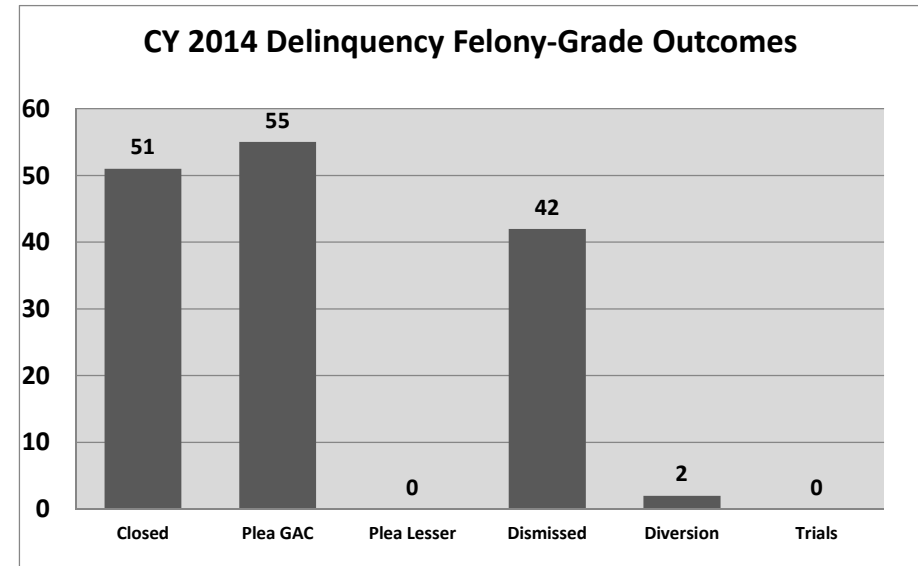
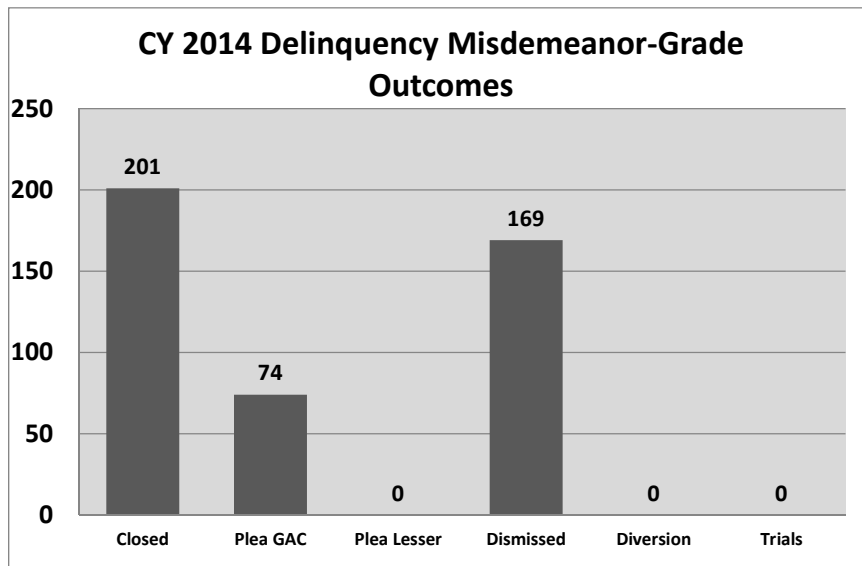
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

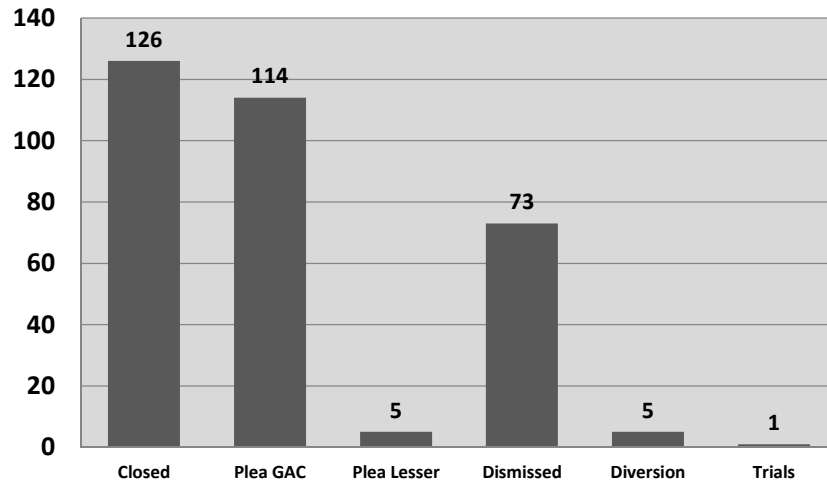
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



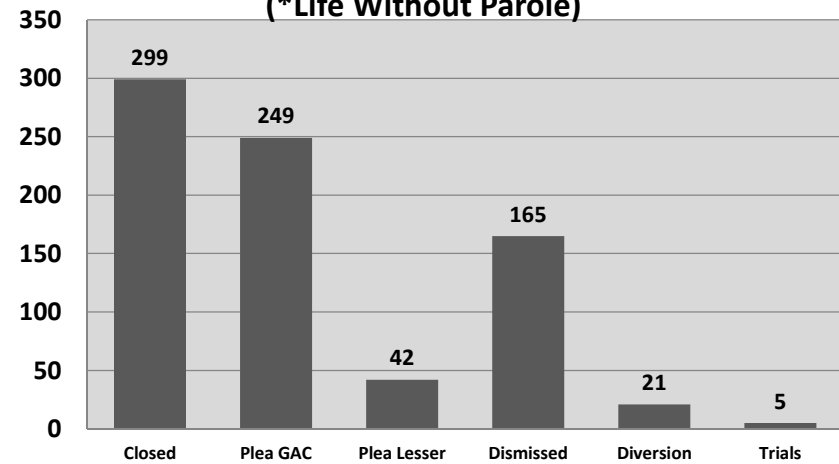




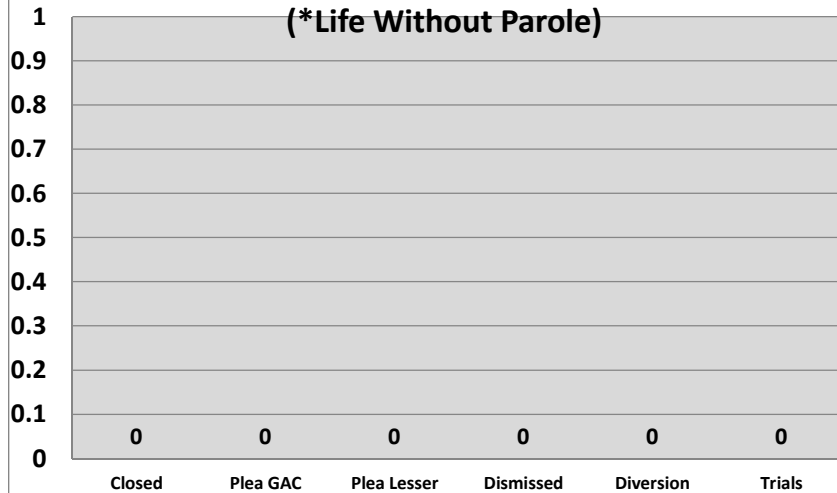
**CY 2014 Adult Misdemeanor Outcomes**



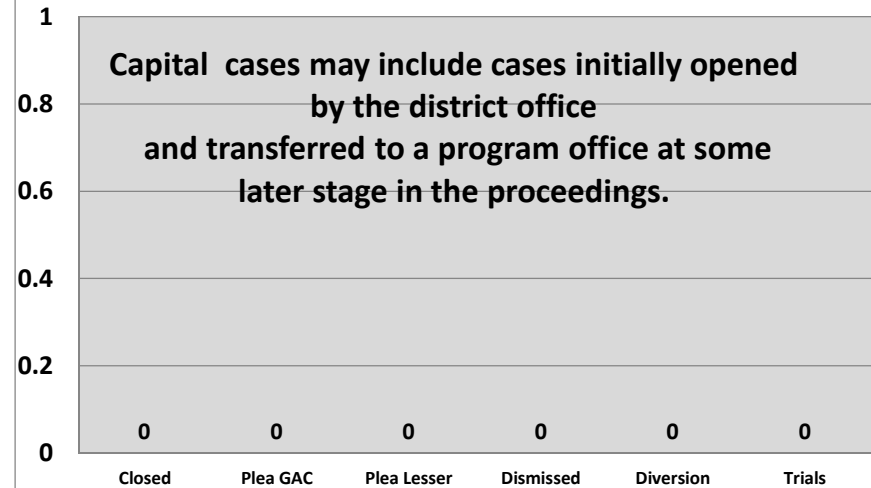
**CY 2014 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Capital Outcomes**

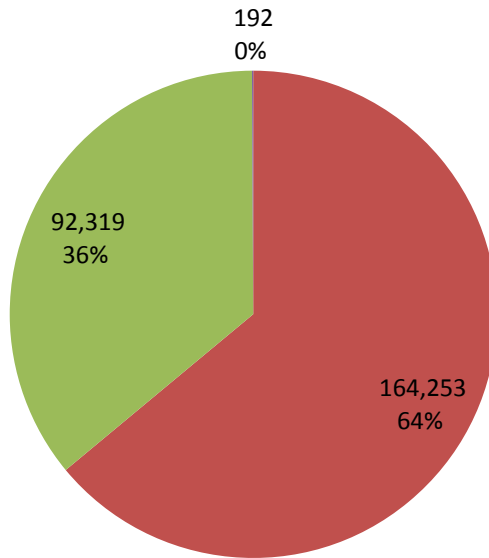


District 13 CY2014	Total CY2014
District Defender: Alex D. Chapman, Jr.	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	6,334
Child in Need of Care (CINC)	445
District Assistance Fund (DAF)	157,474
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	164,253
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	-
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	13,383
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	78,117
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	91,500
<b>Charges For Services</b>	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	-
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	819
Other Local Income -List source(s)	-
Total for Charges For Services	819
Total for Local Government	92,319
Investment Earnings	
Interest Income	192
Other Investment Income - List source(s)	-
Total for Investment Earnings	192
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	256,765

District 13 CY2014	Total CY2014
District Defender: Alex D. Chapman, Jr.	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	14,042
Accrued Leave	-
Payroll Taxes	1,258
Hospitalization and Disability Insurance	-
Retirement	-
Other	2,415
Total for Personnel Services and Benefits	17,715
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	-
Dues and Seminars	319
Law Library/Journals/Subscriptions	906
Office Supplies	-
Total for Operating Services	1,224
Professional Services	
Audit/Accounting Expense	5,240
Contract Clerical	13,080
Expert Witness	910
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	500
Contract - Juvenile Attorneys or CINC	38,196
Misdemeanor Attorney Contracts	16,350
Contract Attorneys - all other	190,000
IT/Technical Support	684
Total for Professional Services	264,961
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	12
Total for Other Charges	12
Total for EXPENDITURES	283,912

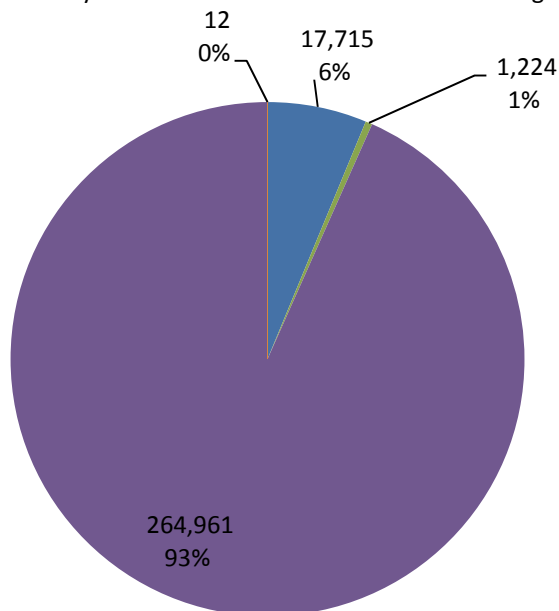
## Total CY14 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





THE 14<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
CALCASIEU (LAKE CHARLES)

DISTRICT DEFENDER: HARRY FONTENOT  
1032 RYAN STREET  
LAKE CHARLES, LA 70601  
(337) 436-1718

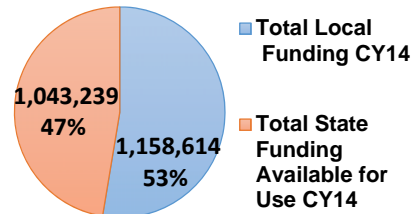
# 14TH JUDICIAL DISTRICT

During calendar year 2014, the 14th Judicial District Public Defenders Office handled 16,399 cases. The office received \$2,201,854 in total revenues to handle these cases, approximately 53% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

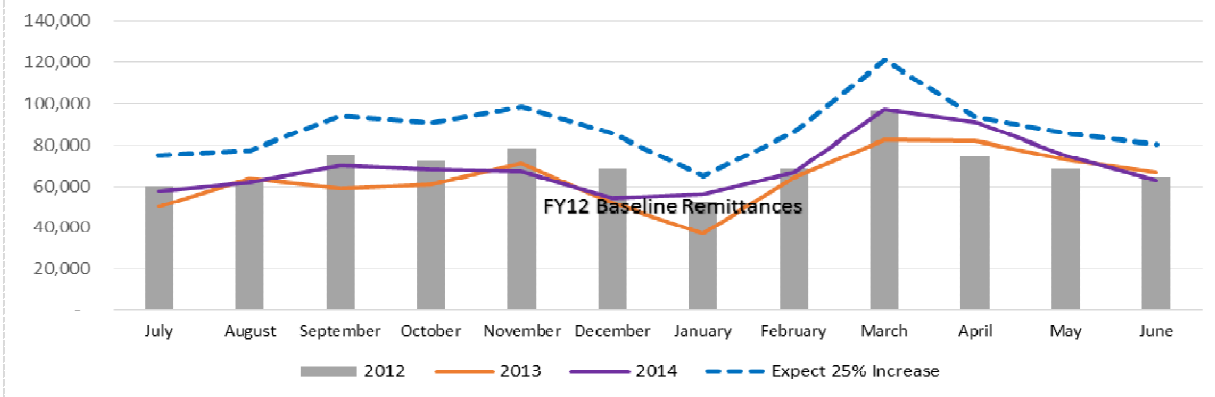
The 25% increase in local funds expected as a result of Act 578 (2012) has never materialized in the 14th Judicial District.

The 14th Judicial District office is not currently engaged in deficit spending. However revenues are largely insufficient, resulting in attorney caseloads which exceed client representation standards.

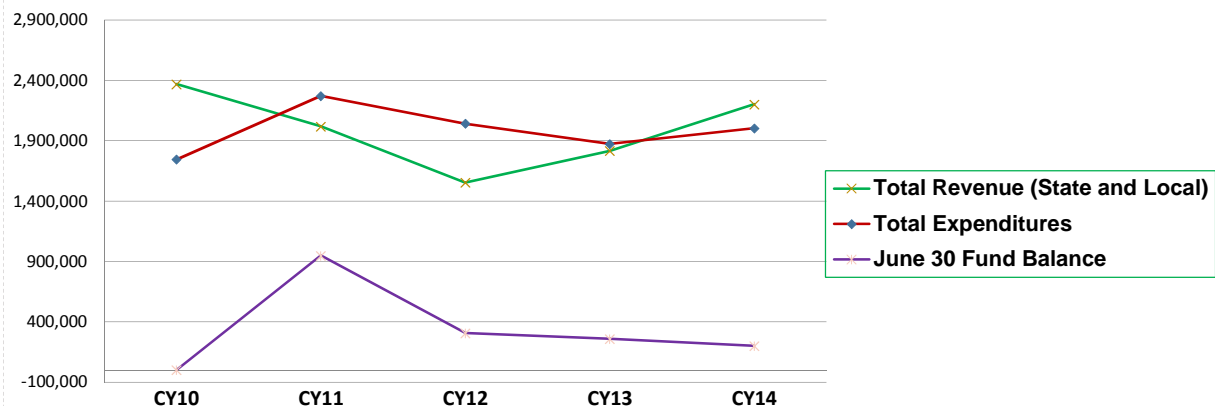
**District 14 PDO Revenue Sources CY14**



**Impact of Act 578 on District 14 PDO**



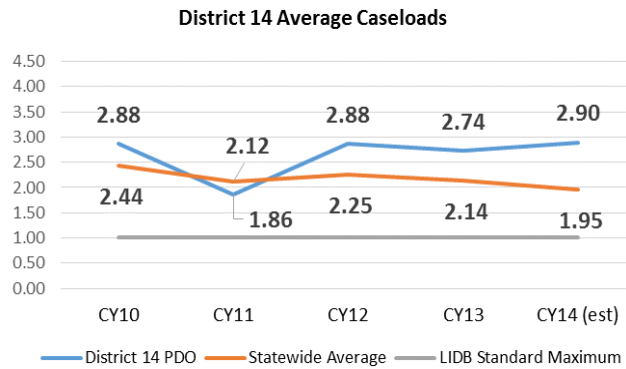
**District 14 PDO Finances CY10-14**



## CALCASIEU PARISH

Harry Fontenot  
District Defender  
1032 Ryan Street  
Lake Charles, LA 70602  
337-436-1718

In the 14th Judicial District, public defense maintain caseloads almost three times the recommended caseload limit for each attorney.



## CAPITAL REPRESENTATION

Since 2009, the 14th Judicial District has handled two new capital prosecutions.

However, the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 14th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.







## THE 14TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Calcasieu - Lake Charles
<b>Population</b>	192,768
<b>Juvenile Population</b>	49,012
<b>District Defender</b>	Harry Fontenot (December 1, 2013)
<b>Years as District Defender</b>	2
<b>Years in Public Defense</b>	16
<b>Office Manager</b>	Mitchell P. Bergeron - Deputy District Defender & Chief financial Officer
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Kelly Rosteet - Secretary
<b>Primary Office Street Address</b>	1032 Ryan Street
<b>City</b>	Lake Charles
<b>ZIP</b>	70601
<b>Primary Phone</b>	337-436-1718
<b>Primary Mailing Address</b>	P.O. Box 3757, Lake Charles, LA 70602
<b>Primary Fax Number</b>	337-494-0370
<b>Primary Emergency Contact</b>	Harry Fontenot
<b>Primary Emergency Phone</b>	337-405-9771
<b>Secondary Emergency Contact</b>	Mitchell Bergeron
<b>Secondary Emergency Phone</b>	337-529-0907
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Calcasieu Parish Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	6,882
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	14th Judicial District Court, Calcasieu Parish, Lake Charles; Lake Charles City Court; and Sulphur City Court.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	14th JDC - 9 divisions, there is no specified section or division dedicated to Criminal Court - 2 divisions are dedicated to Family/Juvenile Court and 7 divisions exercise Civil and Criminal Jurisdiction; Lake Charles City Court - 2 divisions of court; and, Sulphur City Court - 1 division.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	<p>We have seven (7) felony contract attorneys. One of the attorneys handle life without parole (LWOP) cases in all divisions and the other six (6) handle the six (6) felony divisions. The cases are assigned on a rotating basis with each attorney having the primary appointment in their assigned division. One part time misdemeanor attorney is contracted to lake Charles City Court. Conflict appointments are made by the City Judge(s) to the private bar on a per hour basis. One (1) contract misdemeanor attorney is contracted to the 14th JDC to handle two (2) divisions while our two (2) misdemeanor full time attorneys handle the remaining divisions in the 14th JDC and Sulphur City Court (State and City). We have one (1) attorney handling CINC cases with two (2) contract attorneys handling CINC conflicts. If the cases exceed the conflict attorneys, the judges appoint the local bar pro bono. We have one (1) attorney handling Juvenile matters while assisted by a juvenile investigator. The two (2) contract attorneys in CINC handle juvenile conflicts on a per hour basis. We have felony attorneys assigned to each division of district court. Two (2) attorneys are Life without Parole (LWOP) attorneys each handling three (3) divisions of district Court. The 2 LWOP attorneys also act as line supervisors and trainers of the line attorneys.</p>
<b>Name of Adult Detention Facilities in This District</b>	Calcasieu Correctional Center, Lake Charles, Louisiana
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Name of Juvenile Detention Facilities In This District</b>	Juvenile Detention Center, Lake Charles, Louisiana
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	If a juvenile is in custody and is accused of a crime of violence then they appear before the judge in shackles. If the juvenile is not accused of a violent crime or is not in custody then the do not appear in shackles.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	John DeRosier
<b>Chief Judge of Criminal District Court</b>	David Ritchie
<b>Juvenile Court Judges (Specify District of City Court)</b>	Lilynn Cutrer and Guy Bradberry
<b>Drug Court Judges</b>	G. Michael Canaday, David Ritchie and Clayton B. Davis
<b>Mental Health Court Judges</b>	Robert Wyatt
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	None

<b>Indigency Determined by Whom and How?</b>	Upon requesting counsel, the accused is required to fill out an application for court-appointed counsel. The application is presented to the judge who makes the indigency determination.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time charges are filed. If incarcerated - at 72 hour hearing; if on bond - at arraignment.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Combination of Attorneys and/or Investigators
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Intake is done by either an attorney or investigator who is assigned to complete that work on a given week.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	3,252
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	46,338
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	732,014
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	A spreadsheet is provided by the Calcasieu Parish Sheriff's Dept. for the fees collected in the District Court. A summary sheet is provided by the Lake Charles City Court and Sulphur City Court.
<b>Who Collects the Assessed Court Fees?</b>	Calcasieu Parish Sheriff Dept. as well as Clerk's office for Lake Charles City Court and Sulphur City Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Same as above
<b>Who Remits the Court Fees Collected?</b>	Calcasieu Parish Sheriff Dept., Lake Charles City Court, and Sulphur City Court
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Same as above
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Upon reviewing an application, the judge will make a determination as to whether fees are due.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	The PDO receives notice from the clerk's office of the assessment of attorney fees.
<b>Who Collects the Assessed Partial Payments?</b>	The PDO collects these fees.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	We prepare and maintain that documentation.
<b>Who Remits the Partial Payments Collected?</b>	The clients, themselves.

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Done in office.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	70,899
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	All attorneys employed by PD office are fulltime with no outside practice permitted. Contract attorneys are considered part-time and have their own private practices.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	See attached
<b>Primary Immediate Needs</b>	Adequate funds to maintain the attorneys at full-time.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	The Chief Investigator retired. We held off replacing him to save funds. Because of his retirement and level of his pay no longer an issue we were able to hire two (2) additional investigators/trial assistants to take his place. These 2 individuals will provide investigation and act as trial assistants so the secretaries will not have to attend court and can stay caught up on their work as the secretaries handle two (2) attorneys each and other assigned duties.
<b>Immediate Critical Issue Areas</b>	Adequate funds to maintain the attorneys as full-time employees.
<b>Long-Term Critical Issue Areas</b>	Adequate funding.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Heather Basco - secretary; Tori Broussard - secretary; Jennifer Romero - secretary; Amanda Hale - investigator/trial assistant; Alicia Savoy - investigator/trial assistant.
<b>Please List All Promotions in 2014 (Name and Title)</b>	Andy Casanave - Line supervisor; E. King Alexander - Line supervisor; Heather Basco - Investigator.
<b>2014 Media Coverage and/or Major Accomplishments</b>	Joshua Monroe was awarded the Blackstone Award. Several attorneys won jury and bench trials or received responsive verdicts.
<b>Number of Expected New Attorney Hires in 2015</b>	None at this time.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Our office sponsored a CLE that allowed the attorneys to receive all their hours without costs. The seminar qualified for cle hours and was offered to the criminal defense bar free of charge. Our LWOP attorneys were promoted to line supervisors and 2nd chair all trials. We also have monthly brain storming meetings. We also have staff meeting to discuss upcoming trials and strategy.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes

<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District defender Harry Fontenot oversees all aspects of the office. Deputy District defender Mitchell Bergeron has supervisory authority over all employees and is the Chief Financial Officer. LWOP attorneys Andrew Casanave and E. King Alexander were promoted to Line Supervisors and have supervisory authority over their division and support staff. All supervisors act as mentors and training officers.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	Andrew Casanave and E. King Alexander have been named Line Supervisors. Also, two (2) investigator/trial assistants have been named to replaced the retired Chief Investigator.
<b>Please Attach Your Office Organizational Chart</b>	N/A
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes. Staff provided with health, dental and life insurance without deductions from their salary.
<b>Regular Meetings for Any Staff, Please Describe</b>	Meetings are scheduled for the first Monday of every month. Other meetings are scheduled as needed. (eg. one is set for Jan. 19, 2013.)
<b>Number of NEW capital cases in CY14 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	None
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2014</b>	4
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	An LWOP attorney will assist the Juvenile attorney in any hearing which involves transfer.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	John Smith, Senator; Dan Moorish, Senator; Ron Johns, Senator; Mke Danahay, Representative; Brett Geymann, Representative; John Guinn, Representative; Charles Kleckley, Representative; A.B. Franklin, Representative; Dorothy Hill, Representative; Bob Hensgens, Representative.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Clients were being appointed without the required application for appointment and without the required colloquay to determine indigent status. The District defender informed the judiciary that the 14th JDC PDO would not accept an appointment unless an application was made and a determination of indigency was done. This has resulted in more applications and better records for the office.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	See above.

<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Mitch Bergeron	337-436-1718
E. King Alexander	337-436-1718
Andrew Casanave	337-436-1718
Steven Coward	337-436-1718
Harry Fontenot	337-436-1718
Joshua Monroe	337-436-1718
Heath Dorsey	337-436-1718
Marsha Montgomery	337-436-1718
Elizabeth Traub	337-436-1718
Scott Rogers	337-436-1718
Mike Stratton	337-436-1718
James Flammang	337-436-1718
Necole Williams	337-436-1718
Ralph Williams	337-436-1718
Jacob Richard	337-436-1718
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Robert Shelton	337-497-0011
J. Wade Smith	337-436-8424
Corey Rubin	337-990-5004
Donald Guidry	337-794-1794
Ben Cormier	337-564-6863
Eugene Bouquet	337-433-9900
Samara Sabin	337-433-3305
Allison Antoon	337-433-1621
<b><u>Non Attorney Employees, Contractors, and Other Staff</u></b>	<b><u>Contact Information</u></b>
Heather Basco	337-436-1718
Amanda Hale	337-436-1718
Amanda Papillion	337-436-1718
Sandra Reay	337-436-1718
Pam Jones	337-436-1718
Paula Nixon	337-436-1718
Kelly Rosteet	337-436-1718
Jean Jessup	337-436-1718
Amanda Welch	337-436-1718
Tori Broussard	337-436-1718
Alicia Savoy	337-436-1718
Jennifer Romero	337-436-1718

2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Harry Fontenot
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	x
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	

Television	1
DVD	None
VCR	None
Desktop PCs	35
Laptops	1
Video Cameras	1
Digital Cameras	1
Video Conferencing Systems	None
B&W Laser Printers	None
Color Printers	1
Wireless Cards	1
Smartphones (Funded by Office)	None
iPad/Tablets (Funded by Office)	None
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	12mb
Provider Name:	suddenlink
Email Provider:	gmail
Please list any software or computer equipment in which you need training:	DefenderData training always useful.



## 14th District Defender Office CY 2014 Caseloads & Outcomes

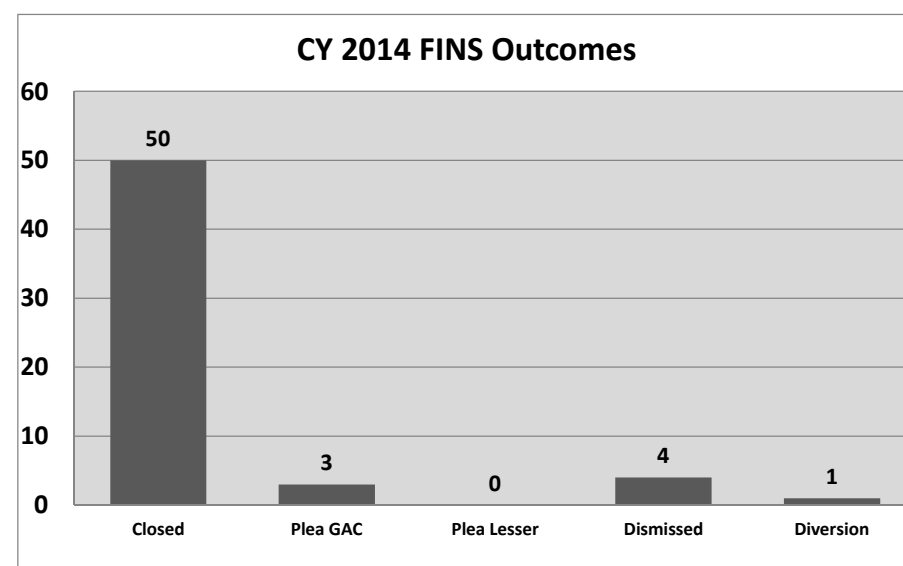
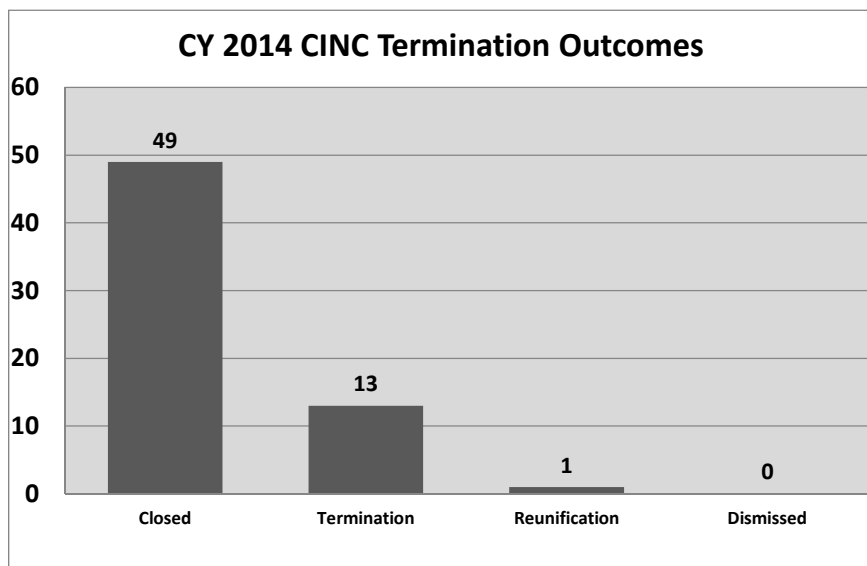
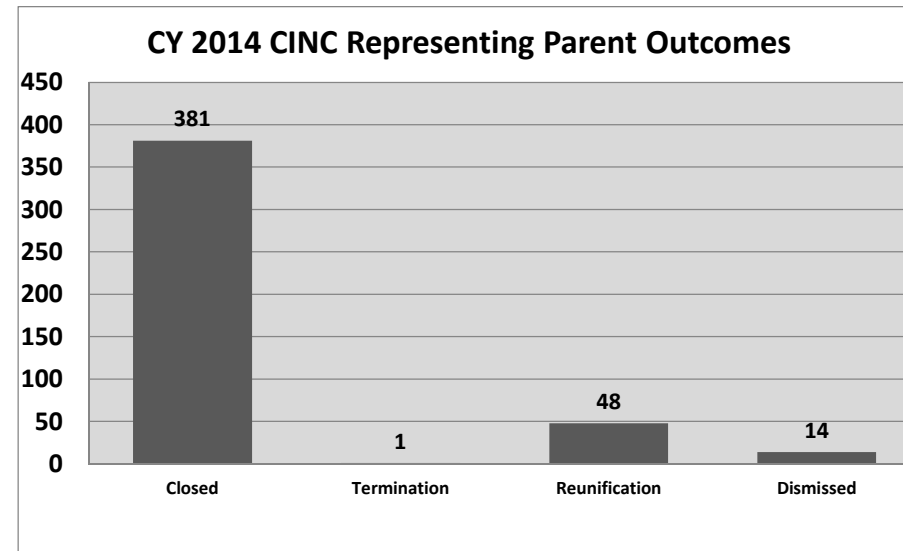
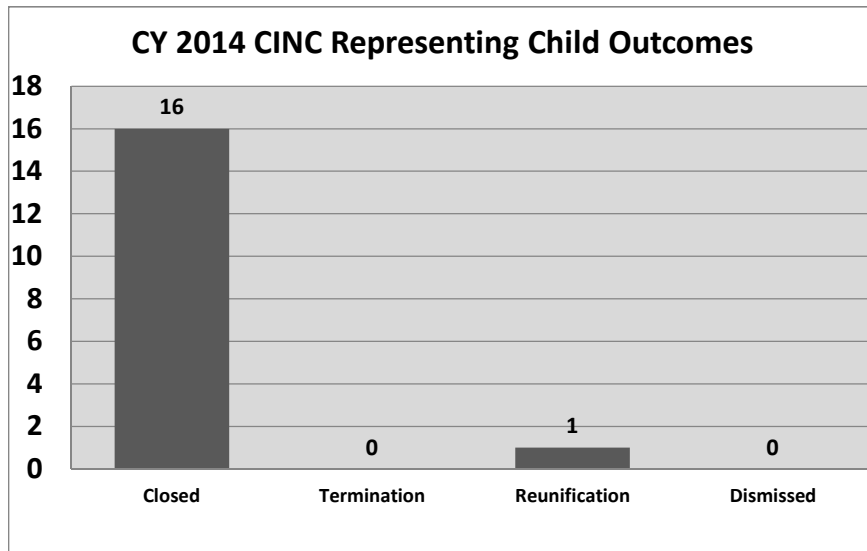
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	2	16	17	19	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	270	381	405	675	1	48	N/A	N/A	14	N/A	N/A	N/A	N/A	N/A	0
Termination	39	49	29	68	13	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	26	50	60	86	N/A	N/A	3	0	4	1	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	333	384	399	732	N/A	N/A	140	4	85	18	N/A	N/A	0	1	1
Delinquency Felony	160	209	272	432	N/A	N/A	109	24	80	13	N/A	N/A	0	0	0
Delinquency-Life	2	2	0	2	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	33	126	66	99	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	2798	3596	2821	5619	N/A	N/A	1894	245	1701	9	0	1	1	1	3
Adult Felony Non-LWOP**	3753	3881	3840	7593	N/A	N/A	1594	338	2675	13	0	4	4	38	46
Adult LWOP	3	25	53	56	N/A	N/A	5	3	14	0	0	1	0	1	2
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	518	532	496	1014	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	1	1	1	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	2	2	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

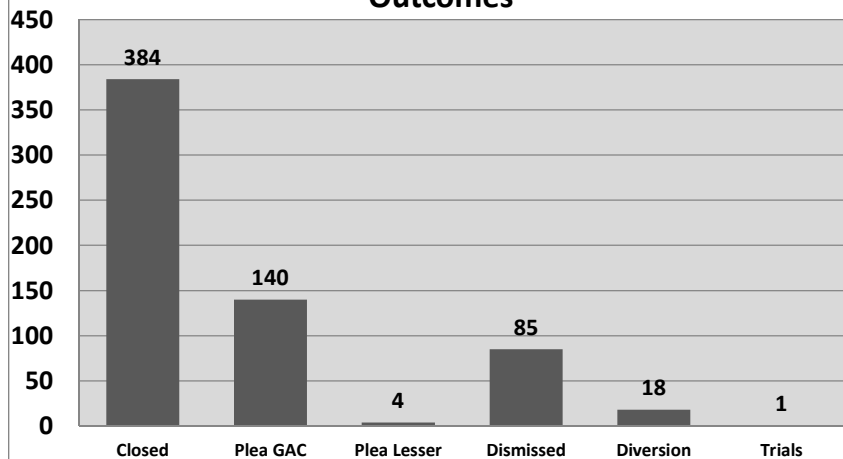
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

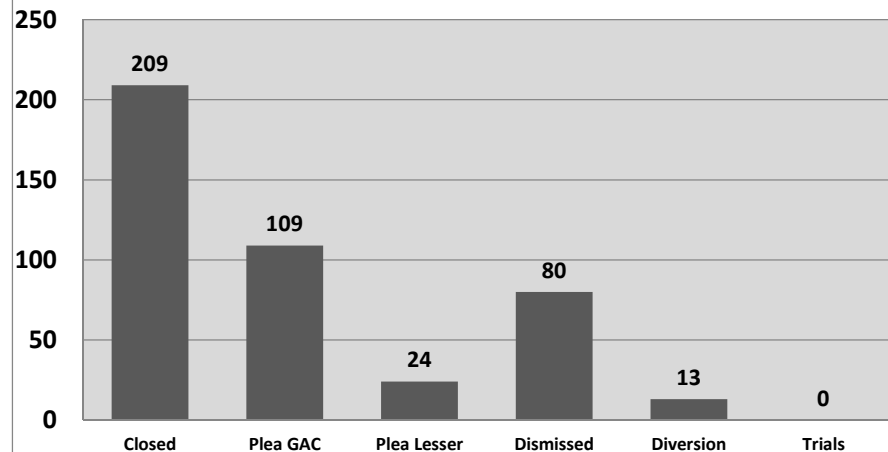
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



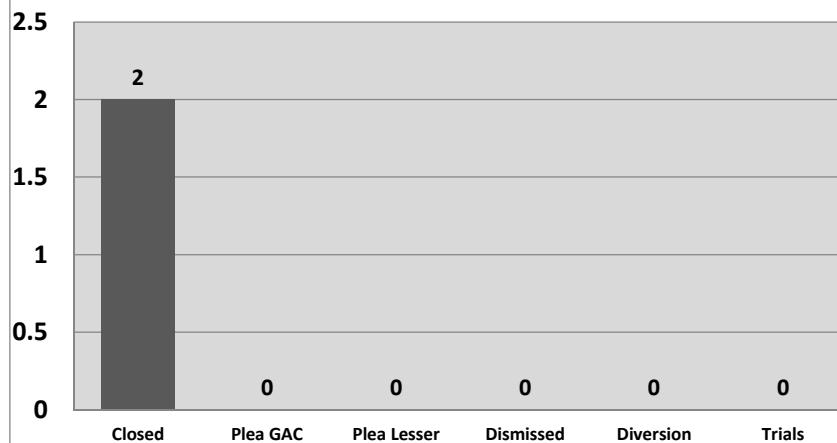
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**

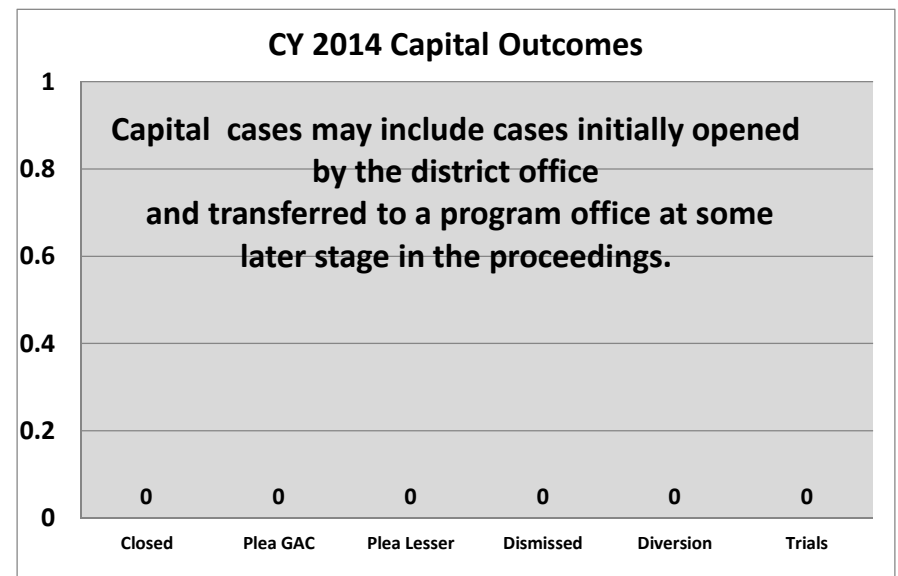
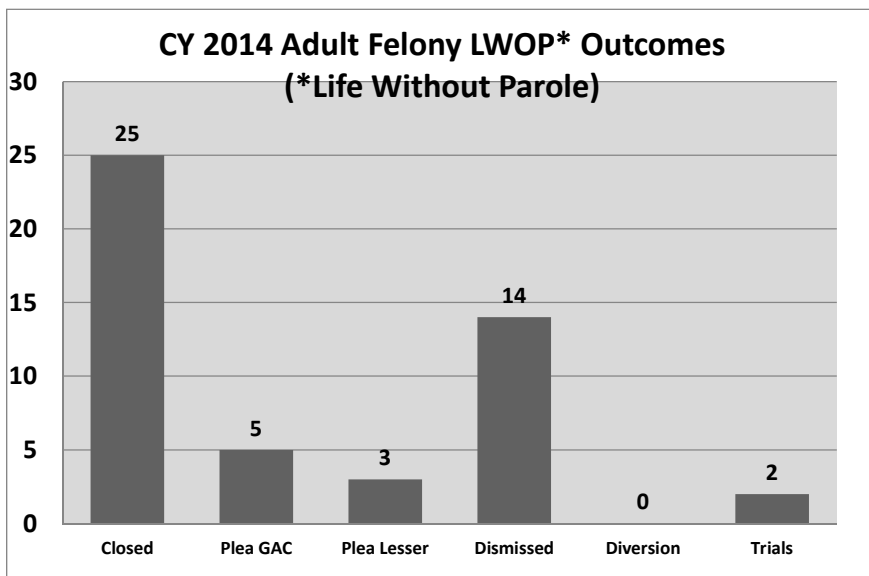
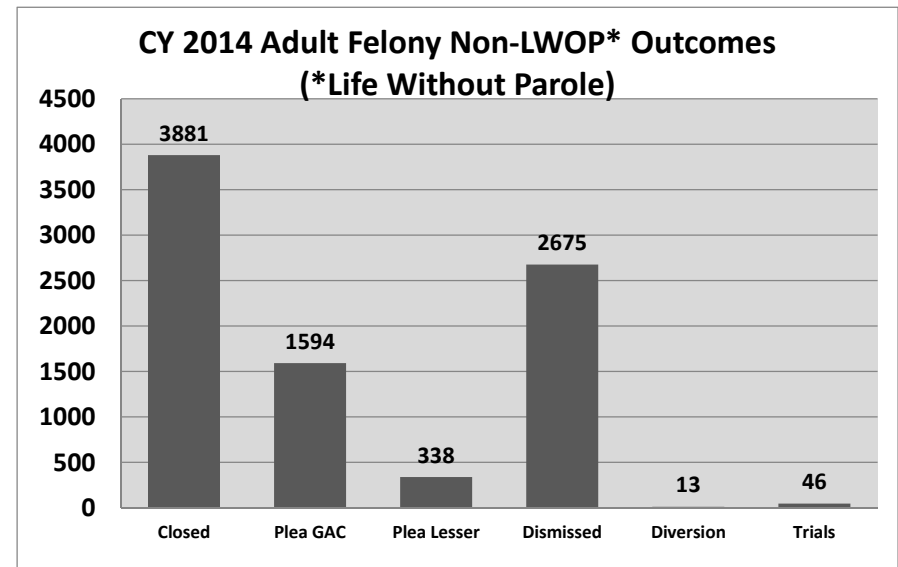
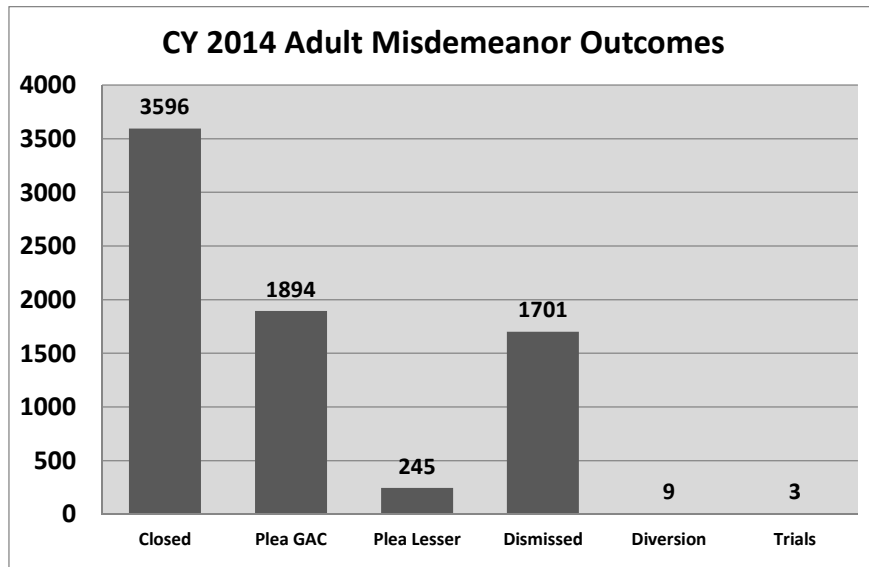


**CY 2014 Delinquency Felony-Grade Outcomes**



**CY 2014 Delinquency Life Outcomes**



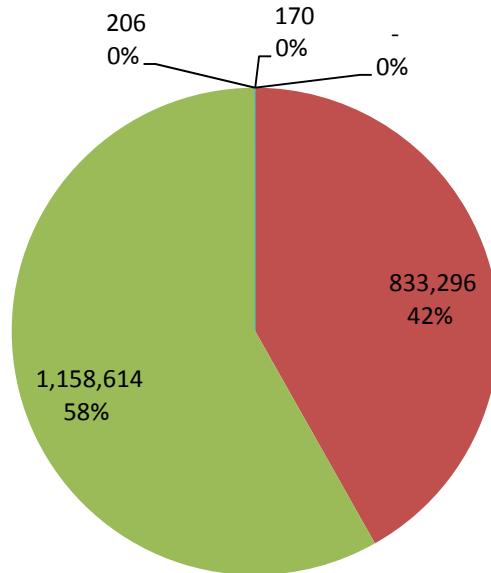


District 14 CY2014	Total CY2014
District Defender: Harry Fontenot	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	107,086
District Assistance Fund (DAF)	720,210
Supplemental/Emergency Funds	6,000
Grants	-
Other State Income -List source(s)	-
Total for State Government	833,296
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	166,756
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	29,701
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	403,511
Judicial District Courts	116,491
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	83,600
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	212,012
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	19,859
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	835,473
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	46,339
Partial Attorney Fees	
Reimbursements [as per 15:176]	70,900
Other Reimbursements	8,686
Other Local Income -List source(s)	760
Total for Charges For Services	126,684
Total for Local Government	1,158,614
Investment Earnings	
Interest Income	206
Other Investment Income - List source(s)	-
Total for Investment Earnings	206
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	170
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	170
Total for REVENUE	1,992,287

District 14 CY2014	Total CY2014
District Defender: Harry Fontenot	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	1,136,083
Accrued Leave	-
Payroll Taxes	88,166
Hospitalization and Disability Insurance	139,883
Retirement	20,252
Other	-
Total for Personnel Services and Benefits	1,384,385
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	6,926
Total for Travel/Training	6,926
Operating Services	
Advertisements	230
Workers' Compensation	5,600
Insurance - Malpractice	15,621
Insurance - Auto/Physical Liability	1,361
Insurance - Other	-
Lease - Office	42,944
Lease - Auto/Equipment	131
Lease - Other	-
Office Repair and Maintenance	1,670
Office -	
Telephone/Utilities/Postage/Internet	16,325
Dues and Seminars	6,045
Law Library/Journals/Subscriptions	22,786
Office Supplies	24,415
Total for Operating Services	137,127
Professional Services	
Audit/Accounting Expense	16,000
Contract Clerical	17,392
Expert Witness	12,825
Investigators	1,110
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	327,667
Contract - Juvenile Attorneys or CINC	64,000
Misdemeanor Attorney Contracts	22,500
Contract Attorneys - all other	2,920
IT/Technical Support	5,818
Total for Professional Services	470,233
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	4,591
Total for Other Charges	4,591
Total for EXPENDITURES	2,003,261

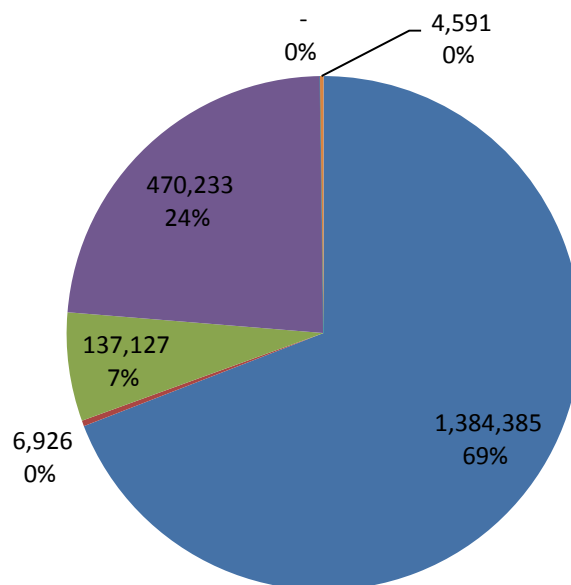
## Total CY14 Revenues

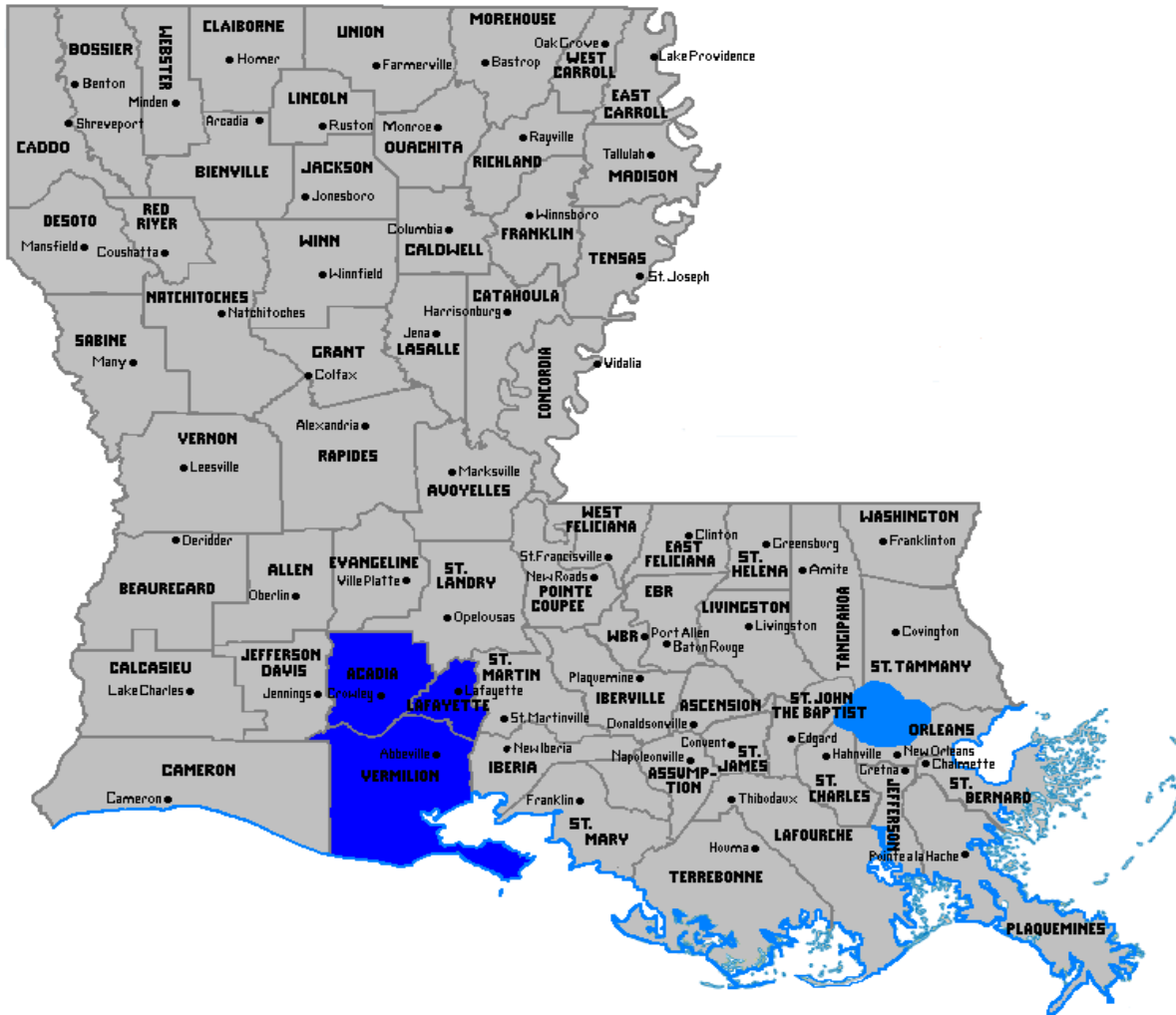
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





## THE 15<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

ACADIA (CROWLEY) - LAFAYETTE (LAFAYETTE) - VERMILION (ABBEVILLE)

DISTRICT DEFENDER: G. PAUL MARX  
600 JEFFERSON STREET, SUITE 902  
LAFAYETTE, LA 70501  
(337) 232-9345



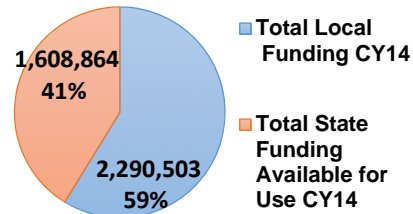
# 15TH JUDICIAL DISTRICT

During calendar year 2014, the 15th Judicial District Public Defenders Office handled 18,112 cases. The office received \$3,899,367 in total revenues to handle these cases, approximately 59% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

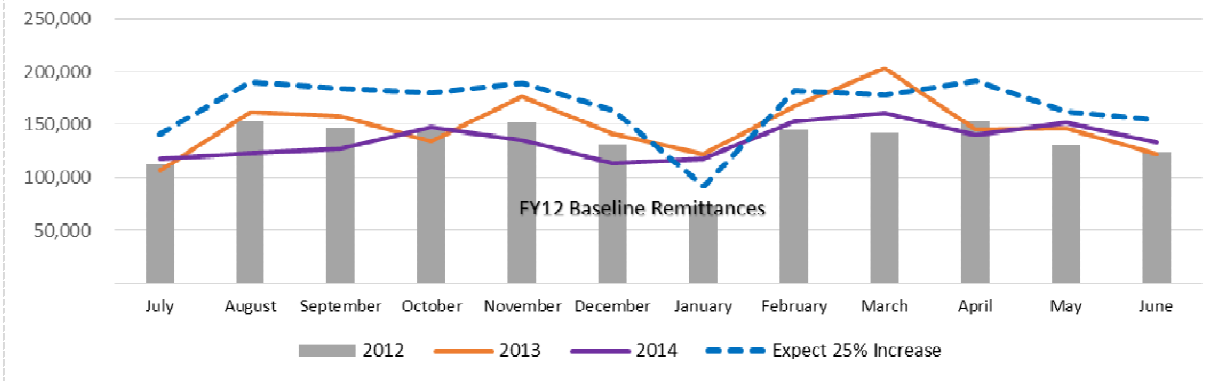
The 15th Judicial District has almost never realized the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 15th Judicial District office has exhausted its fund balance. Without an increase in revenues or reduction in expenditures, the office is expected to become insolvent toward the end of FY15.

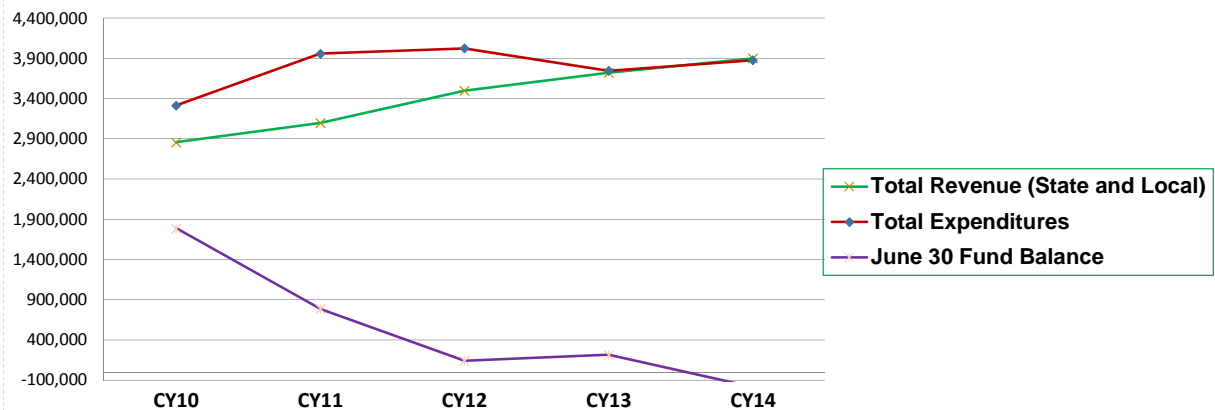
**District 15 PDO Revenue Sources CY14**



**Impact of Act 578 on District 15 PDO**



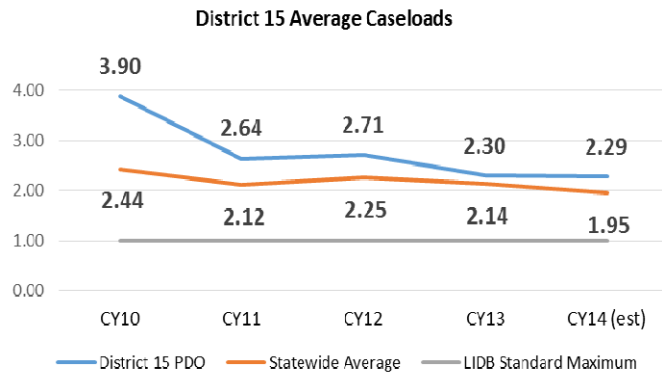
**District 15 PDO Finances CY10-14**



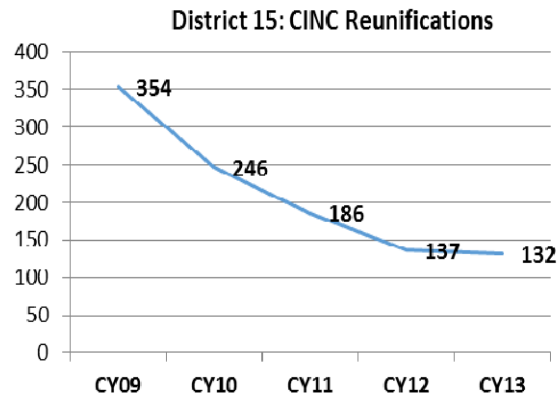
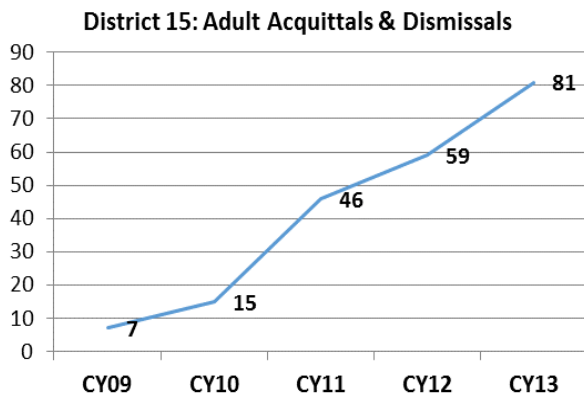
# ACADIA, LAFAYETTE, VERMILLION PARISHES

**G. Paul Marx**  
District Defender  
600 Jefferson Street, Suite 902  
Lafayette, LA 70502  
337-232-9345

In the 15th Judicial District, public defense attorneys maintain caseloads more than twice the recommended caseload limit for each attorney.



Although caseloads remain high due to insufficient revenues, through increased training and supervision, adult client outcomes have significantly improved over the last five years.





## THE 15<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Acadia - Crowley; Lafayette - Lafayette; Vermilion - Abbeville
<b>Population</b>	352,302
<b>Juvenile Population</b>	87,488
<b>District Defender</b>	G Paul Marx
<b>Years as District Defender</b>	Oct 2010 to present, and 1987-2000
<b>Years in Public Defense</b>	34
<b>Office Manager</b>	Chris St. Julien - Business Team Leader
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Data Clerks: April Broussard, Brittany Broussard, Annette Guidry, Jaminka Clay, Lindsay Bernard, Germaine Arceneaux, Paula Miguez, Kasandra Washington, Megan Delcambre, Allison Green, Caitlin Ard and Javonna Charles.
<b>Primary Office Street Address</b>	600 Jefferson Street, Suite 902
<b>City</b>	Lafayette
<b>ZIP</b>	70501
<b>Primary Phone</b>	337-232-9345
<b>Primary Mailing Address</b>	Post Office Box 3622, Lafayette, LA 70502
<b>Primary Fax Number</b>	337-232-1169
<b>Primary Emergency Contact</b>	G Paul Marx
<b>Primary Emergency Phone</b>	337-278-6518
<b>Secondary Emergency Contact</b>	Chris St. Julien
<b>Secondary Emergency Phone</b>	337-344-7488
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Acadia - 521 SW Court Circle, Crowley, Post Office Box 252, Crowley, LA 70527; Vermilion - 204 Charity Street, Abbeville, LA 70510.
<b>Other District Office Contact Personnel (Primary Only)</b>	ACADIA: Annette Guidry, Germaine Arceneaux. VERMILION: April Broussard, Brittany Broussard.
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Acadia: Red Drum, Inc., Lafayette: Chase Tower, LLC; Vermilion: Area Holdings, LLC (larger office).
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Acadia-750; Lafayette-12,479; Vermilion-900.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Accounting is internal with a CPA firm which verifies monthly accounting and provides summary report. J. L. Sonnier, CPA. This CPA has governmental accounting compliance expertise as well.
<b>Courts and Locations</b>	15th Judicial District Court, Lafayette Parish, 800 S. Buchanan, Lafayette; 15th Judicial District Court, Acadia Parish, Crowley; 15th Judicial District Court, Vermilion Parish, 100 N. State Street, Abbeville; Crowley City Court; Rayne City Court; Lafayette City Court; Abbeville City Court, 208 State Street, Abbeville; Kaplan City Court; Mayor's Courts, Lafayette Parish: Carencro, Youngsville, Scott.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Lafayette- 5 Criminal Divisions, including one for all drug offenses; 2 juvenile Divisions in addition; Acadia 2 Criminal Divisions; Vermilion 2 Criminal Divisions.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Some attorneys are cross-tracked, meaning they have clients in more than a single division. This is moving away from "judge assigned" to "client assigned".
<b>Name of Adult Detention Facilities in This District</b>	Acadia Parish Detention Center, 1061 Capital Avenue, Crowley, 70526; Acadia Parish Jail, 1037 Capital Avenue, Crowley, 70526; Lafayette Parish Correctional Center; Vermilion Parish Correctional Center - 14202 Savoy Road, Abbeville, 70510.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles Marksville Detention Center, Marksville, LA; New Iberia Correction Center, New Iberia, LA ; Richland Detention Center, Rayville, LA.
<b>Name of Juvenile Detention Facilities In This District</b>	Lafayette Juvenile Detention Center.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Lafayette Parish Juvenile Detention, PO Box 2399, Lafayette, LA; Assumption Youth Detention Center, 122 Parish Complex Rd, Napoleonville, LA 70390.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	DD has worked with facilities to bring back inmates. Writs for transfer are filed as needed. This problem has been less serious in 2013 with reduced jail population.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes. Juveniles subject to detention are held in isolation conditions for the first 24 to 48 hours. They come to court secured exactly as if they were adult offenders. Wrists shackled, sometimes to belt and sometimes with legs shackled.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Rarely and only when inmate is a security concern or has a Hard Labor Conviction.
<b>District Attorney</b>	Effective January 12, 2015 Keith Stutes
<b>Chief Judge of Criminal District Court</b>	Effective January 1, Marilyn Castle
<b>Juvenile Court Judges (Specify District of City Court)</b>	Lafayette City Court - Doug Saloom & Francie Bouillion; Kaplan City Court - Stanton Hardee (effective January 2015) ; Crowley City Court - Maltese Trahan; Lafayette District Court - Thomas Duplantier; Vermilion District Court - Ed Broussard, Laurie Hulin & Thomas Duplantier; Acadia District Court.
<b>Drug Court Judges</b>	Judge Jules Edwards (adult) and Thomas Duplantier (juvenile)
<b>Mental Health Court Judges</b>	Still no mental health court.
<b>Other Specialty Court</b>	Yes
<b>Name of Specialty and Brief Description:</b>	Adult DWI Treatment Court.
<b>Indigency Determined by Whom and How?</b>	Court makes initial referral in most cases. Intake then consists of review of financial statement unless incarcerated, and appointment of counsel if client is unable to afford counsel of their choice.
<b>When is Assignment/Appointment of Counsel Made?</b>	Vertical appointment based on time of offense for all felonies. Inmates appointed out of 72s or as soon as PDO is aware. Those not detained as soon as application is approved.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Lindsey McManus, Jamika Clay, Germaine Arceneaux, April Broussard, Annette Guidry, Brittany Broussard, Kasandra Washington, Javonna Charles, Megan Delcambre, Paula Miguez, Thomas Harang (Clerical Staff); Chris St. Julien, (Business Team Leader).
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes. Most applications are taken in court for the arraignment. However, some clients do come to the office to complete the application.

<b>Brief Explanation of Intake Process</b>	Clients provide basic financial information. Unless the client has exceptional resources, only the application fee is requested.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	We believe the intake fee is rarely collected in City Courts as there is resistance to the time needed and we do not have sufficient personnel to handle the number of applicants. In calendar year 2015 we are going to make a push in specific City Courts on this issue. This could include litigation.
<b>How Many Applications for Services Were Received?</b>	5,358
<b>How Many Application Fees Were Waived?</b>	4,565
<b>How Many Application Fees Were Reduced?</b>	14
<b>Total Application Fee Dollars Collected in 2014</b>	83,501
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Generally no, otherwise some cases go to the Sheriff for collection without separate accounting.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	1,702,133
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Assessed as general court costs. No waiver generally but PDs are advised to move for waiver if client hardship would result from assessment.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	A disbursement detail indicating the number of cases assessed and the dollar amount collected and disbursed is provided by most of our city courts. District Court collections are reflected on the same kind of report from each Sheriff's Office.
<b>Who Collects the Assessed Court Fees?</b>	City Courts, District Court the Parish Sheriff's Office and Mayor's Courts.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	A disbursement detail indicating the number of cases assessed and the dollar amount collected and disbursed is provided by most of our city courts. District Court collections are reflected on the same kind of report from each Sheriff's Office.
<b>Who Remits the Court Fees Collected?</b>	City Courts, District Court the Parish Sheriff's Office and Mayor's Courts either the PD or the town clerk.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	A disbursement detail indicating the number of cases assessed and the dollar amount collected and disbursed is provided by most of our city courts. District Court collections are reflected on the same kind of report from each Sheriff's Office.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	District court adopted a Rule in cooperation with District Defender in 2011. Provides those over Poverty Guidelines will be assess fixed fee. In addition, clients may decide to make their own voluntary contribution.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	The court issues an Order at the beginning of the case. The PDO keeps a record of payments during litigation, and at sentencing the trial court may order the collection through the court which then informs the PDO of payments at the time those are sent to us.
<b>Who Collects the Assessed Partial Payments?</b>	The PDO keeps a record of payments during litigation, and at sentencing the trial court may order the collection through the court which the Sheriff collects and remits those payment to PDO monthly.

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Lafayette Parish Sheriff reports detail for the largest parish. Other sheriffs provide less detailed reports.
<b>Who Remits the Partial Payments Collected?</b>	Clients pay during litigation and then after final judgment payment is through the presiding court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	A detailed report which includes client names, docket numbers and payments is provided by the Lafayette Parish Sheriff Office for any fees collected by that office.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	202,353
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Full time attorneys have no private practice. Contractors must limit outside practice and must treat PD clients exactly as other clients. Explicit contractual terms plus directives from District Defender.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Revised contract for FY 2013. This revision is attached.
<b>Primary Immediate Needs</b>	Funding for full time Capital and an additional \$3 Million for fully serving all clients. We have hired an MSW for Capital Mitigation in some of our cases. But would still suggest the \$175,000 budget item makes sense for us and also LPDB.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes, unless several things happen: 1) Lafayette City Court actively supports our collections and allows application fees; 2) The new D.A. implements Bond Forfeiture processing and begins making effective collections; 3) Other City Courts and Misdemeanor Courts come into full compliance.
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	We had the advantage of three attorneys working on Gideon's Promise Law School Partnership Grant, so when several contract lawyers left we were able to move full time staff in for 3 felony lawyers and saw a savings from that attrition. But no cuts as such for budget failures: some posts remain unfilled.
<b>Immediate Critical Issue Areas</b>	Capital Certification; City Court collection and compliance with Application fees; Still short on many things, including clerical support and about 3 million dollars worth of lawyers and resources.
<b>Long-Term Critical Issue Areas</b>	Development of new young talent. An LPDB that focuses on assisting the local fund mission in every way possible, including equal treatment for our Capital Defense Division when compared to outside programs.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Full Time: Thomas Rimmer, Felony; Jack Talaska, Felony; Jorge Costales, Megan Delcambre, Clerical; Paula Miguez, Clerical; Lucy Melcanon, Juvenile; Chase Edwards, Felony and Juvenile Conflict.
<b>Please List All Promotions in 2014 (Name and Title)</b>	Chad Ikerd, First Assistant
<b>2014 Media Coverage and/or Major Accomplishments</b>	Continued coverage of funding issues, including shortfall in Lafayette City Court and an Editorial critical of City Judges for not doing better by the PDO. Award recognizing District Defender for efforts on Indigent Defense from Gideon's Promise, with TV and print coverage. Several reports of acquittals and reduced charges in specific Felony and Death Penalty cases.

<b>Number of Expected New Attorney Hires in 2015</b>	Have application in for 4 Gideon Law School Partnership Fellows, which would work year one at essentially no cost. Appears 2 to 3 are likely.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, including one to one mentoring, team meetings, quarterly CLE on relevant topics. Also one attorney has attended Capital Trial Training in Arizona, and two studied the Colorado Method in Denver.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Still fledgling. Should have felony supervisor in Vermilion in 2015.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	Track 1 Section Chief. Full time Juvenile Drug Court and Family Preservation Court attorneys.
<b>Please Attach Your Office Organizational Chart</b>	Attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Team Leaders have reduced caseloads. District Defender takes a Capital Case or two because of a lack of certified counsel. Otherwise only to mentor staff counsel.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	All full time employees are enrolled for health and dental benefits after 60 days of employment.
<b>Regular Meetings for Any Staff, Please Describe</b>	Team Leaders meet regularly with District Defender. Executive Committee meets with District Defender regularly. Think Tanks for Capital, Issue Meetings, Database and other training.
<b>Number of NEW capital cases in CY14 handled by your office</b>	10
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	4
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	18
<b>Number of Writs Your District Handled in 2014</b>	45
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	4
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Counsel will work with Juvenile attorney who is first assigned and preference will be given to appointment of a lawyer with Juvenile Justice expertise.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	STATE REPS: Nancy Landry (R #31); Stephen Ortego (D#39); Mickey Guillory (D#41); Jack Montoucet (D#42); Stuart Bishop (R#43); Vincent Pierre (D#44); Joel Robideaux (R#45); Bob Hensgens (D#47); Taylor Barras (R#48); Simone Champagne (R#49) Terry Landry (D#96) STATE SENATORS: Fred Mills (D#22); Page Cortez (D#23); Elbert L. Guillory (D#24); Dan Morrish (D#25); Jonathan Perry (R#26); Eric LaFleur (D#28).

<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Some resistance from other agencies on basic things like providing copies, discovery, and the role of the public defenders. Our sources indicate stakeholders and others see the office as more professional and effective since October 2010. Regional director for Children and Family Services came in for a meeting with District Defender and expressed appreciation for our engagement with kids in court, noting we had uncovered improprieties on a CFS case agent's handling a mom's visiting rights.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	District Defender has joined cooperative effort identified as the Criminal Justice Coordinating Committee for Lafayette Parish. This group considers common systemic problems and has promoted a number of initiatives for reform, including better information for clients on court dates; reducing incarceration rates for juveniles; mitigating detention time for failures to appear and moving the court to evidence based solutions for systemic problems. Three new lawyers trained at Gideon's Promise come to the district essentially at no charge through the Law School Partnership Program of Gideon's Promise, which provides for a stipend in the first full year of the new lawyers' work. Two other attorneys trained at LSU attended the training this year, and will be in continued training for the next three years along with the three LSP fellows.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Marx, G. Paul	337-456-1643
Brown, Janet	337-232-9345
Ikerd, Chad	337-232-9345
Hogan, Jane	337-232-9345
Martin, Amanda	337-898-2090
Brown, Harry	337-232-9345
Brown, Elliott	337-232-9345
Rubin, David	337-232-9345
Valdez, Kevin	337-232-9345
Davenport, Tracy	337-232-9345
Roberts, Chaz	337-232-9345
DeMahy, Suzanne	337-898-2090
Scandrett, Richard	337-232-9345
Donnelly, Kevin	337-232-9345
Hangartner, Lilian	337-232-9345
Graham, Caitlin	337-232-9345
Rimmer, Thomas	337-232-9345
Talaska, Jack	337-232-9345
Costales, Jorge	337-232-9345
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Block, Gerald	337-232-9396
McCann, Randle	337-232-1255



Garrett, Valerie	337-232-1600
Register, Jr., Harold	337-981-6644
Amos, Valex	337-291-9115
Alonzo, Thomas V.	337-704-2615
Gautreaux, Kay	337-232-7747
Cloutier, Monique	337-658-5245
Mose, Travis	337-232-7239
Beaner, Christ	337-303-4333
LaRue, Chris	337-291-9100
Lejeune, Clay	337-788-1505
Howie, Glenn	337-785-8500
Harrington, Thomas	337-783-8580
Landry, Michael	337-788-1850
Stefanski, John	337-783-7000
Veazey, Linda	337-893-5076
Garrott, Louis	337-893-8111
Pillette, Raven	337-898-2090
Guidry, Nicole	337-740-8885
Edwards, Chase	337-233-9995
Alexander, Xavier	337-374-1822
Register, III, Harold D.	337-988-6644
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
St. Julien, Chris	337-232-9345
McManus-Bernard, Lindsay	337-232-9345
Clay, Jaminka	337-232-9345
Broussard, April	337-232-9345
Guidry, Annette	337-232-9345
Arceneaux, Germaine	337-232-9345
Broussard, Brittany	337-232-9345
Charles-Young, JaVonna	337-232-9345
Harang, Thomas	337-232-9345
Washington, Kasandra	337-232-9345
Miguez, Paula	337-232-9345
Delcambre, Megan	337-232-9345
Allison Green	337-232-9345
Caitlin Ard	337-232-9345

2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	G. Paul Marx and Chris St. Julien
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	x
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	x
Internet Explorer 9	x
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	

Television	1
DVD	0
VCR	0
Desktop PCs	40
Laptops	5
Video Cameras	1
Digital Cameras	0
Video Conferencing Systems	0
B&W Laser Printers	18
Color Printers	6
Wireless Cards	1
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	2
<b>INTERNET SERVICES:</b>	
Dialup	No
Broadband	
No Internet Connection	
Connection Speed:	125 mbps
Provider Name:	LUS & Cox
Email Provider:	Local Server through LUS Fiber
Please list any software or computer equipment in which you need training:	None

## 15th District Defender Office CY 2014 Caseloads & Outcomes

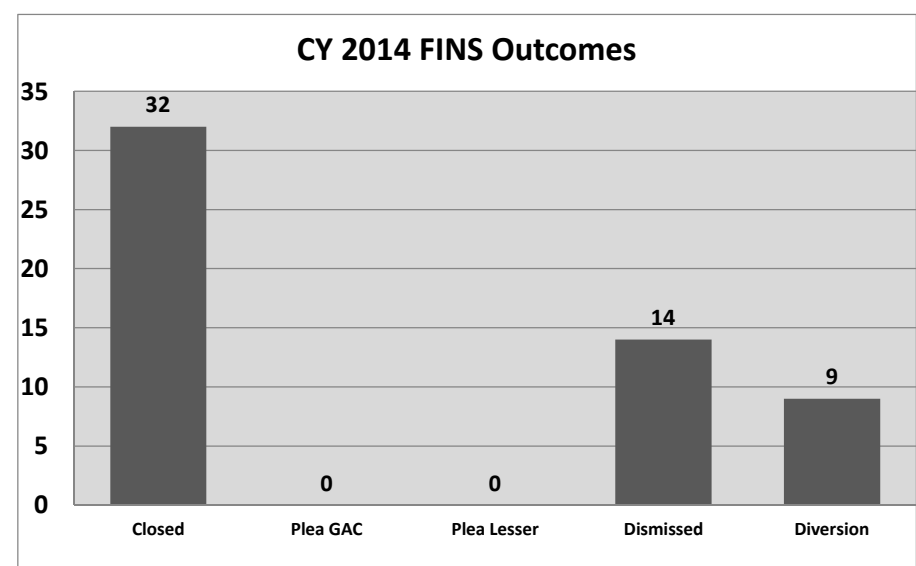
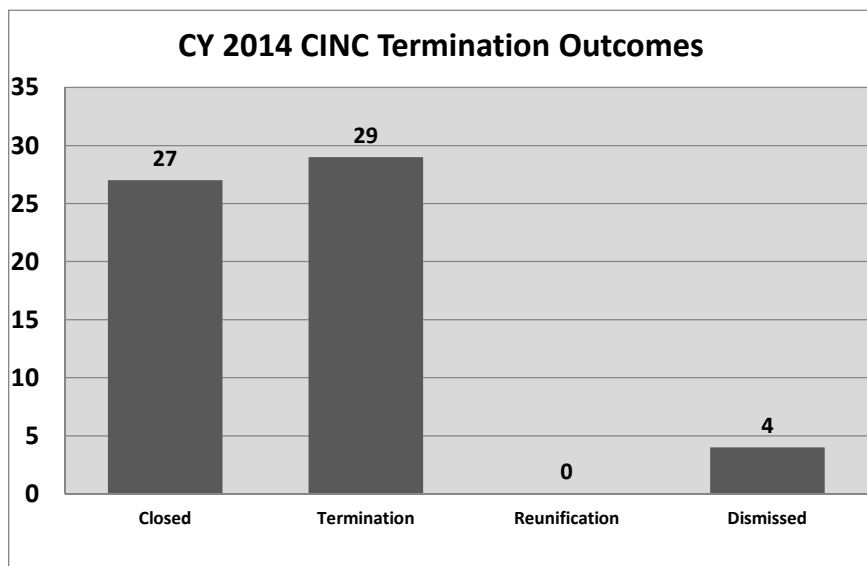
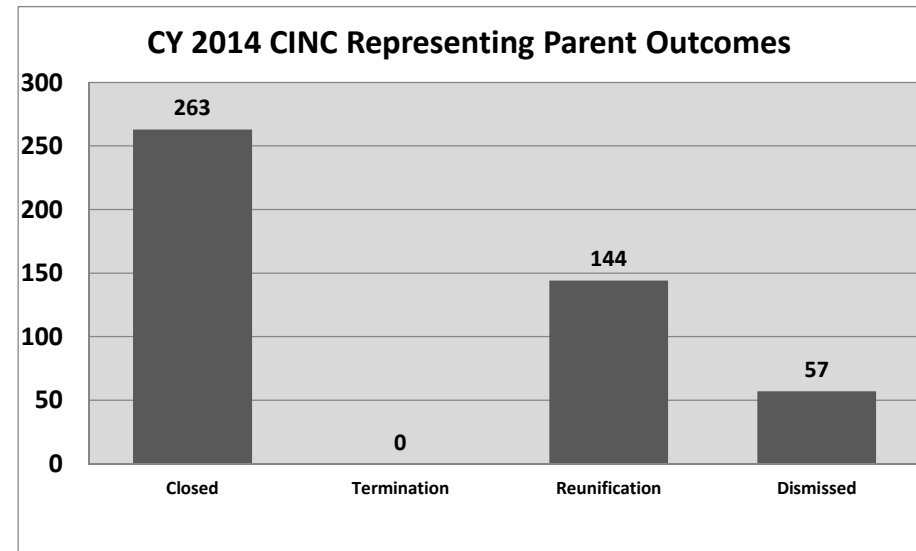
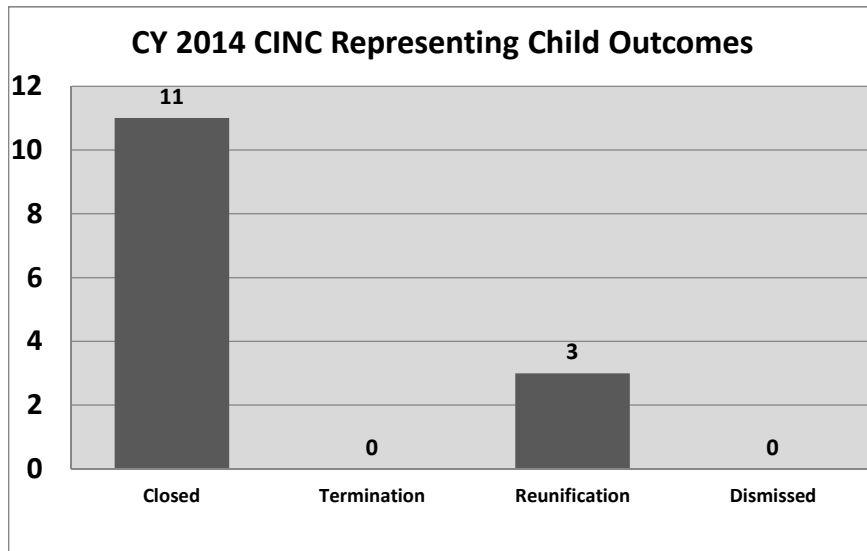
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	433	468	96	529	N/A	N/A	N/A	N/A	14	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	4	11	19	23	0	3	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	319	263	313	632	0	144	N/A	N/A	57	N/A	N/A	N/A	N/A	N/A	0
Termination	33	27	15	48	29	0	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	0
FINS	39	32	26	65	N/A	N/A	0	0	14	9	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	609	518	335	944	N/A	N/A	144	2	260	219	N/A	N/A	4	1	5
Delinquency Felony	349	286	171	520	N/A	N/A	180	16	187	49	N/A	N/A	1	3	4
Delinquency-Life	4	2	1	5	N/A	N/A	0	0	1	1	N/A	N/A	0	0	0
Juvenile Revocations	0	4	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	4492	3984	1677	6169	N/A	N/A	2876	96	1826	0	0	0	13	30	43
Adult Felony Non-LWOP**	4280	4589	4135	8415	N/A	N/A	2274	1208	3639	1	7	7	3	12	29
Adult LWOP	57	94	123	180	N/A	N/A	20	38	83	0	0	5	0	1	6
Capital***	6	2	2	8	N/A	N/A	1	0	0	0	0	0	0	0	0
Revocations	349	1161	202	551	N/A	N/A	0	0	2	0	N/A	N/A	N/A	N/A	0
PCR	14	4	7	21	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	2	3
SOAP	0	0	2	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

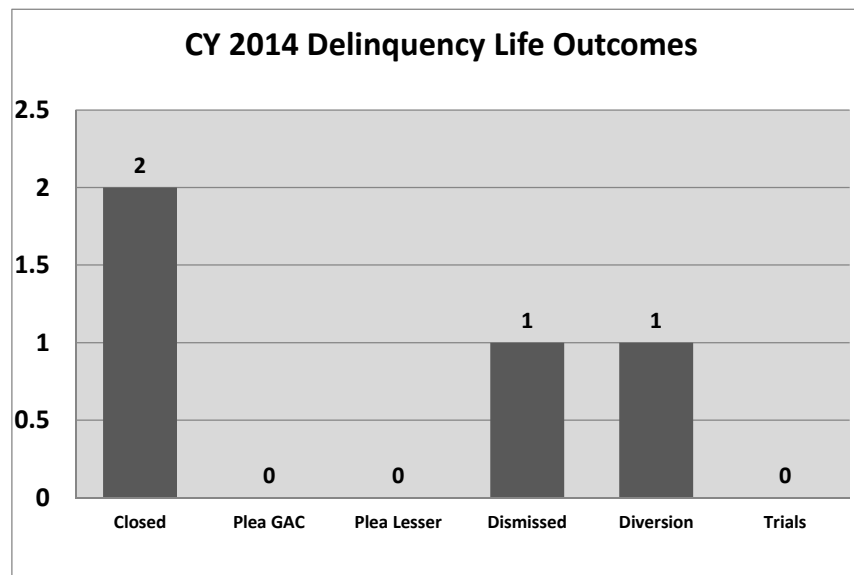
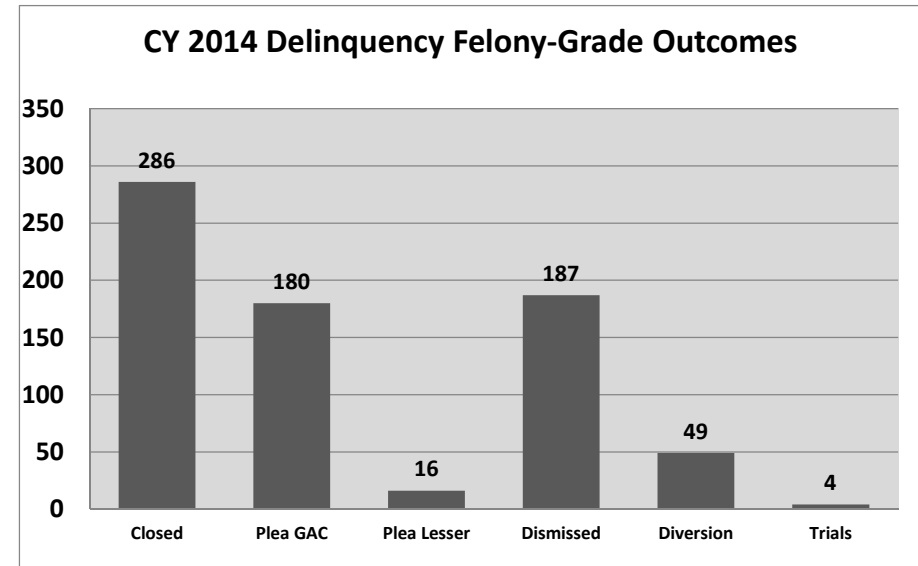
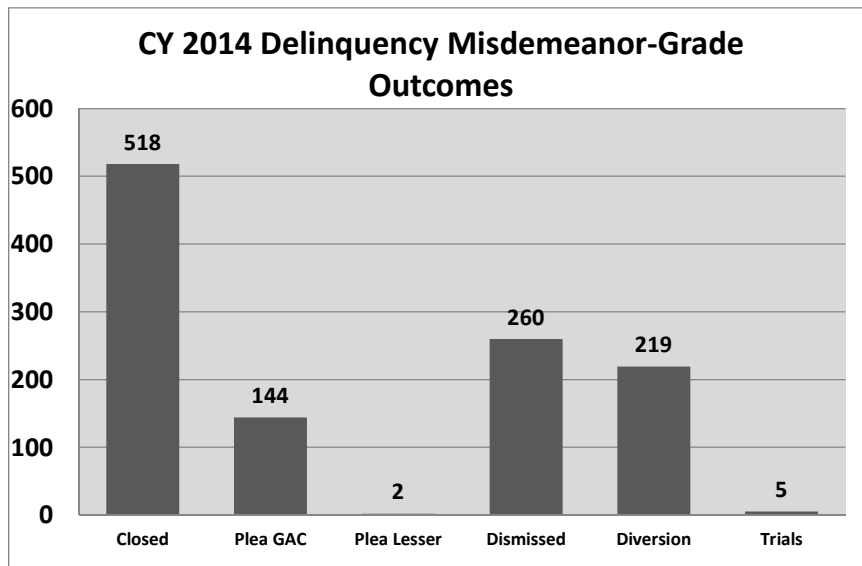
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

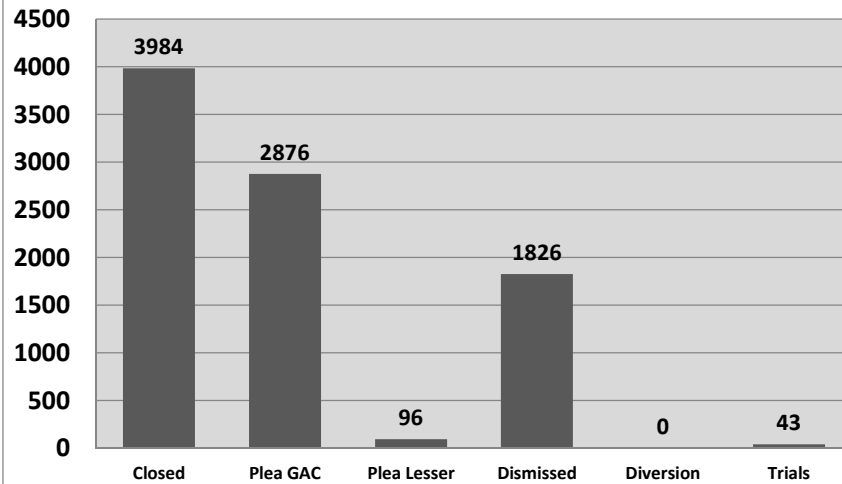
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

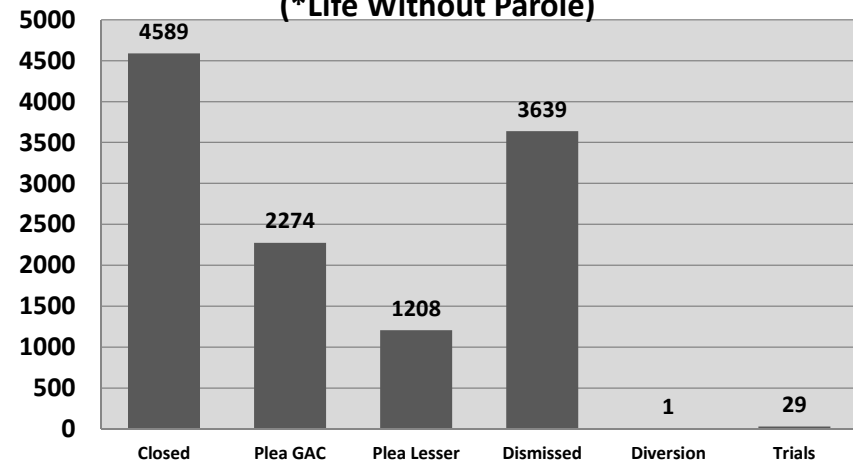




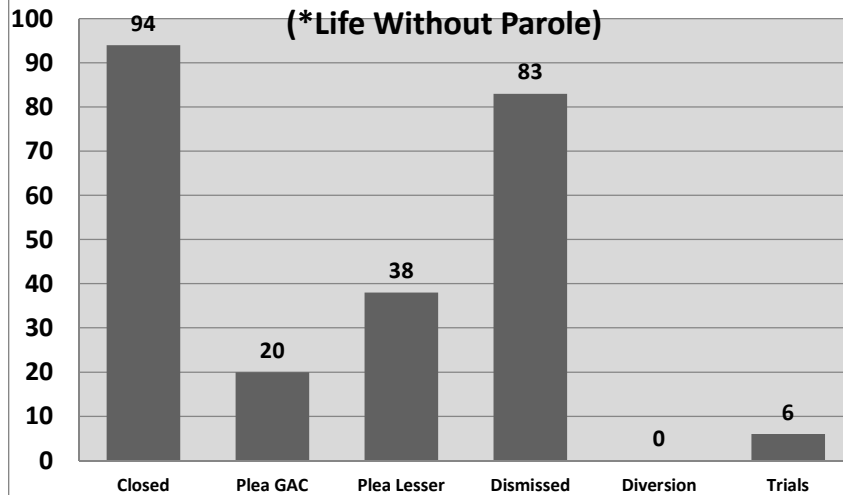
**CY 2014 Adult Misdemeanor Outcomes**



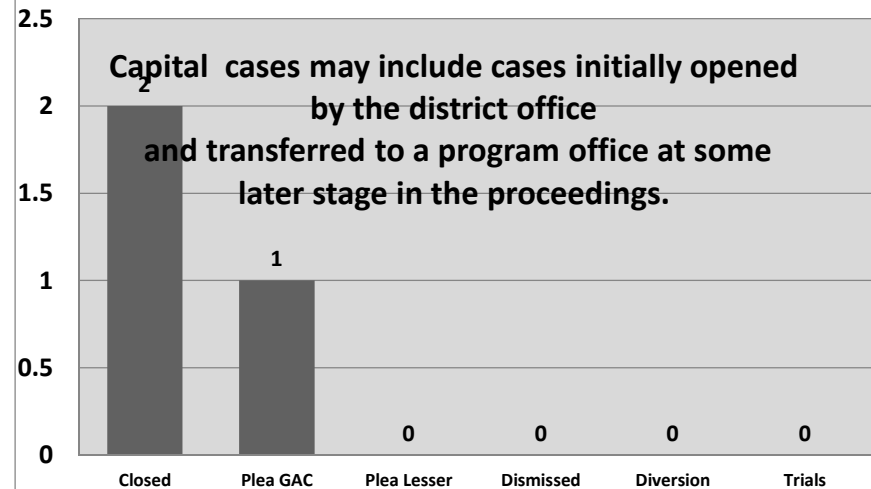
**CY 2014 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Capital Outcomes**



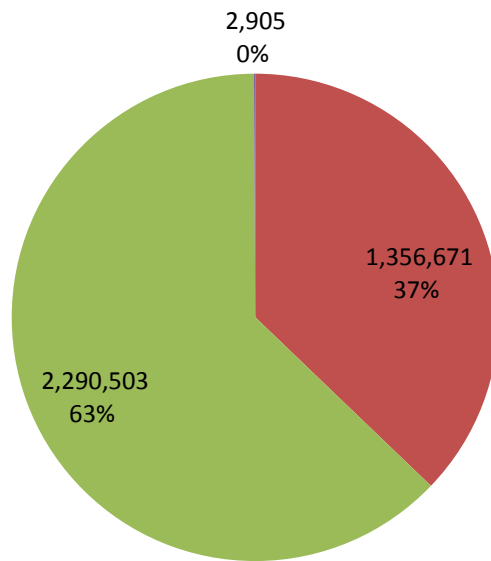
District 15 CY2014	Total CY2014
District Defender: G. Paul Marx	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	144,078
District Assistance Fund (DAF)	1,127,990
Supplemental/Emergency Funds	45,591
Grants	-
Other State Income -List source(s)	39,012
Total for State Government	1,356,671
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	303,935
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	4,800
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	411,152
City & City-Ward Courts	998,031
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	284,056
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	1,693,239
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	84,502
Partial Attorney Fees	
Reimbursements [as per 15:176]	202,852
Other Reimbursements	-
Other Local Income -List source(s)	1,175
Total for Charges For Services	288,529
Total for Local Government	2,290,503
Investment Earnings	
Interest Income	2,905
Other Investment Income - List source(s)	-
Total for Investment Earnings	2,905
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	3,650,079



District 15 CY2014	Total CY2014
District Defender: G. Paul Marx	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	1,533,217
Accrued Leave	-
Payroll Taxes	116,194
Hospitalization and Disability Insurance	143,316
Retirement	15,941
Other	-
Total for Personnel Services and Benefits	1,808,667
Travel/Training	
Parking/Auto Tolls	4,453
Travel/Lodging/Per Diem/Mileage	30,541
Total for Travel/Training	34,994
Operating Services	
Advertisements	866
Workers' Compensation	5,603
Insurance - Malpractice	14,138
Insurance - Auto/Physical Liability	4,524
Insurance - Other	77
Lease - Office	149,775
Lease - Auto/Equipment	15,646
Lease - Other	3,994
Office Repair and Maintenance	2,489
Office -	
Telephone/Utilities/Postage/Internet	28,102
Dues and Seminars	29,846
Law Library/Journals/Subscriptions	13,766
Office Supplies	59,667
Total for Operating Services	328,491
Professional Services	
Audit/Accounting Expense	17,450
Contract Clerical	-
Expert Witness	95,697
Investigators	33,356
Interpreters	-
Social Workers	-
Capital Representation	107,211
Conflict	26,905
Contract - Juvenile Attorneys or CINC	157,609
Misdemeanor Attorney Contracts	192,592
Contract Attorneys - all other	1,039,038
IT/Technical Support	22,060
Total for Professional Services	1,691,919
Capital Outlay	
Major Acquisitions	8,688
Total for Capital Outlay	8,688
Other Charges	
Other Operating Expenses	4,013
Total for Other Charges	4,013
Total for EXPENDITURES	3,876,771

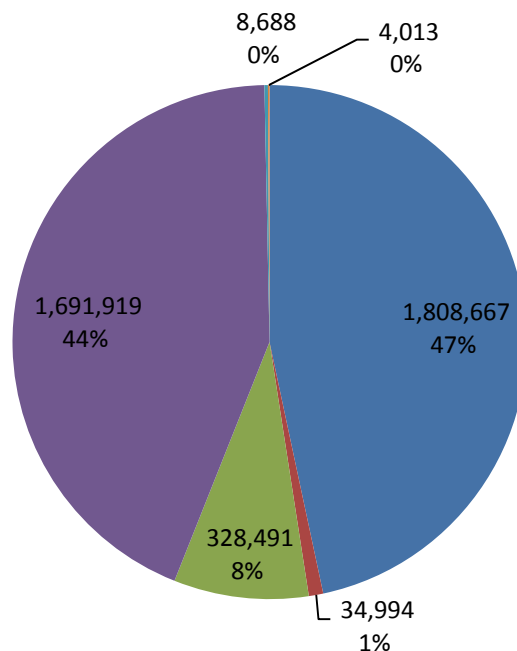
## Total CY14 Revenues

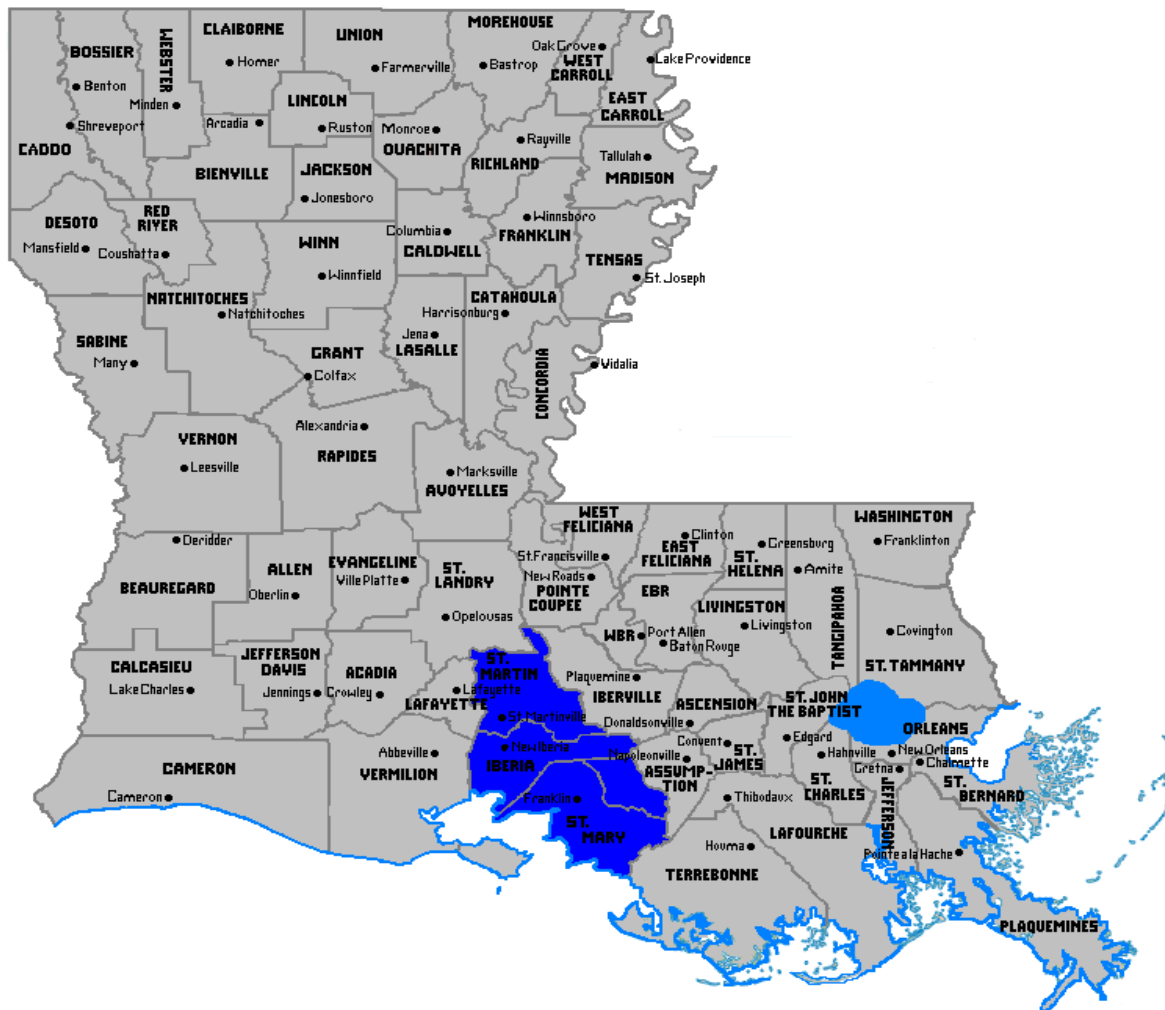
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





## THE 16<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

IBERIA (NEW IBERIA) - SAINT MARTIN (ST. MARTINVILLE) - SAINT MARY  
(FRANKLIN)

DISTRICT DEFENDER: M. CRAIG COLWART  
(INTERIM DISTRICT DEFENDER TONY CHAMPAGNE EFFECTIVE JANUARY 1<sup>ST</sup>, 2015)

107 WILSON STREET  
FRANKLIN, LA 70538  
(337) 828-3628

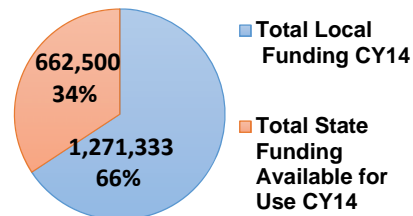
# 16TH JUDICIAL DISTRICT

During calendar year 2014, the 16th Judicial District Public Defenders Office handled 8,749 cases. The office received \$1,933,832 in total revenues to handle these cases, approximately 66% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

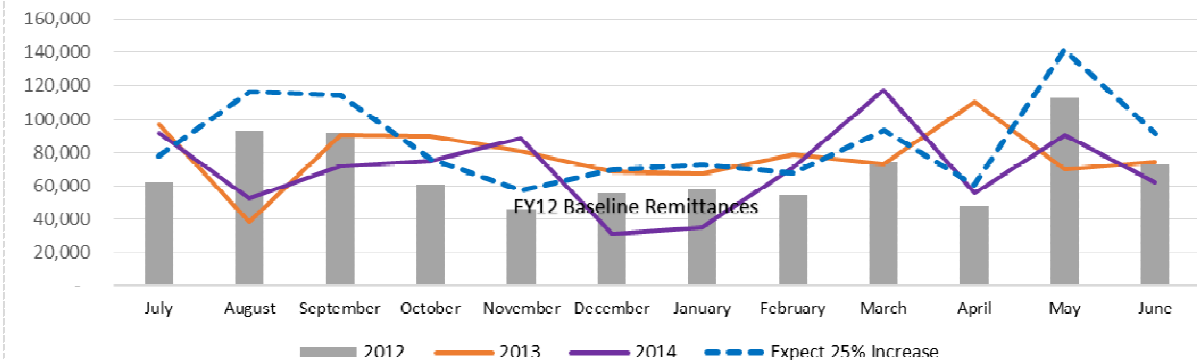
With the exception of a few anomalies, the 16th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 16th Judicial District office has nearly exhausted its fund balance. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent toward the end of FY15.

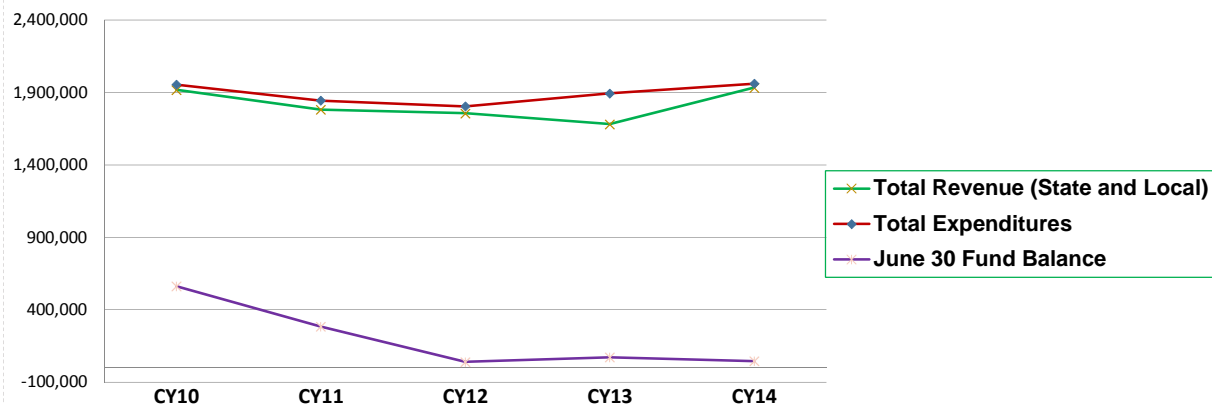
**District 16 PDO Revenue Sources CY14**



**Impact of Act 578 on District 16**



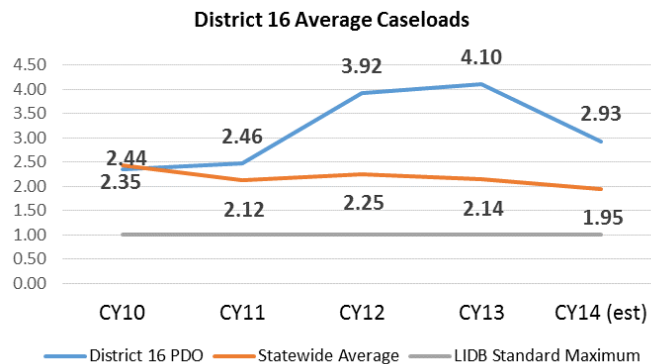
**District 16 PDO Finances CY10-14**



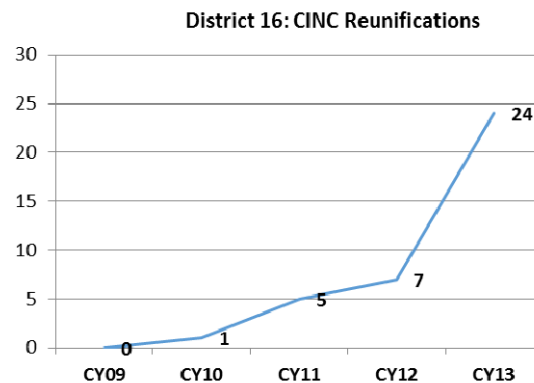
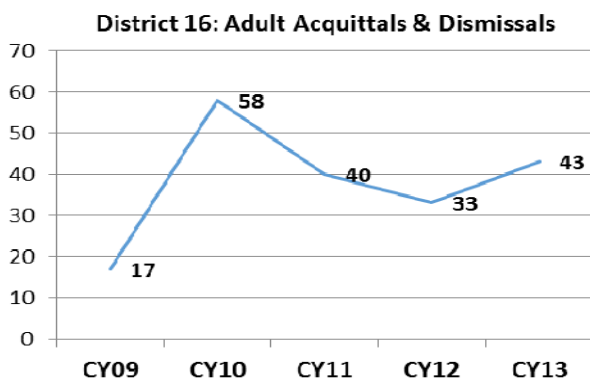
# IBERIA, ST. MARTIN, ST. MARY PARISHES

Craig Colwart,  
District Defender  
(Anthony Champagne  
Interim as of January 1, 2015)  
107 Wilson Street  
Franklin, LA 70538  
337-828-3628

In the 16th Judicial District, public defense attorneys make an average annual salary of \$57,369 while maintaining caseloads almost three times the recommended caseload limit for each attorney.



Although caseloads remain high, due to insufficient revenues, through increased training and supervision, CINC and adult client outcomes have significantly improved over the last five years.





## THE 16<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. Mary Parish, Franklin; Iberia Parish New Iberia; St. Martin Parish, St. Martinville.
<b>Population</b>	180,900
<b>Juvenile Population</b>	47,517
<b>District Defender</b>	M. Craig Colwart (Interim District Defender Tony Champagne effective January 1st, 2015)
<b>Years as District Defender</b>	19
<b>Years in Public Defense</b>	33
<b>Office Manager</b>	Mary Glaubrecht
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Tasha Rymer, Denise Frederick, Christina Lopez, Jaraya White, Josie Berthelot, Glenda Neuville, Natalie Robin, Kristen Noel, Nancy Cormier, Amber Olivier, Teresa Landry.
<b>Primary Office Street Address</b>	107 Wilson Street
<b>City</b>	Franklin
<b>ZIP</b>	70538
<b>Primary Phone</b>	337-828-3628
<b>Primary Mailing Address</b>	P.O.Box 1226 Franklin, La. 70538
<b>Primary Fax Number</b>	337-828-3864
<b>Primary Emergency Contact</b>	Tony Champagne
<b>Primary Emergency Phone</b>	985-209-0755
<b>Secondary Emergency Contact</b>	Teresa Landry
<b>Secondary Emergency Phone</b>	337-578-0855
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Iberia – 110 W. Washington Street, New Iberia, LA 70560 - 337-365-4006 --- St. Martin – 106 Berard St, St. Martinville LA 70582 337-394-1446.
<b>Other District Office Contact Personnel (Primary Only)</b>	St. Martinville - Josie Berthelot Iberia Parish - Natalie Robin
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	St. Mary Parish – Teche Land Rentals & Clarkson Brown; Iberia Parish - Asma Malahmeh; St. Martin Parish – Estate of Kathleen Willis.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Monthly utilities for all three offices: 1,200 Rent for all three offices: 4,257.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes

<b>Courts and Locations</b>	16th Judicial District, St. Mary parish, Franklin, LA 16th Judicial District, Iberia Parish, New Iberia, LA ; 16th Judicial District Court, St. Martin Parish, St. Martinville, LA; Morgan City City Court, Franklin City Court, Jeanerette City Court, New Iberia City Court, Breaux Bridge City Court; Patterson Mayor Court, St. Martinville Mayor Court.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	8 Criminal Divisions of 16th Judicial District Court; 1 Division in each of the above listed city courts and mayor courts.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Attorneys are assigned to each section of court.
<b>Name of Adult Detention Facilities in This District</b>	St. Mary Parish Law Enforcement Center, Centerville, LA; Berwick City Jail, Berwick, LA; Morgan City City Jail, Morgan City, LA; Jeanerette City Jail, Jeanerette, LA; Patterson City Jail, Patterson, LA; Iberia Parish Jail, Iberia Parish, LA; New Iberia City Jail, New Iberia, LA; St. Martin Parish Jail, St. Martinville, LA; Breaux Bridge, LA; Breaux Bridge City Jail, Breaux Bridge, LA;
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Lafayette Parish Jail, St. Landry Parish Jail, Avoyelles Parish Jail.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	The district used the St. James Juvenile Detention Center until its closure in June 2013, and since then juvenile clients had been housed in Assumption Parish Detention Facility; Lafayette Parish Detention Facility; Jeanerette City Jail (only if there are no adults already being held there).
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes. Attorneys are having a hard time visiting their out-of-district clients.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Yes. St. Martin Parish jail recently changed their visitation procedures which include clients are shackled; hand and feet; only one attorney at a time can visit and now there's only one visiting room which does not have a door on it.
<b>District Attorney</b>	Bo Duhe as of 01/12/2015
<b>Chief Judge of Criminal District Court</b>	Vincent Borne
<b>Juvenile Court Judges (Specify District of City Court)</b>	There are no elected juvenile judges, however the following judges handle juvenile cases within the district: 16th Judicial District Court – Keith Comeaux, Curtis Sigur, Lori Landry; New Iberia City Court – Trey Haik; Franklin City Court – Jim Supple; Jeanerette City Court – Cameron Simmons; Morgan City City Court – Kim Stansbury; Breaux Bridge City Court – Randy Angelle.
<b>Drug Court Judges</b>	Keith Comeaux, Vincent Borne, Anthony Thibodeaux
<b>Mental Health Court Judges</b>	None

<b>Other Specialty Court</b>	DWI Court
<b>Name of Specialty and Brief Description:</b>	Handles DWI 2nd, 3rd, & 4th Offenders
<b>Indigency Determined by Whom and How?</b>	By the chief defender upon receiving notice of appointment.
<b>When is Assignment/Appointment of Counsel Made?</b>	Initial appearance and/or when the case is allotted into a section a of court
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Iberia Parish: Kristen Noel
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Within three days of appointment, investigators go to various local jails to do intake for the jail clients. An appointment letter is either given or sent to bond clients for intake interview.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	6,284
<b>How Many Application Fees Were Waived?</b>	Less than 15
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2014</b>	51,227
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	870,000
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Minute entries from the clerk of court and documentation sent by respective collection agency.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Respective agency sends invoice along with the monthly check.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	When the sheriff's office sends us a check they attach a receipt of all fees collected and disbursed.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Half fee.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Minute entries provided by the clerk of each respective court.
<b>Who Collects the Assessed Partial Payments?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Sheriff's Office & DOC
<b>Who Remits the Partial Payments Collected?</b>	Sheriff's Office & DOC



<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Receipts from the respective sheriff's office in each parish.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Attorneys are not allowed to have a private practice within the section of court they are assigned.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	None
<b>Primary Immediate Needs</b>	Even MORE money to run the office.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes - Attrition
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	None as of 01/09/2015
<b>Immediate Critical Issue Areas</b>	Better and less expensive health care plan.
<b>Long-Term Critical Issue Areas</b>	More money to run the office.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Kristen Noel - Investigator; Jaraya White - Receptionist; Ian Alpha, Felony Attorney.
<b>Please List All Promotions in 2014 (Name and Title)</b>	0
<b>2014 Media Coverage and/or Major Accomplishments</b>	Several newspaper articles regarding PDO finances and numerous articles about representation in a specific capital case.
<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	The office no longer pays for CLE but does pay for hotel and mileage to state Board sponsored CLEs
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chief Defender, 1 Senior Felony Attorney per parish; A Senior/Misdemeanor/City Court/Juvenile attorney, Office Administrator, Office Manager – Iberia Parish, Office Manager – St. Martin Parish, Senior Investigator.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Yes. Tracks the state board regulations for restriction of services.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Office provides a health plan and pays up to \$500 of the premium and up to 1/2 of the deductible, not to exceed \$1,000 per year.
<b>Regular Meetings for Any Staff, Please Describe</b>	Monthly.
<b>Number of NEW capital cases in CY14 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	2

<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2014</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	3
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	If a juvenile case is transferred to adult court, the juvenile attorney stays on the case and works with the felony attorney assigned to the case as lead counsel.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Sen. Brett Allain; Rep. Taylor Barras; Rep. Simone Champagne; Rep. Sam Jones; Rep. Joe Harrison; Senator Fred Mills; State Rep. Terry Landry; Rep. Mike Huval
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Having one office in each parish sometimes makes it difficult for our clients to travel to our offices to meet with the attorneys.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
M. Craig Colwart	337-339-4115
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Shentell Brown	337-335-7882
Alicia Butler	337-380-8824
Michael Caffery	337-828-3628
Kay Clark	337-365-3800
Susan Dorsey	337-828-9545
Robert Duffy	985-397-3779
Nancy Dunning	337-893-6182
S. Marie Johnson	337-560-5088
Edward Jones	985-397-0271
Gary LeGros	337-519-4621
Lewis Pittman	337-365-3800
Maggie Simon	337-359-8701
Maggie Anne Simon	337-519-0791
Robert Tracy	337-828-9545
Ferdinand Valteau	337-828-9545
Renee Louviere	337-365-4006
Keith Crawford	337-394-6950
Ian Alpha	337-394-1446

<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Mary Glaubrecht	337-828-9545
Teresa Landry	337-578-1707
Denise Stelly	337-828-9545
Christina Lopez	337-828-9545
Deniesee Robertson	985-384-2157
Tina Turner	985-412-6093
Glenda Nueville	337-230-9024
Josie Berthelot	337-230-2118
Leo "Pope" Huval	337-394-6950
Natalie Robin	337-365-4006
Nancy Cormier	337-365-4006
Amber Olivier	337-365-4006
Tasha Rymer	337-828-9545
Kristen Noel	337-365-4006
Jaraya White	337-394-1446

## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Teresa Landry/IT Director
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	x
Windows Server 2000/2003/2008	x
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	Mas 90
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	x
Firefox	x
Google Chrome	x
Other	

<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	2
DVD	0
VCR	0
Desktop PCs	18 + 2 servers
Laptops	9
Video Cameras	1
Digital Cameras	1
Video Conferencing Systems	0
B&W Laser Printers	7
Color Printers	4
Wireless Cards	0
Smartphones (Funded by Office)	3
iPad/Tablets (Funded by Office)	1
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	AT&T Uverse
No Internet Connection	
Connection Speed:	14.90 Mbps
Provider Name:	AT&T
Email Provider:	tekhead.biz
Please list any software or computer equipment in which you need training:	

# 16th District Defender Office CY 2014 Caseloads & Outcomes

NOTE: District Defender no longer with office at time of this report, figures are tentative

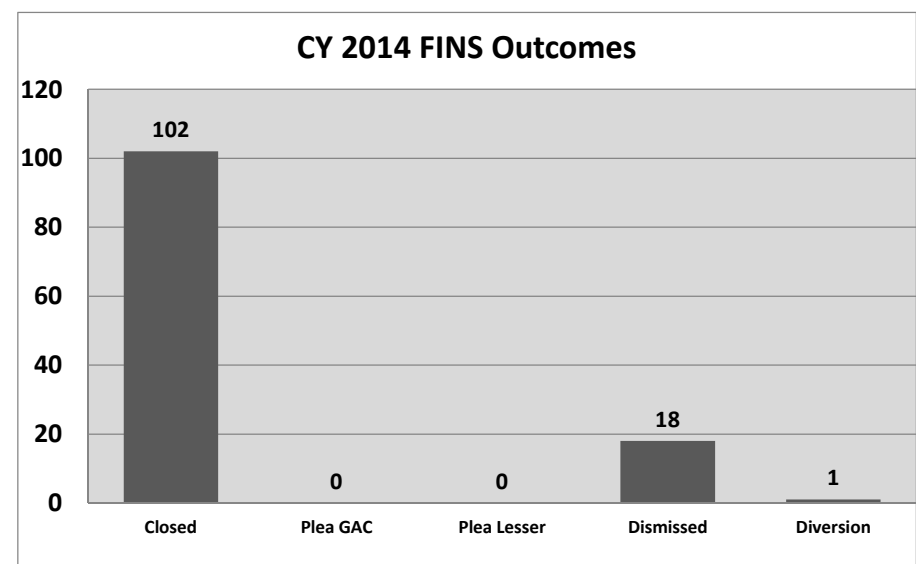
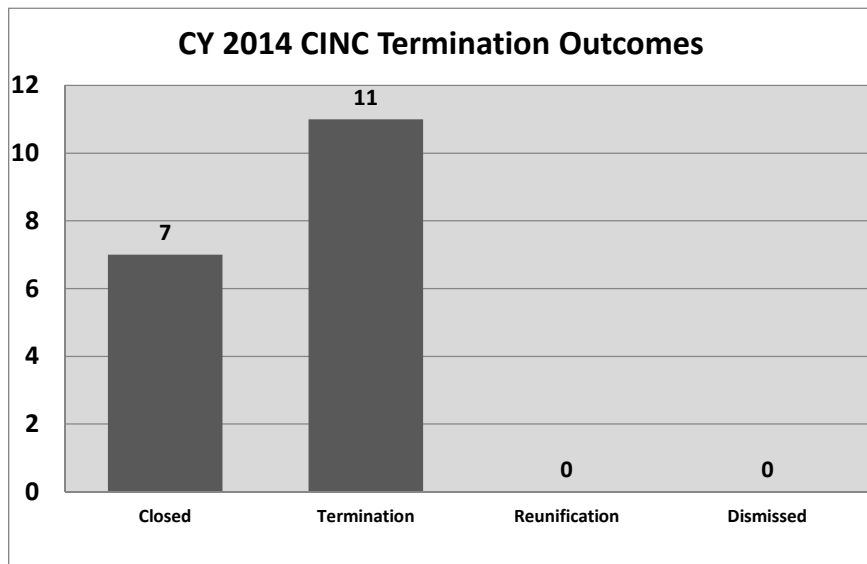
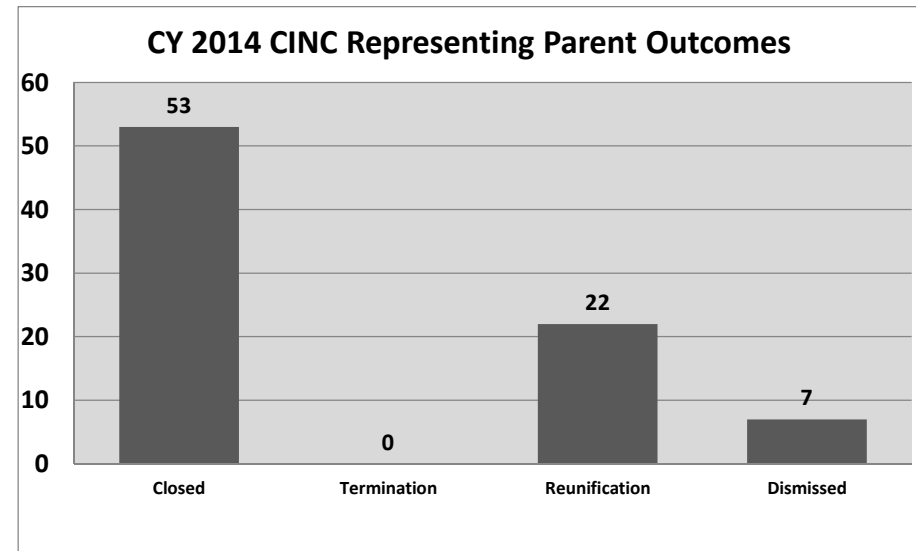
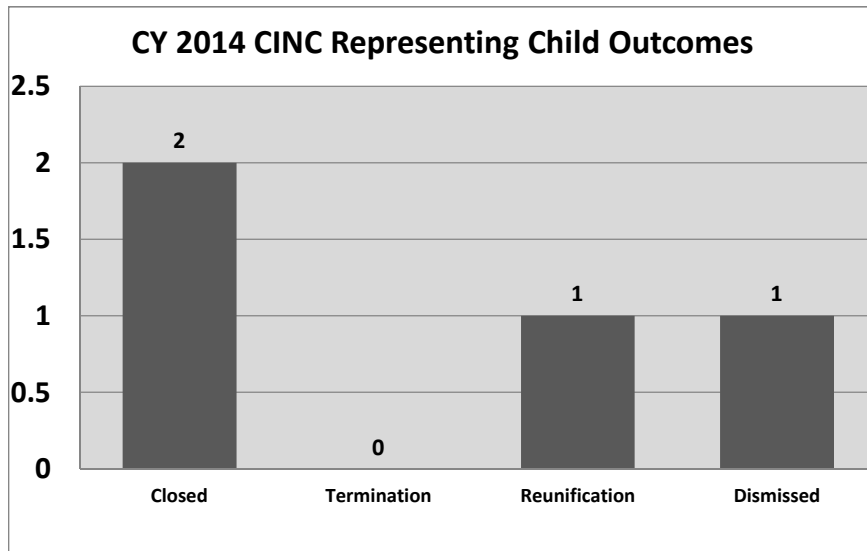
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	8	2	4	12	0	1	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	78	53	45	123	0	22	N/A	N/A	7	N/A	N/A	N/A	N/A	N/A	0
Termination	7	7	0	7	11	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	131	102	24	155	N/A	N/A	0	0	18	1	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	347	280	33	380	N/A	N/A	153	14	94	47	N/A	N/A	4	14	18
Delinquency Felony	89	73	17	106	N/A	N/A	27	5	51	4	N/A	N/A	1	3	4
Delinquency-Life	2	2	0	2	N/A	N/A	0	0	1	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	3291	2839	987	4278	N/A	N/A	2151	160	2073	16	0	0	29	69	98
Adult Felony Non-LWOP**	2341	1617	1255	3596	N/A	N/A	976	224	1464	37	2	2	0	2	6
Adult LWOP	0	2	4	4	N/A	N/A	0	1	3	0	0	0	0	1	1
Capital***	0	0	2	2	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	75	133	9	84	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

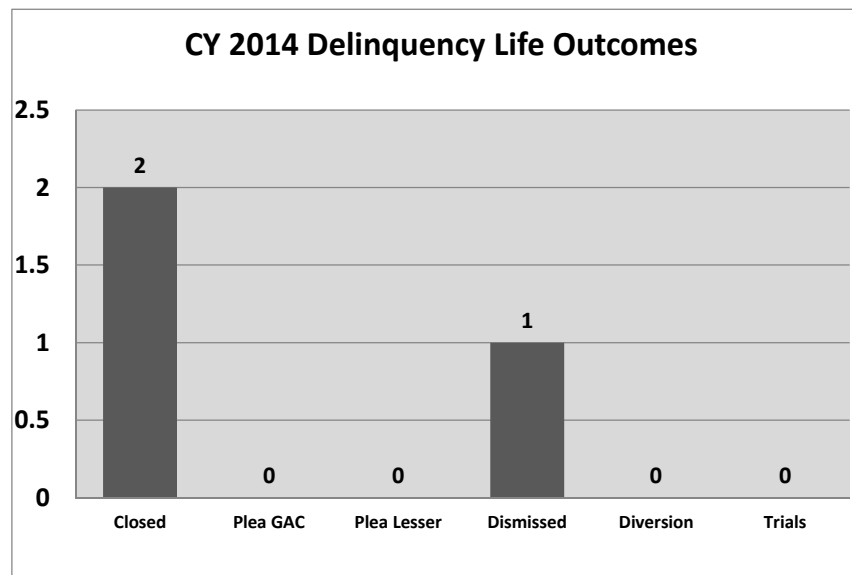
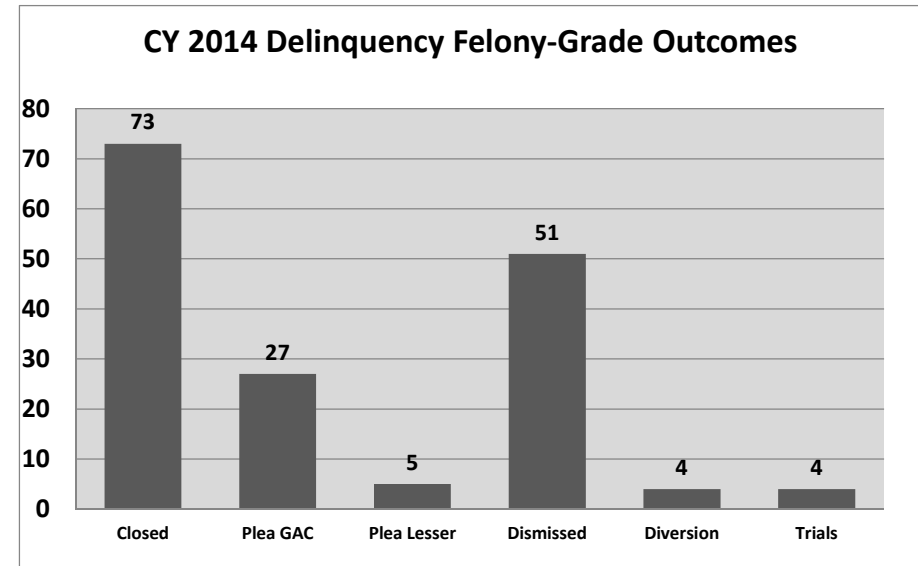
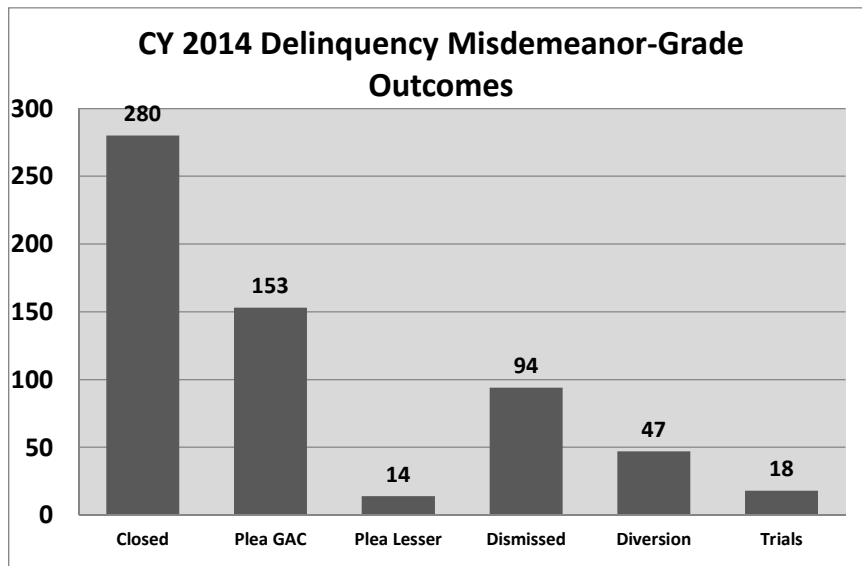
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

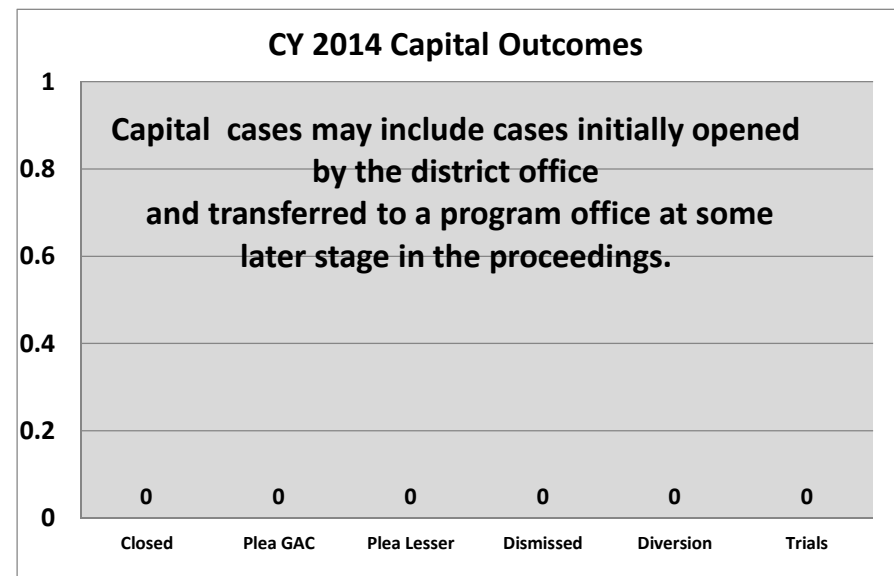
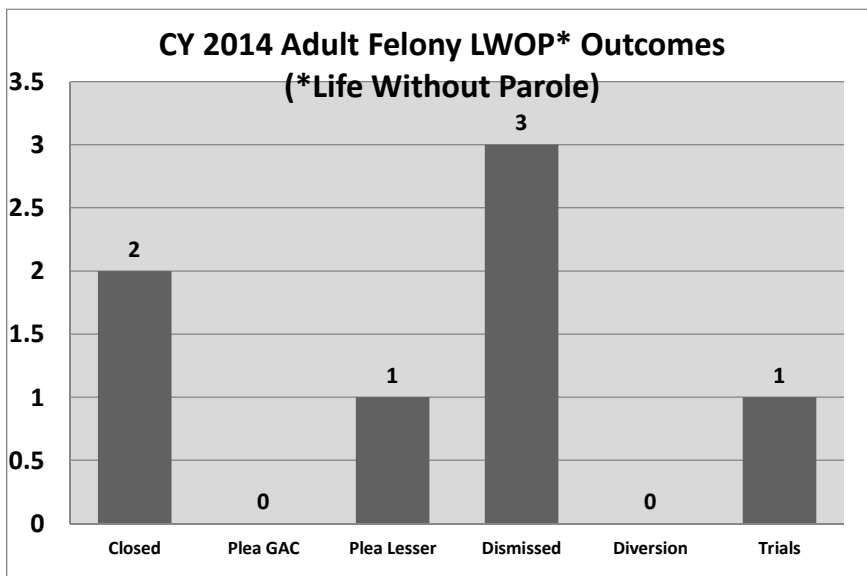
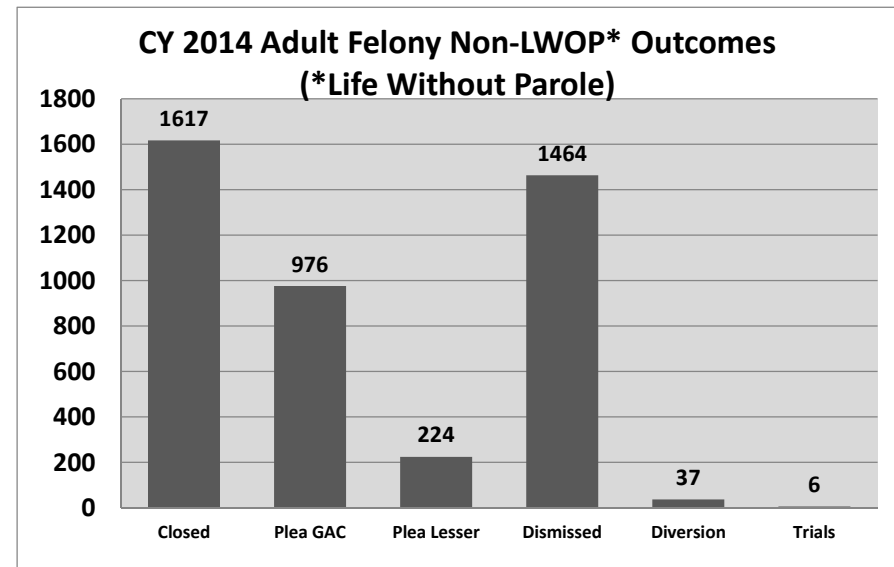
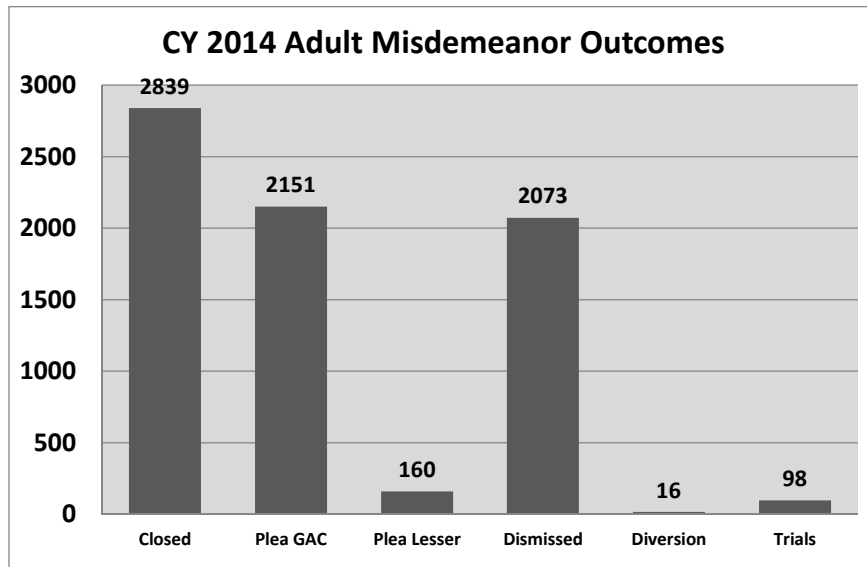
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.







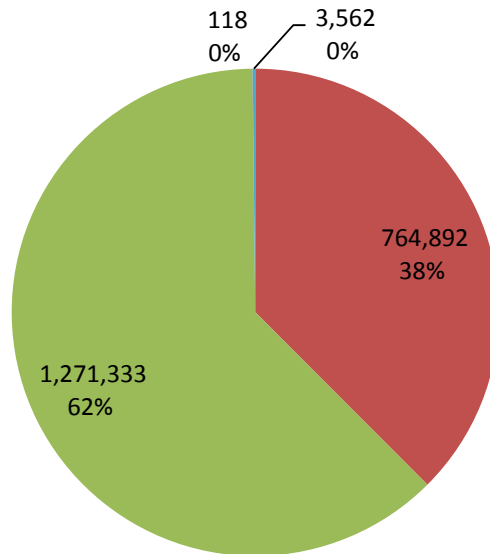


District 16 CY2014	Total CY2014
District Defender: Craig Colwart	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	34,982
District Assistance Fund (DAF)	612,960
Supplemental/Emergency Funds	82,646
Grants	-
Other State Income -List source(s)	34,304
Total for State Government	764,892
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	41,236
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	340,941
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	261,839
City & City-Ward Courts	377,106
Judicial District Courts	195,546
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	834,491
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	54,665
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	54,665
Total for Local Government	1,271,333
Investment Earnings	
Interest Income	118
Other Investment Income - List source(s)	-
Total for Investment Earnings	118
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	3,562
Total for Other Sources (Grants & Contributions)	3,562
Total for REVENUE	2,039,905

District 16 CY2014	Total CY2014
District Defender: Craig Colwart	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	1,048,928
Accrued Leave	8,240
Payroll Taxes	70,007
Hospitalization and Disability Insurance	144,274
Retirement	26,440
Other	-
Total for Personnel Services and Benefits	1,297,889
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	26,497
Total for Travel/Training	26,497
Operating Services	
Advertisements	361
Workers' Compensation	5,476
Insurance - Malpractice	11,622
Insurance - Auto/Physical Liability	1,060
Insurance - Other	-
Lease - Office	43,243
Lease - Auto/Equipment	11,289
Lease - Other	-
Office Repair and Maintenance	14,736
Office - Telephone/Utilities/Postage/Internet	40,122
Dues and Seminars	5,513
Law Library/Journals/Subscriptions	13,461
Office Supplies	16,238
Total for Operating Services	163,122
Professional Services	
Audit/Accounting Expense	30,779
Contract Clerical	-
Expert Witness	22,609
Investigators	15,621
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	48,394
Contract - Juvenile Attorneys or CINC	150,723
Misdemeanor Attorney Contracts	54,745
Contract Attorneys - all other	142,977
IT/Technical Support	2,278
Total for Professional Services	468,127
Capital Outlay	
Major Acquisitions	2,160
Total for Capital Outlay	2,160
Other Charges	
Other Operating Expenses	3,717
Total for Other Charges	3,717
Total for EXPENDITURES	1,961,512

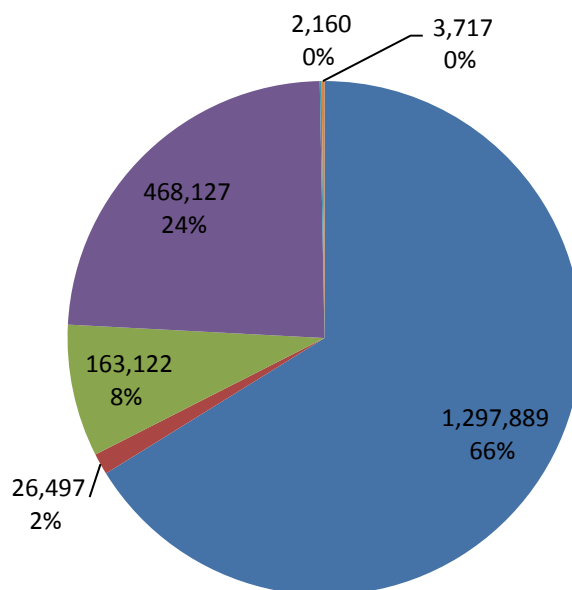
## Total CY14 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





# THE 17<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE LAFOURCHE (THIBODAUX)

DISTRICT DEFENDER: CHRISTOPHER J. BOUDREAUX  
(INTERIM DISTRICT DEFENDER VICTOR E. BRADLEY, JR. EFFECTIVE DECEMBER 1 ST,  
2014)

204 GREEN STREET  
THIBODAUX, LA 70301  
(985) 446-8808

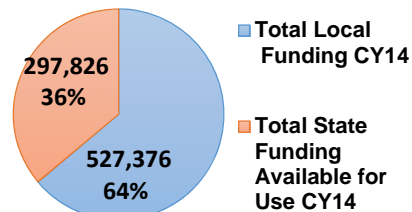
# 17TH JUDICIAL DISTRICT

During calendar year 2014, the 17th Judicial District Public Defenders Office handled 4,693 cases. The office received \$825,202 in total revenues to handle these cases, approximately 64% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

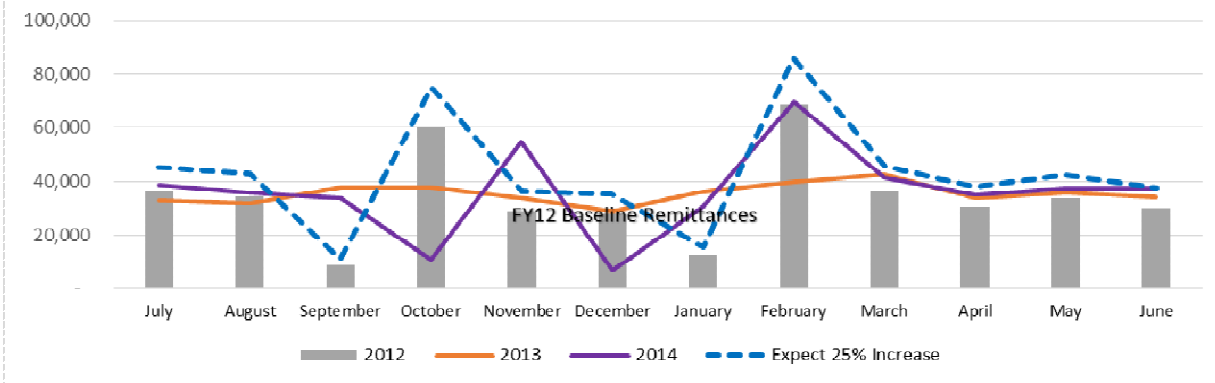
With very few exceptions, the 17th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 17th Judicial District office's expenditures generally exceed the office's revenues. While it is too early to project when the 17th Judicial District office will exhaust its fund balance. Without an increase in revenues or reduction in expenditures, the office will continue to deplete its relatively small fund balance eventually becoming insolvent.

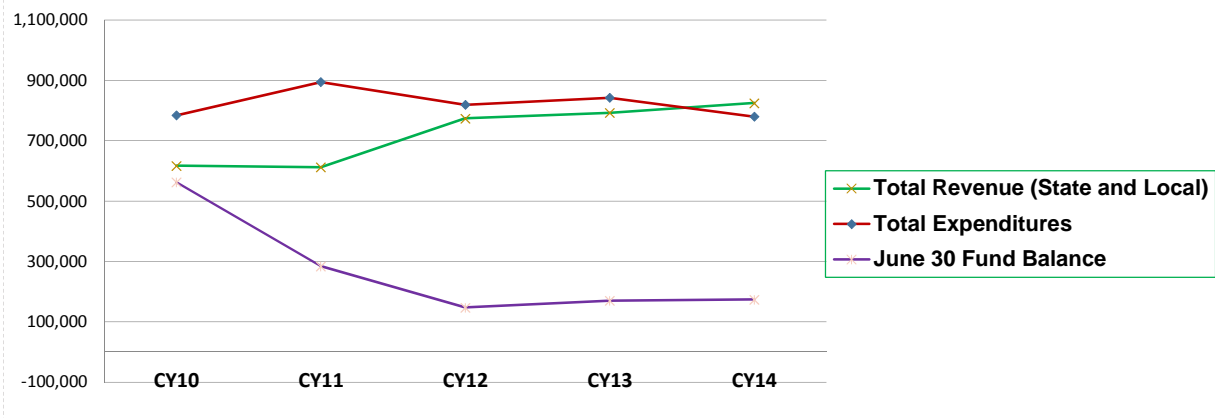
**District 17 PDO Revenue Sources CY14**



**Impact of Act 578 on District 17 PDO**



**District 17 PDO Finances CY10-14**

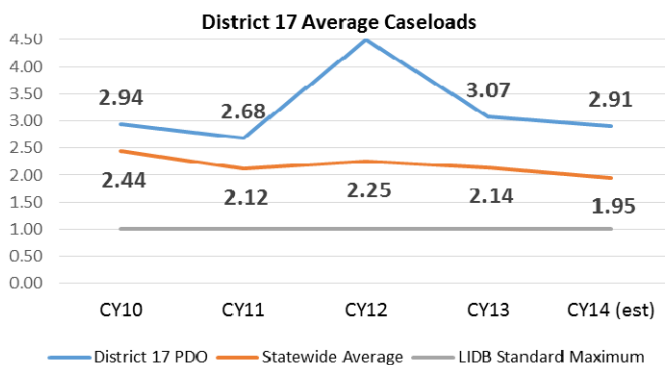


## LAFOURCHE PARISH

Christopher Boudreaux  
District Defender  
(Victor E. Bradley, Jr.  
Interim as of December 1, 2014)  
204 Green Street  
Thibodaux, LA 70301  
985-446-8808

In the 17th Judicial District, public defense attorneys maintain caseloads almost three times the recommended caseload limit for each attorney.

Reliance on insufficient revenues has resulted in caseloads that by far exceed established caseload limits. Excessive cases limit each defender's ability to provide effect assistance of counsel to their clients.



## CAPITAL REPRESENTATION

Since 2009, the 17th Judicial District has handled 9 new capital prosecutions.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 17th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 17<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Lafourche-Thibodaux, La.
<b>Population</b>	97,891
<b>Juvenile Population</b>	24,012
<b>District Defender</b>	Christopher J. Boudreaux (Interim District Defender Victor E. Bradley, Jr. effective December 1st, 2014)
<b>Years as District Defender</b>	1 Mo.
<b>Years in Public Defense</b>	30
<b>Office Manager</b>	Lawrence Autin
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Christie C. Boudreaux, Lisa J. Washington. Charity R. Taylor
<b>Primary Office Street Address</b>	204 Green Street
<b>City</b>	Thibodaux
<b>ZIP</b>	70301
<b>Primary Phone</b>	985-446-8808
<b>Primary Mailing Address</b>	204 Green Street, Thibodaux, LA 70301
<b>Primary Fax Number</b>	985-446-8818
<b>Primary Emergency Contact</b>	Victor E. Bradley, Jr
<b>Primary Emergency Phone</b>	985-764-2338
<b>Secondary Emergency Contact</b>	Lawrence Autin
<b>Secondary Emergency Phone</b>	985-413-0284
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	204 Green Street, Thibodaux, LA 70301 phone: 985-446-8808 fax: 985-446-8818
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Amy B. Roth
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	2,550
<b>Are Your Office Accounting Services Handled In- House? (If not, name the third party who provides these services)</b>	In-House
<b>Courts and Locations</b>	17th Judicial District Court, Lafourche Parish, Div. A-E, 201 Green St. & 303 West 3rd Street, Thibodaux, 70301; Thibodaux City Court, 1309 Canal Blvd. Thibodaux, 70301
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	A, B, C, D, & E only (1) division in City Court



<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Full time attorneys handle a different division of court and our office and the duty attorney is assigned at magistrate then a permanent division is assigned at arraignment or before if a motion is filed.
<b>Name of Adult Detention Facilities in This District</b>	Lafourche Parish Detention Center
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	East Carroll; St.Charles; Riverbend; Avoyelles Markville & Simmesport
<b>Name of Juvenile Detention Facilities In This District</b>	Lafourche Parish Juvenile Justice Facility
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Camille A. Morvant, II
<b>Chief Judge of Criminal District Court</b>	John E. Leblanc
<b>Juvenile Court Judges (Specify District of City Court)</b>	Mark Chiasson, City Court; John E. Leblanc, F.Hugh Larose; Steve Miller; Christopher J. Boudreaux; Walter Lanier,III.
<b>Drug Court Judges</b>	Walter I. Lanier,III
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	None
<b>Indigency Determined by Whom and How?</b>	Judge in open court refers to our office for final determination
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest (Magistrate hearing); Time charges are filed.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Attorney, Charles Caillouet
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	At detention center within 72 hours or if they are not in jail a registered letter is sent immediately for them to come to our office.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes, when possible
<b>How Many Applications for Services Were Received?</b>	3,667
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	13,035

<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	315,351
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	None
<b>Who Collects the Assessed Court Fees?</b>	Sheriff for District Court/City Clerk for City
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Court orders additional payment if and when requested by counsel, or on courts own motion
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	Our office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	None
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	No restriction on private practice. Duties of indigent defense take priority over private practice.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	No written contract
<b>Primary Immediate Needs</b>	Additional funding for additional staff attorneys and investigators.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Should be o.k. until 7/31/15
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No investigator; less 1 girl in the office.
<b>Immediate Critical Issue Areas</b>	Funding for adequate salary and Hospitalization.

<b>Long-Term Critical Issue Areas</b>	Remove the cost of capital cases from this office.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Maria Dugas new Division A Staff Attorney
<b>Please List All Promotions in 2014 (Name and Title)</b>	Maria Dugas (promoted to Division A Staff Attorney)
<b>2014 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Trained by District Defender
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District Defender for attorneys, Office Manager for non attorney staff.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	Office employee are supervised by office manager, Lawrence Autin who answer to the District Defender all attorneys answer to the District Defender.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	When necessary called for by District Defender.
<b>Number of NEW capital cases in CY14 handled by your office</b>	1
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	1
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Rep. Joseph Harrison, Lenar Whitney, Jerry Gisclair and Jerome Richard; Senators Troy Brown, Gary Smith, Norbert Chaubert, R.L.Allain
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Inadequate jail facilities delay contact with inmates.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	None

<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Andrew Wise	985-446-8808
Garyland Wallis	985-446-8808
George Ledet	985-446-8808
Julie Erny	985-446-8808
Maria E. Dugas	985-262-1299
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Andrea Stentz	985-446-8808
David Arceneaux	985-446-8808
L. Charles Caillouet	985-446-8808
Carlton J. Cheramie	985-446-8808
Wilbert Billiot	985-446-8808
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Christie Boudreaux	985-446-8808
Lisa Washington	985-446-8808
Charity Taylor	985-446-8808
Victor Bradley, Jr.	985-764-2338

## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Lawrence Autin
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	x
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Firefox	
Google Chrome	x
Other	

<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	1
DVD	
VCR	1
Desktop PCs	8
Laptops	2
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	5
Color Printers	1
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	X
No Internet Connection	
Connection Speed:	6
Provider Name:	Charter Business
Email Provider:	Charter Business
Please list any software or computer equipment in which you need training:	None

## 17th District Defender Office CY 2014 Caseloads & Outcomes

NOTE: District Defender no longer with office at time of this report, figures are tentative

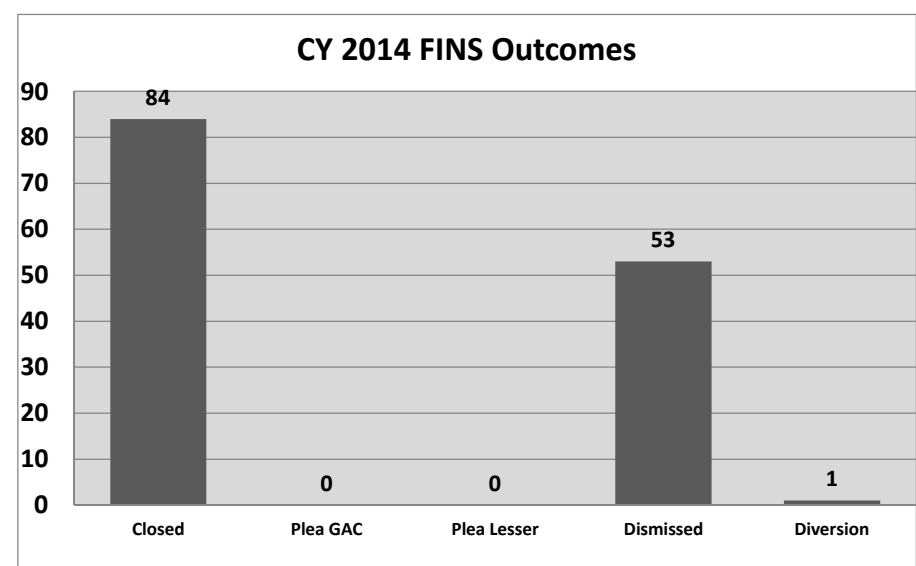
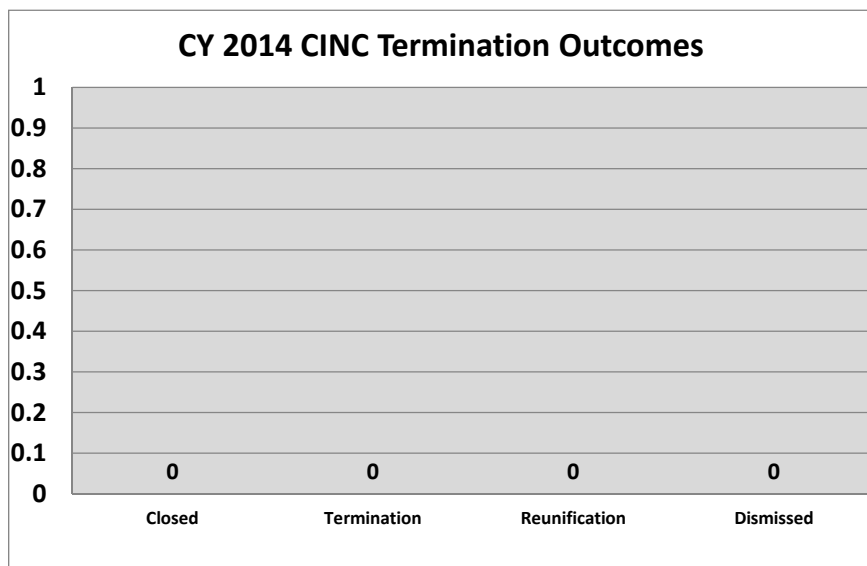
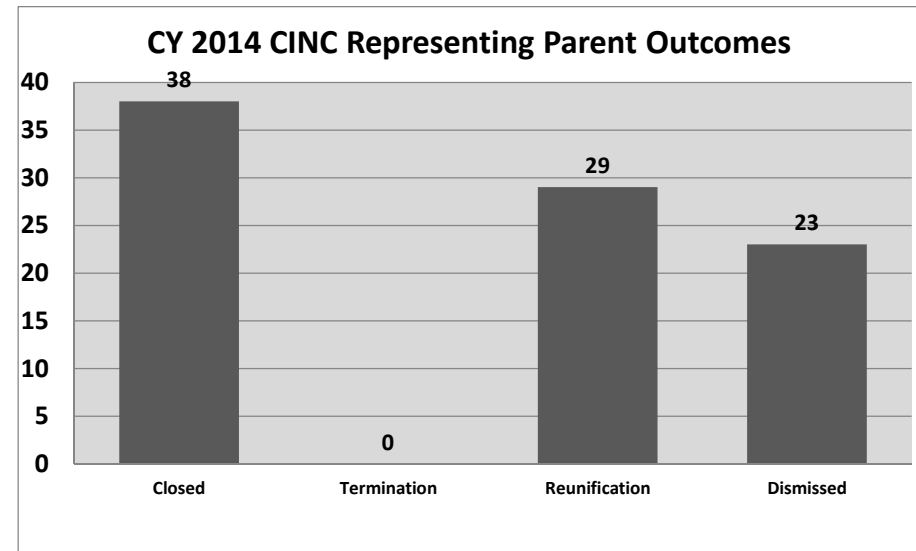
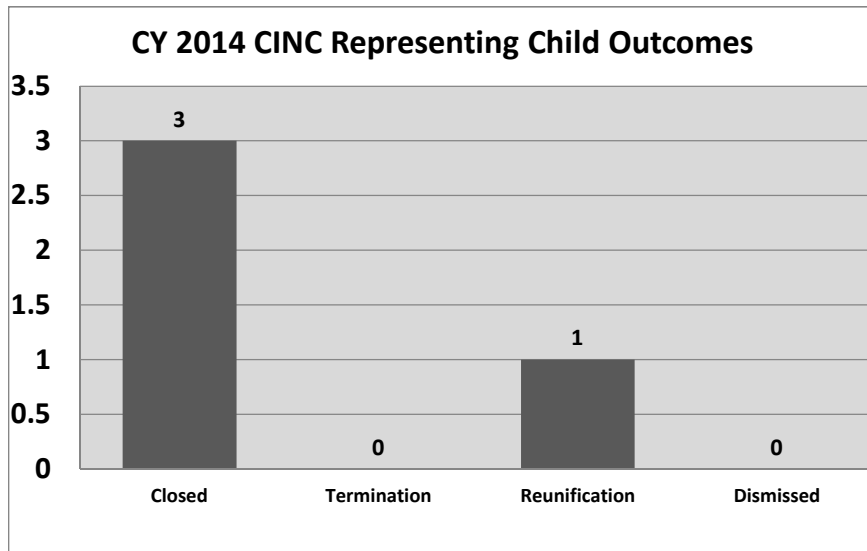
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	2	3	7	9	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	64	38	42	106	0	29	N/A	N/A	23	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	1	1	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	73	84	28	101	N/A	N/A	0	0	53	1	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	261	252	44	305	N/A	N/A	250	7	116	0	N/A	N/A	1	0	1
Delinquency Felony	85	97	29	114	N/A	N/A	155	13	60	0	N/A	N/A	2	1	3
Delinquency-Life	2	5	3	5	N/A	N/A	3	0	2	0	N/A	N/A	0	0	0
Juvenile Revocations	0	55	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	1789	1828	528	2317	N/A	N/A	1385	70	1075	5	0	0	0	1	1
Adult Felony Non-LWOP**	1077	1194	550	1627	N/A	N/A	760	251	643	6	0	3	0	2	5
Adult LWOP	18	31	23	41	N/A	N/A	9	9	31	0	0	2	0	0	2
Capital***	2	0	1	3	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	46	214	13	59	N/A	N/A	1	0	6	0	N/A	N/A	N/A	N/A	0
PCR	2	3	3	5	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	3	3
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

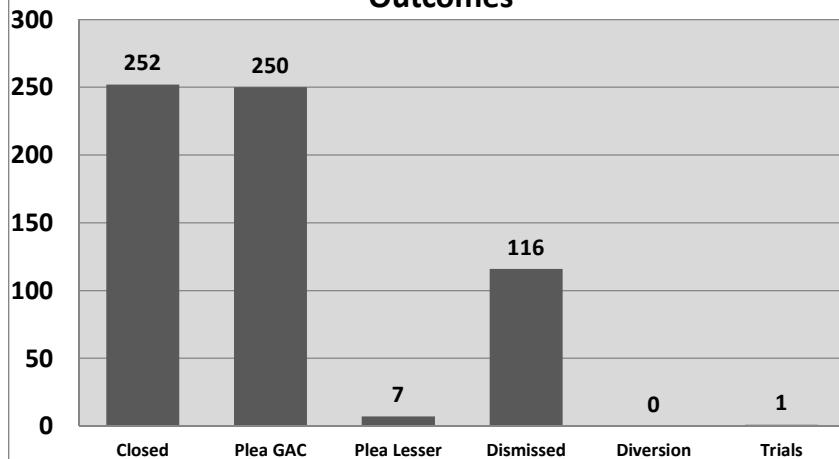
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

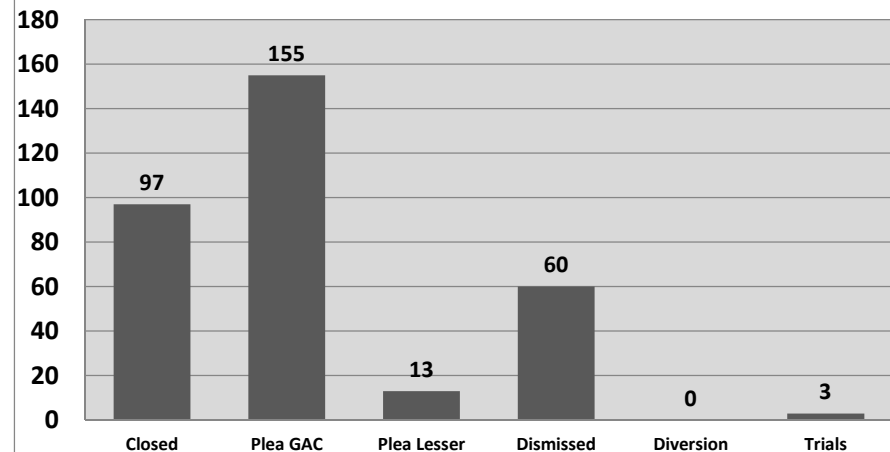




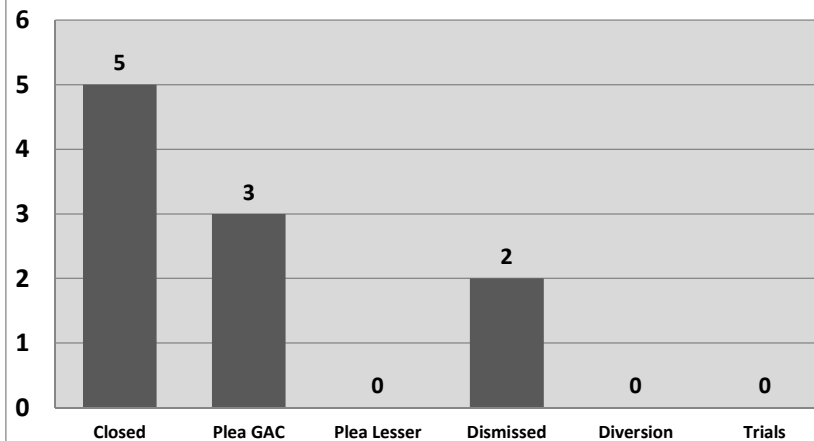
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**

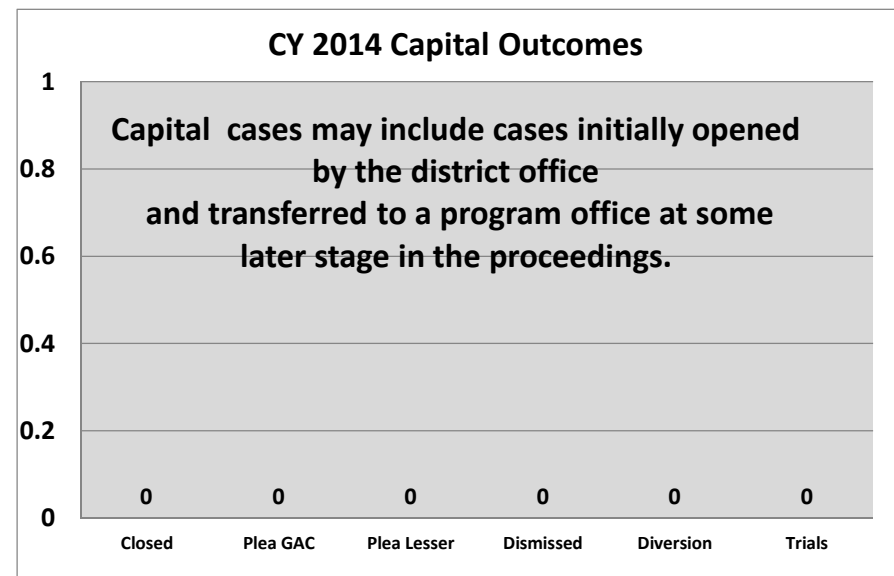
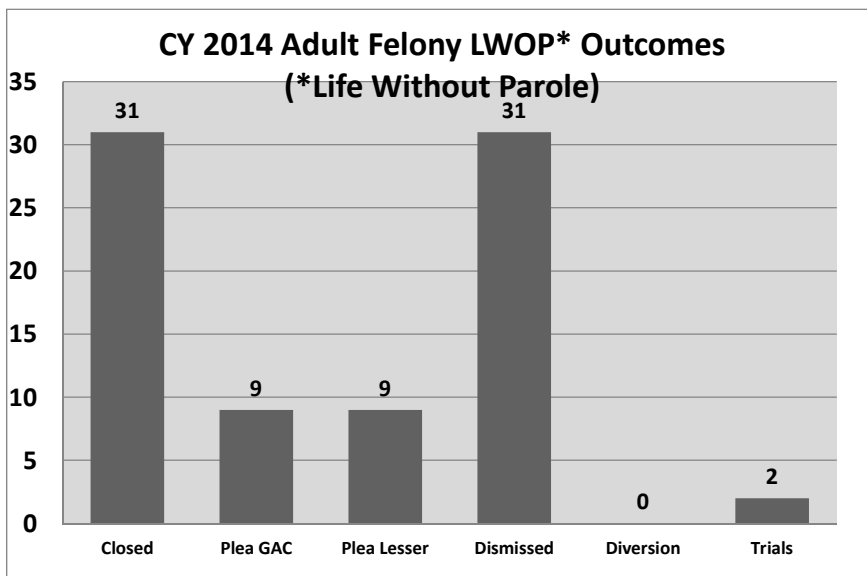
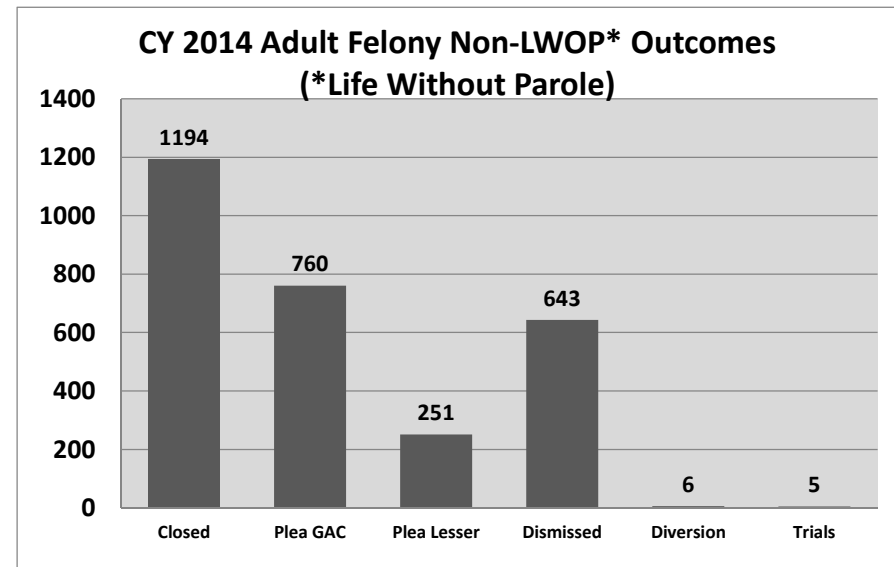
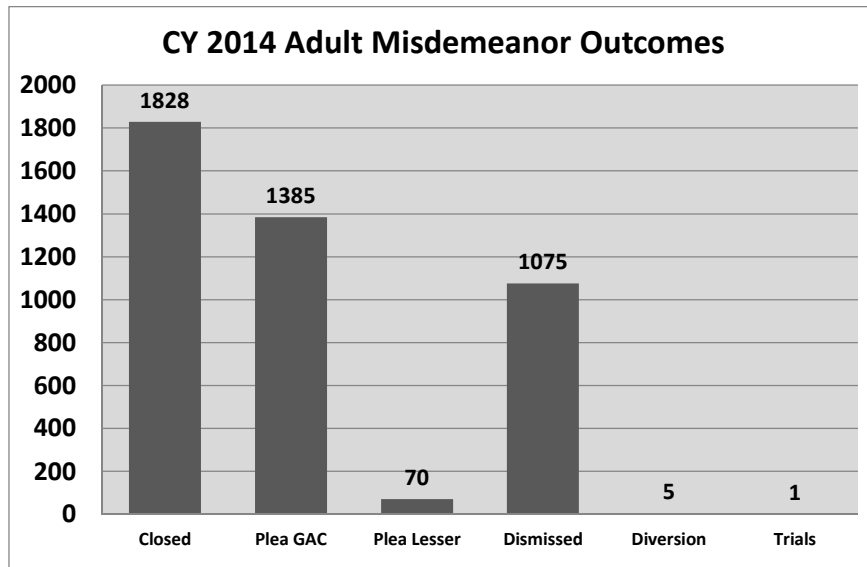


**CY 2014 Delinquency Felony-Grade Outcomes**



**CY 2014 Delinquency Life Outcomes**



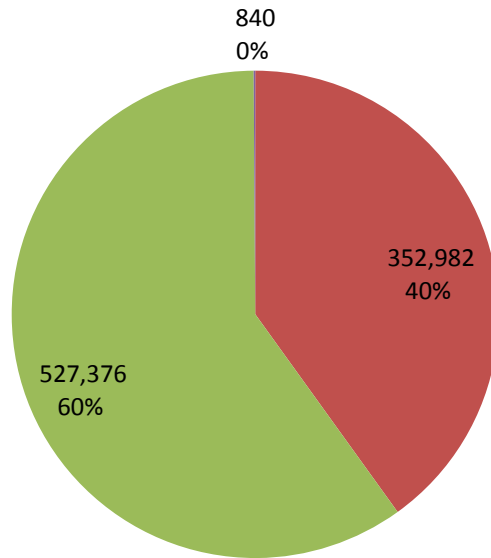


District 17 CY2014	Total CY2014
District Defender: Christopher Boudreaux	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	21,517
District Assistance Fund (DAF)	311,712
Supplemental/Emergency Funds	-
Grants	19,753
Other State Income -List source(s)	-
Total for State Government	352,982
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	56,232
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	4,730
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	374,045
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	6,800
Municipal Court	68,870
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	449,715
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	12,750
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	2,128
Other Local Income -List source(s)	1,821
Total for Charges For Services	16,699
Total for Local Government	527,376
Investment Earnings	
Interest Income	60
Other Investment Income - List source(s)	780
Total for Investment Earnings	840
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	881,198

District 17 CY2014	Total CY2014
District Defender: Christopher Boudreaux	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	391,725
Accrued Leave	-
Payroll Taxes	30,893
Hospitalization and Disability Insurance	-
Retirement	49,469
Other	-
Total for Personnel Services and Benefits	472,088
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	866
Total for Travel/Training	866
Operating Services	
Advertisements	837
Workers' Compensation	3,011
Insurance - Malpractice	7,131
Insurance - Auto/Physical Liability	-
Insurance - Other	866
Lease - Office	24,000
Lease - Auto/Equipment	-
Lease - Other	871
Office Repair and Maintenance	252
Office -	
Telephone/Utilities/Postage/Internet	11,532
Dues and Seminars	251
Law Library/Journals/Subscriptions	12,296
Office Supplies	5,288
Total for Operating Services	66,335
Professional Services	
Audit/Accounting Expense	3,800
Contract Clerical	-
Expert Witness	50
Investigators	767
Interpreters	-
Social Workers	-
Capital Representation	19,753
Conflict	59,039
Contract - Juvenile Attorneys or CINC	51,282
Misdemeanor Attorney Contracts	41,664
Contract Attorneys - all other	62,229
IT/Technical Support	354
Total for Professional Services	238,937
Capital Outlay	
Major Acquisitions	1,596
Total for Capital Outlay	1,596
Other Charges	
Other Operating Expenses	59
Total for Other Charges	59
Total for EXPENDITURES	779,881

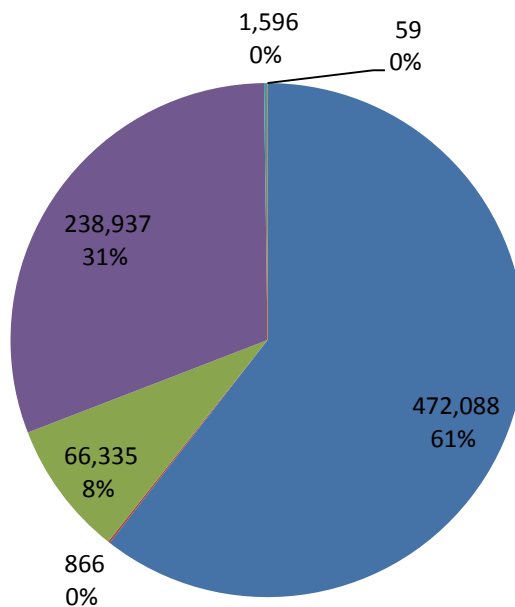
## Total CY14 Revenues

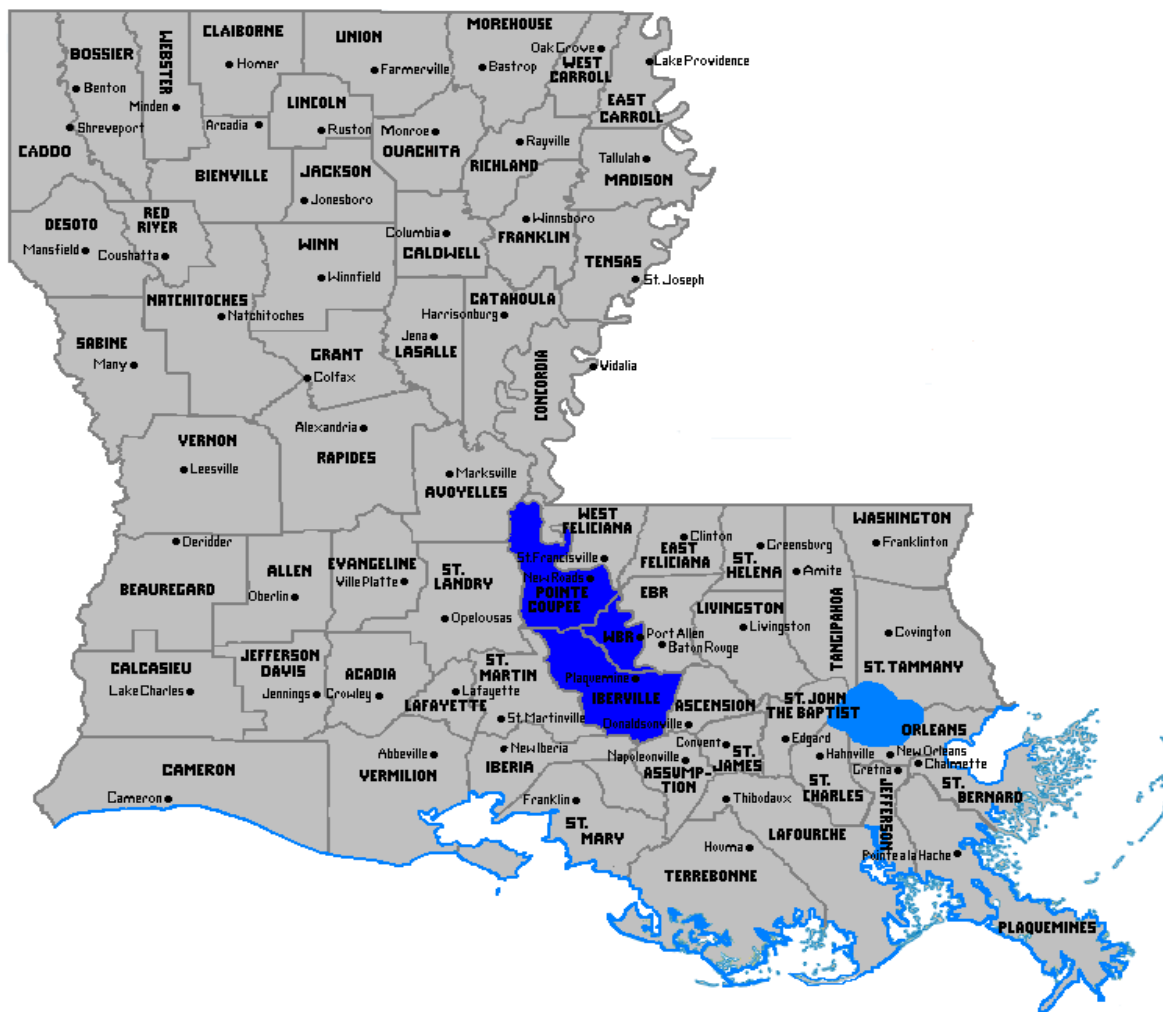
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





## THE 18<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

IBERVILLE (PLAQUEMINE) - POINTE COUPEE (NEW ROADS) - WEST BATON  
ROUGE (PORT ALLEN)

DISTRICT DEFENDER: C. JEROME D'AQUILA  
308 E. MAIN STREET  
NEW ROADS, LA 70764  
(225) 683-9083

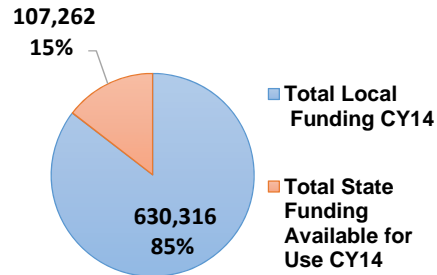
## 18TH JUDICIAL DISTRICT

During calendar year 2014, the 18th Judicial District Public Defenders Office handled 2,352 cases. The office has traditionally been self-reliant as 100% of its revenues were derived from local funding which came primarily from traffic tickets and special court costs. Between FY11 and FY14, local revenues have decreased to the extent that in FY14, for the first time, the State began providing financial assistance to help cover the gap between the district's revenues and expenditures.

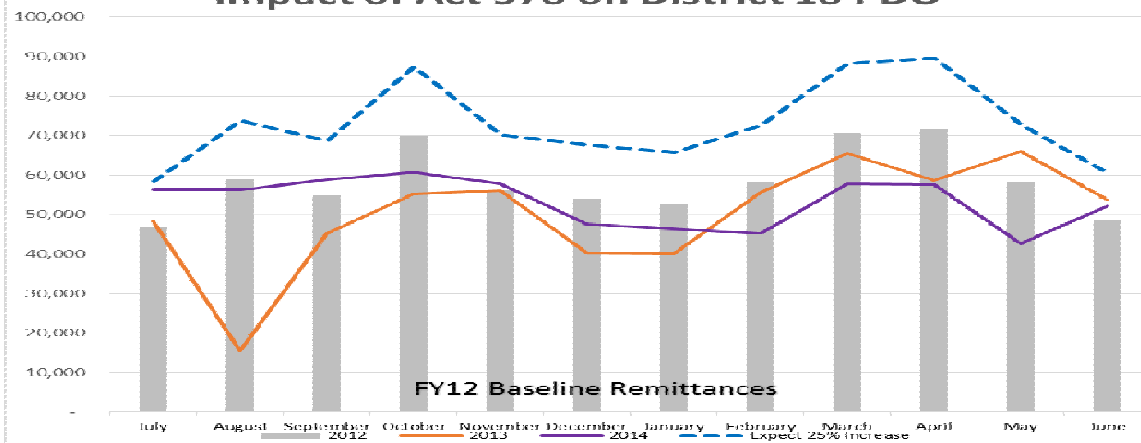
Since the passage of Act 578 (2012) in the 18th Judicial District, the expected 25% increase in local revenues (dotted blue line, below) has consistently failed to materialize. As shown in the graph below, during August 2012, almost immediately following the passage of Act 578, local revenues plummeted to their lowest levels in three years (orange line).

The long-term decrease in local revenues has forced the fund balance into a sharp and continuous decline.

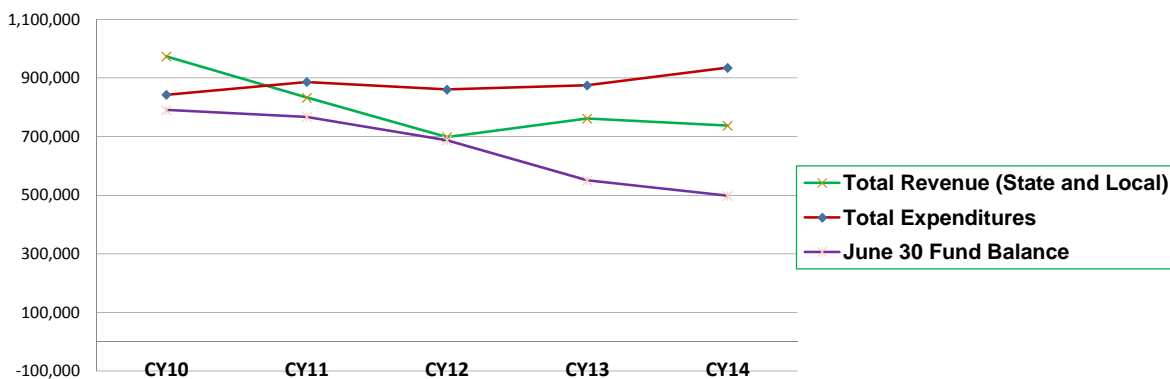
**District 18 PDO Revenue Sources CY14**



**Impact of Act 578 on District 18 PDO**



**District 18 PDO Finances CY10-14**



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## IBERVILLE, POINTE COUPEE, AND WEST BATON ROUGE PARISHES

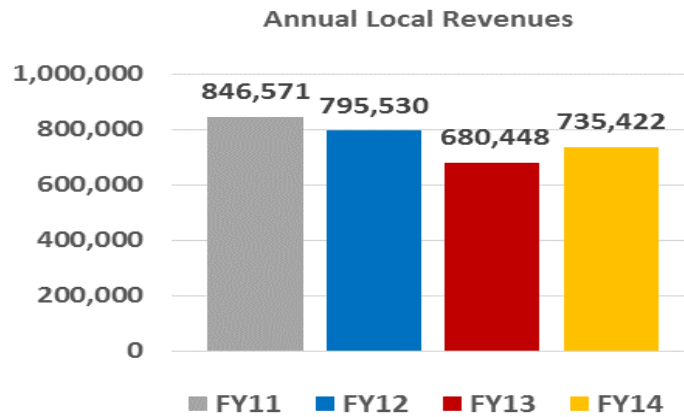
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C. Jerome D'Aquila  
District Defender  
308 East Main Street  
New Roads, LA 70764  
225-638-9083

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Between FY11 and FY14, the Judicial District Office's local revenues have decreased while expenditures have remained relatively constant.

Local revenues have decreased to the extent that in FY14, for the first time, the State began providing an appropriation to help cover the gap between the district's revenues and expenditures.







## THE 18<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Iberville - Plaquemine; Pointe Coupee - New Roads; West Baton Rouge - Port Allen
<b>Population</b>	80,439 using 2013 estimates from US Census Quick Facts
<b>Juvenile Population</b>	18,328 using 2013 estimates from US Census Quick Facts
<b>District Defender</b>	C. Jerome D'Aquila
<b>Years as District Defender</b>	42
<b>Years in Public Defense</b>	42
<b>Office Manager</b>	None
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Support Staff - Cheryl Stewart(Iberville), Dana Kirkland(Pointe Coupee) Bridgette Berndt & Casey Scalise(WBR).
<b>Primary Office Street Address</b>	308 E. Main St.
<b>City</b>	New Roads
<b>ZIP</b>	70764
<b>Primary Phone</b>	225-683-9083
<b>Primary Mailing Address</b>	P. O. Box 866, New Roads LA 70760
<b>Primary Fax Number</b>	225-638-7227
<b>Primary Emergency Contact</b>	C. Jerome D'Aquila
<b>Primary Emergency Phone</b>	225-638-9083 (O) 225-931-6956 (Cell)
<b>Secondary Emergency Contact</b>	Thomas Nelson
<b>Secondary Emergency Phone</b>	225-638-9083 (O) 225-718-2708 (Cell)
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Iberville Parish - 58050 Meriam St., Courthouse Bldg., 3rd Floor; Plaquemine 70765, 225-687-5215; Pointe Coupee Parish - 308 E. Main St., New Roads 70764, 225-638-9083; West Baton Rouge Parish - 850 8th St., Courthouse Bldg. Room #27, 2nd Floor, Port Allen 70767, 225-387-6209.
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Iberville Parish(Iberville Courthouse) no rent paid WBR Parish(WBR Courthouse) no rent paid C Jerome D'Aquila (Pointe Coupee office) no rent paid.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	No rent and/or utilities are paid at any location.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Not handled in-house, accounting contracted with Accountant Chris Guerin.
<b>Courts and Locations</b>	18th Judicial District Court, Iberville, Pointe Coupee, West Baton Rouge Parishes; Port Allen City Court.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	18th JDC four(4) divisions; Port Allen City Court(1) division.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Contract felony attorneys are assigned to a particular division and contract misdemeanor attorneys are appointed to share juvenile and misdemeanor cases. The contract attorneys decide amongst themselves how to allocate the cases.
<b>Name of Adult Detention Facilities in This District</b>	WBR Detention Center - Port Allen Pointe Coupee Detention Center - New Roads Iberville Parish Jail - Plaquemine
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	N/A
<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	St James Parish Youth Center closed, now using Assumption Juvenile Detention Center in Napoleonville LA
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Affects office budget by putting strain on travel budget.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Richard "Ricky" Ward
<b>Chief Judge of Criminal District Court</b>	J. Robin Free
<b>Juvenile Court Judges (Specify District of City Court)</b>	J. Robin Free West Baton Rouge Parish James J. Best Pointe Coupee Parish Alvin Batiste & William Dupont Iberville Parish
<b>Drug Court Judges</b>	Alvin Batiste Iberville Parish James J. Best Pointe Coupee Parish West Baton Rouge Parish (no drug court)
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	William T. Kleinpeter
<b>Name of Specialty and Brief Description:</b>	City Court of Port Allen Hearing Officer for Non-Support Court
<b>Indigency Determined by Whom and How?</b>	Interrogation by the Court
<b>When is Assignment/Appointment of Counsel Made?</b>	At the 72 hour hearing or arraignment date.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Support Staff Cheryl Stewart(Iberville), Dana Kirkland(Pointe Coupee), Bridgette Berndt & Casey Scalise(WBR) & Investigator Larry Jones.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	If client is in jail, intake is conducted by investigator at the 72 hour hearing. If client is bonded, intake is conducted by support staff and then interviewed by an attorney on appointment date. Only attorneys gather facts about the case.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	357
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	14,280

<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	520,255
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Court Fees are assessed based on Appointed Cases not on Case Convictions.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	See attached documents.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's Office in respective Parishes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	See attached documents.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Office in respective Parishes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	See attached documents.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	N/A
<b>Who Collects the Assessed Partial Payments?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	N/A
<b>Who Remits the Partial Payments Collected?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	N/A
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	0
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private practice permitted. Duties as Public Defender take priority. Criminal practice/representation permitted if retained prior to appointment as Public Defender.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Para-legal(1) & Investigator(1)
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	None
<b>Long-Term Critical Issue Areas</b>	Attorney(1), Para-legal(1) & Investigator(1).
<b>Please List All New Hires in 2014 (Name and Title)</b>	(1) Contract Attorney Greg Rome & (1) Law Student/Clerk Phillip Prejean.

<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2015</b>	0
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Newly contracted attorneys are initially assisted/helped by an experienced contract attorney.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Since the attorneys are independent contractors very little hands-on supervision is required, only exception is supervisory requirements imposed by the LPDB.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	To be provided by 1/31/2013.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes. Two(2) contract attorneys receive \$250 monthly to offset healthcare costs.
<b>Regular Meetings for Any Staff, Please Describe</b>	No regular staff meetings are held.
<b>Number of NEW capital cases in CY14 handled by your office</b>	1 (8/5/2014 Deloach, Granville, Davis, Johnson & Thomas)
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	1 (7/10/2013 Howard)
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	All cases transferred to LAP.
<b>Number of Writs Your District Handled in 2014</b>	2
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Due to funding 18th JDC has one Public Defender handling all Juvenile cases and transfers.
<b>Please Provide the Names of All State Representatives and Senators from Your District Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Major Thibaut Representative; Karen St. Germain Representative; Kenneth Havard Representative; Edward Price Representative; Regina Barrow Representative; Rick Ward Senator; Troy Brown Senator.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>

C Jerome D'Aquila	225-638-9083
Thomas Nelson	225-638-9083
John Aydell	225-336-3000
Miracle Myles	225-769-0100
George Grace	225-642-4000
Kevin Kimball	225-344-0220
Lagretta Lazard	225-344-7000
Michael Parks	225-638-3516
Tonya Lurry	225-387-6209
Tommy Thompson	225-389-1234
David Marquette	225-928-0310
Greg Rome	225-938-5724
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Larry Jones	225-387-6209
Dana Kirkland	225-638-9083
Bridgette Berndt	225-387-6209
Cheryle Stewart	225-687-5215
Chris Guerin	225-505-4093
Casey Scalise	225-387-6209
Phillip Prejean	213-703-5101

2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Chris Guerin
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	x
Internet Explorer 9	
Firefox	
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	

Television	3
DVD	3
VCR	0
Desktop PCs	4
Laptops	11
Video Cameras	0
Digital Cameras	1
Video Conferencing Systems	0
B&W Laser Printers	0
Color Printers	3
Wireless Cards	11
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	0
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	Cox Communications
Email Provider:	Various
Please list any software or computer equipment in which you need training:	

## 18th District Defender Office CY 2014 Caseloads & Outcomes

Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	20	28	96	116	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	2	2	2	4	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	52	53	44	96	0	22	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	1	1	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	206	212	40	246	N/A	N/A	53	9	62	103	N/A	N/A	0	0	0
Delinquency Felony	60	52	8	68	N/A	N/A	26	18	24	7	N/A	N/A	1	1	2
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	560	476	150	710	N/A	N/A	287	27	394	6	0	0	7	8	15
Adult Felony Non-LWOP**	688	641	405	1093	N/A	N/A	325	207	171	1	0	2	1	2	5
Adult LWOP	4	9	14	18	N/A	N/A	2	3	1	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

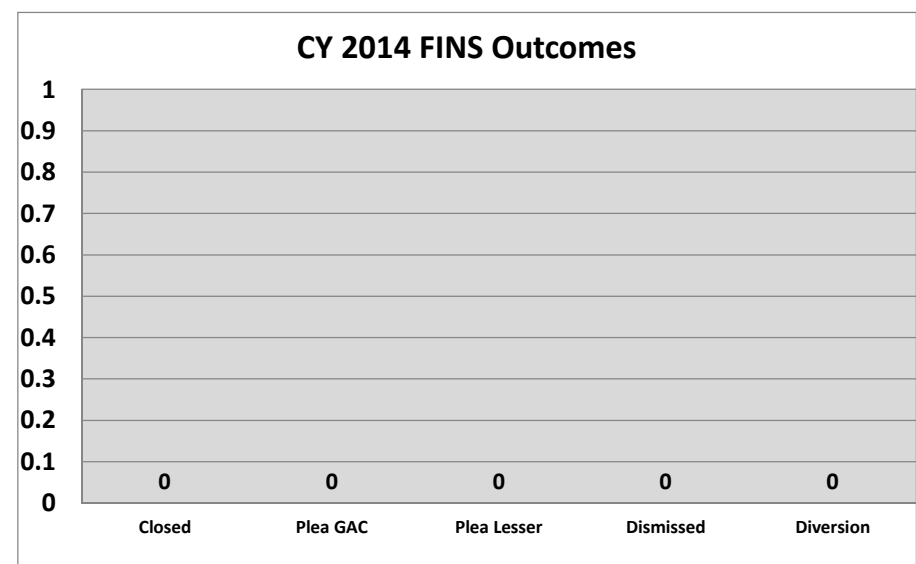
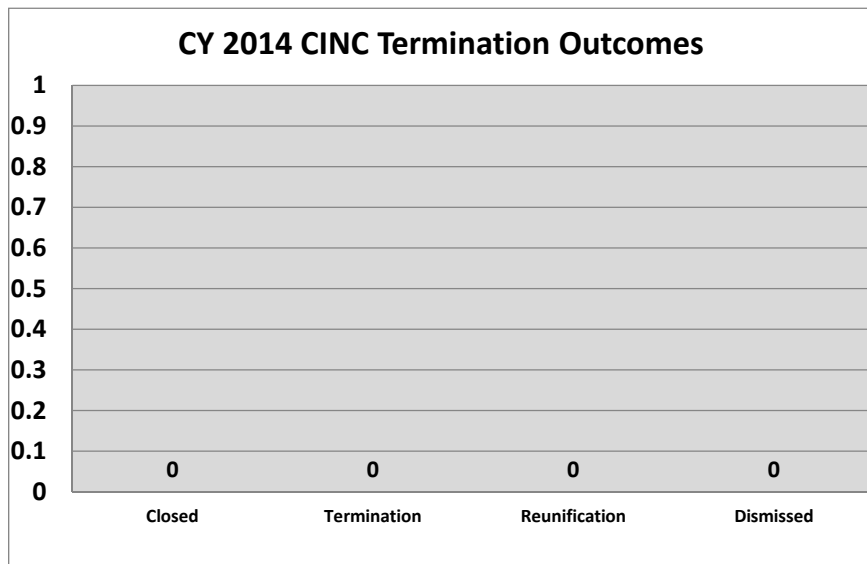
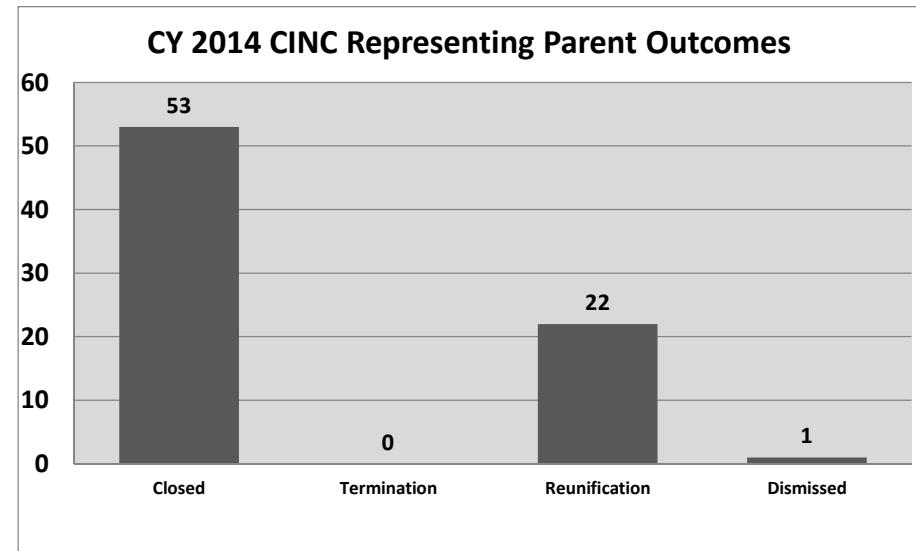
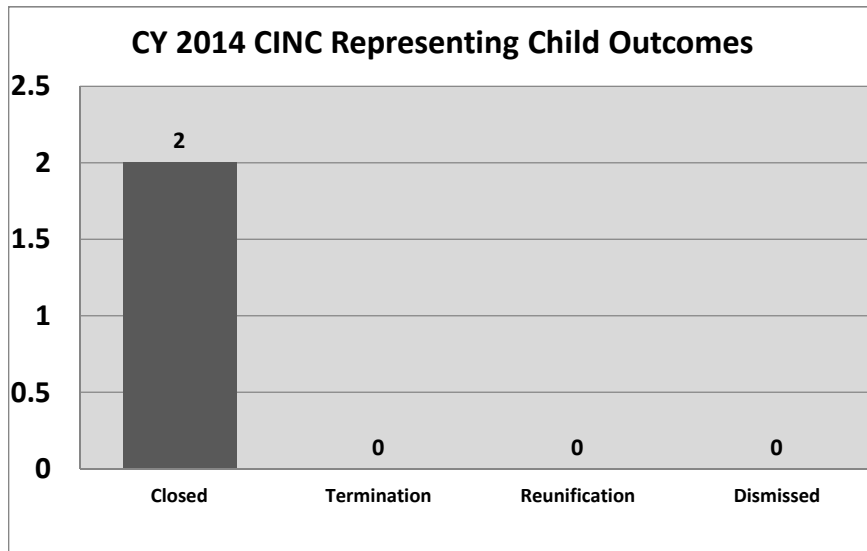
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

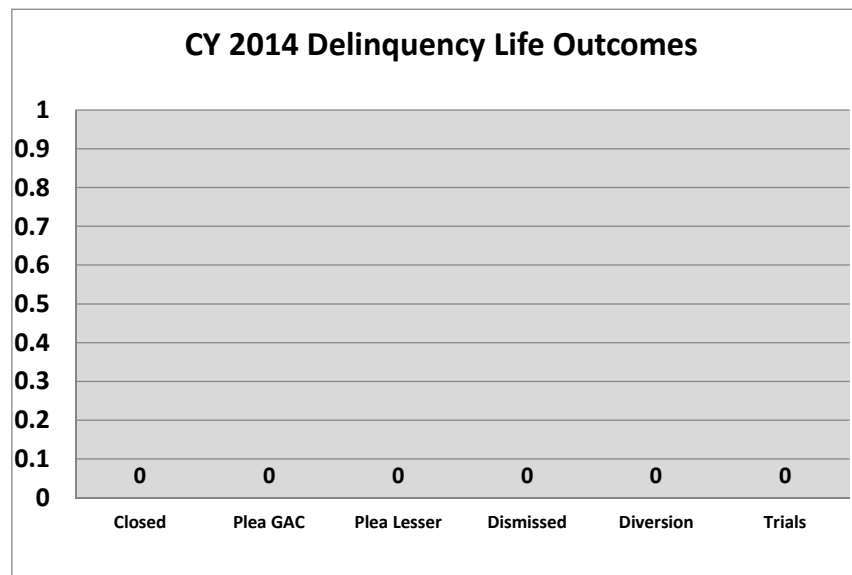
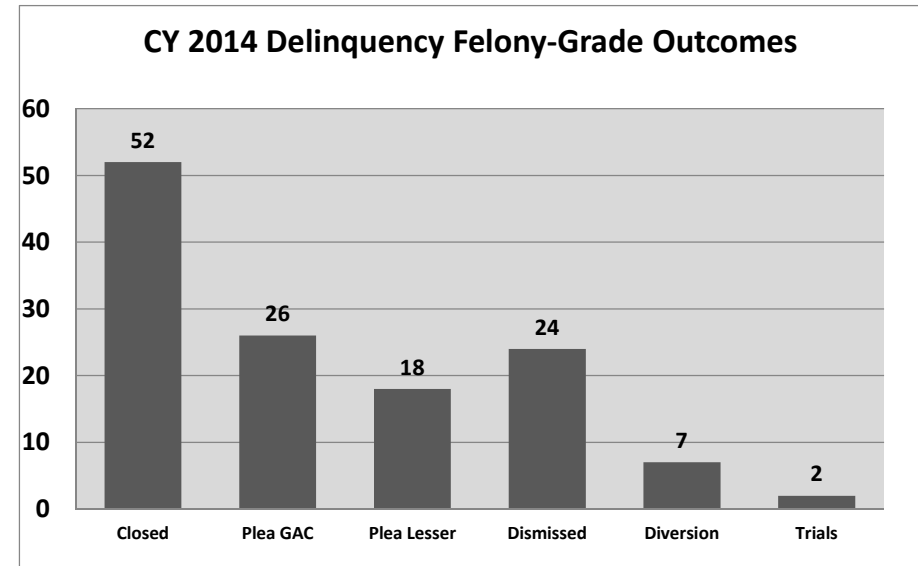
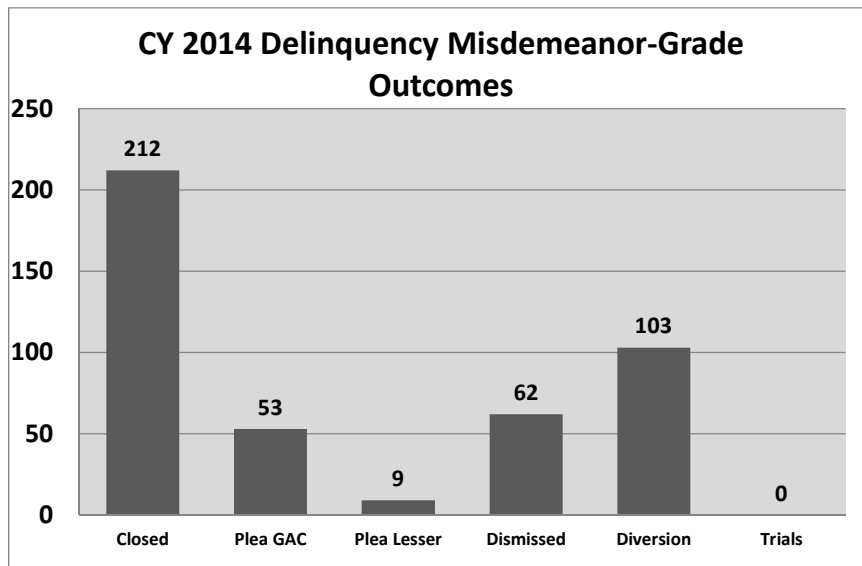
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

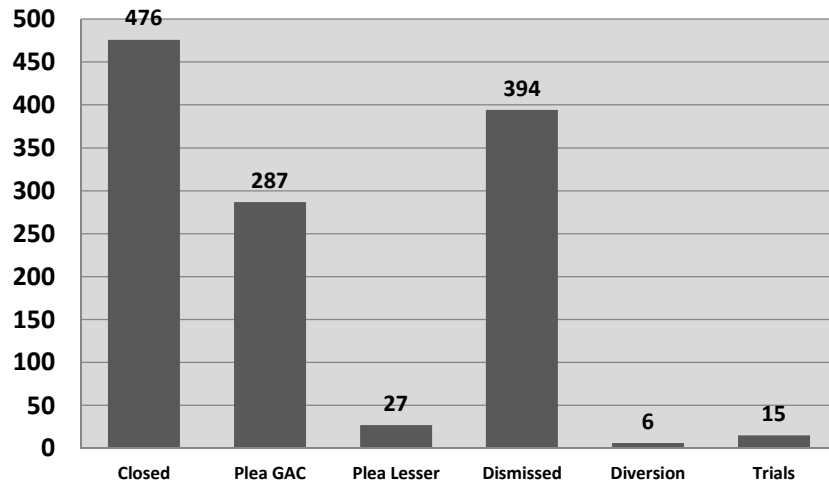
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



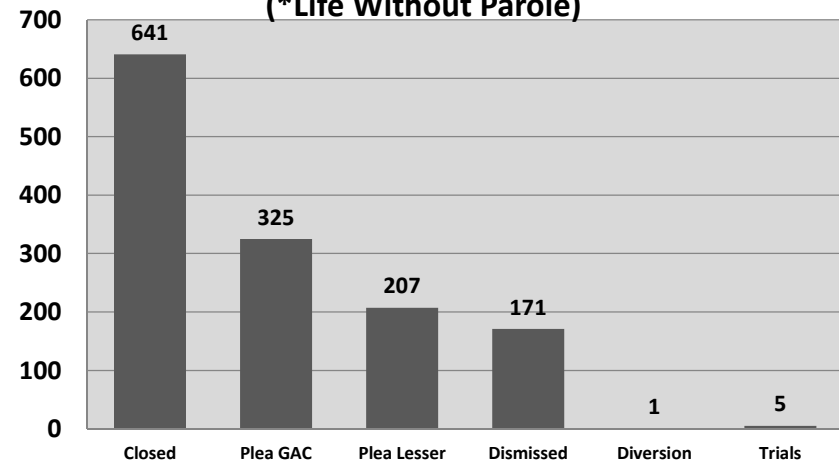




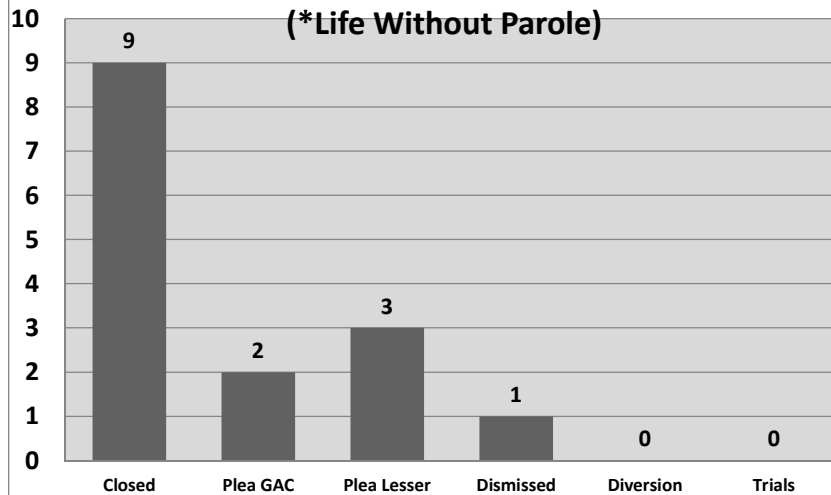
**CY 2014 Adult Misdemeanor Outcomes**



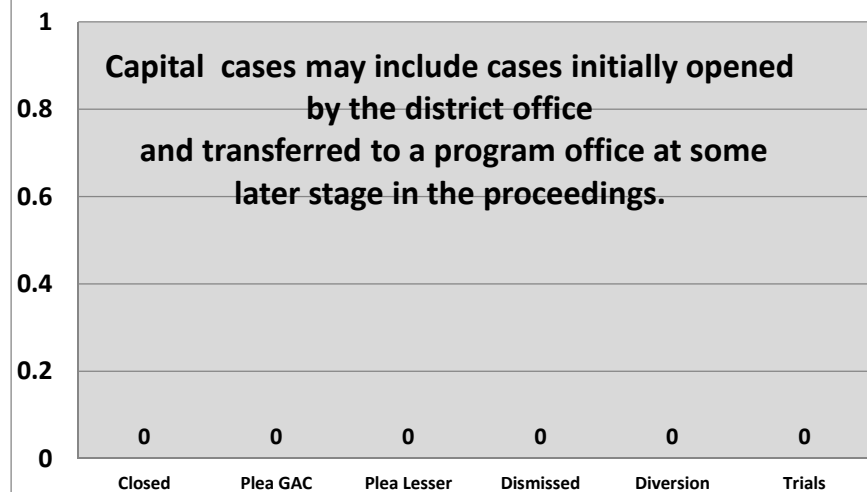
**CY 2014 Adult Felony Non-LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Adult Felony LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Capital Outcomes**

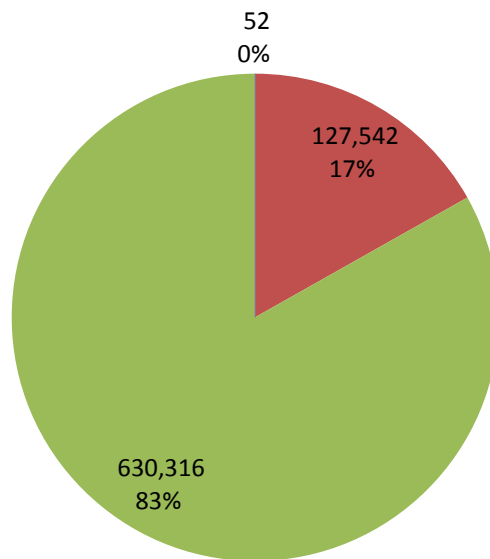


District 18 CY2014	Total CY2014
District Defender: Jerome D'Aquila	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	17,922
District Assistance Fund (DAF)	109,620
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	127,542
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	73,418
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	600
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	203,538
Judicial District Courts	329,874
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	533,412
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	19,121
Partial Attorney Fees	
Reimbursements [as per 15:176]	3,065
Other Reimbursements	-
Other Local Income -List source(s)	700
Total for Charges For Services	22,886
Total for Local Government	630,316
Investment Earnings	
Interest Income	52
Other Investment Income - List source(s)	-
Total for Investment Earnings	52
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	757,910

District 18 CY2014	Total CY2014
District Defender: Jerome D'Aquila	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	193,410
Accrued Leave	-
Payroll Taxes	19,147
Hospitalization and Disability Insurance	5,614
Retirement	-
Other	-
Total for Personnel Services and Benefits	218,170
Travel/Training	
Parking/Auto Tolls	350
Travel/Lodging/Per Diem/Mileage	3,850
Total for Travel/Training	4,200
Operating Services	
Advertisements	847
Workers' Compensation	2,246
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	100
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	3,950
Office Repair and Maintenance	1,175
Office - Telephone/Utilities/Postage/Internet	8,393
Dues and Seminars	-
Law Library/Journals/Subscriptions	29,367
Office Supplies	7,557
Total for Operating Services	53,635
Professional Services	
Audit/Accounting Expense	26,935
Contract Clerical	-
Expert Witness	8,000
Investigators	66,301
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	61,344
Misdemeanor Attorney Contracts	71,323
Contract Attorneys - all other	414,546
IT/Technical Support	550
Total for Professional Services	648,999
Capital Outlay	
Major Acquisitions	5,196
Total for Capital Outlay	5,196
Other Charges	
Other Operating Expenses	4,513
Total for Other Charges	4,513
Total for EXPENDITURES	934,714

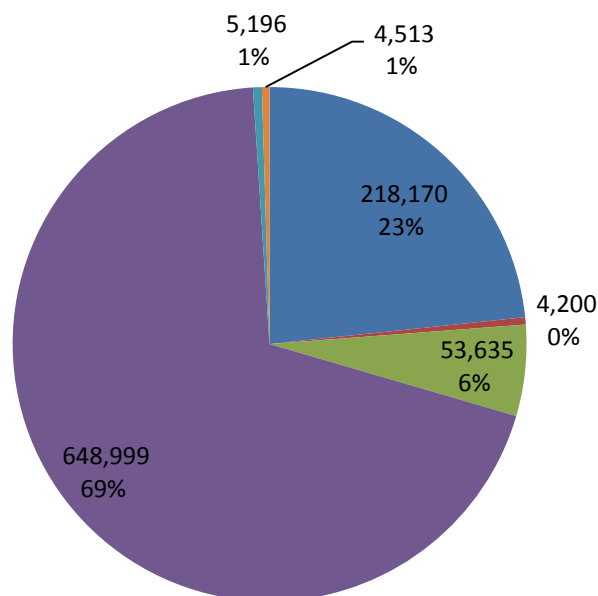
## Total CY14 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





THE 19<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
EAST BATON ROUGE (BATON ROUGE)

DISTRICT DEFENDER: MICHAEL A. MITCHELL  
300 LOUISIANA AVENUE  
BATON ROUGE, LA 70802  
(225) 389-3150

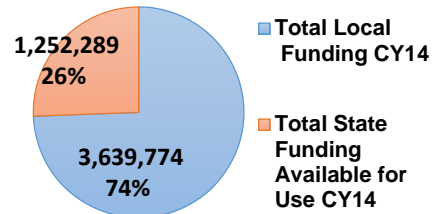
# 19TH JUDICIAL DISTRICT

During calendar year 2014, the 19th Judicial District Public Defenders Office handled 22,620 cases. The office received \$4,892,062 in total revenues to handle these cases, approximately 74% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

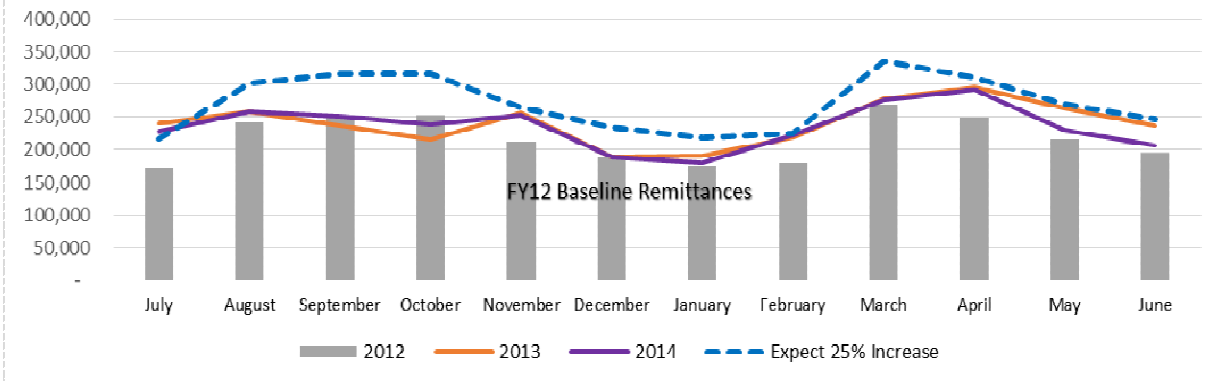
The 19th Judicial District has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 19th Judicial District office has nearly exhausted its fund balance. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent toward the end of FY15.

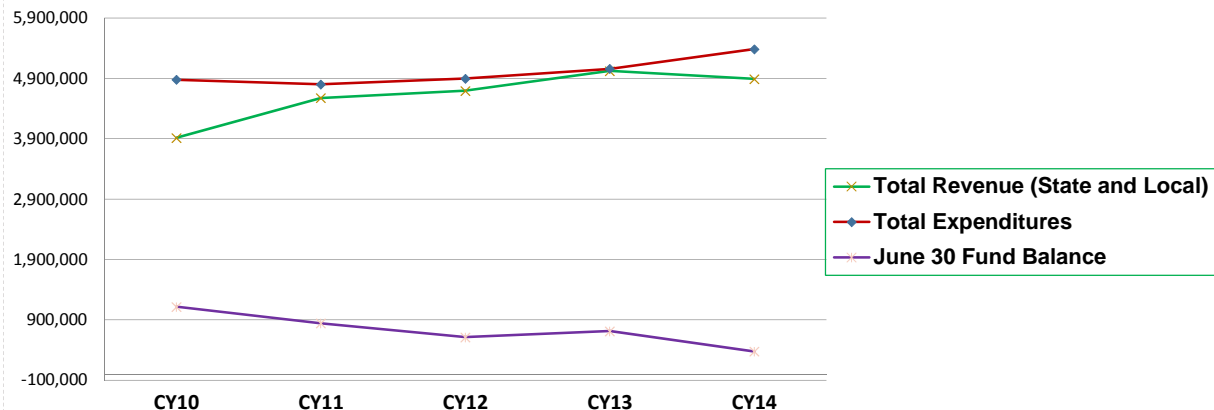
**District 19 PDO Revenue Sources CY14**



**Impact of Act 578 on District 19 PDO**



**District 19 PDO Finances CY10-14**

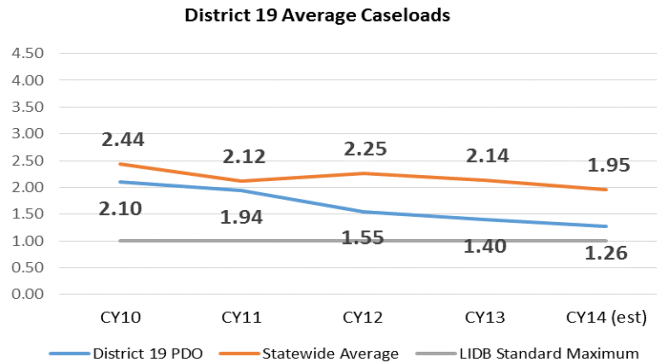




## EAST BATON ROUGE PARISH

Michael A. Mitchell  
District Defender  
300 Louisiana Avenue  
Baton Rouge, LA 70802  
225-389-3150

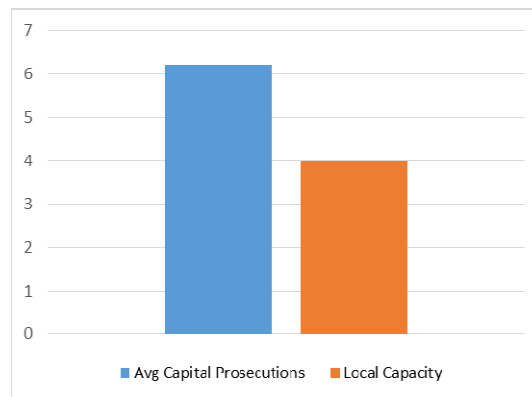
In the 19th Judicial District, public defense attorneys make an average annual salary of \$55,046 while maintaining caseloads above the LIDAB Standard Maximum recommended caseload limit for each attorney.



## CAPITAL REPRESENTATION

Since 2009, the 19th Judicial District has averaged 6.2 new capital prosecutions each year. However the district only has the local capacity to handle four capital prosecutions and are almost completely reliant on program offices for representation.

Without the contract programs, the ability to prosecute capital cases will be greatly reduced in the 19th Judicial District due to a lack of capitally certified attorneys or funding to support capital services in the District Office.





## THE 19<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	East Baton Rouge - Baton Rouge
<b>Population</b>	445,227
<b>Juvenile Population</b>	102,402
<b>District Defender</b>	Michael A. Mitchell
<b>Years as District Defender</b>	21
<b>Years in Public Defense</b>	29
<b>Office Manager</b>	Beulah Decuir/ Dawn D. George
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Angie Barnes, Sec.; Stephanie Dangerfield, Sec.; Melanie Davis, Sec; Monica Dickerson, Sec.; Verna Dogan, Sec.; Fannie Dorsey, Sec.; Mildred Ewing, Sec.; D. Delisle George, Exe. Assist.; Shalyn Lewis, Sec.; Kizzy Parker, Sec.; Darlene Reiff, Sec.; Florence Roberson, Sec.; Veronica Robillard, Sec.; Shannanqua Wright, Sec.
<b>Primary Office Street Address</b>	300 Louisiana Avenue
<b>City</b>	Baton Rouge
<b>ZIP</b>	70802
<b>Primary Phone</b>	225-389-3150 (w)
<b>Primary Mailing Address</b>	Post Office Box 3356 Baton Rouge, LA 70821-3356
<b>Primary Fax Number</b>	225-389-5418
<b>Primary Emergency Contact</b>	Michael A. Mitchell
<b>Primary Emergency Phone</b>	225-937-7990 cell
<b>Secondary Emergency Contact</b>	D. Delisle George
<b>Secondary Emergency Phone</b>	225-241-2402 (c)
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	East Baton Rouge City Parish building.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$169,664 Rent Annually + \$ 23,341 Utilities Annually = \$16,084 Monthly.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Handled In-House utilizing Paychex Online, QuickBooks, with Monthly Review by John McKowen, CPA.
<b>Courts and Locations</b>	19th Judicial District Court (Criminal), East Baton Rouge Parish, Baton Rouge; Baton Rouge City Court; Baker City Court; Zachary City Court; Juvenile Court of Baton Rouge (2); Child Support Court (4).
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	District Court-8 Criminal Divisions; Baton Rouge City Court- 5 Divisions; Baker and Zachary City Court-1 Division each ; Juvenile Court-2 Divisions; Child Support Court-4 Divisions.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Attorneys are assigned cases based on their experience, caseload and interest. Currently 32 Staff attorneys, District Court positions ; 1 Staff attorneys (unfunded); 5 (vacant - unfunded) Serious Case positions; 7 Staff attorneys Baton Rouge City Court positions, 3 (unfunded-unfilled) ; 1 Contract attorney Baker City Court position; 1 Contract attorney Zachary City Court position; 3 Child Support attorney positions, (1 retiring); 5 Staff Attorney Juvenile Court positions, (1 unfilled); 2 CINC Attorney Contract positions; 6 Contract Conflict Attorneys – District Court; 2 Conflict Contract Attorney positions - Baton Rouge City Court.
<b>Name of Adult Detention Facilities in This District</b>	East Baton Rouge Parish Prison
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Catahoula Correctional Center, Concordia; Dequincy; East Carroll; LaSalle Correctional; Pine Prairie, West Baton Rouge Parish Prison.
<b>Name of Juvenile Detention Facilities In This District</b>	East Baton Rouge Juvenile Detention Center.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	N/A
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes. It is inefficient. Investigators and attorneys travel long distances to meet with clients who are housed in facilities out of parish; on occasions the client will have been transferred to another facility. The monetary cost (mileage etc.) time and inefficiency is substantial. Travel time limits the number of clients who may be seen on any given visit, thus requiring repeat trips.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes, Shackling is placed at the ankles, not the hands.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No; except for the time limitation associated with travel.
<b>District Attorney</b>	Hillar Moore, III
<b>Chief Judge of Criminal District Court</b>	Donald R. Johnson, Judge 19th JDC
<b>Juvenile Court Judges (Specify District of City Court)</b>	Kathleen Richey, Judge ; Pamela Taylor Johnson, Judge.
<b>Drug Court Judges</b>	Anthony Marabella, Judge 19th JDC.
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Determined by the District Public Defender after review of the client's application for services, interview and verification.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest; Time Charges are filed. Depends: at 48 hour hearing or arraignment or any point in the interim at client's request.

	(1) Developed uniform Investigation Request Form with distribution and centralization of records. (2) Hired Law students to assist the investigators primarily in the area of initial Client Intake, under Supervision. (3) Established a monthly Homicide and Serious Case List distribution report, it is published on or about the 20th of each month, providing all dates and actions upcoming for the following month, with a dual breakdown of chronological order, and section of court along with Defense Attorney identifiers. (4) Established an enhanced current status board for the Homicide & Serious case designation to include conflict Information concerning both victim, Co-defendants and witnesses. (5) Implemented enhanced Discovery procedure for all City Court cases where documentation is presented to the Defense at least two weeks prior to court date.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes.
<b>Brief Explanation of Intake Process</b>	Please see response above. Question: Initial Client Intake
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	7,677
<b>How Many Application Fees Were Waived?</b>	3
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	145,977
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	2,835,624
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Itemized list is provided by the EBRP Accounting Department for District Court. Baton Rouge City Court Accounting Department provide itemized reports for City Court. Itemized list is provided by EBRP Juvenile Courts: Itemize list are provided by Baker and Zachary City Courts.
<b>Who Collects the Assessed Court Fees?</b>	EBRP Public Defender Office, Baker City Court, Zachary City Court, EBR City & District Courts, also EBRP Juvenile Courts.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Baker City court, East Baton Rouge and District courts, EBRP Juvenile court, and Zachary City Court each provide a list of collections associated with received OPD funds. EBR Parish Finance Department generates a monthly report for each day's deposited funds for the EBRP City Court and EBRP Sheriff Office which are forwarded by them to the Public Defender Office. Non-Support court received funds report is handled in the Public Defender Office.

<b>Who Remits the Court Fees Collected?</b>	Baker City Court Finance Dept., Zachary City Court Finance Dept., EBRP Juvenile Accounting Dept., and City Parish Finance Department handles EBRP City Court and District Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Baker City Court, EBRP Juvenile Court, and Zachary City Courts, each provide a list of collections associated with received OPD funds. C/P Finance generates a monthly report for each day's transactions for EBRP City Court and EBRP Sheriff Office for received OPD funds. EBRP City Court and EBRP Clerk of Court (District Court) provide a list of collections associated with received OPD funds. Non-Support court report is handled in the Public Defender Office.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Determination and amount is made by the Judge presiding over the case.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Attorney's court minutes and notes; also Clerk of Court Minutes and Records.
<b>Who Collects the Assessed Partial Payments?</b>	Partial Indigency payments are collected, generally, by the District Defender Office. However, the Court may order that the client pay through the collector for that Court, i.e., Sheriff, B.R. City Court Clerk, etc...
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Baker City Court, EBR City Court Accounting Department, EBRP Juvenile Court, and Zachary City Court provides itemized list of funds collected. EBRP Sheriff is not presently accepting Partial Indigence Payments.
<b>Who Remits the Partial Payments Collected?</b>	Baker City Court Finance Dept., Zachary City Court Finance Dept., EBRP Juvenile Accounting Dept., and City Parish Finance Department handles EBRP City Court and District Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Partial Indigency payments are collected, generally, by the District Defender Office. However, the Court may order that the client pay through the collector for that Court, i.e., Sheriff, B.R. City Court Clerk, etc...
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	116,479
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Attorneys may be allowed to have a very limited (non-criminal within the District) private practice. The attorney must demonstrate an ability to handle his/her caseload responsibly. The policy is under constant review. The practice is monitored and the general rule is that the private practice is acceptable so far as it does not interfere with the attorneys public defender duties.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Increase in Attorneys and Support Personnel. Additional office space. Update technical hardware resources, computer hardware, software and communication equipment and facilities.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes, Implementation of ROS Plans for 2014-2015 fiscal Year will likely be proposed in the 19th Judicial District and presented to the LPDB for approval.

<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Yes: Twelve (12) Administrative, Secretarial, Investigative and Attorney position were eliminated primarily by attrition. Representing a projected future savings of approximately \$ 160,000.
<b>Immediate Critical Issue Areas</b>	Financial Assistance is needed for additional attorneys and corresponding support staff and office space for Serious case Representation ( highest class felonies). In addition funding is needed for salary increasing, not only for COLAs, but also adjustments in salaries in order to bring them closer in line with other like agencies and positions.
<b>Long-Term Critical Issue Areas</b>	Immediate Critical Issue Areas" which continue to remain the same (funding). This deficiency leads to high turn over of trained staff personnel and higher training cost.
<b>Please List All New Hires in 2014 (Name and Title)</b>	5 Attorneys resigned or on leave, 4 new hires Hafiz Follmar, Teresa Hatfield, Natalie Marocco (hired and resigned) , Todd Tyson; 1 Office Manager retired; 1 Investigator resigned and 1 Investigator on indefinite leave, 1 Investigator hired Pamela Hart; 2 Secretaries resigned, 2 hired Angie Barnes, Stephanie Dangerfield; 2 Contract Conflict Assistants resigned, 2 hired Ashley Collins (hired and resigned), Raushanah Hunter; 3 P/T Clerical Assistant resigned, 4 hired Stephanie Dangerfield(hired and accepted secretary position), Takaila Greensword, Brent Hall, Jarvis Joseph; 6 P/T Intake Interviewers resigned, 6 hired David Greene, Shandell George, Nahshon Route, Anthony Stewart, Talisha Tanner, Elizabeth Warner: 1 Maintenance Contractor resign, 1 hired, Donna Pearson; 1 Interim transition Office- Mgr Contractor Russell Rice.
<b>Please List All Promotions in 2014 (Name and Title)</b>	Stephanie Dangerfield from P/T Clerical Assistant to Staff Secretary, Hafiz Folmar from P/T Intake Interviewer to Staff Attorney, Bevan Sabo from P/T Intake Interviewer to Staff Attorney, Arvind Viswanathan from P/T Intake Interviewer to Staff Attorney
<b>2014 Media Coverage and/or Major Accomplishments</b>	Maintain the workload proficiency, education level and competency, of the Public Defender Office; while reducing the overall individual attorney case load.
<b>Number of Expected New Attorney Hires in 2015</b>	Replacement of existing personnel who resigned; filling two required positions (see line 27) and funding for eight required positions but unfunded.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. Periodic In-House Training Sessions. Coaching and Mentoring by Section Chiefs and other experienced attorneys. SPDTC Training and NCDC Training.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	There are 8 sections of District Court - Each section has a Chief who is responsible for the supervision of the attorneys in the section and is the direct contact with the court; Section Chief -Juvenile Court; Chief of Baton Rouge City Court; Office Manager/Executive Assistant supervises other support staff. District Defender is responsible for overall supervision including all contract attorneys.

<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	P/T Intake Interviewer
<b>Please Attach Your Office Organizational Chart</b>	See Attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No. Supervisors may carry a reduced felony and/or Capital caseloads depending on section needs.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes, Blue Cross Blue Shield Medical and Always Dental Care. Approximately 58% of the Premium (cost) is paid from the District Defender Fund. The balance is paid by the Employee. The cost of this benefit is increasing by 18% beginning in CY15.
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes. All Staff have regular meetings. Section Meetings daily or weekly, Full Attorney Staff Meetings bi-weekly.
<b>Number of NEW capital cases in CY14 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	2, Tillman, Jerry; Turner, Lee
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	1
<b>Number of Writs Your District Handled in 2014</b>	12
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	11
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	5
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	The Juvenile Attorney will co-counsel with or at minimum act as consultant to the Attorney assigned to handle the Juvenile matter transferred to the District Court
<b>Please Provide the Names of All State Representatives and Senators from Your District Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Senators: Dan Claitor; Yvonne Dorsey; Sharon Weston Broome; Dale Erdey; Rick Ward, III; Mack 'Bodi' White, Jr. Representatives: Regina Barrow; Stephen Carter; Franklin Foil; Kenneth Havard; Valarie Hodge; Dalton Honore; Barry Ivey; Edward 'Ted' James; Erich Ponti; Patricia Smith; Vacant - District 66; Alfred Williams.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	Limited access to clients housed in the Parish Prison.
	Continued to develop and improve upon changes previously implemented.

<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Shawn Bray	225-354-1297
Kelly Carmena	225-389-3150
Jason Chatagnier	225-389-3150
Scott Collier	225-389-3150
Sean Collins	225-389-3150
Laurie Tate	225-389-3150
Monique Fields	225-389-3150
Sonya Hall	225-389-3150
Earl Harrison	225-389-3150
Susan Hebert	225-389-3150
Herman Holmes	225-354-1297
Margaret Lagattuta	225-389-3150
Jodi Lejeune	225-389-3150
Sclynski Legier	225-389-3150
Barry Milligan	225-389-3150
Erin Mullen	225-389-3150
Adekunle Obebe	225-389-3150
Darryl Robertson	225-389-3150
Alan Rome	225-389-3150
Shea Smith	225-389-3150
Stephen Sterling	225-389-3150
Jonathan Augustine	225-389-3150
Melissa Buza	225-389-3150
Wren'nel Gibson	225-354-1250
Max Guthrie	225-389-3150
Kinasiyumki Kimble	225-389-3150
Oscar Magee	225-389-3150
Jennifer Racca	225-389-3150
Rolando Urbina	225-389-3150
Hafiz Folami	225 389 3150
Natale Marocco	225 389 3150
Teresa Hatfield	225 389 3150
Arvind Viswanathan	225 389 3150
Todd Tyson	225 389 3150
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Ronald Johnson	225-356-3408
Audrey Lamb	225-387-0576
Mark Plaisance	225-389-3150
Gail Horne Ray	225-356-5252
Francis Rougeau	225-761-7890
David Rozas	225-343-0010
Greg Rozas	225-343-0010
Robert Tucker	225-346-4000
Kenneth Womack	601-542-3556
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Clyde Brandon	225-389-3150
Jackie Culotta	225-389-3150



Latrica Davis	225-389-3150
Melanie Davis	225-389-3150
D. Delisle George	225-389-3150
Beulah Decuir	225-389-3150
Fannie Dorsey	225-389-3150
Mildred Ewing	225-389-3150
Alfred Heroman	225-389-3150
Barbara LeBlanc	225-389-3150
Robert Matthews	225-389-3150
Dawn Moore	225-354-1264
Jeana Newton	225-389-3150
Darleen Rieff	225-389-3150
Veronica Robillard	225-389-3150
Mark Sanchez	225-389-3150
Rosa Sellers	225-354-1264
Debra Terrell	225-389-3150
Jack Harrison	225-354-1264
Jason Hessick	225-389-3150
Parker Marschall	225-389-3150
James Murray	225-389-3150
Afi Patterson	225-389-3150
Robert Ray	225-389-3150
Joshua Newville	225-389-3150
Robert Ray	225-389-3150
Vernon Thomas	225-389-3150
Carson Marcantel	225-709-9000
Tarvald Smith	225-387-2416
Monica Dickerson	225-389-3150
Verna Dogan	225-389-3150
Shalyn Lewis	225-389-3150
Florence Roberson	225-389-3150
Jacie Saunders	225-346-3000
Don Zuelke	225-389-3150
Kizzy Parker	225-389-3150
Shanaquoa Wright	225-389-3150
Denise Bolden	225-761-7890
Ashley Edward	225-709-9000
Lucia Hill	225-346-3000
Jane Thomas	225-767-6225
Melody George	225-767-6225
Theophile Jones	225-389-3150
Eva Martinez	225-389-3150
Talisha Tanner	225-389-3150
Keith Verrett	225-389-3150
Angie Barnes	225 389 3150
Stephanie Dangerfield	225 389 3150
Shandell George	225 389 3150
David Greene	225 389 3150
Takaila Greensword	225 389 3150
Brent Hall	225 389 3150
Pamela Hart	225 389 3150
Nelvil Hollingsworth	225 389 3150

Raushanah Hunter	225-356-5252
Jarvis Joseph	225 389 3150
Donna Pearson	225 389 3150
Russell Rice	225 3893150
Nahshon Route	225 389 3150
Anthony Stewart	225 389 3150
Talisha Tanner	225 389 3150
Elizabeth Warner	225 389 3150

2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Michael A. Mitchell
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	x
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	x
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	x
Internet Explorer 7	x
Internet Explorer 8	x
Internet Explorer 9	x
Firefox	x
Google Chrome	x
Other	Internet Explorer11
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	

Television	1
DVD	1
VCR	1
Desktop PCs	24
Laptops	51
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	23
Color Printers	13
Wireless Cards	9
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	6 MB Down / 420 KB UP
Provider Name:	AT&T
Email Provider:	In House
Please list any software or computer equipment in which you need training:	DefenderData, Windows Server 2008

## 19th District Defender Office CY 2014 Caseloads & Outcomes

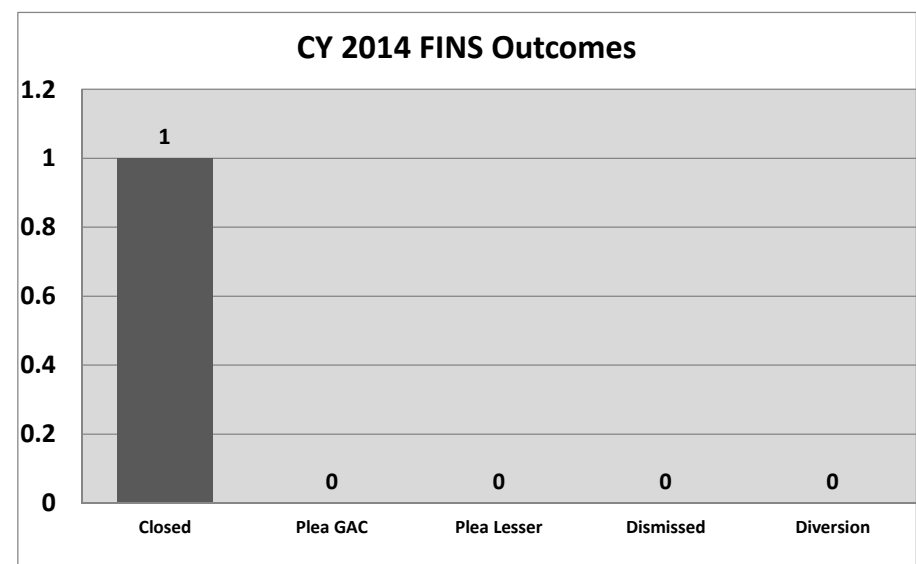
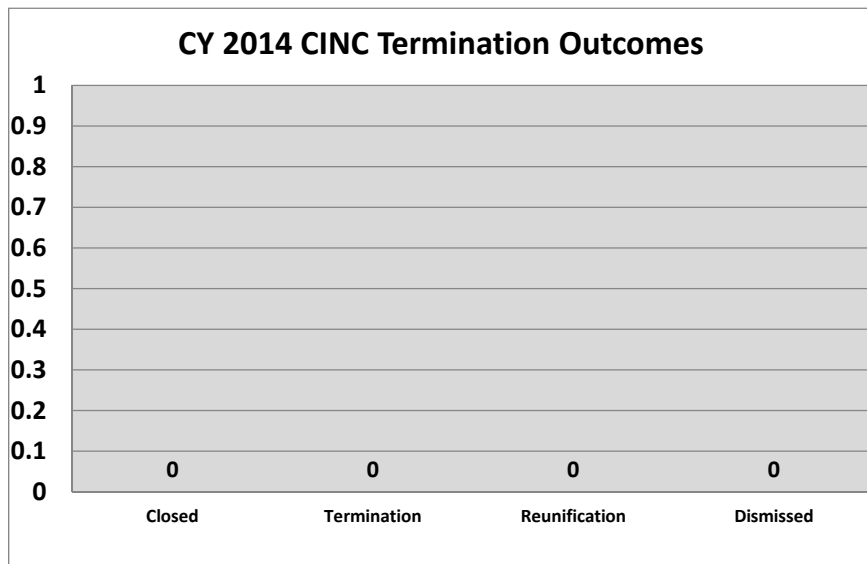
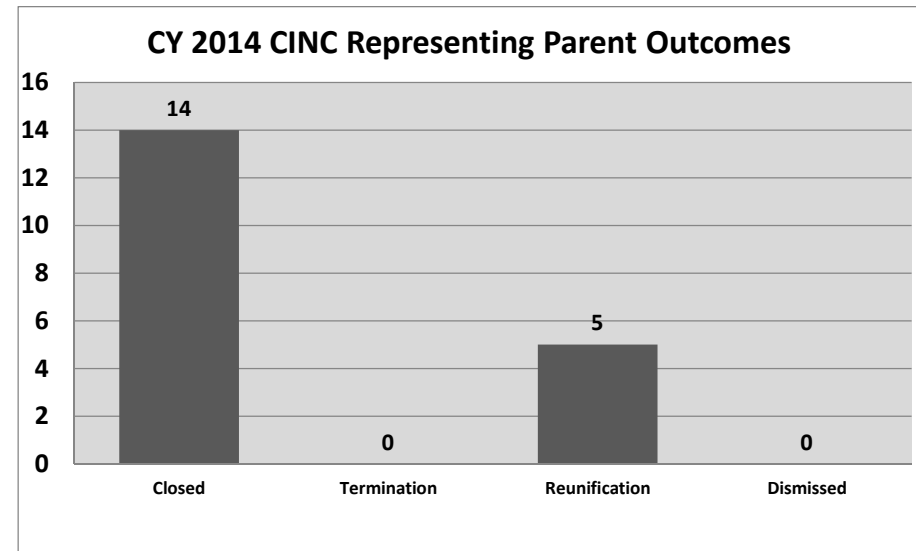
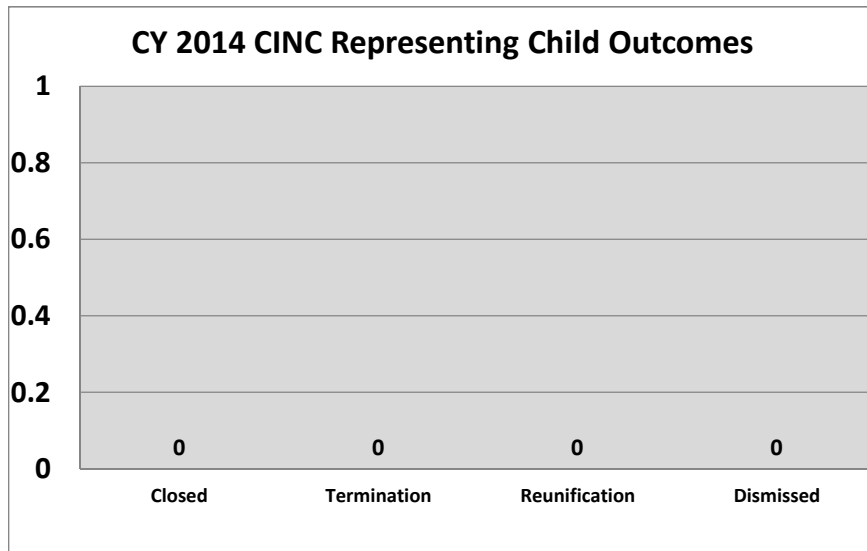
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	168	2	514	682	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	92	14	39	131	0	5	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	1	0	0	1	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	11	1	0	11	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	188	5	3	191	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	155	3	1	156	N/A	N/A	0	0	2	0	N/A	N/A	0	0	0
Delinquency-Life	1	0	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	7166	8947	6794	13960	N/A	N/A	2469	1661	4608	16	0	2	14	16	32
Adult Felony Non-LWOP**	3497	3283	3319	6816	N/A	N/A	1187	965	1400	0	1	4	0	9	14
Adult LWOP	31	34	64	95	N/A	N/A	4	11	10	0	2	2	0	3	7
Capital***	3	7	7	10	N/A	N/A	3	0	2	0	0	0	0	0	0
Revocations	395	282	171	566	N/A	N/A	3	3	1	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

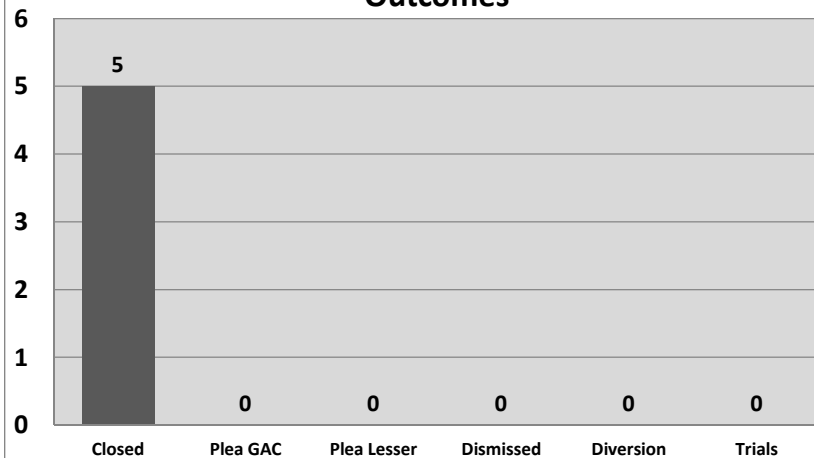
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

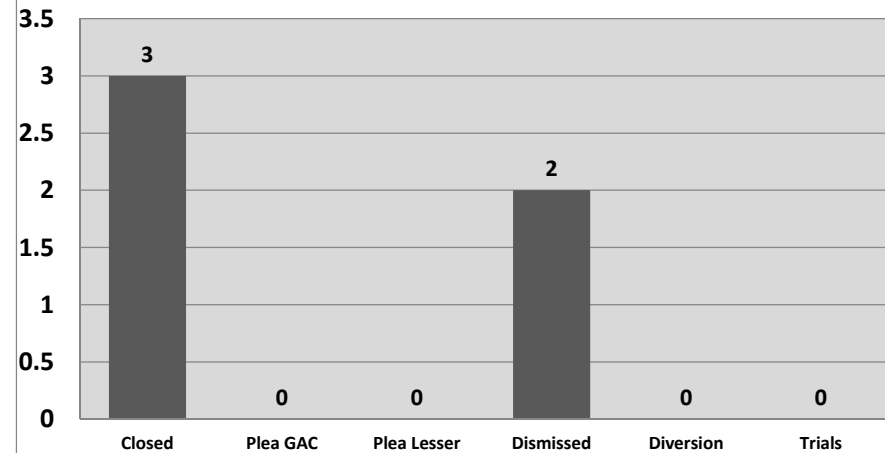
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



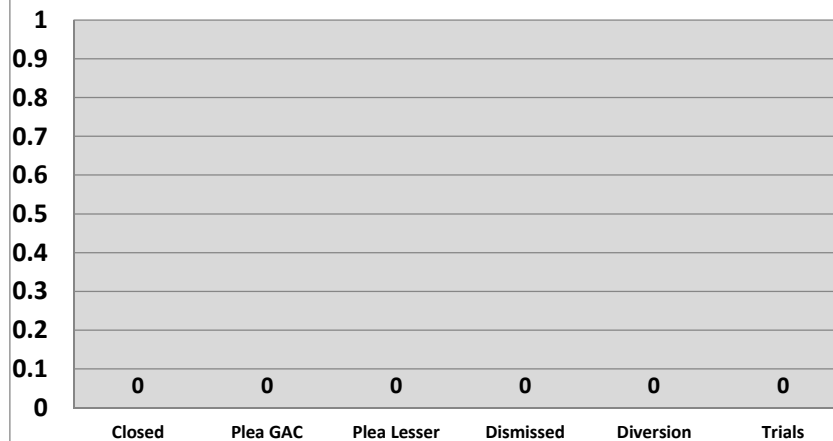
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**

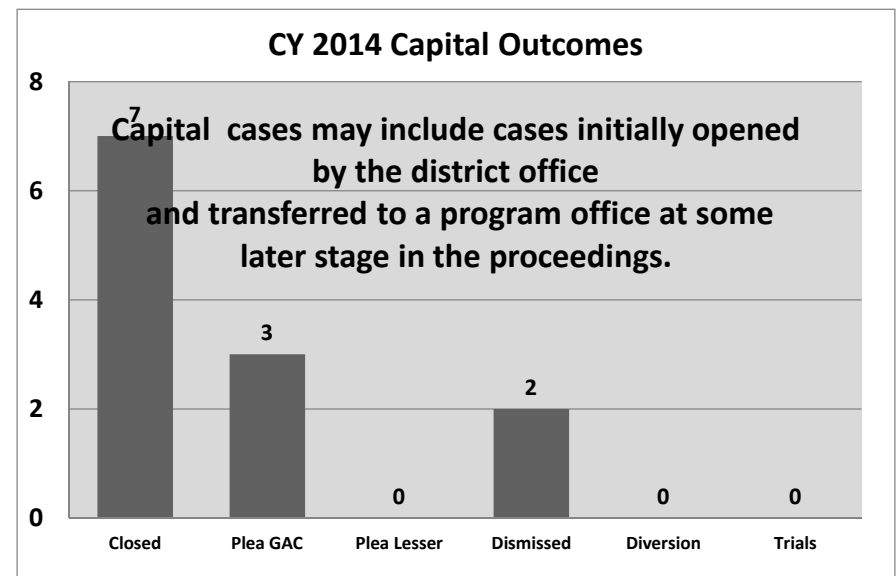
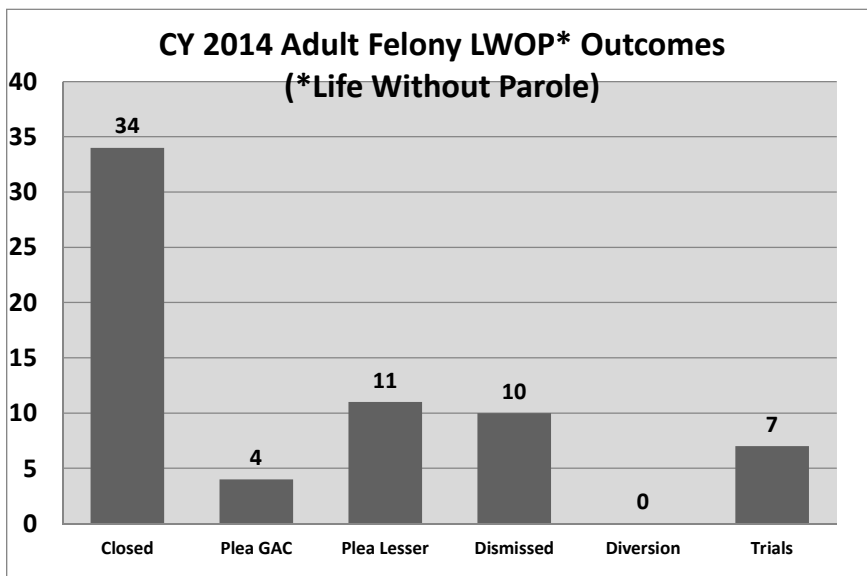
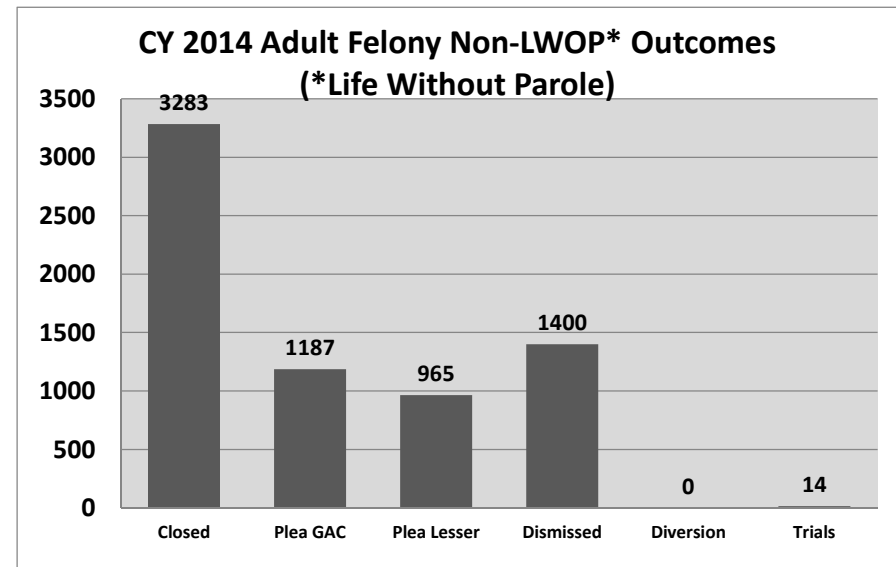
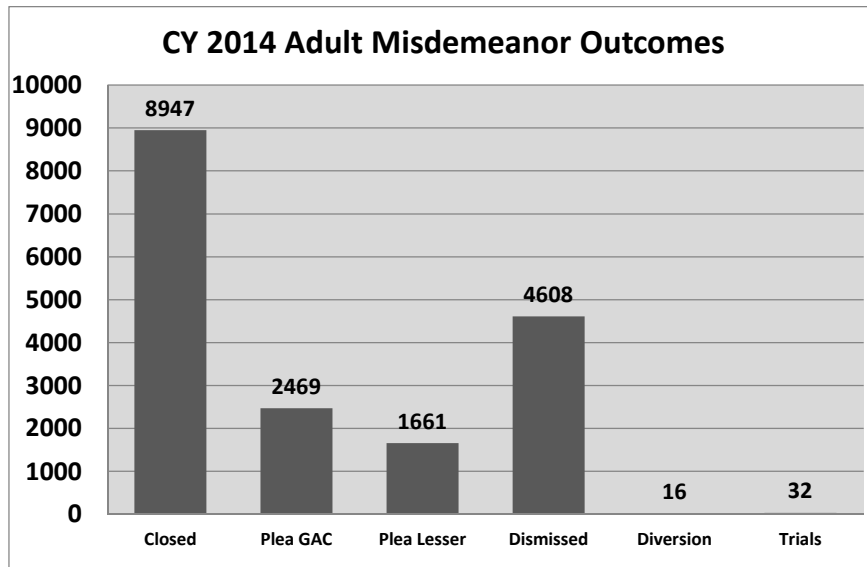


**CY 2014 Delinquency Felony-Grade Outcomes**



**CY 2014 Delinquency Life Outcomes**





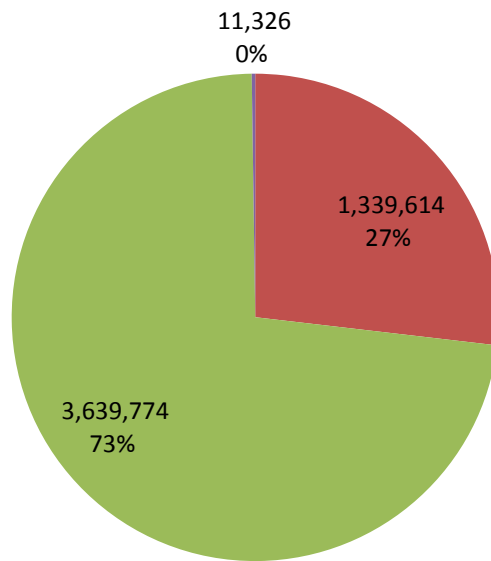


District 19 CY2014	Total CY2014
District Defender: Michael Mitchell	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	4,405
Child in Need of Care (CINC)	39,777
District Assistance Fund (DAF)	1,295,432
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	1,339,614
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	454,883
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	100
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	977,418
Juvenile Court	10,870
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	1,845,114
Parish Courts	-
Traffic Court	2,223
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	2,835,624
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	147,087
Partial Attorney Fees	
Reimbursements [as per 15:176]	117,599
Other Reimbursements	80,717
Other Local Income -List source(s)	3,764
Total for Charges For Services	349,166
Total for Local Government	3,639,774
Investment Earnings	
Interest Income	11,326
Other Investment Income - List source(s)	-
Total for Investment Earnings	11,326
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	4,990,714

District 19 CY2014	Total CY2014
District Defender: Michael Mitchell	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	3,301,426
Accrued Leave	-
Payroll Taxes	41,624
Hospitalization and Disability Insurance	466,180
Retirement	238,544
Other	-
Total for Personnel Services and Benefits	4,047,774
Travel/Training	
Parking/Auto Tolls	6,071
Travel/Lodging/Per Diem/Mileage	29,840
Total for Travel/Training	35,911
Operating Services	
Advertisements	-
Workers' Compensation	7,955
Insurance - Malpractice	17,650
Insurance - Auto/Physical Liability	-
Insurance - Other	2,193
Lease - Office	169,664
Lease - Auto/Equipment	29,013
Lease - Other	5,606
Office Repair and Maintenance	20,252
Office - Telephone/Utilities/Postage/Internet	24,576
Dues and Seminars	25,235
Law Library/Journals/Subscriptions	51,050
Office Supplies	26,103
Total for Operating Services	379,297
Professional Services	
Audit/Accounting Expense	8,536
Contract Clerical	47,170
Expert Witness	123,855
Investigators	48,901
Interpreters	-
Social Workers	-
Capital Representation	156
Conflict	-
Contract - Juvenile Attorneys or CINC	117,716
Misdemeanor Attorney Contracts	130,461
Contract Attorneys - all other	393,358
IT/Technical Support	6,943
Total for Professional Services	877,095
Capital Outlay	
Major Acquisitions	2,879
Total for Capital Outlay	2,879
Other Charges	
Other Operating Expenses	42,717
Total for Other Charges	42,717
Total for EXPENDITURES	5,385,672

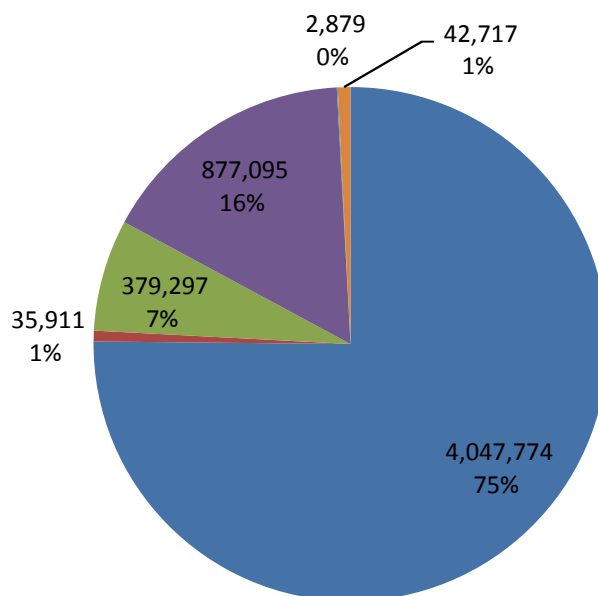
## Total CY14 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





## THE 20<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

EAST FELICIANA (CLINTON) - WEST FELICIANA (SAINT FRANCISVILLE)

DISTRICT DEFENDER: RHONDA B. COVINGTON  
12213 JACKSON STREET  
CLINTON, LA 70722  
(225) 683-3620

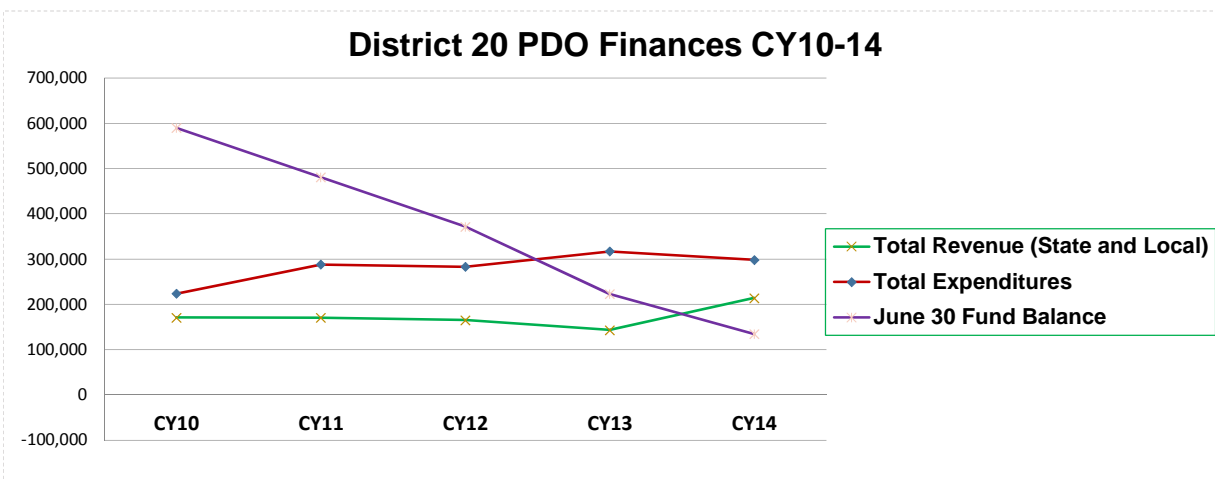
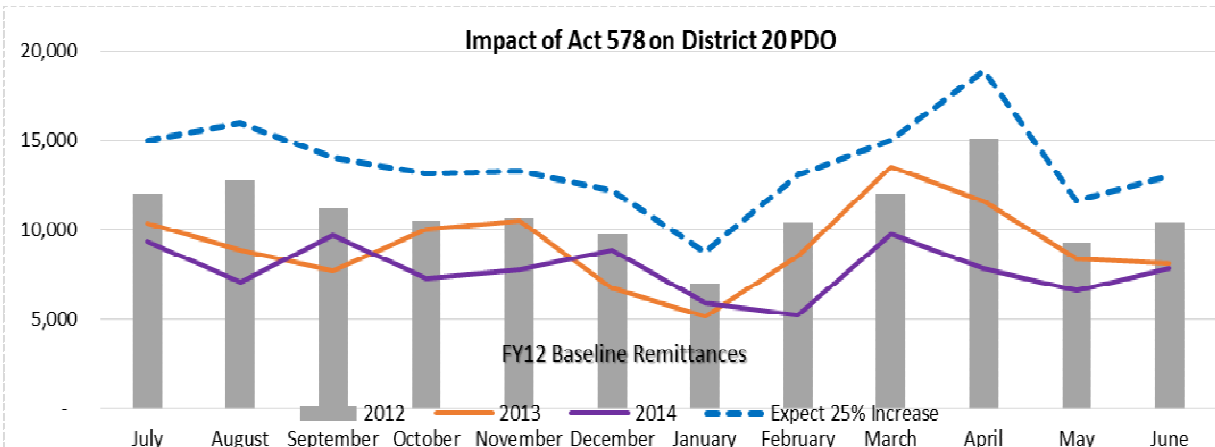
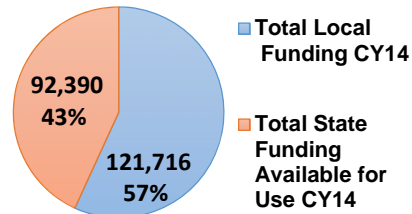
## 20TH JUDICIAL DISTRICT

During calendar year 2014, the 20th Judicial District Public Defenders Office handled 783 cases. The office received \$214,106 in total revenues to handle these cases, approximately 57% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

The 20th Judicial District has always failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 20th Judicial District office has nearly exhausted its fund balance which has been in steep decline since CY10. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent toward the end of FY15.

**District 20 PDO Revenue Sources CY14**

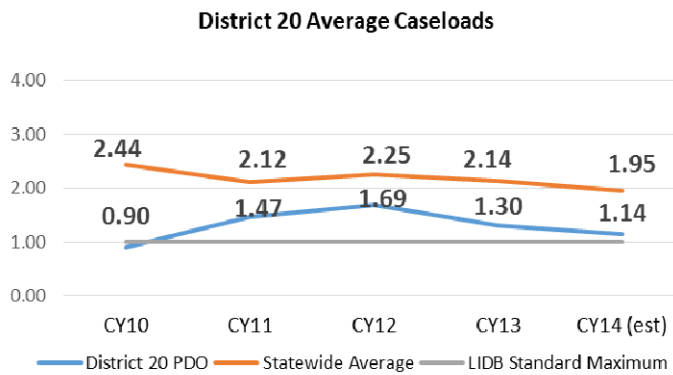


## EAST FELICIANA AND WEST FELICIANA PARISHES

Rhonda B. Covington  
District Defender  
12213 Jackson Street  
Clinton, LA 70722  
225-683-3620

In the 20th Judicial District, public defense attorneys maintain caseloads near the recommended caseload limit for each attorney.

The 20th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.



## CAPITAL REPRESENTATION

Since 2009, there have been no new capital prosecutions in the 20th Judicial District.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 20th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 20<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	East Feliciana – Clinton, La.; West Feliciana - St. Francisville, La.
<b>Population</b>	35,892
<b>Juvenile Population</b>	6,910
<b>District Defender</b>	Rhonda B. Covington
<b>Years as District Defender</b>	4.5
<b>Years in Public Defense</b>	13
<b>Office Manager</b>	None
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Ashly Slocum - secretary in EF (will be part-time soon) and Ashley Armand (part-time) secretary - WF.
<b>Primary Office Street Address</b>	12213 Jackson St.
<b>City</b>	Clinton, La.
<b>ZIP</b>	70722
<b>Primary Phone</b>	225-683-3620
<b>Primary Mailing Address</b>	P.O. Box 68, Clinton, La. 70722
<b>Primary Fax Number</b>	225-683-3669
<b>Primary Emergency Contact</b>	Rhonda B. Covington
<b>Primary Emergency Phone</b>	225-719-1249
<b>Secondary Emergency Contact</b>	Ashley Armand
<b>Secondary Emergency Phone</b>	225-718-0575
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	4789 Prosperity St., P.O. Box 575, St. Francisville, La. 70775 225-784-3730
<b>Other District Office Contact Personnel (Primary Only)</b>	Ashley Slocum
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Felician Builders, LLC & West Feliciana Parish Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,100
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	In-House
<b>Courts and Locations</b>	20th Judicial District Court – Clinton, La.; 20th Judicial District Court-St. Francisville, La.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	2 divisions
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	At 72 hour rule the jail Notifies the district defender and office manager by phone and fax. The district defender then assigns cases to individual contract attorneys on a rotating basis. All other clients are assigned by the district defender at arraignment.

<b>Name of Adult Detention Facilities in This District</b>	East Feliciana Parish Detention Center; West Feliciana Parish Detention Center
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Cottonport, Marksville, Avoyelles Parish Correctional, Richland Parish, Livingston Parish and St. Helena Parish.
<b>Name of Juvenile Detention Facilities In This District</b>	No juvenile facilities
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Assumption Parish Juvenile Facility
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	It is difficult to contact clients who are housed in other parishes except by phone which limits the content of the conversation. Additionally, we spend time traveling.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No -- Juveniles are not shackled.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Sometimes in East Feliciana -- the jail is understaffed and they have no one to get the inmate for us and no one to remain outside the door when we talk to them.
<b>District Attorney</b>	Samuel C. D'Aquila
<b>Chief Judge of Criminal District Court</b>	William G. Carmichael
<b>Juvenile Court Judges (Specify District of City Court)</b>	William G. Carmichael, 20th J.D. and Kathryn Betsy Jones, 20th J.D.
<b>Drug Court Judges</b>	No Drug court
<b>Mental Health Court Judges</b>	No Mental Health Court
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	
<b>Indigency Determined by Whom and How?</b>	After judge makes the initial determination, they fill out an application and we review their financial information to determine whether or not they qualify.
<b>When is Assignment/Appointment of Counsel Made?</b>	72 hour rule and arraignment.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Ashly Socum, Ashly Armand, or Rhonda Covington
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes, see attachment
<b>Brief Explanation of Intake Process</b>	In addition, client & Judge are Notified when they do not qualify
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes - collection began in August 2010.
<b>How Many Applications for Services Were Received?</b>	618
<b>How Many Application Fees Were Waived?</b>	0
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2014</b>	4,460
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	We collect these fees.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	



<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	82,932 - We do not have the December figures because we do not receive those funds until the end of January.
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	No - People who are sentenced to prison without any probation time or suspension in sentence are Not assessed court cost or any other fees.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	East and West Feliciana Parish Sheriff's Office sends a check with the report each month.
<b>Who Collects the Assessed Court Fees?</b>	East and West Feliciana Sheriff's Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Both parishes send a report with the check which outlines the fees collected.
<b>Who Remits the Court Fees Collected?</b>	East and West Feliciana Parish Sheriff's Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	East Feliciana will not provide the sheet created by the state.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	The Judge will charge the client a fee for legal services if the client is capable to pay.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	The judge makes these determinations.
<b>Who Collects the Assessed Partial Payments?</b>	East Feliciana Parish Sheriff's Office and West Feliciana Sheriff's Office will collect fees and forward them to us. Also, the Office of Probation and Parole will collect the fees and pay them to the Sheriff's Office and they in turn will remit them to us.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	West Feliciana Sheriff's Office gives us the name and amount on the sheet provided by the state. East Feliciana provides us with a printout of names and fees collected and we must determine which fees are court cost, bond fees, and partial payments.
<b>Who Remits the Partial Payments Collected?</b>	The Sheriff's Office in East Feliciana and West Feliciana.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	West Feliciana submits the form provided by the state along with the check. East Feliciana provides a printout of names and amounts collected by the department. We must then determine what the fees were collected for.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	15,172 -- this does not include December because we do not receive those funds until the end of January.
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	No -- all attorneys are contract attorneys
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Money & adequate staff

<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes- have already submitted a ROS report
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Yes - Terminated 1 contract attorney -- terminated one secretary -- reduced another secretary to part-time, and eliminated the office cleaning staff.
<b>Immediate Critical Issue Areas</b>	Money & Staff
<b>Long-Term Critical Issue Areas</b>	Money & Staff
<b>Please List All New Hires in 2014 (Name and Title)</b>	Ashley Slocum -- Office manager replaced Laura Enfinger. Now the Office Manager is also part-time.
<b>Please List All Promotions in 2014 (Name and Title)</b>	No promotions.
<b>2014 Media Coverage and/or Major Accomplishments</b>	Sued the sheriff of East Feliciana to acquire copies of probable cause affidavits. We won on this issue.
<b>Number of Expected New Attorney Hires in 2015</b>	0
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	The DD works with all attorneys and supervises all cases. the DD helps plan strategy, engage in research, locate experts, talk to witnesses, etc. and is very active in every case that goes before a jury. We hired one new attorney this year. In addition to working with him one on one, he also "shadowed" an experienced attorney and worked with him on a number of cases.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Rhonda B. Covington is the District Defender who supervises the contract attorneys, office manager and secretary. The office manager supervises the secretary.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No new jobs titles.
<b>Please Attach Your Office Organizational Chart</b>	Attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Caseload/workload will be increasing due to layoffs.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	Meetings are periodic when needed.
<b>Number of NEW capital cases in CY14 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	0
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2014</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	0

<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	All attorneys handle juvenile matters as well as adult cases. They are assigned on a rotating basis.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Kenny Havard, Rick Ward, Neil Riser, John Bel Edwards, Major Tibeaut
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Cooperation from the jail in EF. We do not receive 72 hour appointments timely, nor do we receive Affidavits of Probable Cause timely. We are turned away from the jail many times because our visits are NEVER a good time for them.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	Suing the sheriff of EF has helped us to get more documentation early on in the process.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Rhonda B. Covington	225-683-3620
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Michelle Duncan	225-683-3620
Cy J. D'Aquila, Jr.	225-683-3620
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Ashley Armand	225-784-3730
Slocum, Ashley	225-683-3620

## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Rhonda B. Covington
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	x
Windows 7	x
Windows Vista	x
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	x
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Firefox	
Google Chrome	
Other	Internet Explorer 11

<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	1
Laptops	4
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	2
Wireless Cards	0
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	1
	Projector
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	uverse
No Internet Connection	
Connection Speed:	18mb
Provider Name:	AT&T
Email Provider:	AT&T
Please list any software or computer equipment in which you need training:	

## 20th District Defender Office CY 2014 Caseloads & Outcomes

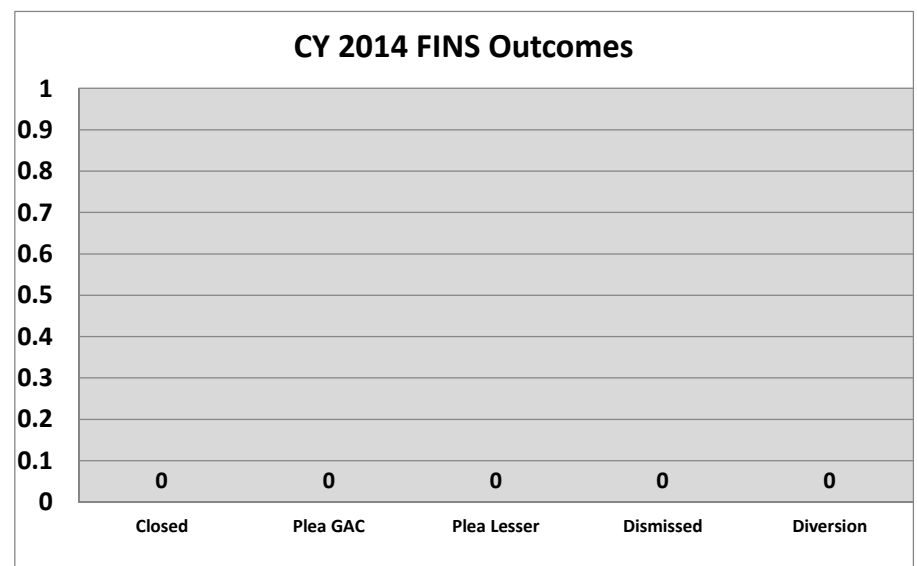
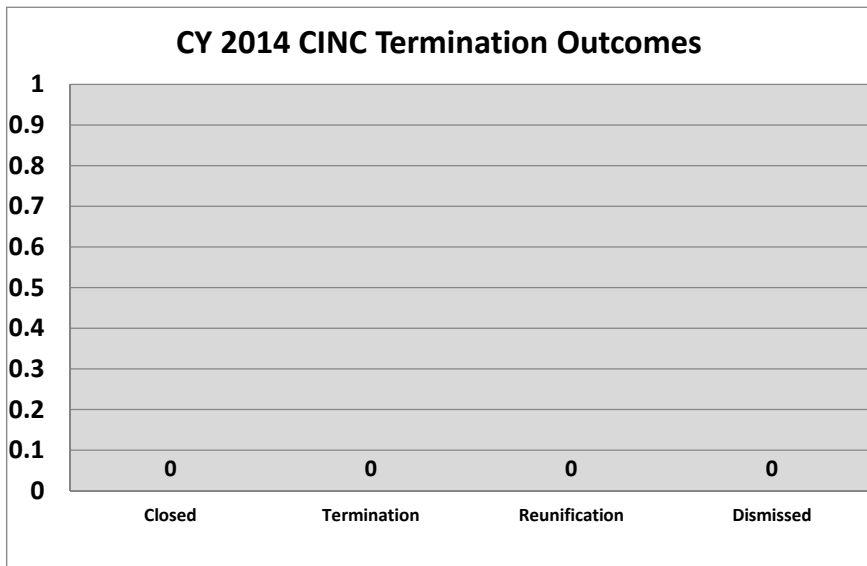
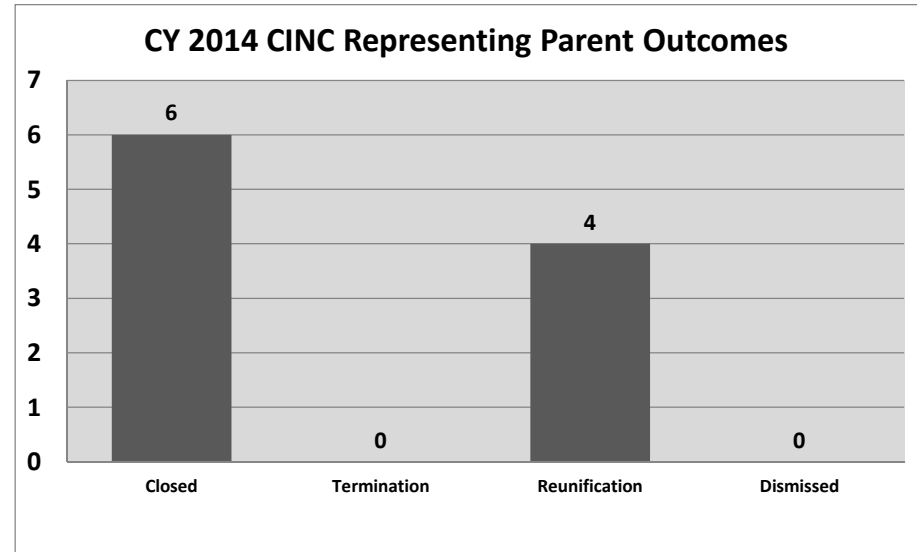
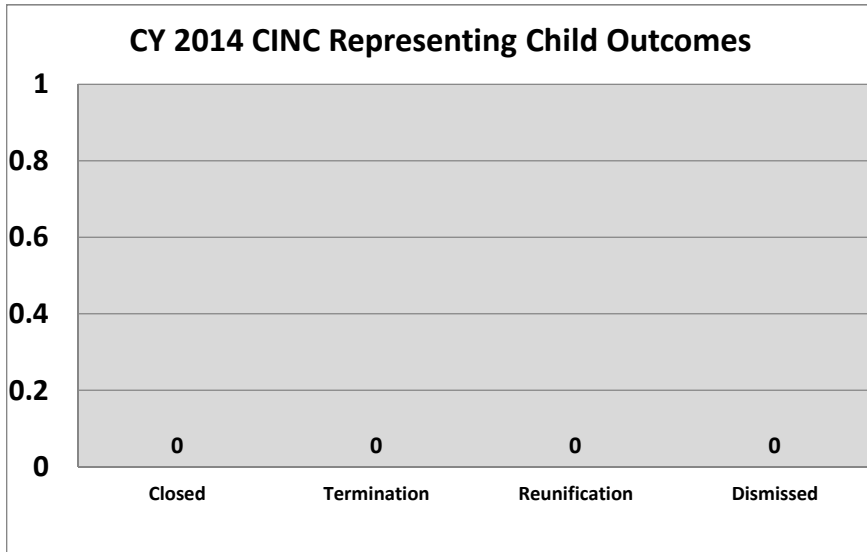
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	14	6	12	26	0	4	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	2	0	0	2	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	8	9	5	13	N/A	N/A	6	0	2	2	N/A	N/A	0	0	0
Delinquency Felony	17	8	6	23	N/A	N/A	4	0	0	9	N/A	N/A	0	0	0
Delinquency-Life	1	0	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	242	189	46	288	N/A	N/A	153	3	10	0	0	1	0	0	1
Adult Felony Non-LWOP**	303	206	111	414	N/A	N/A	136	34	9	0	0	0	4	3	7
Adult LWOP	6	3	1	7	N/A	N/A	1	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	5	8	3	8	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	1	0	0	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

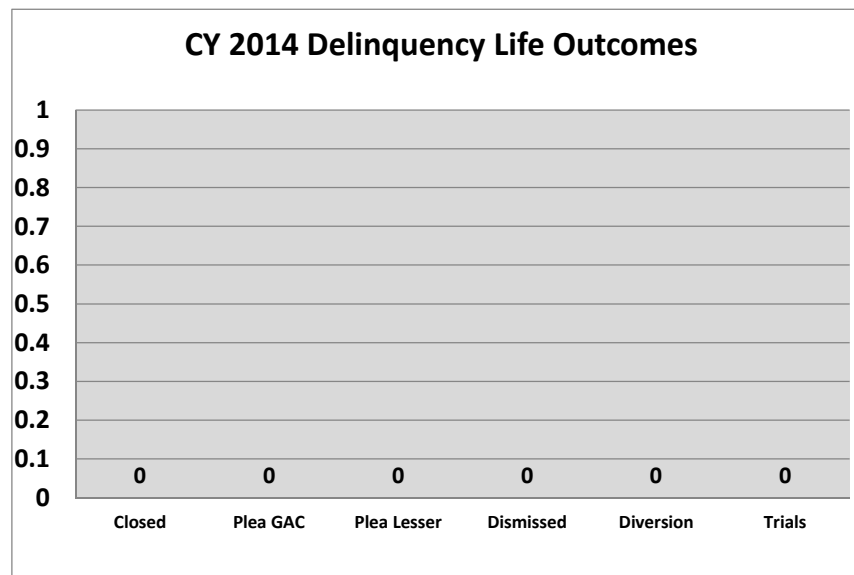
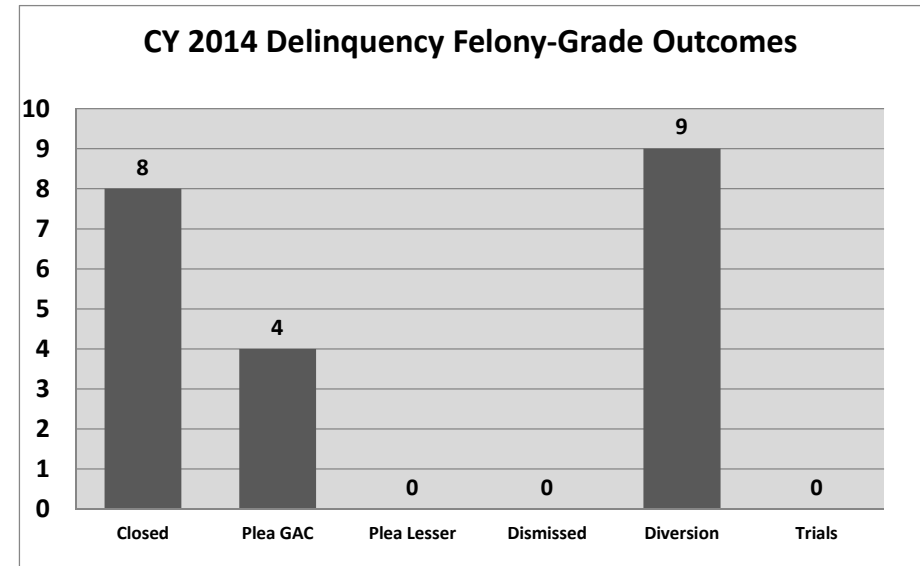
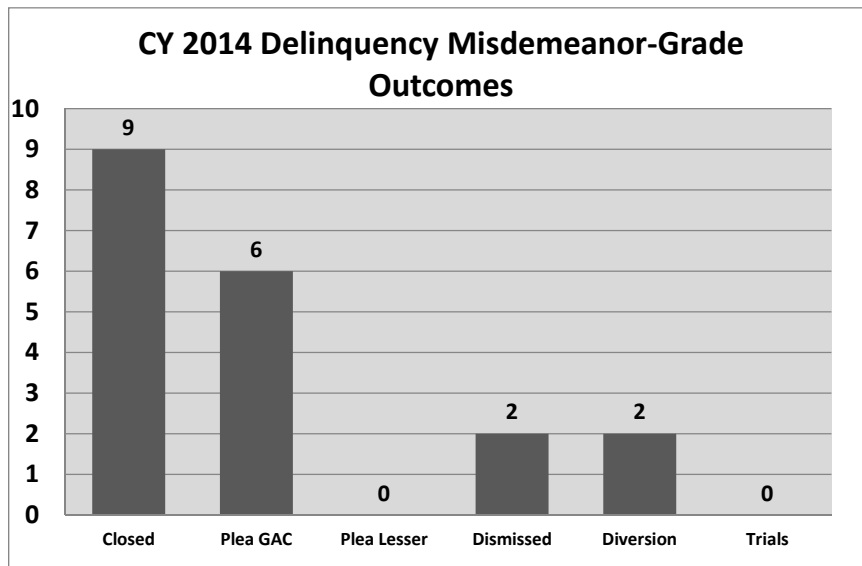
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

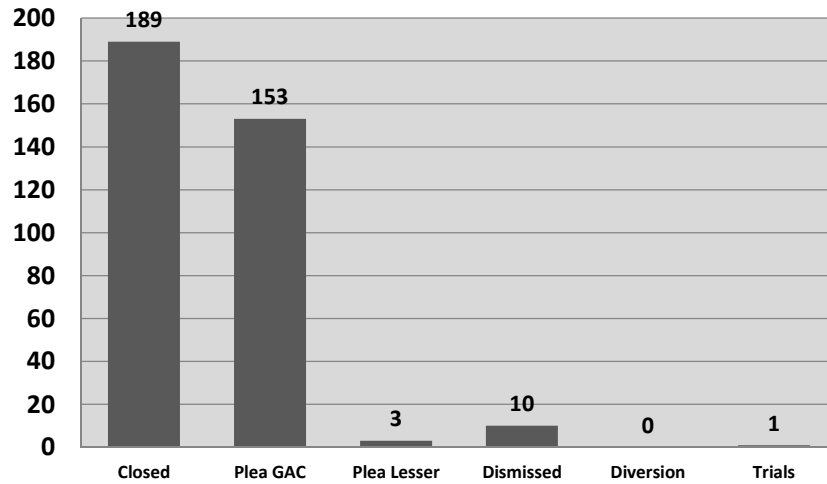
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



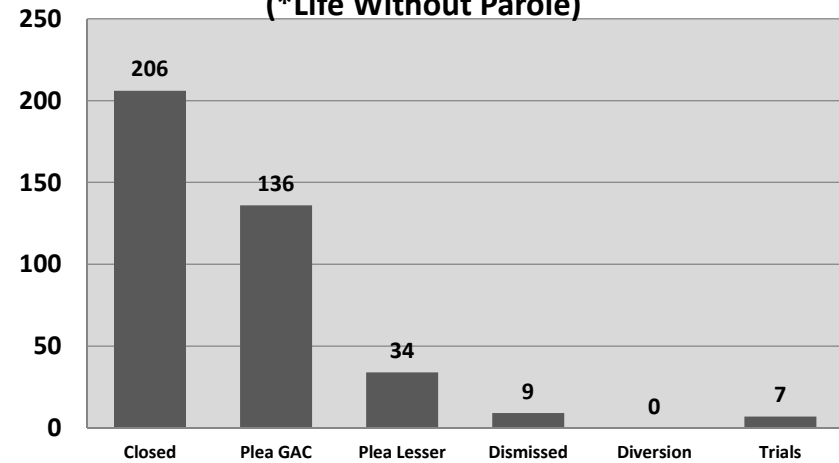




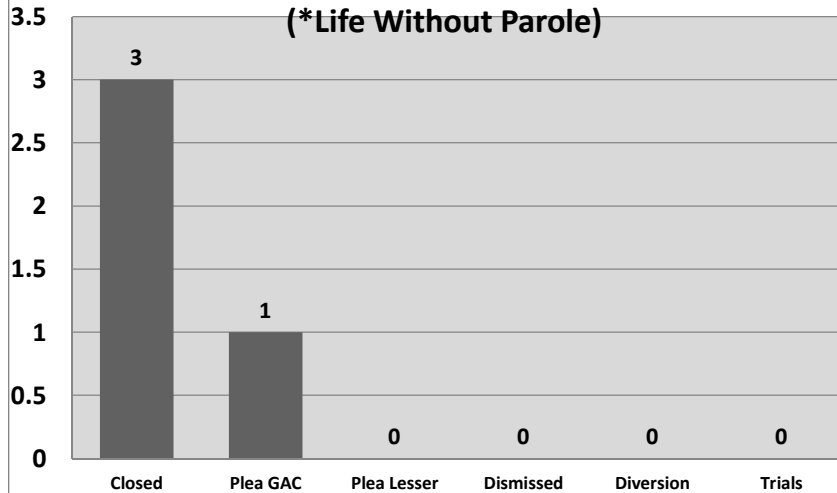
**CY 2014 Adult Misdemeanor Outcomes**



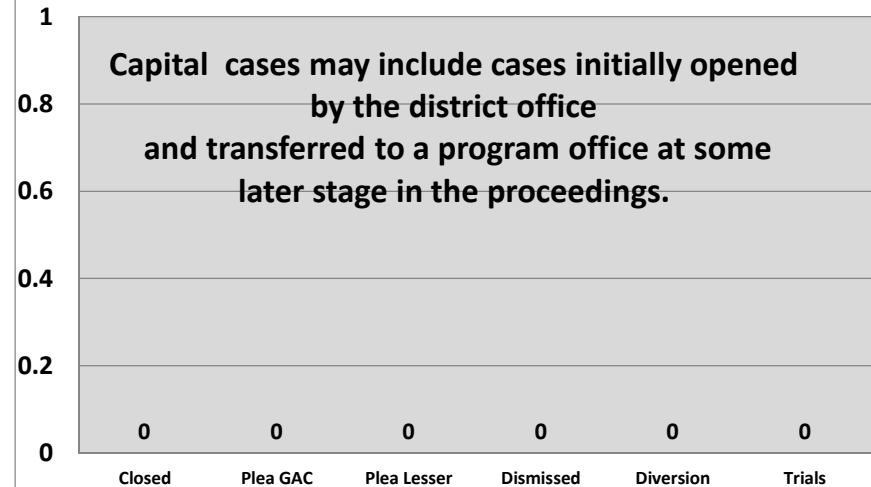
**CY 2014 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Capital Outcomes**

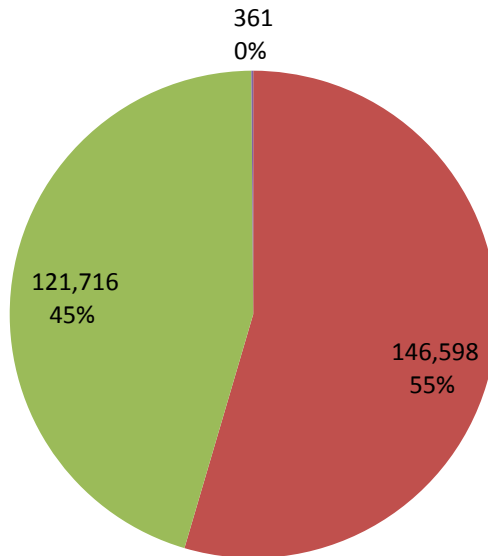


<b>District 20 CY2014</b>	<b>Total CY2014</b>
<b>District Defender: Rhonda Covington</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	3,627
District Assistance Fund (DAF)	142,971
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	146,598
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	11,472
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	88,162
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	88,162
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	4,700
Partial Attorney Fees	
Reimbursements [as per 15:176]	17,264
Other Reimbursements	119
Other Local Income -List source(s)	-
Total for Charges For Services	22,083
Total for Local Government	121,716
Investment Earnings	
Interest Income	361
Other Investment Income - List source(s)	-
Total for Investment Earnings	361
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	268,676

District 20 CY2014	Total CY2014
District Defender: Rhonda Covington	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	132,318
Accrued Leave	-
Payroll Taxes	10,757
Hospitalization and Disability Insurance	2,927
Retirement	-
Other	-
Total for Personnel Services and Benefits	146,002
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	1,379
Total for Travel/Training	1,379
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	508
Insurance - Other	-
Lease - Office	9,000
Lease - Auto/Equipment	-
Lease - Other	660
Office Repair and Maintenance	2,638
Office - Telephone/Utilities/Postage/Internet	7,988
Dues and Seminars	660
Law Library/Journals/Subscriptions	8,546
Office Supplies	3,258
Total for Operating Services	33,259
Professional Services	
Audit/Accounting Expense	2,288
Contract Clerical	-
Expert Witness	-
Investigators	399
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	5,425
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	106,900
IT/Technical Support	113
Total for Professional Services	115,124
Capital Outlay	
Major Acquisitions	1,949
Total for Capital Outlay	1,949
Other Charges	
Other Operating Expenses	604
Total for Other Charges	604
Total for EXPENDITURES	298,317

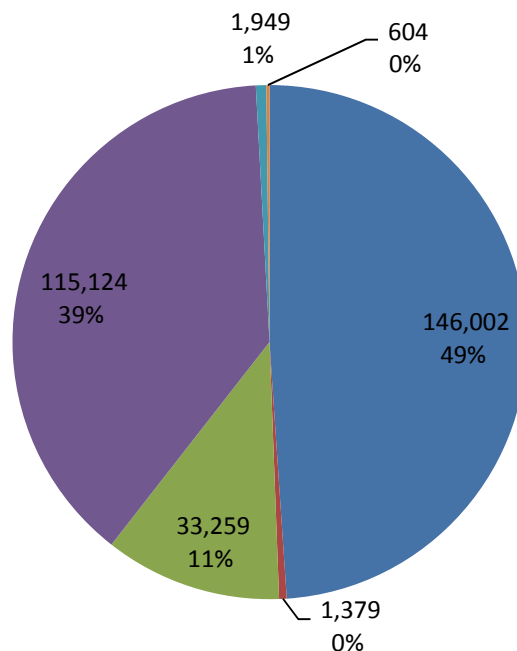
## Total CY14 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





DISTRICT DEFENDER: REGINALD MCINTYRE  
303 EAST OAK STREET  
AMITE, LA 70422  
(985) 748-4922

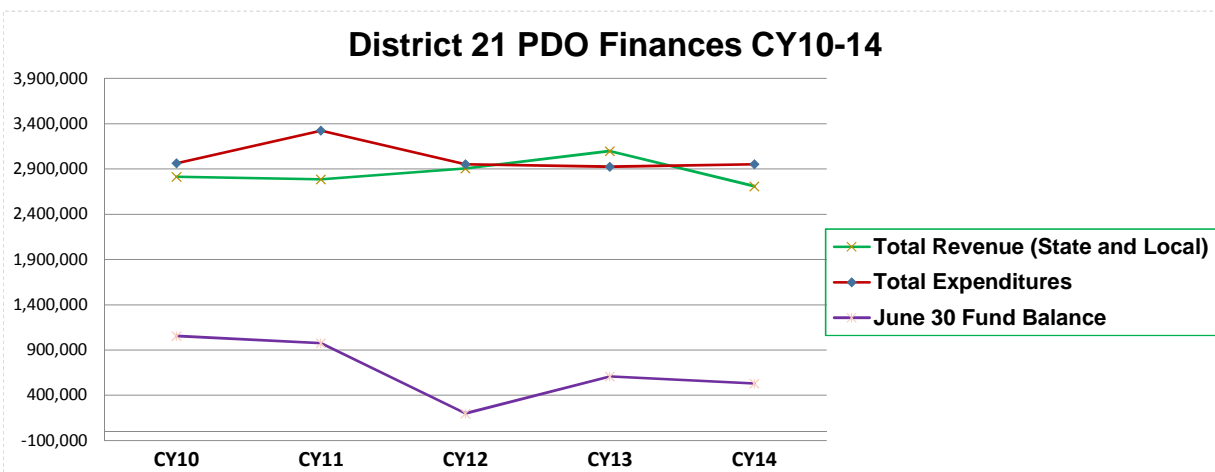
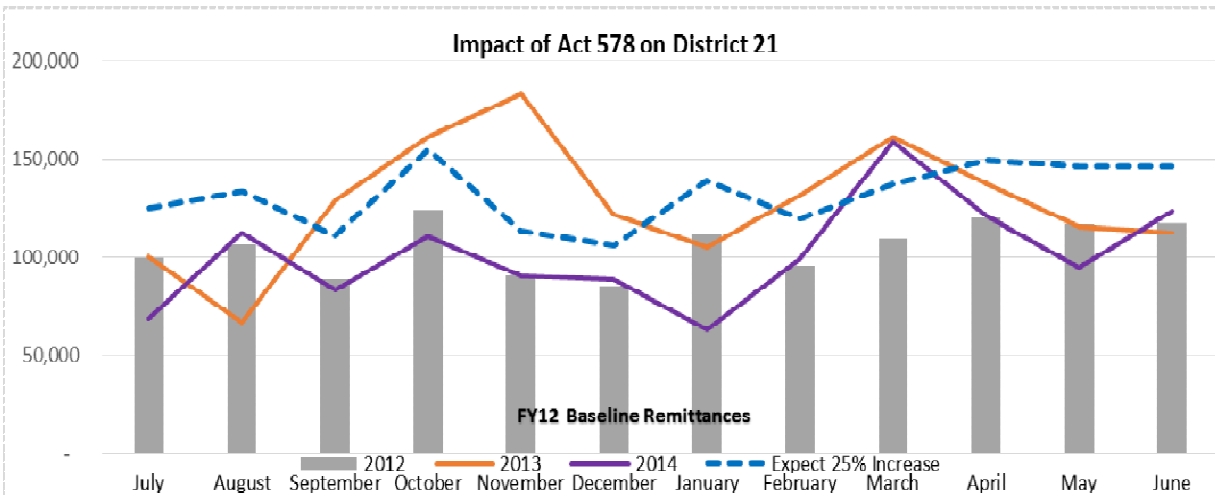
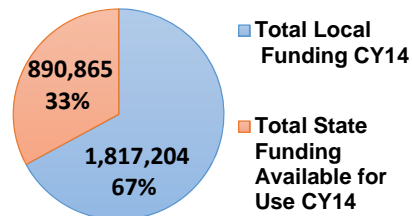
## 21ST JUDICIAL DISTRICT

During calendar year 2014, the 21st Judicial District Public Defenders Office handled 15,078 cases. The office received \$2,708,068 in total revenues to handle these cases, approximately 67% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

With the exception of a few anomalies, the 21st has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 21st Judicial District office's expenditures exceed the office's revenues. While it is too early to project when the 21st Judicial District office will exhaust its fund balance, without a significant increase in revenues or reduction in expenditures, the office will eventually become insolvent.

**District 21 PDO Revenue Sources CY14**

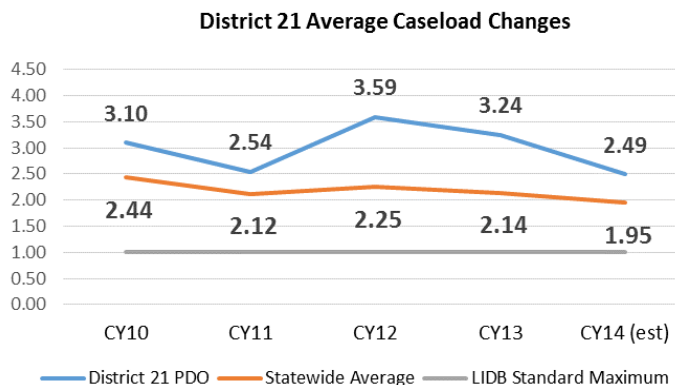


## LIVINGSTON, ST. HELENA, TANGIPAHOA PARISHES

Reginald McIntyre  
District Defender  
303 E. Oak Street  
Amite, LA 70422  
985-748-4922

In the 21st Judicial District, public defense attorneys make an average annual salary of \$58,738 while maintaining caseloads more than twice the recommended caseload limit for each attorney.

Although caseloads remain high due to insufficient revenues, through increased training and supervision, client outcomes in CINC cases have significantly improved over the last five years.



## CAPITAL REPRESENTATION

Since 2009, the 21st Judicial District has handled 10 new capital prosecutions.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 21st Judicial District due to a lack of capital certified attorneys and/or funding to support capital services in the District Office.





## THE 21<sup>ST</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Livingston - Livingston; St. Helena - Greensburg; Tangipahoa - Amite
<b>Population</b>	260,326
<b>Juvenile Population</b>	68,513
<b>District Defender</b>	Reginald McIntyre
<b>Years as District Defender</b>	15.5
<b>Years in Public Defense</b>	25
<b>Office Manager</b>	Mary Hughes
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Mary Hughes, Administrator; Ramona Correnti; Asst. Administrator; Susan Andrew, Office Manager; Legal Secretaries: Donelle Braud; Melissa Dufrecehe; Sandy Fitz; Dawn Gray; Laurie Hano; Bridgette Hughes; Samantha Kelly; Michell Sellers; Kayanna Vernon
<b>Primary Office Street Address</b>	303 East Oak Street
<b>City</b>	Amite
<b>ZIP</b>	70422
<b>Primary Phone</b>	985-748-4922
<b>Primary Mailing Address</b>	P.O. Box 1004, Amite 70422;
<b>Primary Fax Number</b>	985-748 - 2933
<b>Primary Emergency Contact</b>	Reginald McIntyre
<b>Primary Emergency Phone</b>	985-320-5373
<b>Secondary Emergency Contact</b>	Charles M. Reid
<b>Secondary Emergency Phone</b>	985-517-1576
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Livingston Office: 29849 S. Magnolia St., P. O. Box 490, Livingston, LA 70754, (225) 686-2128
<b>Other District Office Contact Personnel (Primary Only)</b>	Susan Andrews
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Amite Office - Parish Owned; Livingston Office- Dichel, L.L.C.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Livingston Office - Jan - October \$1,300/month rent, \$240/month utilities, then November - December \$2,300/month rent, \$240/month utilities; Amite Office - No rent, no utilities; Livingston and Amite combined telephone services - \$1529/month.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Sherri Oliver, CPA



<b>Courts and Locations</b>	Tangipahoa Parish - Amite; Livingston Parish - Livingston; St. Helena Parish - Greensburg; Hammond City Court, Hammond; Denham Springs City Court, Denham Springs; Ponchatoula Mayor's Court, Ponchatoula; Walker Mayor's Court, Walker.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	6 District Criminal Divisions; 2 District Family Court Divisions; 1 District Juvenile Court; Hammond City Court - Juvenile & Misd Adult; Denham Springs City Court - Juvenile & Misd Adult; Ponchatoula Mayor's Court - Misd Adult & Traffic; Walker Mayor's Court - Misd Adult & Traffic; 2 District Family Court Magistrates.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Attorneys are assigned specifically to Divisions, City & Municipal Courts, Juvenile, CINC Parent and Non-Support.
<b>Name of Adult Detention Facilities in This District</b>	Tangipahoa Parish Jail, Livingston Parish Jail, St. Helena Parish Jail, Hammond City Jail.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Riverbend Correctional Center, Caldwell Detention Center, Claiborne Detention Center, Richland Parish, Catahoula Parish.
<b>Name of Juvenile Detention Facilities In This District</b>	Florida Parishes Juvenile Detention Center.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None of which we are aware.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Not at this time.
<b>District Attorney</b>	Scott M. Perrilloux
<b>Chief Judge of Criminal District Court</b>	Robert H. Morrison, III
<b>Juvenile Court Judges (Specify District of City Court)</b>	District Court -Blair Edwards; City Court Hammond - Grace Gasaway; Denham Springs City Court - Charles Borde.
<b>Drug Court Judges</b>	Robert H. Morrison, III, Bruce Bennett, Grace Gassaway, Charles Borde, Blair Edwards.
<b>Mental Health Court Judges</b>	All duty judges.
<b>Other Specialty Court</b>	Magistrate Erica Sledge and Magistrate Carolyn Ott
<b>Name of Specialty and Brief Description:</b>	Non-Support; Paternity; Protective Orders.
<b>Indigency Determined by Whom and How?</b>	Judge at time of 72 hearing and arraignment by oral examination of client.
<b>When is Assignment/Appointment of Counsel Made?</b>	Within 72 hours from time charges are filed or at arraignment.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Randy Pinion, Investigator; Ronald Stilley, Contract Investigator.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Attached

<b>Brief Explanation of Intake Process</b>	If in jail, investigator goes immediately to fill out form for intake with a primary attorney assigned upon allotment. If not in jail & appointed at arraignment, client is given letter & card of representing attorney & is advised to contact office to make appointment.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	7,118
<b>How Many Application Fees Were Waived?</b>	0
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2014</b>	44,561
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	1,307,795
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Fees assessed in open Court and are recorded by Public Defender Clerical Staff assisting in Court.
<b>Who Collects the Assessed Court Fees?</b>	Livingston Parish, St. Helena Parish and Tangipahoa Parish Sheriff's Offices; Hammond City Court, Denham Springs City Court, Walker Mayor' Court and Ponchatoula Mayor's Court Clerks of Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Fee collection documentation is provided by Livingston Parish, St. Helena Parish and Tangipahoa Parish Sheriff's Offices; Hammond City Court, Denham Springs City Court, Walker Mayor' Court and Ponchatoula Mayor's Court Clerks of Court.
<b>Who Remits the Court Fees Collected?</b>	Livingston Parish, St. Helena Parish and Tangipahoa Parish Sheriff's Offices; Hammond City Court, Denham Springs City Court, Walker Mayor' Court and Ponchatoula Mayor's Court Clerks of Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Fee collection documentation is provided by Livingston Parish, St. Helena Parish and Tangipahoa Parish Sheriff's Offices; Hammond City Court, Denham Springs City Court, Walker Mayor' Court and Ponchatoula Mayor's Court Clerks of Court.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	N/A

<b>Who Collects the Assessed Partial Payments?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	N/A
<b>Who Remits the Partial Payments Collected?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	N/A
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Primarily staff -Full-time may have civil practice but no criminal practice inside the district. Contract Attorneys not full-time staff, may have both criminal & civil practice.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Attached
<b>Primary Immediate Needs</b>	Attorneys, support staff, equipment & additional space.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Additional funding needed.
<b>Long-Term Critical Issue Areas</b>	Additional funding needed.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Tim Fondren, Chris Edwards, Latoia Dyson-Williams, E. Taylor Glass
<b>Please List All Promotions in 2014 (Name and Title)</b>	Vanessa Williams, Trial Supervisor
<b>2014 Media Coverage and/or Major Accomplishments</b>	Many - but we keep it local.
<b>Number of Expected New Attorney Hires in 2015</b>	2
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. 5 Supervisors go to Court & assist with caseload through probation period. Monthly training meetings with 5 Supervisors covering legal issues; Trial Supervisors aid in Trial preparation.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Administrator handles clerical staff; 2 Adult case Supervisors with 3 divisions each; 1 Juvenile/CINC Supervisor and 1 Trial Supervisor.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	Attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No new caseload policy has been done this year.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Full time employees - paid part by Office and part by Employee.

<b>Regular Meetings for Any Staff, Please Describe</b>	Yes. Monthly
<b>Number of NEW capital cases in CY14 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	1
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2014</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Contract Attorneys handle both Juvenile and Felony Cases.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	SENATORS: Livingston Parish -Sen. Dale M. Erdy; Sen. "Jody" Amedee; Sen. Mack "Bodi" White; St. Helena Parish - Sen. Rick Ward, III; Sen. Mack "Bodi" White; Tangipahoa Parish - Sen. Mack "Bodi" White; Sen. Jack Donahue; Sen. Ben Nevers; Sen. Dale M. Erdy. REPRESENTATIVES: Livingston Parish: Rep. Valarie Hodges; Rep. Sherman Q. Mack; Rep. J. Rogers Pope; Rep. Clay Schexnayder; St. Helena Parish: Rep. John Bel Edwards; Tangipahoa Parish: Rep. Christopher Broadwater; Rep. John Bel Edwards; Rep. Stephen E. Pugh; Rep. Scott M. Simon.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	High incarceration rate due to bail policy; Philosophy of Judges.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	None

<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Reginald McIntyre	985-748-4922
Charles Reid	985-748-4922
Allen Harvey	985-748-4922
Bridget Hebert	985-748-4922
Barry Augustine	985-748-4922
William Dykes	985-748-4922
Thomas Frierson	985-748-4922
Renee Molland	985-748-4922
Willis Ray	985-748-4922
Brad Stevens	985-748-4922
Tammy Thompson	985-748-4922
Clay Waterman	985-748-4922
Erica Williams	985-748-4922
Kerry Carpenter	985-748-4922
Brett Duncan	985-748-4922
Angelia Huszar	985-748-4922
Jeff LeSaicherre	985-748-4922
Leslie McAndrew	985-748-4922
Barry Pike	985-748-4922
Angela Sibley	985-748-4922
Ryan Brown	985-748-4922
E. Taylor Glass	985-748-4922
Chris Edwards	985-748-4922
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Vanessa Williams	985-748-4922
Cory Blunk	985-748-4922
Patricia Hicks	985-748-4922
Kim Resetar	985-748-4922
Jasper Brock, IV	985-748-4922
Summer Duhe	985-748-4922
Nicky Muscarello	985-748-4922
Matthew Todd	985-748-4922
Tim Fondren	985-748-4922
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Mary Hughes	985-748-4922
Ramona Correnti	985-748-4922
Susan Andrews	985-748-4922
Donelle Braud	985-748-4922
Melissa Dufreche	985-748-4922
Sandy Fitz	985-748-4922
Dawn Gray	985-748-4922
Laurie Hano	985-748-4922
Bridgette Hughes	985-748-4922

Samantha Kelly	985-748-4922
Michell Sellers	985-748-4922
Kayanna Vernon	985-748-4922
Randy Pinion	985-748-4922
Ronald Stilley	985-748-4922
LaToia Dyson-Williams	985-748-4922
<b><u>Capital Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Gary Jordan	985-748-4922
Mike Thiel	985-748-4922
Margaret Lagattutta	985-748-4922
Susan Jones	985-748-4922

## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Ramona Correnti
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	x
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	Personalized Accounting Software utilized by Sherri Oliver, CPA
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Firefox	x
Google Chrome	x
Other	

<b>HARDWARE:</b>	
Please enter the number of	
devices in your inventory.	
Television	3
DVD	4
VCR	2
Desktop PCs	25
Laptops	3
Video Cameras	0
Digital Cameras	2
Video Conferencing Systems	0
B&W Laser Printers	3
Color Printers	2
Wireless Cards	1
Smartphones (Funded by Office)	4
iPad/Tablets (Funded by Office)	1
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	6mbps/512kbps
Provider Name:	Bellsouth/AT&T
Email Provider:	Bellsouth/AT&T
Please list any software or computer equipment in which you need training:	Microsoft Excel



## 21st District Defender Office CY 2014 Caseloads & Outcomes

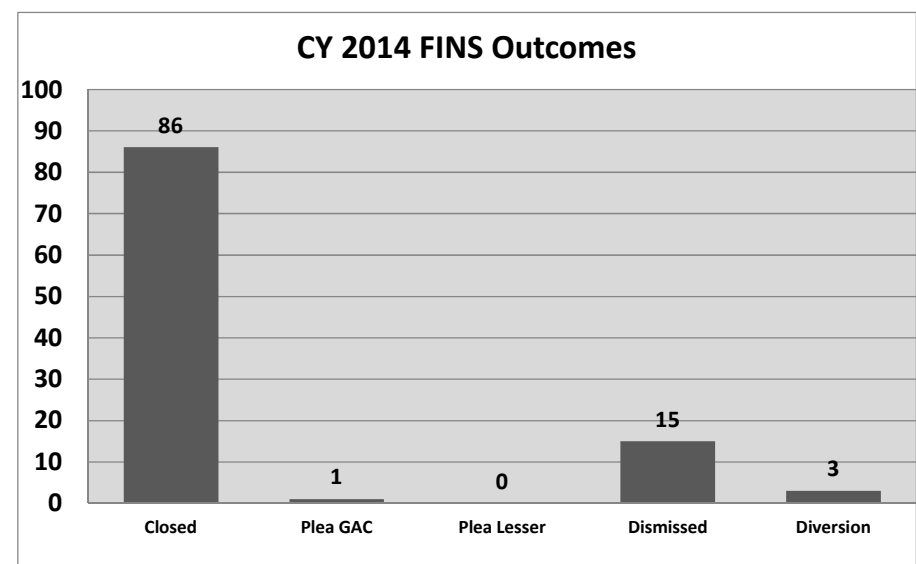
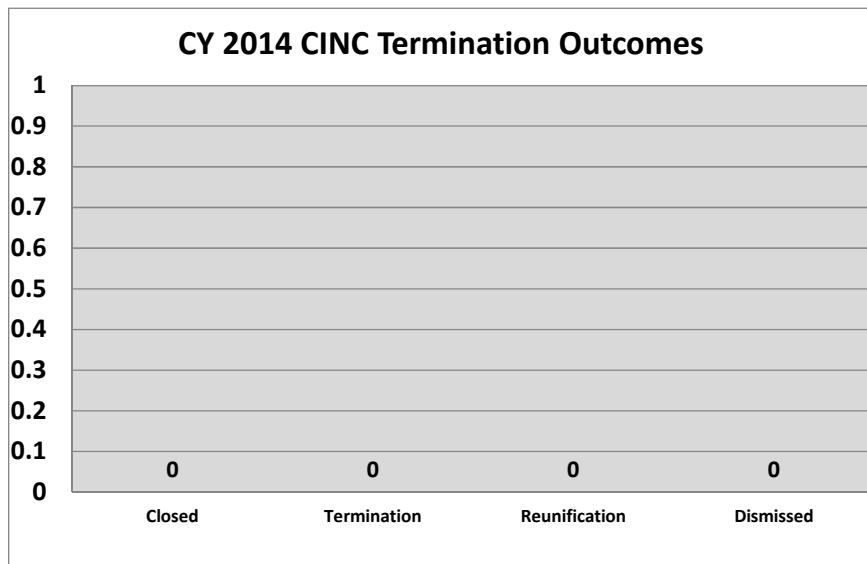
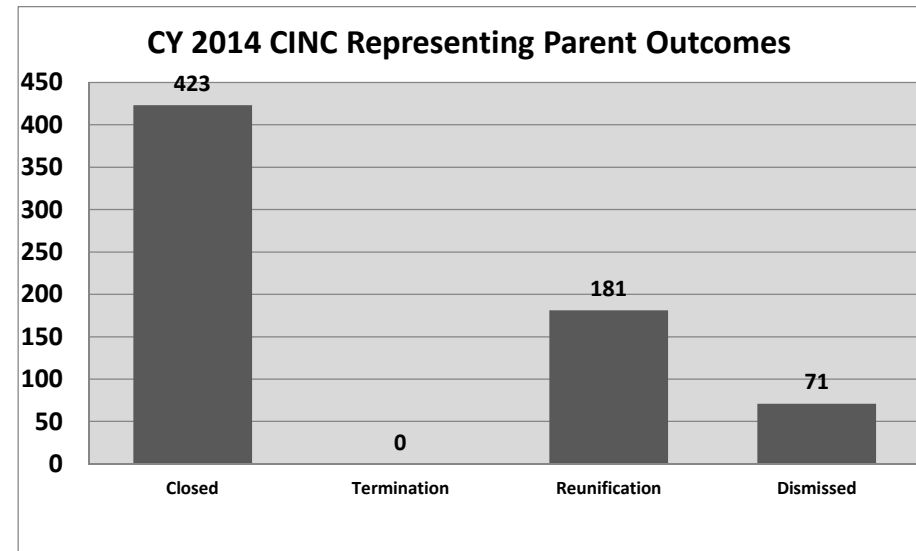
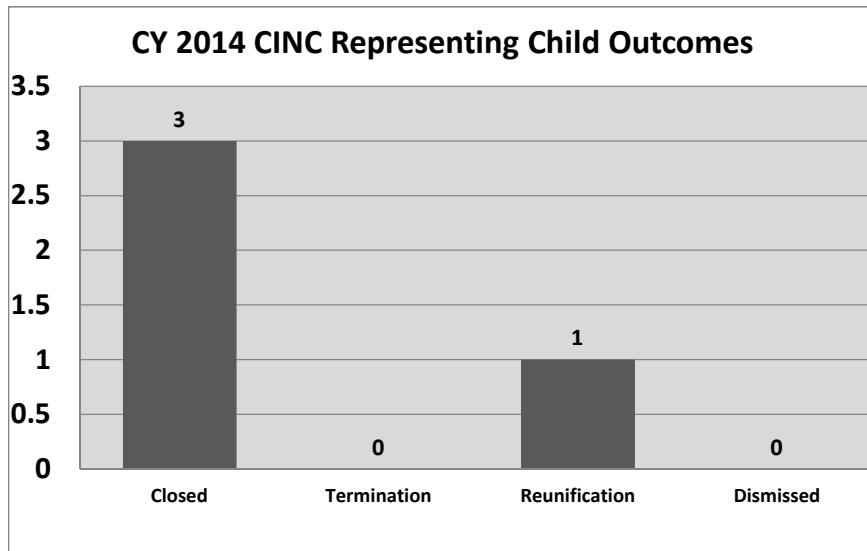
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	899	1	19	918	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	2	3	3	5	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	455	423	353	808	0	181	N/A	N/A	71	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	151	86	25	176	N/A	N/A	1	0	15	3	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	403	321	111	514	N/A	N/A	291	5	186	40	N/A	N/A	0	14	14
Delinquency Felony	79	95	51	130	N/A	N/A	65	11	66	2	N/A	N/A	0	11	11
Delinquency-Life	2	1	0	2	N/A	N/A	1	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	34	41	8	42	N/A	N/A	0	0	1	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	6365	3947	2059	5784	N/A	N/A	2250	20	2772	0	1	0	10	10	21
Adult Felony Non-LWOP**	3354	3930	2609	5963	N/A	N/A	1883	183	988	0	0	6	4	4	14
Adult LWOP	48	44	51	99	N/A	N/A	15	4	9	0	0	3	0	0	3
Capital***	0	1	3	3	N/A	N/A	0	0	0	0	0	1	0	0	1
Revocations	456	513	167	623	N/A	N/A	27	0	35	0	N/A	N/A	N/A	N/A	0
PCR	6	6	4	10	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	5	5
SOAP	0	1	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

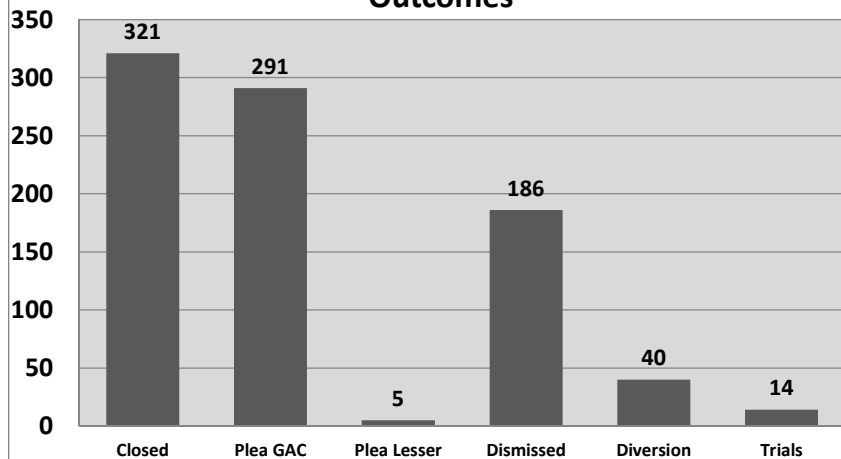
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

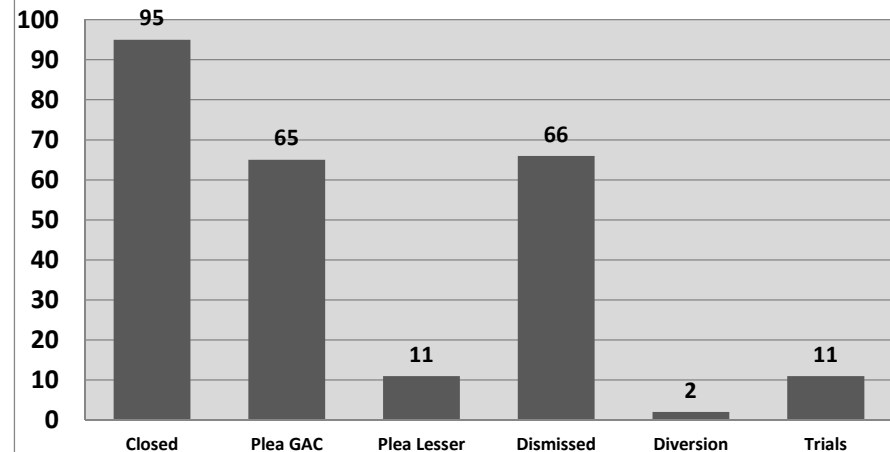
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



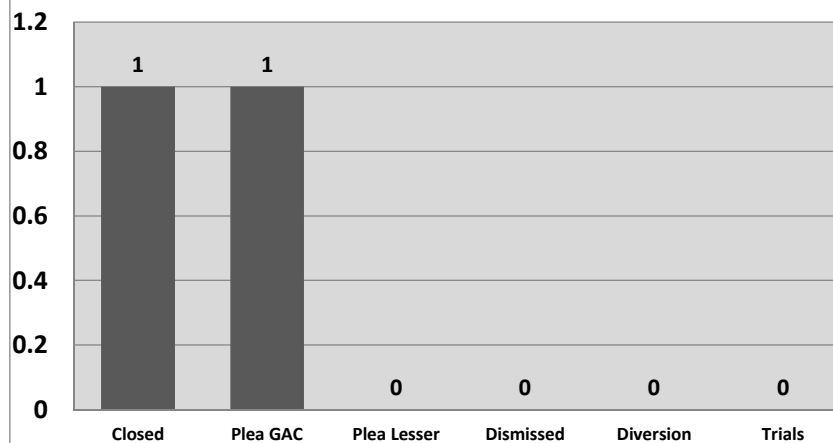
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**

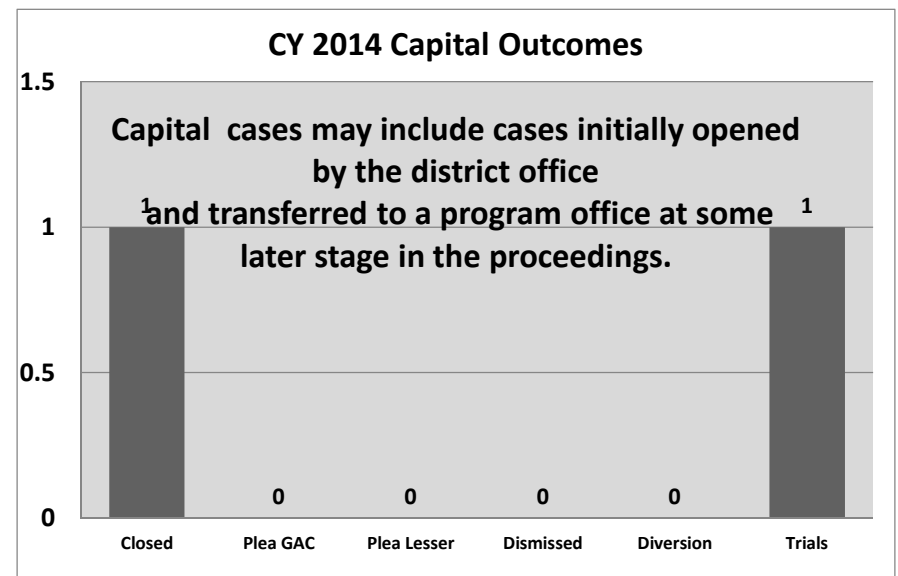
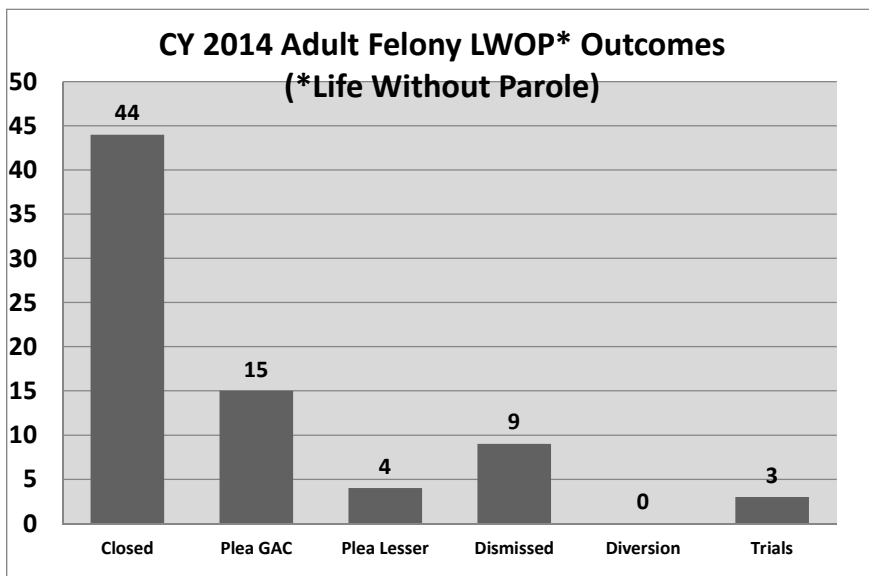
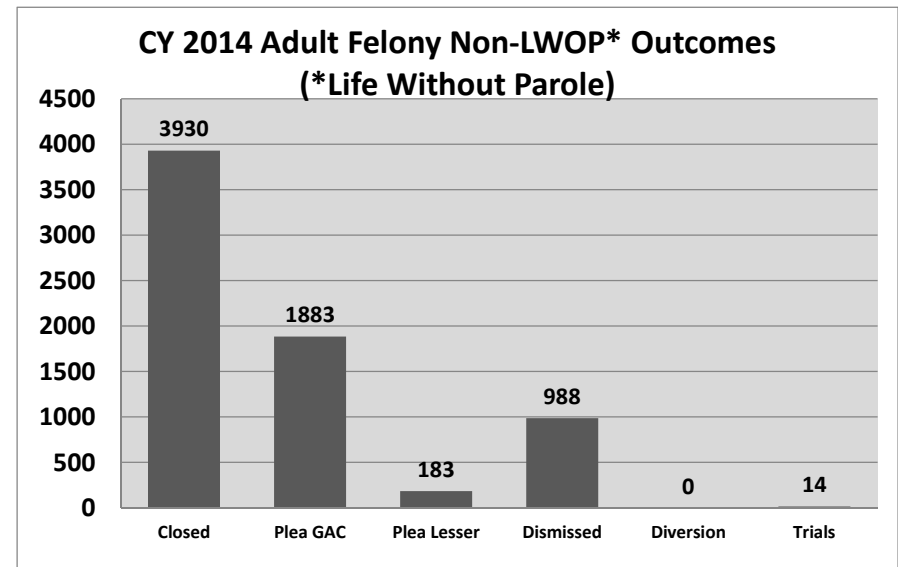
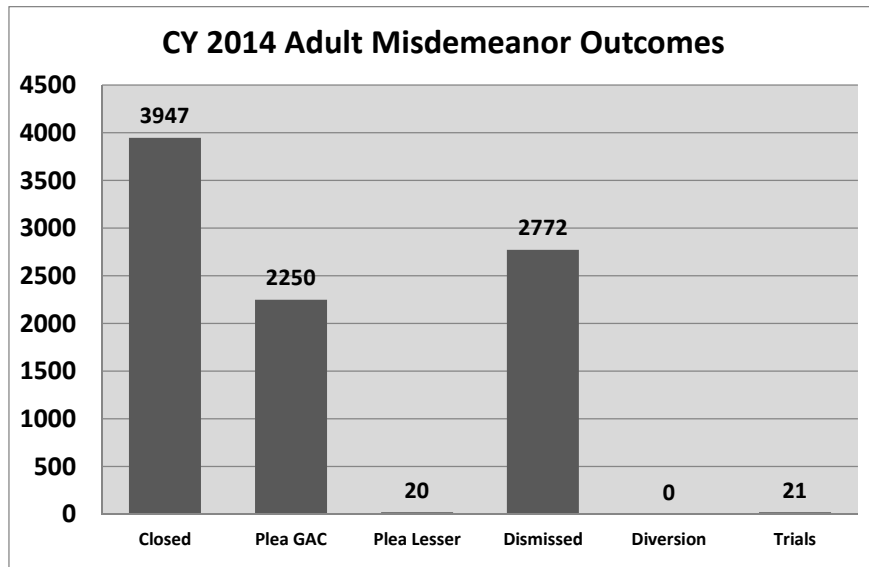


**CY 2014 Delinquency Felony-Grade Outcomes**



**CY 2014 Delinquency Life Outcomes**



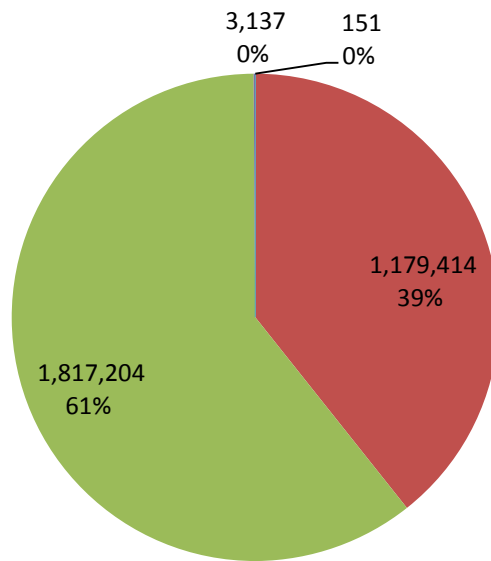


District 21 CY2014	Total CY2014
District Defender: Reginald McIntyre	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	163,196
District Assistance Fund (DAF)	1,000,348
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	15,870
Total for State Government	1,179,414
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	287,496
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	138,707
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	25,000
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	154,886
Municipal Court	638,127
Parish Courts	-
Traffic Court	514,782
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	1,307,795
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	44,861
Partial Attorney Fees	
Reimbursements [as per 15:176]	13,345
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	58,206
Total for Local Government	1,817,204
Investment Earnings	
Interest Income	600
Other Investment Income - List source(s)	2,537
Total for Investment Earnings	3,137
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	151
Total for Other Sources (Grants & Contributions)	151
Total for REVENUE	2,999,906

District 21 CY2014	Total CY2014
District Defender: Reginald McIntyre	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	1,622,480
Accrued Leave	-
Payroll Taxes	27,798
Hospitalization and Disability Insurance	321,552
Retirement	262,149
Other	-
Total for Personnel Services and Benefits	2,233,978
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	23,549
Total for Travel/Training	23,549
Operating Services	
Advertisements	1,584
Workers' Compensation	7,394
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	19,528
Insurance - Other	2,662
Lease - Office	32,738
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	3,306
Office -	
Telephone/Utilities/Postage/Internet	33,379
Dues and Seminars	12,667
Law Library/Journals/Subscriptions	9,186
Office Supplies	21,155
Total for Operating Services	143,597
Professional Services	
Audit/Accounting Expense	43,575
Contract Clerical	11,500
Expert Witness	35,899
Investigators	29,545
Interpreters	-
Social Workers	-
Capital Representation	10,000
Conflict	290,934
Contract - Juvenile Attorneys or CINC	26,500
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	87,000
IT/Technical Support	-
Total for Professional Services	534,953
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	14,062
Total for Other Charges	14,062
Total for EXPENDITURES	2,950,139

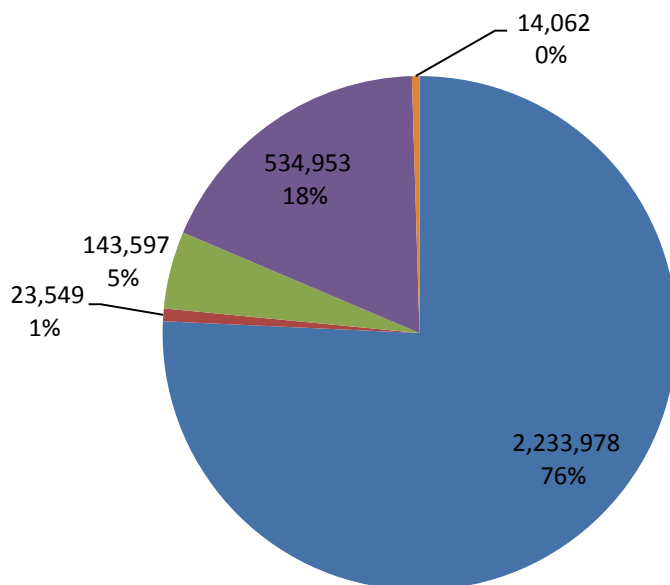
## Total CY14 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





## THE 22<sup>ND</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

ST. TAMMANY (COVINGTON) - WASHINGTON (FRANKLINTON)

DISTRICT DEFENDER: JOHN W. LINDNER, II  
402 NORTH JEFFERSON AVENUE  
COVINGTON, LA 70433  
(985) 892-5002



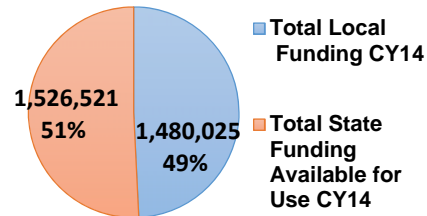
## 22ND JUDICIAL DISTRICT

During calendar year 2014, the 22nd Judicial District Public Defenders Office handled 13,816 cases. The office received \$3,006,546 in total revenues to handle these cases, approximately 49% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

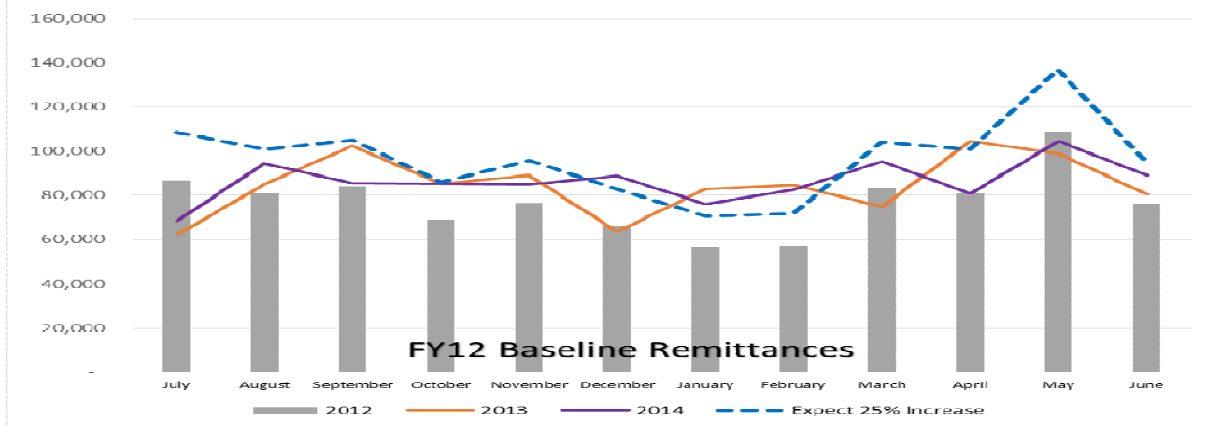
Since the inception of Act 578 (2012), local revenues been higher than in past years, but remain below the 25% expected increase in all but a very few months.

The 22nd Judicial District office's expenditures typically exceeded the office's revenues until CY14 where they were roughly balanced with revenues. Unless the recent balance of revenues and expenditures is maintained, the office is destined to become insolvent.

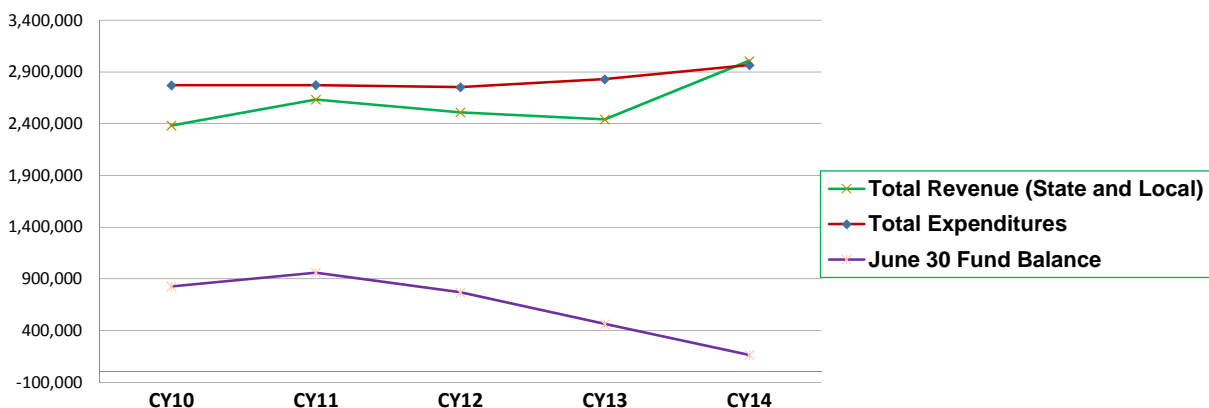
**District 22 PDO Revenue Sources CY14**



**Impact of Act 578 on District 22 PDO**



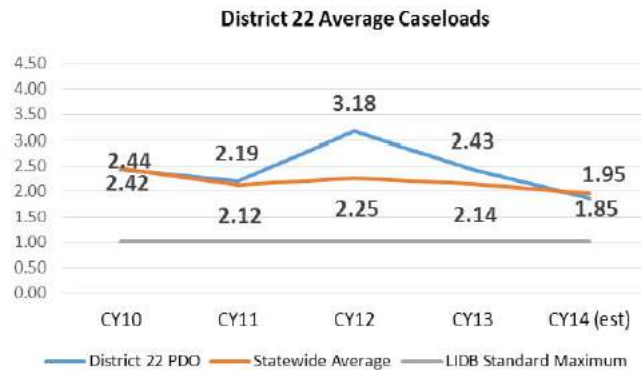
**District 22 PDO Finances CY10-14**



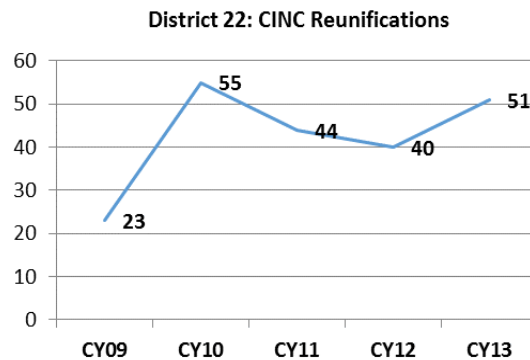
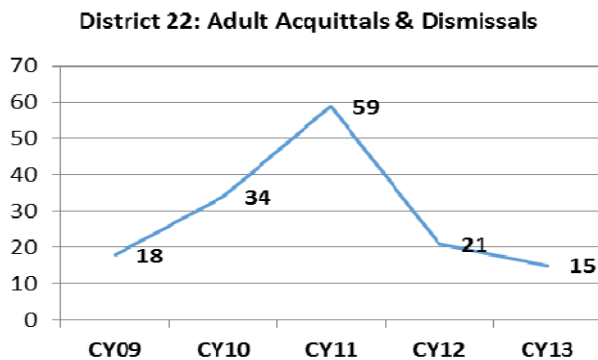
# ST. TAMMANY, WASHINGTON PARISHES

John W. Lindner II  
District Defender  
402 North Jefferson Avenue  
Covington, LA 70433  
985-892-5002

In the 22nd Judicial District, public defense attorneys make an average annual salary of \$44,929 while maintaining caseloads almost twice the recommended caseload limit for each attorney.



Although caseloads remain high due to insufficient revenues, through increased training and supervision, client outcomes in CINC cases have significantly improved over the last five years.





## THE 22<sup>ND</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. Tammany Parish – Covington and Washington Parish - Franklinton
<b>Population</b>	U.S. Census Estimate 2013 for St. Tammany Parish 242,333 and Washington Parish 46,419 totaling 288,752 for the District.
<b>Juvenile Population</b>	U.S. Census Estimate 2013 for St. Tammany Parish 24.8% (60,098) and Washington Parish (11,279) totaling 71,377.
<b>District Defender</b>	John W. Lindner, II
<b>Years as District Defender</b>	3
<b>Years in Public Defense</b>	15
<b>Office Manager</b>	Sheila Hayes/Covington - Ashley Fitzmorris/Franklinton - Tracey Nettles/Slidell.
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	John Stevenson Admin, Jerry Fontenot Contract Capital Defender, James McNary Contract Capital Defender, David Cheatham Contract CINC Attorney, Randall Fish Contract CINC Attorney, Joseph Harvin Contract CINC Attorney, Victor "Papai, Jr." Contract CINC Attorney, Linda Stadler Contract CINC Attorney, John Almerico Line Defender, David Anderson Line Defender, Nancy Bousfield Line Defender, Melissa Brink Line Defender, Michael Capdeboscq Line Defender, Oliver Carriere Trial Supervisor, d Andrea Chatman Line Defender, David Craig, Jr. Line Defender, Nicholas Cressy Line Defender, Ariyal Fabre Line Defender, John Hogue, III Line Defender, Peter Ierardi Line Defender, David Knight Line Defender, Kevin Linder Line Defender, John Lindner District Defender, Milton Masinter Line Defender, Shannon Mese Line Defender, Addy Morales Line Defender, James Scott Line Defender, Darrell Sims Line Defender, Amanda Trosclair Line Defender, Corinne Warren Line Defender, Melissa Davis Staff Investigator, Bruce Stacklin Staff Investigator, Ashton Burris Staff Secretary, Loretta Cass Staff Secretary, Rachel Cook Staff Secretary, Dawn Dares Staff Paralegal, Shannon Donnelly Staff Secretary, Kealy Dryer Staff Secretary, Ashley Fitzmorris Office Manager, Melissa Graves Staff Secretary, Melissa Guyett Staff Secretary, Sheila Hayes Office Manager, Gina Liberto Staff Secretary, Tracy Nettles Staff Secretary, Belinda Welch Staff Secretary, Leslie Williams Staff Secretary
<b>Primary Office Street Address</b>	402 North Jefferson Avenue
<b>City</b>	Covington
<b>ZIP</b>	70433-2638
<b>Primary Phone</b>	985-892-5002
<b>Primary Mailing Address</b>	402 North Jefferson Avenue Covington, LA 70433
<b>Primary Fax Number</b>	985-898-0102
<b>Primary Emergency Contact</b>	John W. Lindner, II
<b>Primary Emergency Phone</b>	985-778-6205
<b>Secondary Emergency Contact</b>	John D. Stevenson
<b>Secondary Emergency Phone</b>	985-377-6023

<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Washington Parish District PDO Office and Bogalusa City Court Office, 919A Washington Street, Franklinton, LA 70438 (985) 839-2245 (Vox) (985) 839-5412 (Fax); Slidell City Court 520 Old Spanish Trail Ste. D2 Slidell, LA 70458 (985) 643-2747 (Vox) (985) 643-2746 (Fax).
<b>Other District Office Contact Personnel (Primary Only)</b>	St. Tammany District Court-Covington Sheila Hayes, Washington Parish District Court-Franklinton Ashley Ingram and Slidell & Bogalusa City Court Office-Slidell Tracy Nettles
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Covington Office - St. Tammany Parish; Slidell Office - St. Tammany Parish; & Franklinton Office - Whitney/Hancock Bank.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Covington Office - No rent/est. utilities \$1,100 per month // Franklinton Office - \$900.00 monthly rental and no direct utilities // Slidell Office - No rent and no direct utilities. Area wide communications averages \$1,100 per month with some expansions & enhancements to the system. Previously reported rent increases do to Parish Office remodel of the Covington Office was never billed by the Parish to this office.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	In-House with Legislative Audits performed by Laport CPAs and Business Advisors
<b>Courts and Locations</b>	22nd Judicial District Court - Covington; 22nd Judicial District Court - Franklinton; Slidell City Court - Slidell; Bogalusa City Court - Bogalusa; Covington City Court - Covington.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	22nd JDC Covington: 8 adult criminal divisions; 1 juvenile; Franklinton: 2 adult criminal divisions, 1 juvenile; Bogalusa City Court: 1 adult, 1 juvenile; Slidell City Court: 1 adult, 1 juvenile; Covington City Court: 1 adult.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Felony cases - Divisions are assigned based upon the date of the incident at the 72-Hour hearing. Attorneys are assigned to clients once division has been allotted. Divisional attorneys are then assigned as counsel of record. The misdemeanor courts are processed with individual attorney's assigned to the applicable area of the courts.
<b>Name of Adult Detention Facilities in This District</b>	St. Tammany Parish Jail – Covington, LA; Washington Parish Jail – Franklinton, LA; Slidell Police Department Corrections Division – Slidell, LA; Bogalusa City Jail – Bogalusa, LA
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	N/A
<b>Name of Juvenile Detention Facilities In This District</b>	Florida Parish Juvenile Detention Center – Covington, LA
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	N/A
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes Minor travel costs and attorney travel time (opportunity cost).
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	The District Courts in St. Tammany and Washington Parishes have adopted a rule which requires that the juveniles be unshackled while in court.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	There were some problems with the St. Tammany Parish jail. However, these problems have been resolved after meetings with judges and sheriff.
<b>District Attorney</b>	Warren Montgomery 2015
<b>Chief Judge of Criminal District Court</b>	Judge Allison Penzato

<b>Juvenile Court Judges (Specify District of City Court)</b>	St. Tammany and Washington parishes: Judge William Burris; Slidell City Court: Judge James Lamz; Bogalusa City Court: Judge Robert Black.
<b>Drug Court Judges</b>	Washington Parish: Judge Martin Coady; St. Tammany Parish: Judge A.J. Hnad and Judge Allison Penzato. Juvenile Drug Court has been replaced with Family Re-unification Court.
<b>Mental Health Court Judges</b>	Judge Peter Garcia
<b>Other Specialty Court</b>	Sobriety Court: Judge Richard Swartz; Re-Entry Court: Judge William Knight; Family Reunification Court: Judge William Burris.
	Sobriety Court: specifically designed for clients with 3rd and 4th offense DWI. Re-Entry Court: designed for clients facing substantial sentences because of mandatory minimum sentences and/or multiple offender status. Client is sent to Angola for two years and assigned to mentor (LWOP inmate) Must complete training program and counseling. Upon release is monitored by court in a setting similar to Drug Court. Drug court offers an alternative to incarceration for nonviolent, less serious, substance abusing offenders. Drug court is designed to rehabilitate offenders through regular and intense judicial supervision, substance abuse treatment, mandatory drug testing, educational opportunities, and appropriate sanctions and incentives. The goals of drug court are successful rehabilitation of drug court clients and reduced recidivism. Court appointed case managers assist each client through the two year program. Family Re-unification Court assists families who are involved with the Department of Child and Family Services (DCFS) and has replaced the Juvenile Drug Court. The adult program serves St. Tammany and Washington Parishes while the juvenile program serves West St. Tammany Parish. Over 300 adults and 25 juveniles are served monthly by the drug court programs in the 22nd Judicial District. The 22nd Judicial District Behavioral Health Court, commenced July 1, 2013, is intended to provide an alternative sentencing option for offenders with mental health disorders or co-occurring disorders. We are performing services with monthly court funded contributions totaling \$50,000 per year per contractual arrangement. Through this specialty court, participation in which is a special condition of probation, offenders will be judicially supervised and will be provided community services, including mental health treatment, to prevent the recurrence of behaviors that lead to justice system involvement.
<b>Name of Specialty and Brief Description:</b>	
<b>Indigency Determined by Whom and How?</b>	All jailed clients are assumed to be indigent upon intake. Investigators do have clients fill out intake documents notifying them of their liability upon bonding out. Walk-in clients are screened by the individual offices' reception personnel utilizing the 200% poverty guideline as to qualifying for <u>public defender services.</u>
<b>When is Assignment/Appointment of Counsel Made?</b>	Representation begins either at the 72-Hour hearing process and/or upon the divisional allotment procedure. Our felony staff is organized as a divisional basis and all other attorneys are assigned on a area of responsibility e.g. Misdemeanors, Non-Support, Juvenile, Fins, and CINC arenas.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Shannon Donnelly, Tracy Nettles :Staff Secretaries; Norris Scott - Assistant Public Defender, Bogalusa City Court; Victor Papai, Linda Stadler, Randal Fish, & Joseph Harvin CINC Contract Attorneys.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Attached

	Jail clients are interviewed by Investigators and screened at the 72-hour processes by Investigators or Attorneys throughout the 22nd JDC system. The potential clients are referred to reporting to the respective office for application processing or accepted as incarcerated clients. Additionally walk-in clients are processed in each office by staff personnel. Information is reviewed as to qualifying for services and shared with the potential client. A financial qualification sheet is used and an intake form that is case specific on the legal matter for the client is used to set up records and provide background and contact information for their attorney assignment and interview correspondence notification.
<b>Brief Explanation of Intake Process</b>	
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	Estimated 6,728
<b>How Many Application Fees Were Waived?</b>	Estimated 2,174; 2004 wavers from Jail applicants and 70 waived from 15:157 exclusions.
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	62,509
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	1,076,838
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Without itemized accountability from St. Tammany Parish Sheriff's Department and the City Court of Slidell; the documentation supporting the accessing fee requirement is not empirically verifiable. No reports of inconsistencies are known from the Legislative Audit process of these two concerns.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	St. Tammany Parish District Court as made payable through the Sheriff of St. Tammany provides only checks for traffic and court costs with a percentage breakdown for the participating agencies. Washington Parish District Court as made payable through the Washington Parish Sheriff provides raw data on spreadsheets for defendant collections and distributions. Covington and Mandeville City Court provides summary breakdowns annotating the number of traffic, misdemeanors, and city ordinances reprehensive of the checks total. Bogalusa and Slidell City courts only provide and occasionally supply supporting documentation.
<b>Who Collects the Assessed Court Fees?</b>	District court assessments are collected by the sheriff's office. City Court assessments are collected by the clerks of court personnel.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	St. Tammany Parish District Court as made payable through the Sheriff of St. Tammany provides only checks for traffic and court costs with a percentage breakdown for the participating agencies. Washington Parish District Court as made payable through the Washington Parish Sheriff provides raw data on spreadsheets for defendant collections and distributions. Covington and Mandeville City Court provides summary breakdowns annotating the number of traffic, misdemeanors, and city ordinances reprehensive of the checks total. Bogalusa and Slidell City courts provide checks for the fee with periodic documentation. All documentation data transmitted to LPDB monthly.

<b>Who Remits the Court Fees Collected?</b>	District Court assessments are issued by the respective parish sheriffs for St. Tammany and Washington Parishes. City courts draft their own instruments
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	St. Tammany Parish District Court as made payable through the Sheriff of St. Tammany provides only checks for traffic and court costs with a percentage breakdown for the participating agencies. Washington Parish District Court as made payable through the Washington Parish Sheriff provides raw data on spreadsheets for defendant collections and distributions. Covington and Mandeville City Court provides summary breakdowns annotating the number of traffic, misdemeanors, and city ordinances reprehensive of the checks total. Bogalusa and Slidell City courts provide checks for the fee with periodic documentation. All documentation data transmitted to LPDB monthly.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	The office is in the process of formulating a procedure for Partial Indigency.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	See above.
<b>Who Collects the Assessed Partial Payments?</b>	See above.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	All collected fees are channeled to our accounting office. At the points of collection, the monetary instrument is entered into the data base and a receipt book for each paying client. The fee accounts are performed within our QuickBooks program and deposited upon office processing.
<b>Who Remits the Partial Payments Collected?</b>	All deposits (remitted moneys) are deposited by John Stevenson
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Applications, Defender Data Base Receipts, Hand Written Receipts, Credit/Debit Card Receipts, Copies of Money Orders/Cashiers Checks, QuickBooks Deposits Slips for each Client/Payor
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	None to date
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	The office is moving toward Full Time status. All new hires agree to work at Public Defender office on a full time basis. Long term attorneys are encouraged to scale back any private practice.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Attached
<b>Primary Immediate Needs</b>	In need of at least two additional investigators. We have secured funding for renovations of Covington office.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Restriction of Services is projected for FY2017.
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	There is the possibility for downsizing in anticipation of Restriction of Services.

<b>Immediate Critical Issue Areas</b>	Stabilized funding; additional funds for expert witnesses; retirement plan for attorneys and staff; insuring courts are remitting all fees owed and forcing courts to provide itemized details of source of fees.
<b>Long-Term Critical Issue Areas</b>	Increased revenues to improve delivery of services; gaining access to Judicial Expense Fund to help offset funding shortages.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Ariyal J. Fabre: Line Defender, Corinne Warren: Line Defender, Addy Morales: Line Defender, James Scott: Line Defender, Nicholas Cressy (Rehire): Line Attorney, Loretta Cass: Staff Secretary (PT), and Melissa Graves: Staff Secretary (PT)
<b>Please List All Promotions in 2014 (Name and Title)</b>	Oliver Carriere was named Trial Supervisor. Amanda Trosclair was named Supervisor of Misdemeanor and Juvenile. Both Corinne Warren and Nicolas Cressy have been accepted into the Louisiana State Bar and are being integrated as Line Defenders under Instruction.
<b>2014 Media Coverage and/or Major Accomplishments</b>	The new Director has become more involved in community affairs in an effort to gain support of public for the office. This has included regular speaking engagements at public meetings and Bar Association functions. In addition, he is working with news media in effort to spotlight work and accomplishments of the office.
<b>Number of Expected New Attorney Hires in 2015</b>	It is anticipated that two - three Line Defenders will resign in the coming months. New hires will depend upon revenues.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	All new hires who are recent law school graduates are required to attend Defender Training with LPDB. The office is instituting monthly CLE sessions for all attorneys.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Unchanged to date. Revision in planning
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	The District Defender is the overall supervisor of the office. The support staff is supervised by Sheila Hayes (Covington, LA) and Ashley Fitzmorris (Washington Parish). Ms. Hayes and Ms. Fitzmorris report directly to the District Defender. Jack Stevenson (CFO) is responsible for accounting and collecting and depositing of funds. He also reports directly to the District Defender. All felony attorneys are supervised by their Trial Supervisor who in turn reports to the District Defender. Misdemeanor, juvenile, non-support, and CINC attorneys and staff report to Ms. Amanda Trosclair who was recently named supervisor of these divisions. Ms. Trosclair reports to the District Defender.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	Oliver Carriere remains as trial supervisor. John Hogue, and Kevin Linder have formed the District LWOP Defense Team.
<b>Please Attach Your Office Organizational Chart</b>	2015 Attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Scanners deployed to enhance Defender Data utility to cover client file data. Hard copy records still maintained as permanent record reference and destroyed by storage service after five years of completion of case.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Major Medical (HUMANA),; Dental (Blue Cross Blue Shield), Vision (Blue Cross Blue Shield), & Gap Insurance-for Major Medical (Assurant Employee Benefits.) are provided for full time-staff personnel. Professional Liability Insurance - Lloyds of London
<b>Regular Meetings for Any Staff, Please Describe</b>	Quarterly on pay day and as needed for more specific topics.
<b>Number of NEW capital cases in CY14 handled by your office</b>	5 ( 3 may be considered without death penalty)



Number of pending capital cases (received prior to CY14) handled by your office during CY14?	7
Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)	1
Number of Writs Your District Handled in 2014	1
Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014	4
Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied	1
Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases	When a juvenile is transferred to adult court, the juvenile attorney who handled the case prior to transfer is assigned to the felony case as co-counsel with the division attorney.
Please Provide the Names of All State Representatives and Senators from Your District	Senators: Jack Donahue, Ben Nevers, & A.G. Crowe. Representatives: Timothy G. Burns, Gregory Cromer, Paul Hollis, J. Kevin Pearson, Harod Ritchie, John Schroder, Sr., & Scott Simon.
Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?	None noted.
What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?	Vertical representation is now fully operational. The Line Defenders have been organized in teams which allows representation in different divisions. In-house training of attorneys and staff has been increased.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Anderson, David	985-892-5002
Almerico, John	985-892-5002
Bousfield, Nancy	985-643-2747
Morales, Addy	985-892-5002
Brink, Melissa	985-892-5002
Capdeboscq, Michael	985-892-5002
Chatman, d Andrea	985-643-2747
Craig, David Jr.	985-892-5002
Fabre, Ariyal	985-276-6366
Masinter, Milton	985-892-5002
Hogue, John	985-839-2245
Ierardi, Peter	985-839-2245
Knight, David	985-635-4885
Linder, Kevin	985-892-5002
Mese, Shannon	985-839-2245
Lindner, John	985-892-5002
Sims, Darrell	985-892-5002
Warren, Corrine	985-892-5002
Trosclair, Amanda	985-892-5002
Scott, James	985-264-2797
Cressy, Nicolas	985-892-5002

<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
<b><u>CINC-Adult Part-Time Contract:</u></b>	
Cheatham, David	985-732-3600
Stadler, Linda	985-727-6771
Fish, Randall	985-882-0060
Harvin, Joseph	985-781-8885
Papai, Victor	504-231-8790
McNary, James	985-892-8743
Fontenot, Jerry	985-898-5038
Stamps, Robert	985-892-5002
<b><u>Conflict Per-Case Contract:</u></b>	<b><u>Contact Information</u></b>
Barrow, Ernest	985-871-7374
Burke, James III.	985-892-5002
Champagne, Matthew	
Carollo, David	985-643-8223
Fontenot, Jerry	985-898-5038
Jolissaint, Mark	985-641-5596
Knight, James	985-795-9200
Mecca, James	985-892-4006
Devereaux, Matthew	985-249-6100
Yazbeck, Rachel	504-586-8088
Tran, Lam	985-892-2945
Meissner, Brian	985-590-4428
Tusa, Alan	985-893-9980
Greenland, Richard	985-893-8900
Yazbeck, Timothy	504-586-8088
Thiel, Michael	985-340-8181
Jordan, J. Garrison	985-429-1316
Baurer, Ernest	504-610-5645
Moorman, James	985-809-8050
Oldenburg, Gair	504-931-0809
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Burris, Ashton	985-892-5002
Cook, Rachel	985-839-2245
Davis, Melissa	985-892-5002
Dryer, Kealy	985-276-6366
Liberto, Gina	985-892-5002
Hayes, Sheila	985-892-5002
Graves, Melissa	985-893-2245
Nettles, Tracy	985-643-2747
Stacklin, Bruce	985-892-5002
Stevenson, John	985-892-5002
Welsh, Belinda	985-892-5002
Guyett, Michelle	985-892-5002
Donnelley, Shannon	985-892-5002
Fitzmorris, Ashley	985-893-2245
Stacklin, Bruce	985-892-5002

Dares, Dawn	985-892-5002
Cass, Loretta	985-276-6366

## 2014 District Office Technology Survey

<p>The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.</p>	
<b>Survey Completer's Name</b>	John Stevenson
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	x
Windows 7	x
Windows Vista	x
Windows Server 2000/2003/2008	x May be moving away from physical server to cloud based file share/printing server environment 2015
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	x
Other	x Open Office
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Firefox	x
Google Chrome	x
Other	x Internet Explorer 10 & 11
<b><u>HARDWARE:</u></b>	
Please enter the number of	

devices in your inventory.	
Television	1
DVD	1
VCR	0
Desktop PCs	32
Laptops	3
Video Cameras	1
Digital Cameras	1
Video Conferencing Systems	0
B&W Laser Printers	5
Color Printers	1
Wireless Cards	0
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	0
Video/Digital Projector	VIDEO/DIGITAL PROJECTOR (1)
<b><u>INTERNET SERVICES:</u></b>	
Dialup	N/A
Broadband	24 MBPS U-VERSE COVINGTON//18 MBPS U-VERSE SLIDELL OFFICE//DSL 6 MBPS FRANKLINTON
No Internet Connection	N/A
Connection Speed:	24/18/6 MBPS
Provider Name:	AT&T
Email Provider:	AT&T and IPAGE.COM for 22ndjdpdo.org mail
Please list any software or computer equipment in which you need training:	2 LAP TOPS 2 NOTE PADS

## 22nd District Defender Office CY 2014 Caseloads & Outcomes

Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	1622	193	267	1889	N/A	N/A	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	4	8	26	30	0	2	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	503	404	391	894	0	147	N/A	N/A	7	N/A	N/A	N/A	N/A	N/A	0
Termination	22	21	6	28	24	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	112	41	17	129	N/A	N/A	1	0	13	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	326	204	112	438	N/A	N/A	146	14	90	22	N/A	N/A	0	4	4
Delinquency Felony	115	99	67	182	N/A	N/A	56	22	67	4	N/A	N/A	0	6	6
Delinquency-Life	4	1	1	5	N/A	N/A	1	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	1	18	0	1	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	3024	3135	1444	4468	N/A	N/A	2178	342	1503	11	0	3	7	8	18
Adult Felony Non-LWOP**	2868	2470	1389	4257	N/A	N/A	2188	212	611	29	3	34	4	6	47
Adult LWOP	22	29	28	50	N/A	N/A	5	12	1	0	0	2	0	0	2
Capital***	8	4	6	14	N/A	N/A	2	0	0	0	0	0	0	0	0
Revocations	1129	1707	301	1430	N/A	N/A	2	0	9	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	1	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

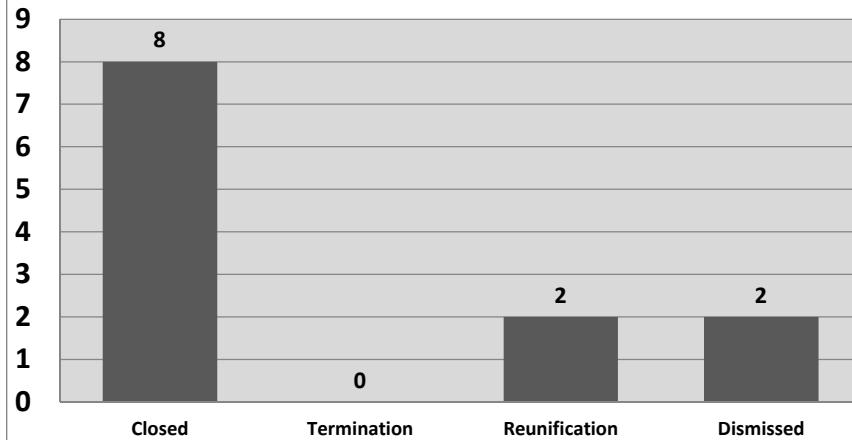
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

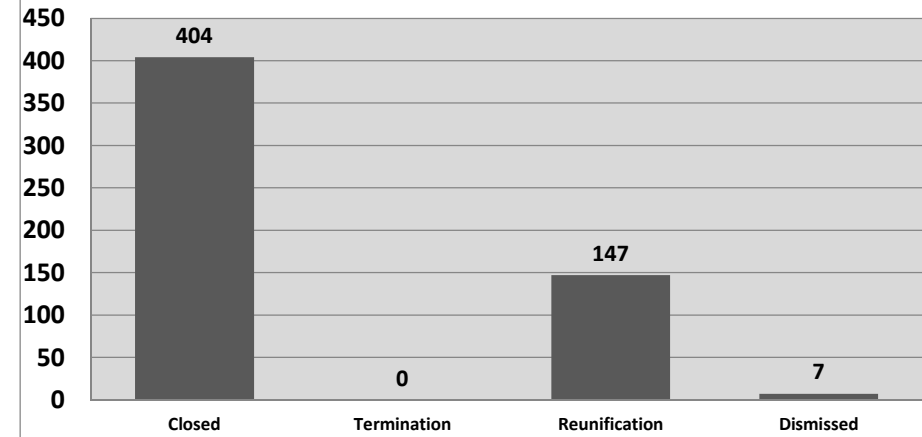
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

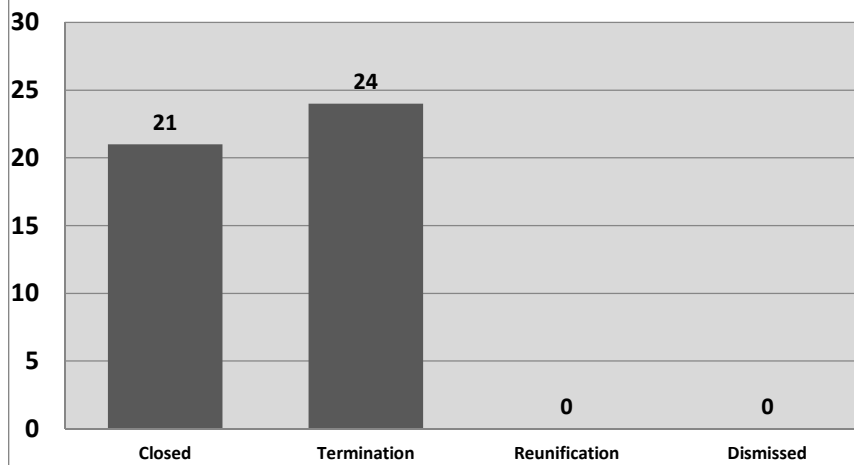
**CY 2014 CINC Representing Child Outcomes**



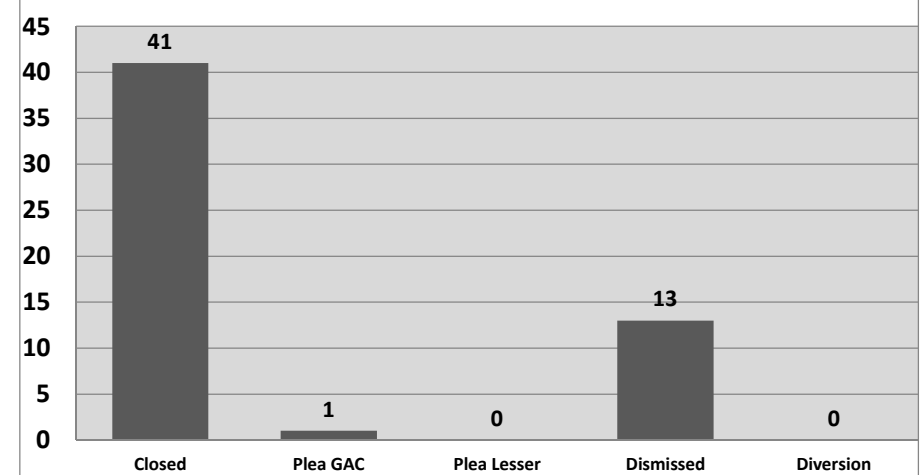
**CY 2014 CINC Representing Parent Outcomes**

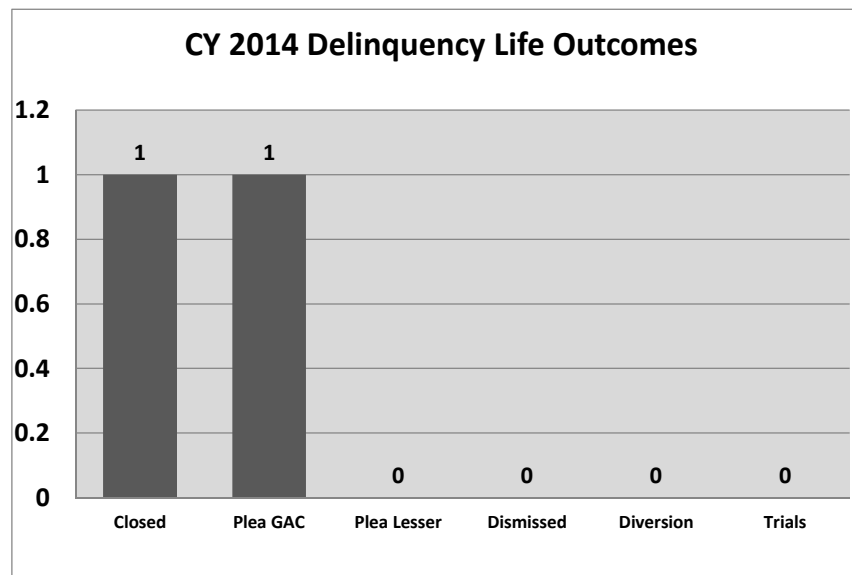
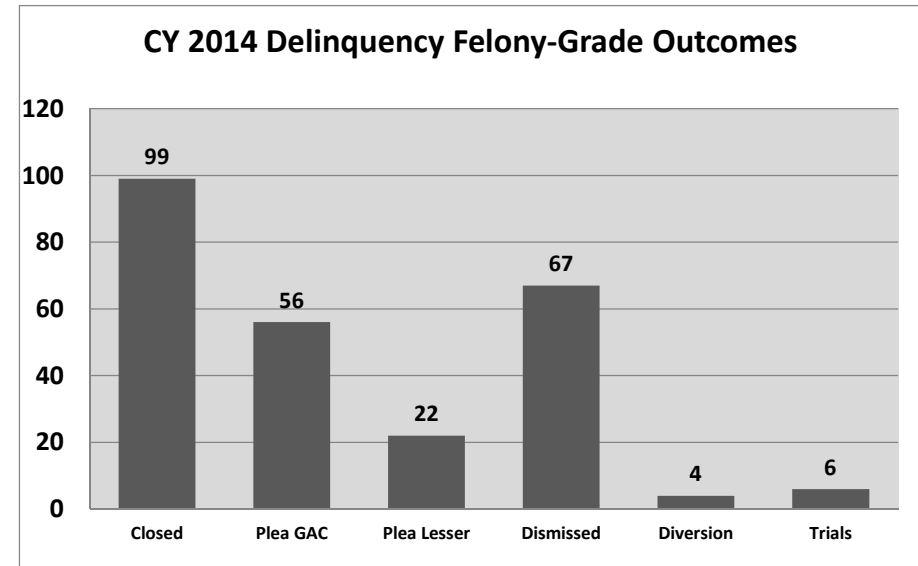
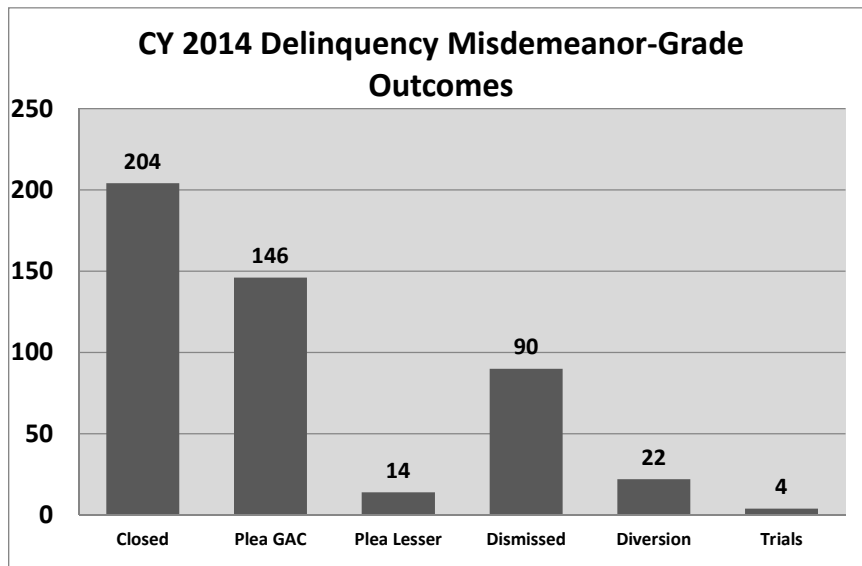


**CY 2014 CINC Termination Outcomes**

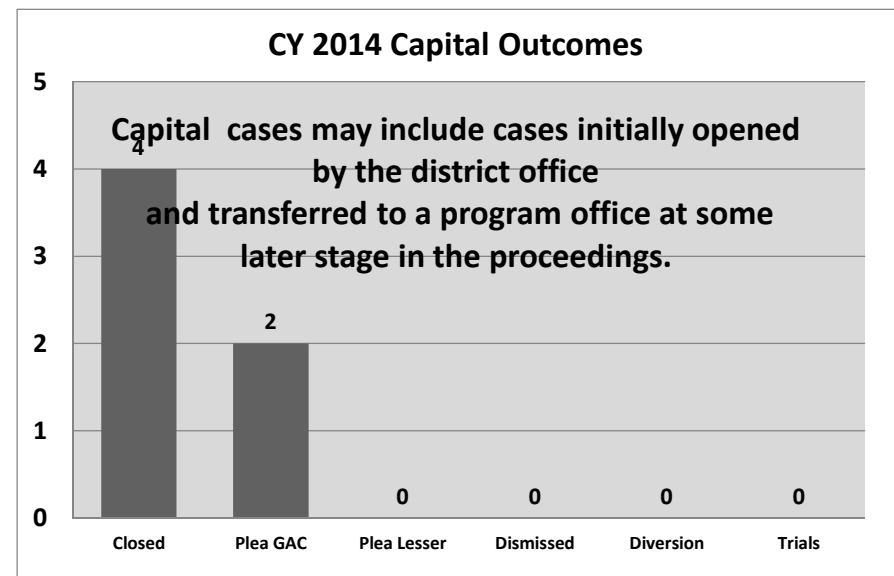
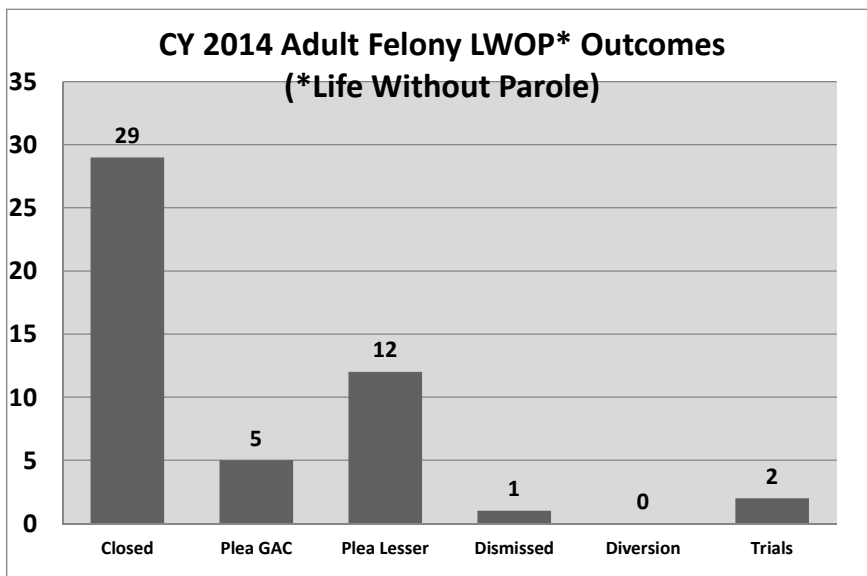
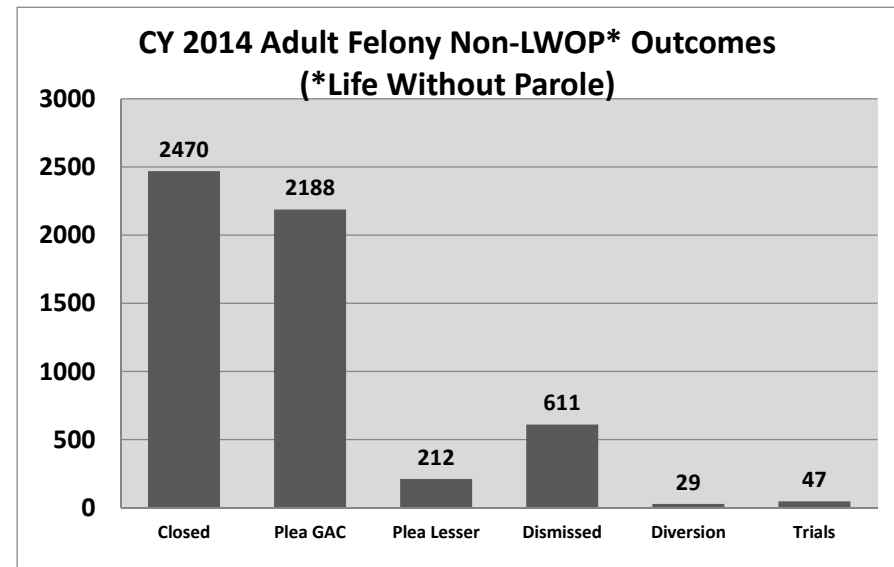
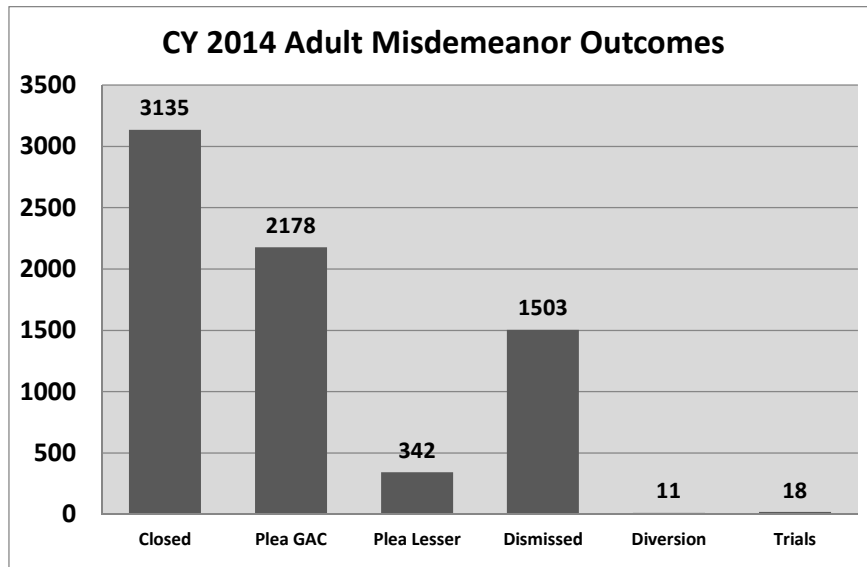


**CY 2014 FINS Outcomes**







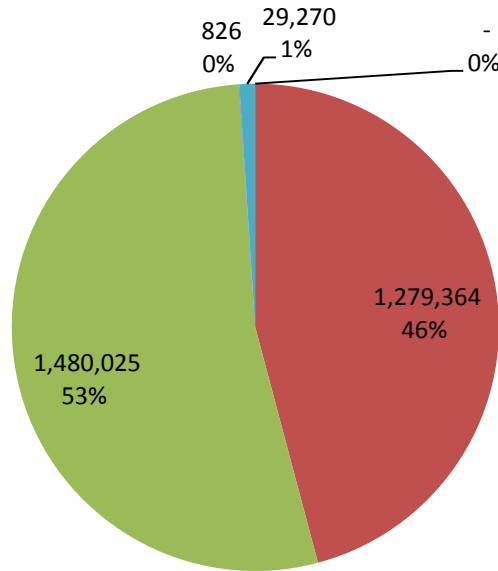


District 22 CY2014	Total CY2014
District Defender: John Lindner, II	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	100,965
District Assistance Fund (DAF)	1,105,936
Supplemental/Emergency Funds	45,634
Grants	-
Other State Income -List source(s)	26,829
Total for State Government	1,279,364
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	46,083
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	166,758
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	127,003
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	5,200
City & City-Ward Courts	-
Judicial District Courts	4,879
Juvenile Court	871
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	91,570
Magistrates' Courts	-
Municipal Court	46,160
Parish Courts	-
Traffic Court	35,998
Non-itemized, lump sum collected and remitted by all courts	113,622
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	778,538
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	1,076,838
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	63,343
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	63,343
Total for Local Government	1,480,025
Investment Earnings	
Interest Income	826
Other Investment Income - List source(s)	-
Total for Investment Earnings	826
Other Sources (Grants & Contributions)	
Non-Profit Organizations	24,000
Private Organizations	-
Corporate	-
Other - List source(s)	5,270
Total for Other Sources (Grants & Contributions)	29,270
Total for REVENUE	2,789,485

District 22 CY2014	Total CY2014
District Defender: John Lindner, II	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	1,797,467
Accrued Leave	45,870
Payroll Taxes	146,063
Hospitalization and Disability Insurance	190,933
Retirement	-
Other	-
Total for Personnel Services and Benefits	2,180,333
Travel/Training	
Parking/Auto Tolls	199
Travel/Lodging/Per Diem/Mileage	20,562
Total for Travel/Training	20,761
Operating Services	
Advertisements	1,911
Workers' Compensation	9,028
Insurance - Malpractice	19,029
Insurance - Auto/Physical Liability	2,626
Insurance - Other	522
Lease - Office	13,500
Lease - Auto/Equipment	4,863
Lease - Other	-
Office Repair and Maintenance	11,281
Office -	
Telephone/Utilities/Postage/Internet	29,086
Dues and Seminars	10,447
Law Library/Journals/Subscriptions	23,641
Office Supplies	26,606
Total for Operating Services	152,539
Professional Services	
Audit/Accounting Expense	10,000
Contract Clerical	-
Expert Witness	23,941
Investigators	10,975
Interpreters	-
Social Workers	-
Capital Representation	130,678
Conflict	233,929
Contract - Juvenile Attorneys or CINC	150,277
Misdemeanor Attorney Contracts	45,000
Contract Attorneys - all other	-
IT/Technical Support	188
Total for Professional Services	604,988
Capital Outlay	
Major Acquisitions	3,226
Total for Capital Outlay	3,226
Other Charges	
Other Operating Expenses	4,634
Total for Other Charges	4,634
Total for EXPENDITURES	2,966,480

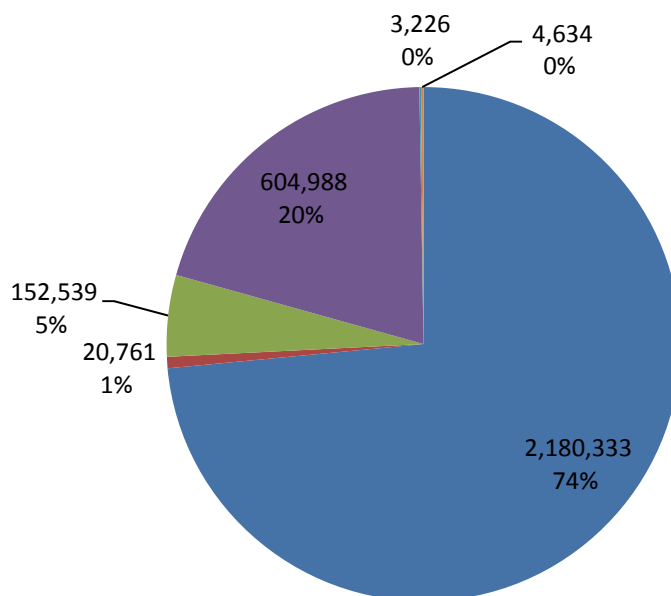
## Total CY14 Revenues

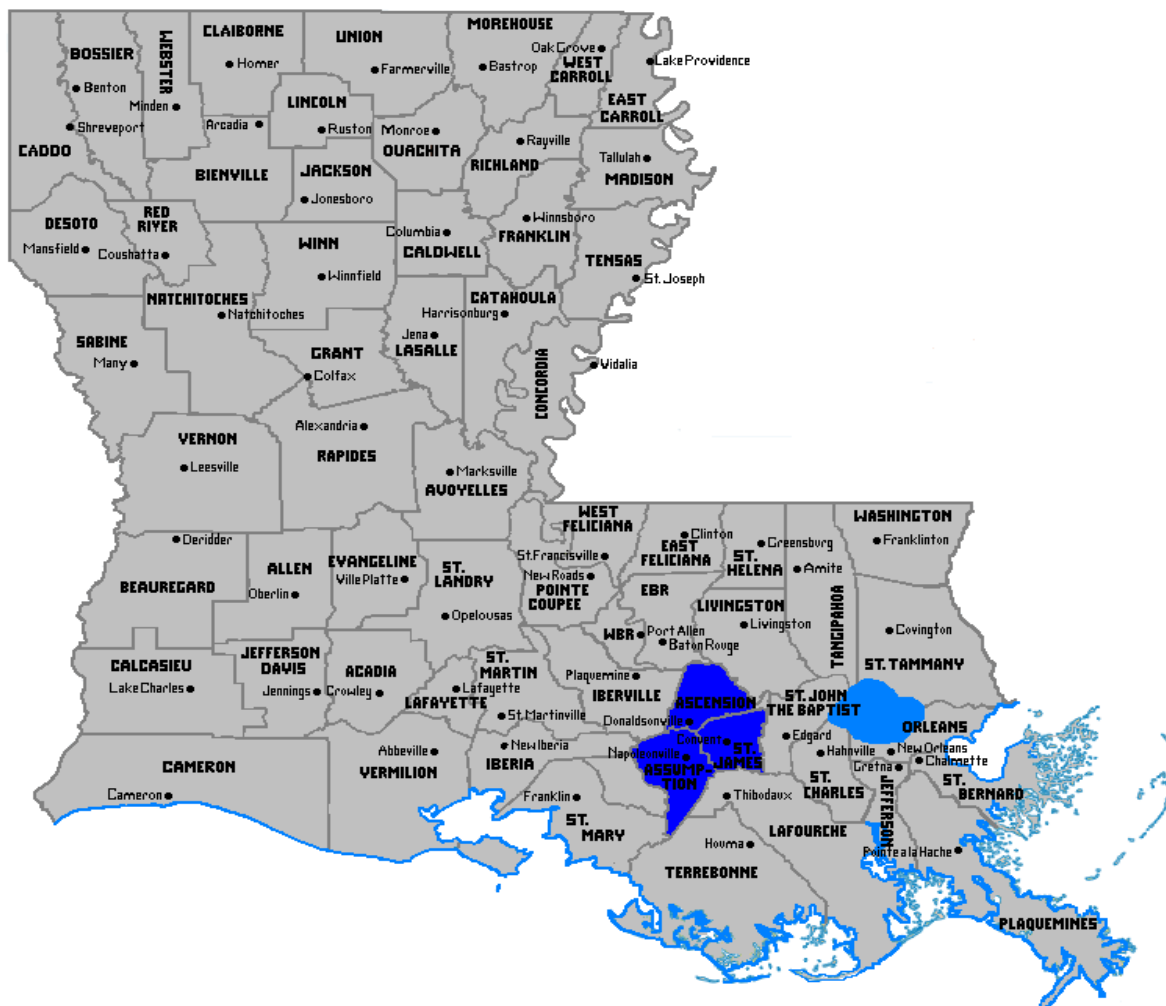
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





## THE 23<sup>RD</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

ASCENSION (DONALDSONVILLE) - ASSUMPTION (NAPOLEONVILLE) - ST. JAMES  
(CONVENT)

DISTRICT DEFENDER: ALAN J. ROBERT  
12320 LA HWY. 44, BLDG. 4, STE. B  
GONZALES, LA 70737  
(225) 647-9673

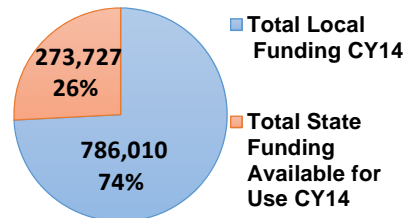
## 23RD JUDICIAL DISTRICT ASCENSION, ASSUMPTION, ST. JAMES PARISHES

During calendar year 2014, the 23rd Judicial District Public Defenders Office handled 5,704 cases. The office received \$1,059,737 in total revenues to handle these cases, approximately 74% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

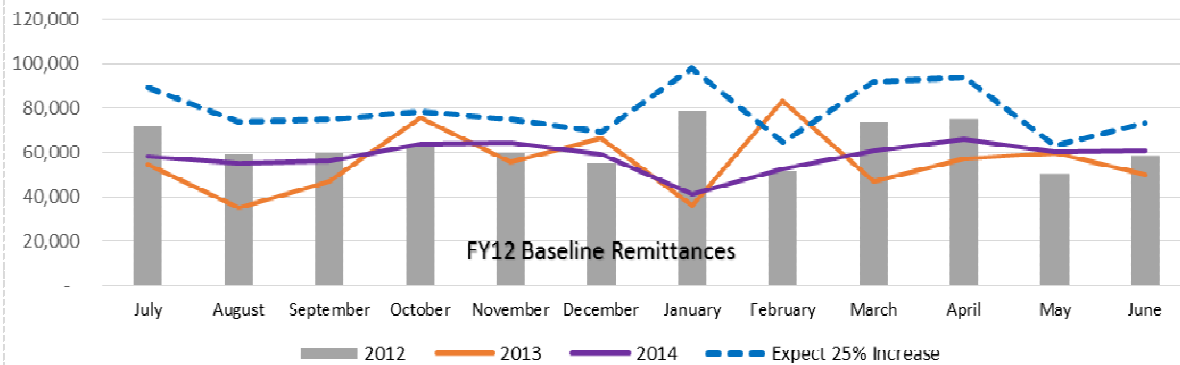
With the exception of a single instance, the 23rd has always failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 23rd Judicial District office's expenditures exceed the office's revenues. While it is too early to project when the 23rd Judicial District office will exhaust its fund balance, without an increase in revenues or reduction in expenditures, the office will continue to deplete its fund balance eventually becoming insolvent.

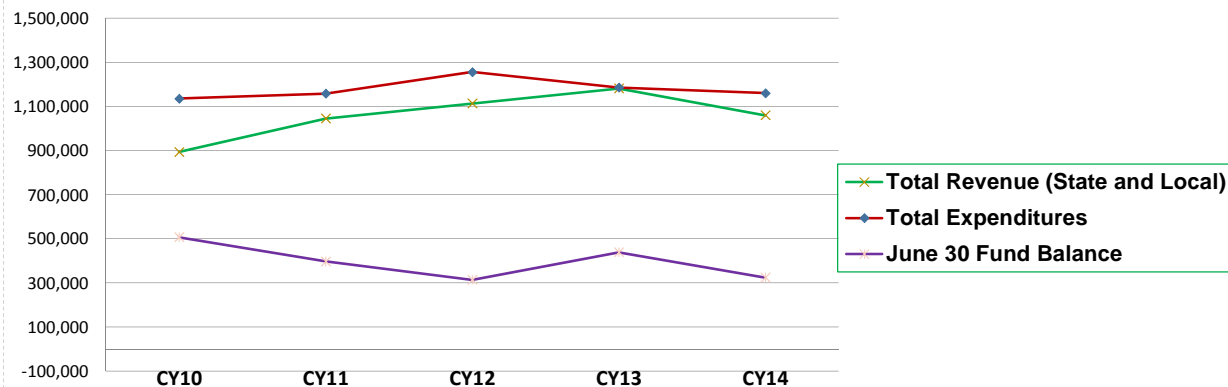
**District 23 PDO Revenue  
Sources CY14**



**Impact of Act 578 on District 23**



**District 23 PDO Finances CY10-14**





## THE 23<sup>RD</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Ascension - Donaldsonville; Assumption - Napoleonville; St. James - Convent.
<b>Population</b>	159,332
<b>Juvenile Population</b>	42,487
<b>District Defender</b>	Alan J. Robert
<b>Years as District Defender</b>	6
<b>Years in Public Defense</b>	10
<b>Office Manager</b>	Phyllis Glover
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Phyllis Glover, L. Monica McCrory , Sidnie Carr
<b>Primary Office Street Address</b>	12320 LA Hwy. 44, Bldg. 4, Ste. B
<b>City</b>	Gonzales
<b>ZIP</b>	70737
<b>Primary Phone</b>	225-647-9673
<b>Primary Mailing Address</b>	12320 LA Hwy. 44, Bldg. 4, Ste. B, Gonzales, Louisiana, 70737.
<b>Primary Fax Number</b>	225-647-9683
<b>Primary Emergency Contact</b>	Alan J. Robert, 18421 Greenbriar Avenue, Prairieville, LA 70769.
<b>Primary Emergency Phone</b>	225-954-2555
<b>Secondary Emergency Contact</b>	Phyllis Glover
<b>Secondary Emergency Phone</b>	225-313-2258
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	Phyllis Glover-12320 La. Hwy 44 Bldg 4 Ste B, Gonzales, La. 70737
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Pujol & Pryor Attorneys At Law
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,650
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	J. Wayne Sheets, CPA , outside CPA services
<b>Courts and Locations</b>	District Court (5 divisions) in Gonzales, Donaldsonville, Napoleonville, Convent; Parish court in Gonzales & Donaldsonville; Juvenile Court in Gonzales, Donaldsonville, Napoleonville, Convent; Non-Support Court in Gonzales, Donaldsonville, Napoleonville.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Section A through E (5 Divisions) of District Court and Juvenile Court meeting in Donaldsonville, Gonzales, Convent and Napoleonville, (1) Parish court for Ascension Parish meeting in Gonzales, and Donaldsonville.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Public Defenders are assigned to each division by this office. Cases are assigned preliminarily by the Judges to the defenders assigned to that division by our office.

<b>Name of Adult Detention Facilities in This District</b>	Ascension Parish Jail, Donaldsonville, Louisiana
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles Correction Center, holds some females.
<b>Name of Juvenile Detention Facilities In This District</b>	Assumption Parish Juvenile Detention Center.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes. Most juvenile cases are in Ascension Parish and detention facility is in Assumption Parish.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes. If they are considered dangerous by the transporting deputy.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	None
<b>District Attorney</b>	Ricky Babin
<b>Chief Judge of Criminal District Court</b>	Judge Alvin Turner Jr. - 2015
<b>Juvenile Court Judges (Specify District of City Court)</b>	Judge Jason Verdigets- Div. "A"; Judge Thomas J. Kliebert, Jr. Div. "B"; Judge Tess Percy Stromberg Div. "C" ; Judge Jessie LeBlanc Div "D"; Judge Alvin Turner, Jr. "E" ; Judge Marilyn Lambert- Parish Court does juvenile cases in Ascension Parish.
<b>Drug Court Judges</b>	Judge Tess Percy Stromberg will continue the drug section in Div. "C"
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	Judge Lambert - Parish Court (Misdemeanor in Ascension Parish).
<b>Name of Specialty and Brief Description:</b>	Misdemeanors assigned to Parish Court in Ascension Parish: Non Support heard by a hearing officer TBA for 2015.
<b>Indigency Determined by Whom and How?</b>	Judges make initial assessment at 72 hour hearing or 1st court appearance and defender assigned completes application and determination of indigence made by District Defender or his designee.
<b>When is Assignment/Appointment of Counsel Made?</b>	At defendants initial appearance before judicial officer where defendant learned of charge and defendant's liberty was subject to restriction.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Judges do preliminary indigency determinations. Attorney appointed completes applications at initial meeting. Walk in clients are given applications by P.D.O. staff, and approved by the District Defender.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Upon appointment by a judge client is given an application and contact information on their attorney. they are advised to complete the application and return to our office with the application fee or to mail the same. walk ins are provided with an application to complete and it is reviewed by the district defender or his designee for qualification. upon approval an attorney is assigned an contact information given to the client.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	409



<b>How Many Application Fees Were Waived?</b>	9
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2014</b>	16,165
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Fees paid to our office or attorney who forwards fee to our office per contract.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	653,252
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Forms approved by the state Staff are attached to all receipts from the 3 Sheriffs and City Clerk.
<b>Who Collects the Assessed Court Fees?</b>	Three Sheriffs and one City Clerk.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Collecting Agencies provides detailed work sheets
<b>Who Remits the Court Fees Collected?</b>	(3) Sheriffs or City Clerks
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Forms approved by the state Staff are attached to all receipts from the 3 Sheriffs and One City Clerk.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	The District Defender sends recommended amounts to the judge's by written correspondence. Judge's enter amount into court minutes.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Court minutes.
<b>Who Collects the Assessed Partial Payments?</b>	Public Defender Office or Sheriff if part of a plea.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Public Defender Office keeps records of all fees collected by office, and Sheriff's office sends record of fees collected.
<b>Who Remits the Partial Payments Collected?</b>	The Sheriff's or City Clerks submit all fees collected.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Any money collected by an agency is accompanied by explanatory documentation.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	3,934
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Yes. Yes, private employment is addressed in the Attorney Contract with the Public Defender Office.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	See Attached Contract.
<b>Primary Immediate Needs</b>	We need funds to hire a social worker and staff investigator.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	We have reduced salary rather than reducing attorneys. We anticipate eliminating a non support attorney in June 2015 .We have replaced a full time staff member with a part time hourly worker.
<b>Immediate Critical Issue Areas</b>	Funding for investigators for capital cases which has been passed down to our office by board action in 2014.

<b>Long-Term Critical Issue Areas</b>	Money for benefits for full time defenders.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Rick Alessi contract attorney and Tricia Ward, contract attorney; these are replacement attorneys for non renewed positions and not new positions.
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	Resolved several capital cases by plea to non capital crime.
<b>Number of Expected New Attorney Hires in 2015</b>	We will only replace attorneys who leave are not retained. No new positions are expected.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	We use training provided by the LPDB Staff, pay for seminars in areas of practice, and conduct 8 hours of mandatory yearly training by our office. Also we assign new defenders to a division with more experienced defenders to monitor and mentor. We have a full time Litigation Supervisor as of July 2013.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No. attorney contract includes duties and responsibilities of the independent contractors.
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	All attorneys are independent contractors except the District Defender, and the Litigation Supervisor. They are required to follow the requirements and suggestions found in their written contract. The District Defender, and/or the Litigation Supervisor monitors all trials, especially serious offenses, and consults with the defender on questions of law and strategy. The District Defender visits each defender at least once per year in their office to formally evaluate each attorney's progress and maintains written reports.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	See Attached.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Medical benefits provided for all full time staff Personal (1), and the District Defender and Litigation Supervisor.
<b>Regular Meetings for Any Staff, Please Describe</b>	Staff consist of 1 full time and 1 part time employee. They meet daily with the District Defender or the Litigation Supervisor.
<b>Number of NEW capital cases in CY14 handled by your office</b>	3
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	5
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	1
<b>Number of Writs Your District Handled in 2014</b>	4
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	4
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	3
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Cases transferred are assigned a felony trial attorney who is assisted by the juvenile attorney originally assigned

<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Jody Amedee, Johnny Berthelot, Eddie Lambert, Troy Brown, Clay Schexnaydre, Ed Price.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	The District Attorney has recently begun an extended diversion program that will reduce our revenue from the \$45.00 Special Assessment. also one municipality closed its police department costing us about \$80,000. in anticipated loss revenue.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	We have a full time Litigation Supervisor, In House Capital Attorney. Health Insurance for all full time employees, Workman Comp insurance, Malpractice Insurance, premises insurance, and non owned auto insurance.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Robert, Alan J.	225-647-9673
Jones, Susan Kutcher	225-647-9674
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Ambeau, Jarrett P.	225-395-0794
Bridges, Christopher J.	225-644-7250
Smith, David R.	225-647-7246
Hebert, Blaine M.	504-481-7434
Heggelund, Jeffrey M.	225-644-9295
Battiste, Shannon L.	225-364-0424
Valentine, Wesley Benjamin	225-644-6584
Francis, Sr., Bernard J.	225-473-8535
Unangst, Ersalee C.	225-363-6547
Gutierrez, John A.	225-744-3555
Petit, Dale J.	225-869-5997
Williams, Don R.	225-907-2673
Barbier, Timothy J.	985-369-2337
Ward, Trisha	504-358-8690
Alessi, Rick A.	225 644 7855
Belanger, Ashley	225-252-2736
Messer, Rusty M.	225-644-1255
Myles-Crosby, Tiffany	225-590-3838
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Carr, Sidnie	225 644 2968
Glover, Phyllis D.	225-647-9673

2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Alan J. Robert
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	Will be implementing this Year.
Quicken	
Intuit	
Other (list here):	J. Wayne Sheets, C.P.A.
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	

Television	
DVD	
VCR	
Desktop PCs	2
Laptops	2
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	2MB = upload of 256
Provider Name:	Eatel
Email Provider:	Eatel
Please list any software or computer equipment in which you need training:	None

## 23rd District Defender Office CY 2014 Caseloads & Outcomes

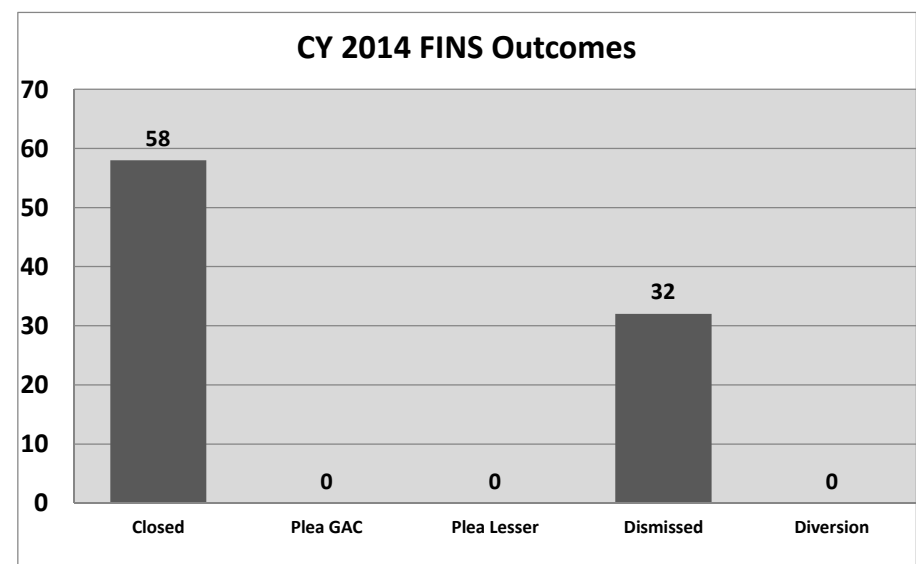
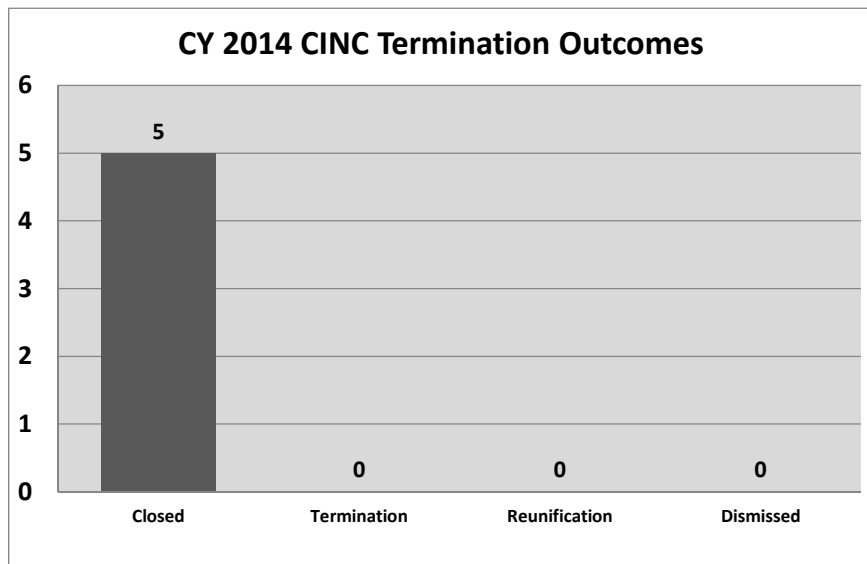
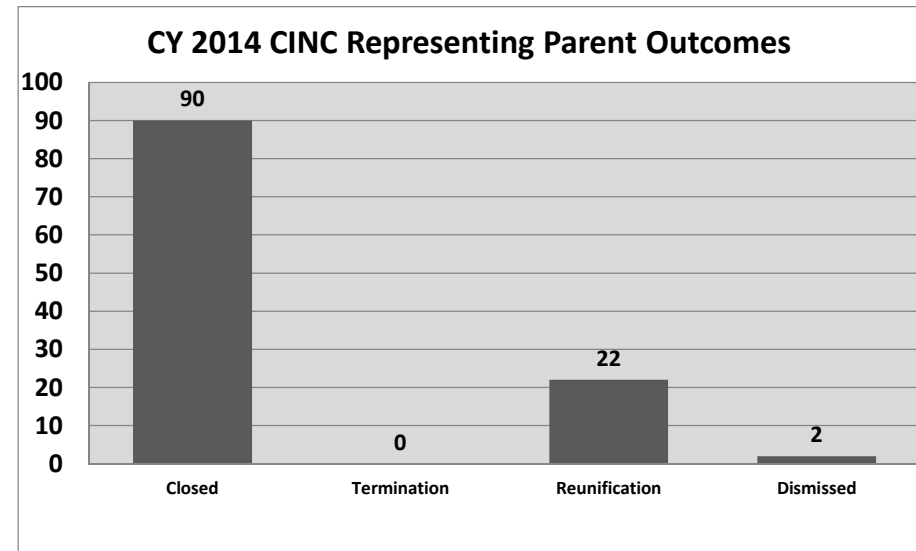
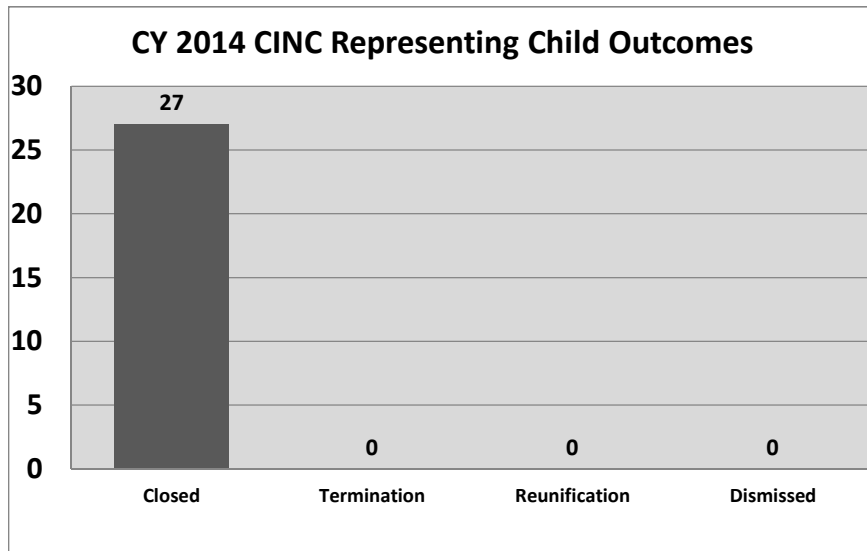
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	66	44	36	102	N/A	N/A	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	21	27	19	40	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	82	90	86	168	0	22	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	0
Termination	4	5	1	5	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	52	58	33	85	N/A	N/A	0	0	32	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	263	327	184	447	N/A	N/A	15	3	120	18	N/A	N/A	0	0	0
Delinquency Felony	96	94	56	152	N/A	N/A	24	5	78	32	N/A	N/A	0	3	3
Delinquency-Life	4	11	7	11	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	4	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	1247	1228	338	1585	N/A	N/A	188	18	206	8	0	0	3	2	5
Adult Felony Non-LWOP**	1704	1595	1303	3007	N/A	N/A	638	172	728	160	2	7	0	6	15
Adult LWOP	0	7	11	11	N/A	N/A	0	1	2	0	0	2	0	0	2
Capital***	2	1	1	3	N/A	N/A	2	1	2	0	0	0	0	0	0
Revocations	32	74	40	72	N/A	N/A	9	1	5	0	N/A	N/A	N/A	N/A	0
PCR	7	4	9	16	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	2	3
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

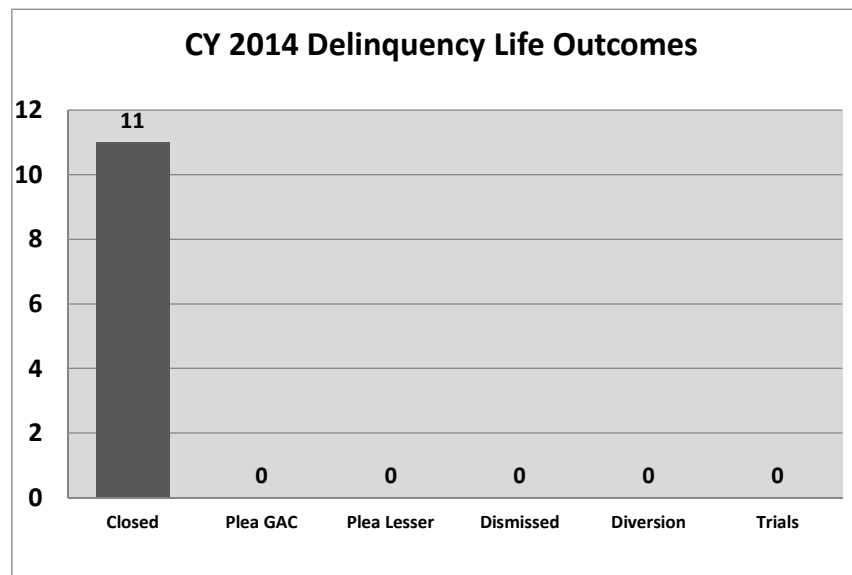
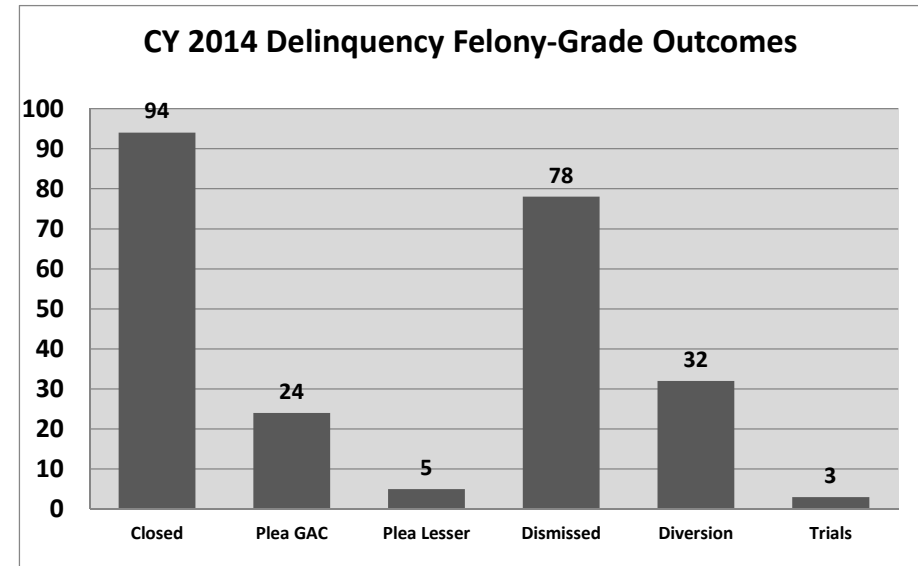
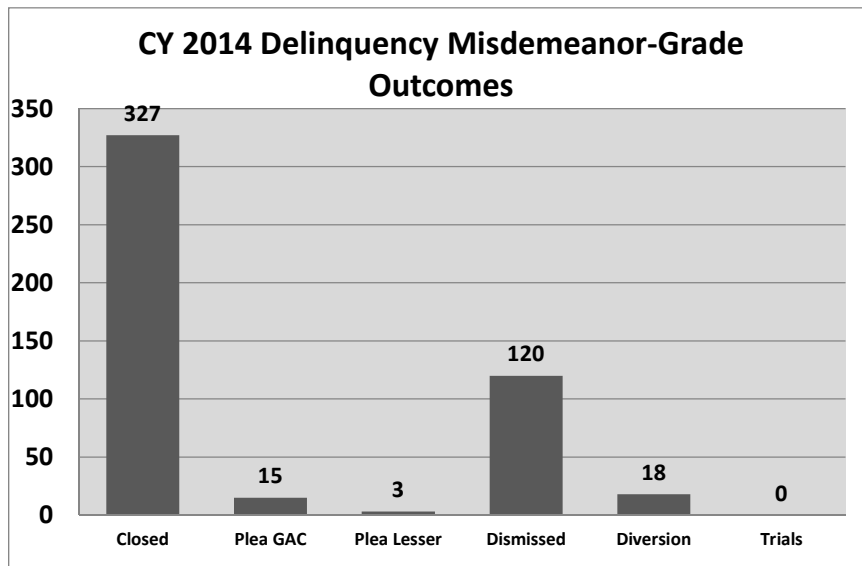
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

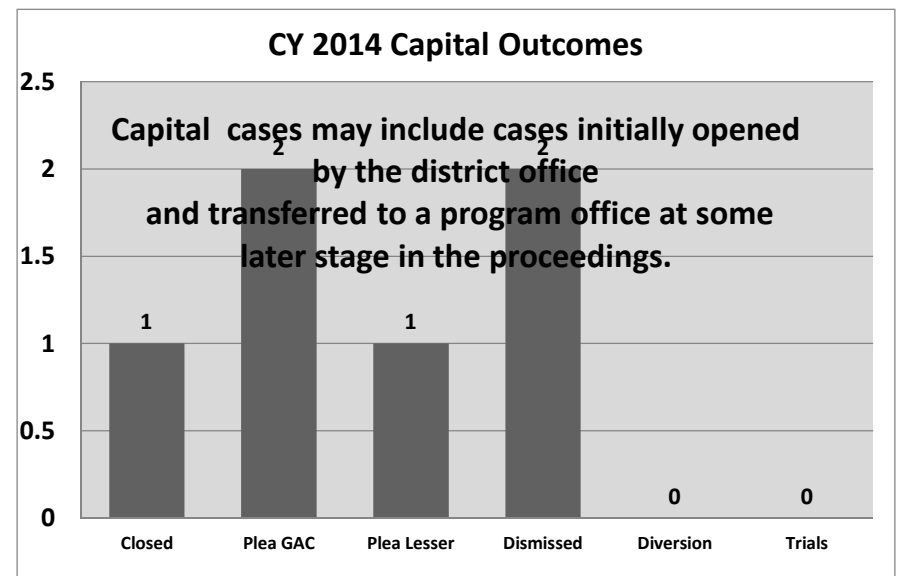
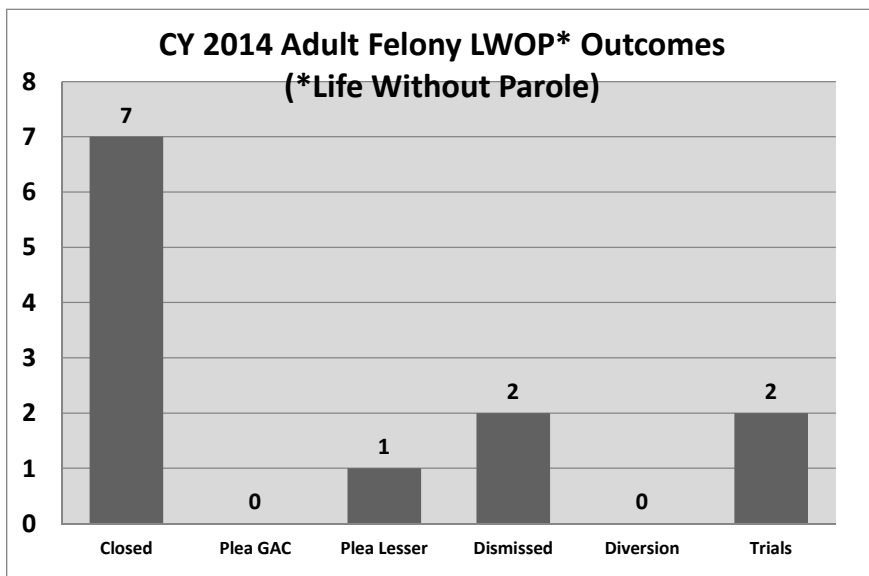
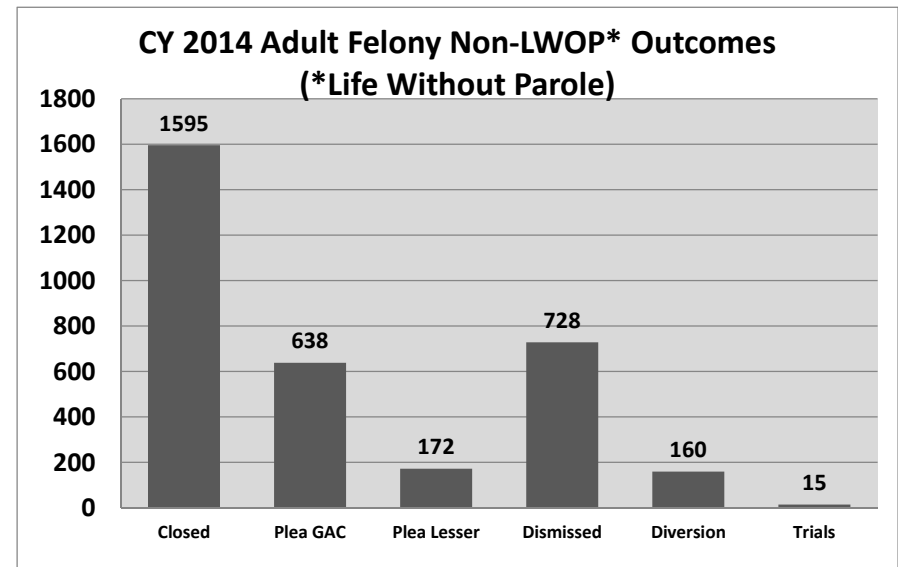
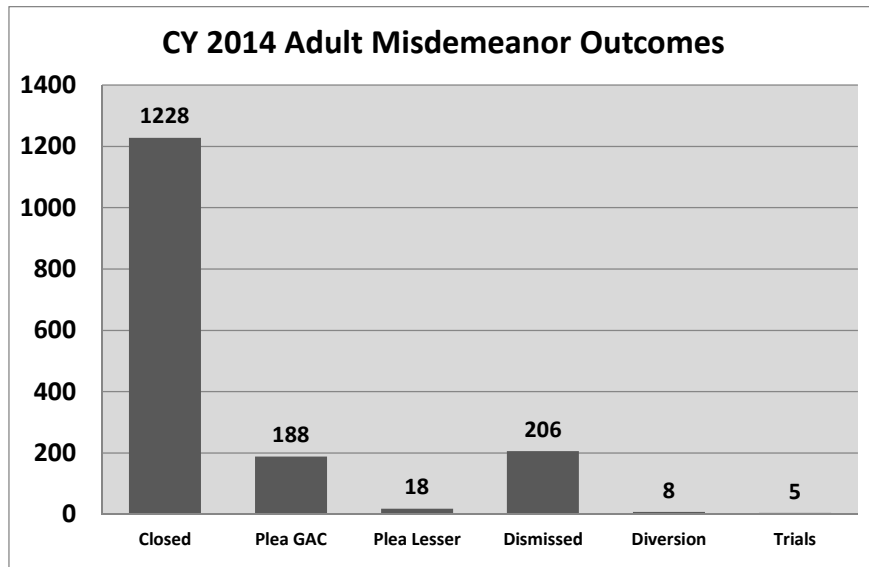
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.







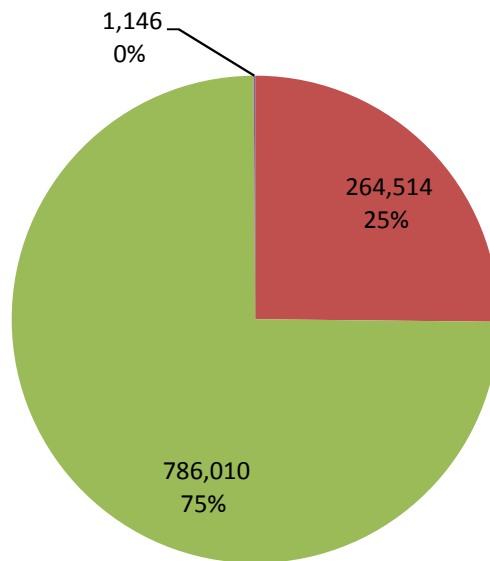


District 23 CY2014	Total CY2014
<b>District Defender: Alan Robert</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
<b>Total for Federal Government</b>	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	29,776
District Assistance Fund (DAF)	186,126
Supplemental/Emergency Funds	37,402
Grants	1,272
Other State Income -List source(s)	9,938
<b>Total for State Government</b>	<b>264,514</b>
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	127,118
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	320
<b>\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs</b>	
Criminal District Court	532,888
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	105,585
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
<b>Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs</b>	<b>638,473</b>
<b>Charges For Services</b>	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	16,085
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	4,014
<b>Total for Charges For Services</b>	<b>20,099</b>
<b>Total for Local Government</b>	<b>786,010</b>
<b>Investment Earnings</b>	
Interest Income	1,146
Other Investment Income - List source(s)	-
<b>Total for Investment Earnings</b>	<b>1,146</b>
<b>Other Sources (Grants &amp; Contributions)</b>	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
<b>Total for Other Sources (Grants &amp; Contributions)</b>	
<b>Total for REVENUE</b>	<b>1,051,671</b>

District 23 CY2014	Total CY2014
<b>District Defender: Alan Robert</b>	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	221,462
Accrued Leave	-
Payroll Taxes	17,752
Hospitalization and Disability Insurance	32,058
Retirement	-
Other	366,544
Total for Personnel Services and Benefits	637,816
Travel/Training	
Parking/Auto Tolls	2,907
Travel/Lodging/Per Diem/Mileage	3,680
Total for Travel/Training	6,587
Operating Services	
Advertisements	-
Workers' Compensation	1,062
Insurance - Malpractice	13,296
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	18,000
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	2,821
Office - Telephone/Utilities/Postage/Internet	7,753
Dues and Seminars	1,150
Law Library/Journals/Subscriptions	5,288
Office Supplies	6,932
Total for Operating Services	56,302
Professional Services	
Audit/Accounting Expense	11,952
Contract Clerical	500
Expert Witness	19,311
Investigators	880
Interpreters	-
Social Workers	-
Capital Representation	15,034
Conflict	9,244
Contract - Juvenile Attorneys or CINC	30,328
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	372,151
IT/Technical Support	-
Total for Professional Services	459,400
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	-
Total for Other Charges	
Total for EXPENDITURES	1,160,105

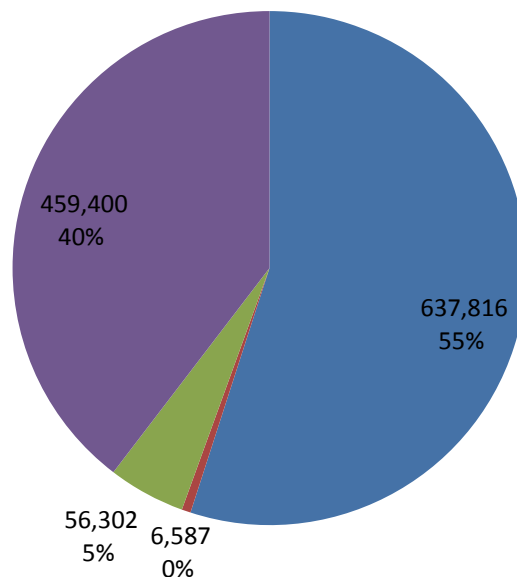
## Total CY14 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





THE 24<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
JEFFERSON (GRETN)

DISTRICT DEFENDER: RICHARD M. TOMPSON  
848 2<sup>ND</sup> STREET, 3<sup>RD</sup> FLOOR  
GRETN, LA 70053  
(504) 364-2824

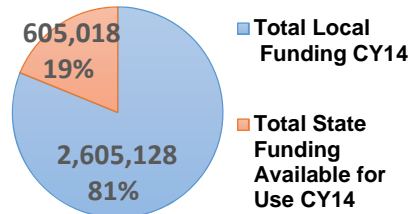
## 24TH JUDICIAL DISTRICT

During calendar year 2014, the 24th Judicial District Public Defenders Office handled 10,400 cases. The office received \$3,210,146 in total revenues to handle these cases, approximately 81% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

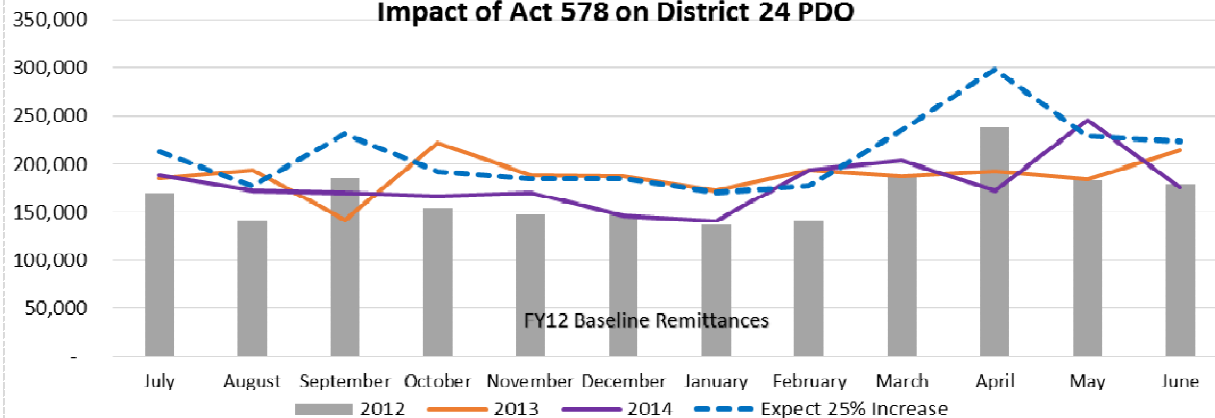
Since the inception of Act 578 (2012), the 25% expected increase in local have failed to materialize more than fifty percent of the time.

The 24th Judicial District office's expenditures exceed the office's revenues. While it is too early to project precisely when the 24th Judicial District office will exhaust its fund balance, without an increase in revenues or reduction in expenditures, the office will continue to deplete its fund balance at the current steep rate inevitably becoming insolvent.

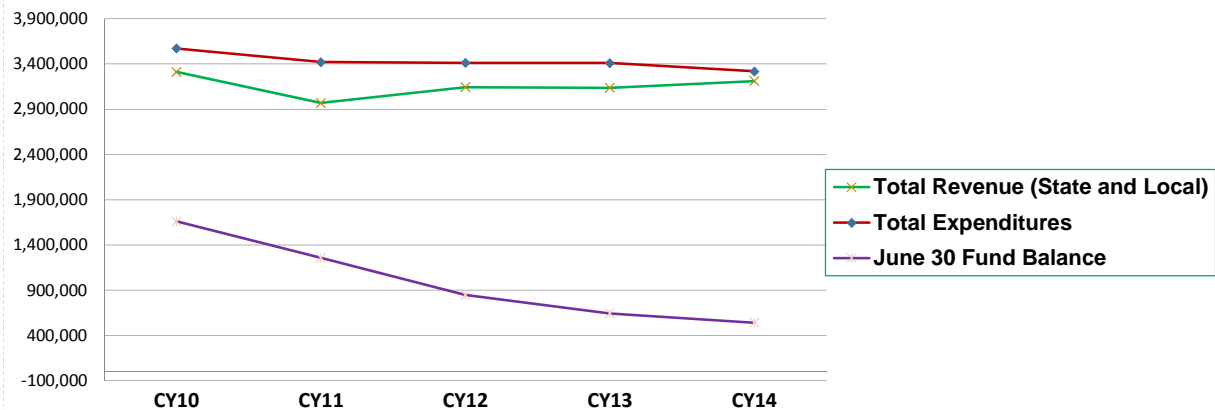
**District 24 PDO Revenue Sources CY14**



**Impact of Act 578 on District 24 PDO**



**District 24 PDO Finances CY10-14**

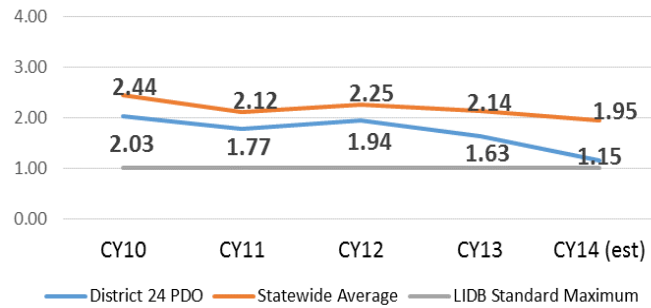


# JEFFERSON PARISH

Richard M. Thompson  
District Defender  
848 2nd Street, 3rd Floor  
Gretna, LA 70053  
504-364-2824

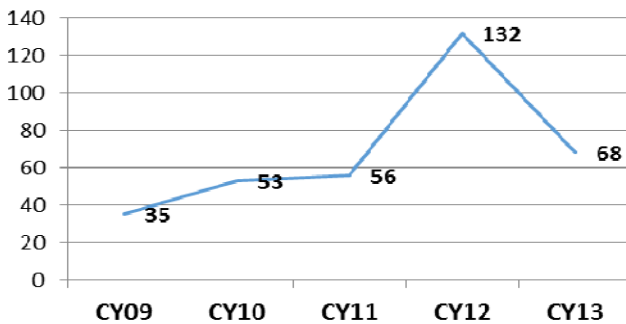
District 24 Average Caseloads

In the 24th Judicial District, public defense attorneys maintain caseloads near the recommended caseload limit for each attorney.

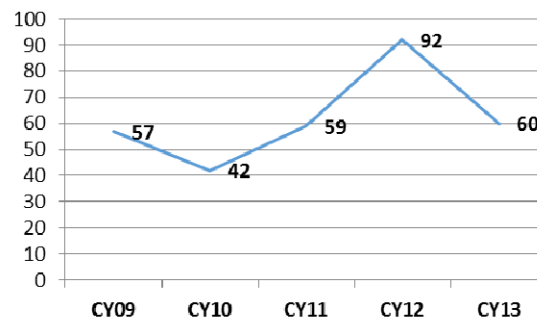


Through increased training and supervision, adult client outcomes have significantly improved over the last five years.

District 24: Adult Acquittals & Dismissals



District 24: CINC Reunifications





## THE 24<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Jefferson - Gretna
<b>Population</b>	433,676
<b>Juvenile Population</b>	96,276
<b>District Defender</b>	Richard M. Thompson
<b>Years as District Defender</b>	26
<b>Years in Public Defense</b>	32
<b>Office Manager</b>	Darla Noel
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Darla Noel, Office Manager, Lisa Leblanc, Clerk. Joni Langlinais, retired.
<b>Primary Office Street Address</b>	848 2nd Street, 3rd Floor
<b>City</b>	Gretna
<b>ZIP</b>	70053
<b>Primary Phone</b>	504-364-2824
<b>Primary Mailing Address</b>	848 2nd Street, 3rd Floor, Gretna, LA 70053
<b>Primary Fax Number</b>	504-364-2852
<b>Primary Emergency Contact</b>	Richard M. Thompson
<b>Primary Emergency Phone</b>	504-554-9723 Cell
<b>Secondary Emergency Contact</b>	Darla Noel
<b>Secondary Emergency Phone</b>	504-463-4527
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	First Parish Court, 924 David Dr., Metairie, LA 70003; 504-736-8980; Juvenile Court, 1546 Gretna Blvd., Harvey, LA 70058; 504 367-3500 Ext. 327.
<b>Other District Office Contact Personnel (Primary Only)</b>	First Parish Court-Rhonda Wise; Juvenile Court-Nancy Blanda.
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Julie Greenberg
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$4,250 monthly rent.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	In house.
<b>Courts and Locations</b>	24th JDC, 200 Derbigny St., Gretna, LA 70053; 1st Parish Court, 924 David Dr., Metairie, LA 70003; 2nd Parish Court, 100 Huey P. Long Ave., Gretna, LA 70053; Juvenile Court, 1546 Gretna Blvd., Harvey, LA 70058; Kenner Court, 1801 Williams Blvd., Kenner.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	24th JDC-16 Commissioner Court-1 1st Parish-2 ; 2nd Parish-2 Juvenile Court-3 City Courts-1.



<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	The PD assigned to the Magistrate Court is appointed by the Magistrate Judge to all in-jail clients who are qualified. The MPD represents clients until Arraignment. At Arraignment the Commissioner Court orders PDO appointment and Office Staff makes appropriate appointment.
<b>Name of Adult Detention Facilities in This District</b>	Jefferson Parish Correctional Center
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Name of Juvenile Detention Facilities In This District</b>	Rivarde Detention Center
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	The Jefferson Parish Sheriff's Office stated that they are having severe staffing problems which has limited the number of prisoners kept at the local jail. This staffing problem also gives rise to other issues regarding visitation by private investigators. Therefore, they instituted a rule by which the investigators will not be allowed into the jail without the presence of the attorney who is assigned to that defendant. My first impulse was to attempt to institute some type of legal action, however I consider this a blessing in disguise in that it is requiring lawyers to visit the jail more frequently. Other than the usual delays, the attorneys themselves have no problems having access to their clients in jail.
<b>District Attorney</b>	Paul Connick, Jr.
<b>Chief Judge of Criminal District Court</b>	Judge June Darensburg
<b>Juvenile Court Judges (Specify District of City Court)</b>	Baron Burmaster, Ann Keller, Andrea Janzen
<b>Drug Court Judges</b>	June Darensburg & Cornelius Regan
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	Paul Schneider, Patricia Joyce, Commissioner Court.
<b>Name of Specialty and Brief Description:</b>	Commissioner Court handles arraignments both in jail and out of jail; also issues search warrants/arrest warrants and handles preliminary exams. Commissioners also do probable cause determinations (48 Hour).
<b>Indigency Determined by Whom and How?</b>	If incarcerated, by Magistrate Judge at 72 hour hearing. If on bond, at arraignment by Commissioner at Commissioner Court.

<b>When is Assignment/Appointment of Counsel Made?</b>	Magistrate orders appointment of Magistrate PD at 72 hour hearing, then Commissioner, at arraignment, orders PDO appointment for both in-jail and out-of-jail clients.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Staff enters appointments into PDO system and provides client with a "Cover Sheet" which provides information on attorney and contact information.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	No
<b>Brief Explanation of Intake Process</b>	In-jail: Commissioner PD provides info on appointments from arraignment docket. Out-of-jail: Commissioner orders defendant to come to office and make application, after determining if defendant qualifies.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	7,867
<b>How Many Application Fees Were Waived?</b>	N/A
<b>How Many Application Fees Were Reduced?</b>	18
<b>Total Application Fee Dollars Collected in 2014</b>	48,669
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	2,147,601
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	We hope that the courts do assess a court cost in every case but realistically we "know" that Judges waive costs on certain cases. We presently lack the ability to quantify the cases in which fees are waived.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	None
<b>Who Collects the Assessed Court Fees?</b>	Jefferson Parish Sheriff's Office collects all court costs and fees and then they make distribution to the appropriate entities.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	1st and 2nd Parish and the City of Kenner.
<b>Who Remits the Court Fees Collected?</b>	Jefferson Parish Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Judges order arbitrary amounts.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Reports from Sheriff does not segregate partial payments collected.
<b>Who Collects the Assessed Partial Payments?</b>	JPSO provides a report showing amount of court collected.

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	JPSO
<b>Who Remits the Partial Payments Collected?</b>	All court cost fees are collected and remitted by JPSO.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None other than general statement of fees collected.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	Partial Indigence Payments not reported separately, therefore cannot give amounts. Estimate would be that amount would be small.
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	This is provided for in their contract.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	The attorney assigned to 1st Parish Court was elected to Bench and we now reassigned one of our bi-lingual attorneys to represent the clients in 1st Parish Court.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	We lost 2 District Court attorneys by attrition and 1 Parish Court attorney by election to Bench. We are not replacing 2 District Court people and transferred 1 Commissioner Court attorney to Parish Court. These changes result in a net loss of 3 attorneys.
<b>Immediate Critical Issue Areas</b>	We have no critical issues at this time.
<b>Long-Term Critical Issue Areas</b>	We are anticipating that the funding for our office in the coming year will not be sufficient to maintain the present level of services. One of the solutions would be a reduction in services program.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Cindy Cimino
<b>Please List All Promotions in 2014 (Name and Title)</b>	Paul Fleming-Deputy District Defender
<b>2014 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2015</b>	0
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	CLE and in-service training and mentoring.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	The new Deputy District Defender now assumes a supervisory role under the District Defender.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	Yes, Paul Fleming-Deputy District Defender.
<b>Please Attach Your Office Organizational Chart</b>	The new Deputy District Defender now assumes a supervisory role under the District Defender.

<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Medical benefits are no longer provided.
<b>Regular Meetings for Any Staff, Please Describe</b>	No
<b>Number of NEW capital cases in CY14 handled by your office</b>	4
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	1
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2014</b>	We do not file writs on final judgments, i.e. rules to revoke, misd. convictions. Attorneys do file writs during course of handling cases, but Data System cannot capture this number.
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	Not available.
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None. If a case is transferred from Juvenile Court, a district court attorney who handles felony cases is appointed to represent the juvenile.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	List provided separately.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	Fully operational e-filing system for the filing of Pre-trial motions.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
John Benz	504-361-8330
Marcy Bleich	504-400-4845
Graham Bosworth	504-528-9500
Letita Davis	504-913-0643
Andrew Duffy	504-621-1475
Paul Fleming	504-432-5534
Matthew Goetz	504-388-6153
Raul Guerra	504-443-2000
Lisa Harell	504-908-4294
Alex Lambert	504-259-5827
Denise Larson	504-481-3437

Johnny Lee	504-722-1659
Jessica Mulla	504-258-7294
Marquita Naquin	504-256-7020
Mark Nolting	504-559-4952
Joseph Perez	504-367-9999
Thomas Schexnayder	504-258-0089
Tracy Sheppard	504-339-2995
Elizabeth Toca	504-439-8151
Richard M. Tompson	504-554-9723
Jacque Touzet	504-388-8621
Cesar Vazquez	504-465-0908
George Vedros	504-473-8328
Frazilia Wiggins	504-460-9936
Jarmel Williams	504-223-1299
Lindsey Williams	504-908-5879
Powell Miller	504-920-4897
Michael Somoza	504-265-9880
Robert Louque	504-324-2807
Autumn Town	504-528-9500
Scott, Brad	504-782-0026
Laurence, Annie	504-940-8475
Bowman, Nelson	504-858-4082
Friedberg, Anna	504-444-8557
Cimino, Cindy	504-302-8386
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Darla Noel	504-364-2824
Nancy Blanda	504-364-2820
Donna Chabert	504-364-2820
Lisa Leblanc	504-415-9036

## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Darla Noel
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	x
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Firefox	x
Google Chrome	x
Other	

<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	3
DVD	1
VCR	0
Desktop PCs	11
Laptops	39
Video Cameras	0
Digital Cameras	1
Video Conferencing Systems	0
B&W Laser Printers	9
Color Printers	1
Wireless Cards	1
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	0
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	10 Mbps x 2 Mbps
Provider Name:	Cox
Email Provider:	Cox
Please list any software or computer equipment in which you need training:	

## 24th District Defender Office CY 2014 Caseloads & Outcomes

Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	3	8	8	0	1	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	271	271	168	439	0	84	N/A	N/A	77	N/A	N/A	N/A	N/A	N/A	0
Termination	49	59	27	76	52	0	N/A	N/A	5	N/A	N/A	N/A	N/A	N/A	0
FINS	53	66	28	81	N/A	N/A	2	0	23	7	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	307	365	185	492	N/A	N/A	229	44	232	75	N/A	N/A	4	18	22
Delinquency Felony	157	130	47	204	N/A	N/A	93	40	70	19	N/A	N/A	4	4	8
Delinquency-Life	1	1	1	2	N/A	N/A	0	0	2	1	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	3657	2799	1027	4684	N/A	N/A	2548	190	1301	27	0	8	9	20	37
Adult Felony Non-LWOP**	3195	3191	984	4179	N/A	N/A	2228	354	414	0	1	15	10	5	31
Adult LWOP	17	28	40	57	N/A	N/A	21	9	7	0	2	6	0	3	11
Capital***	2	1	1	3	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	138	512	30	168	N/A	N/A	0	0	3	0	N/A	N/A	N/A	N/A	0
PCR	5	4	2	7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	3	3
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

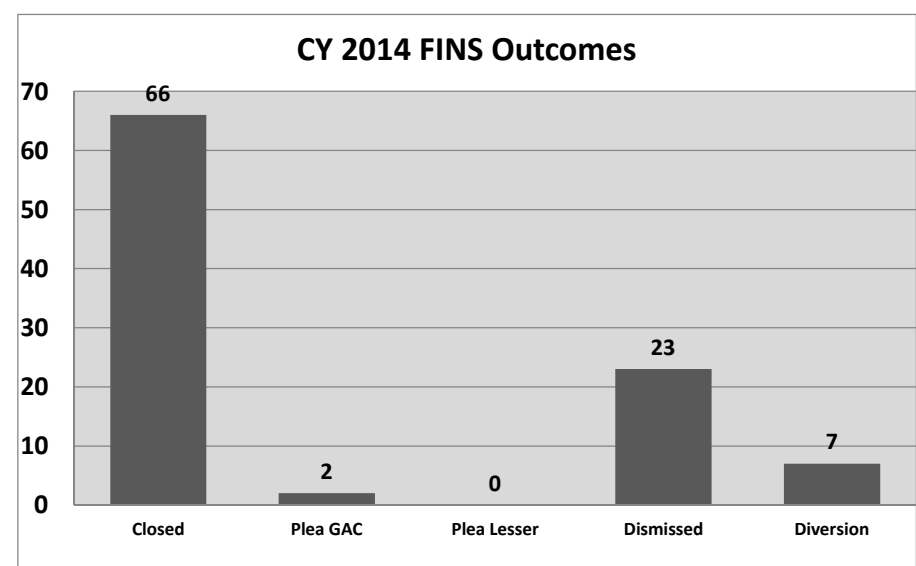
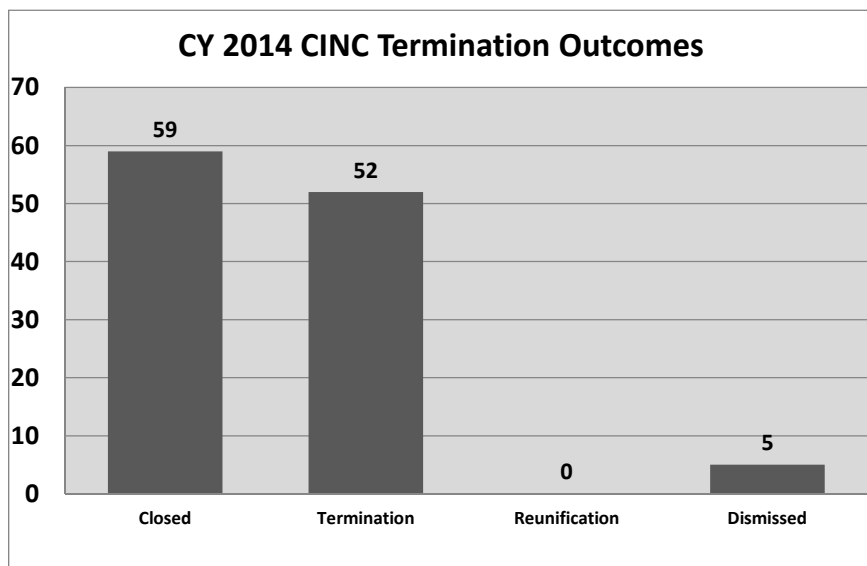
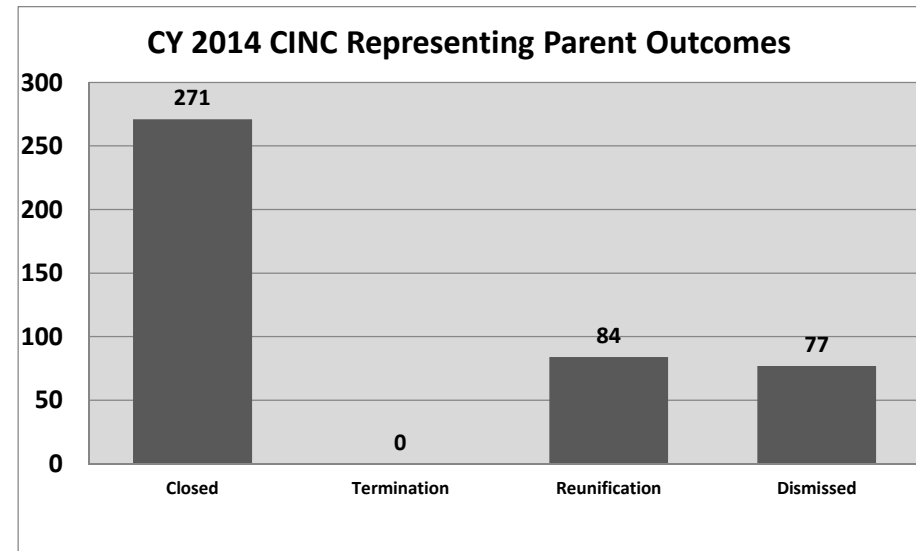
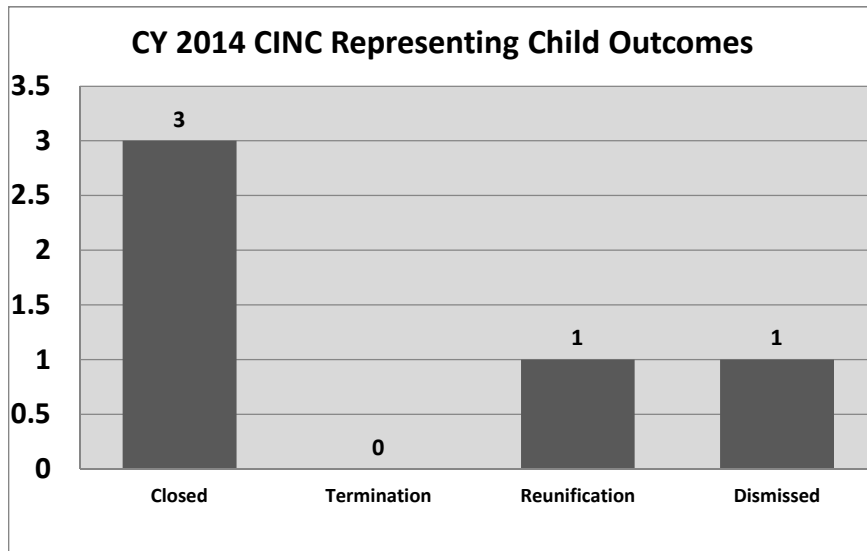
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

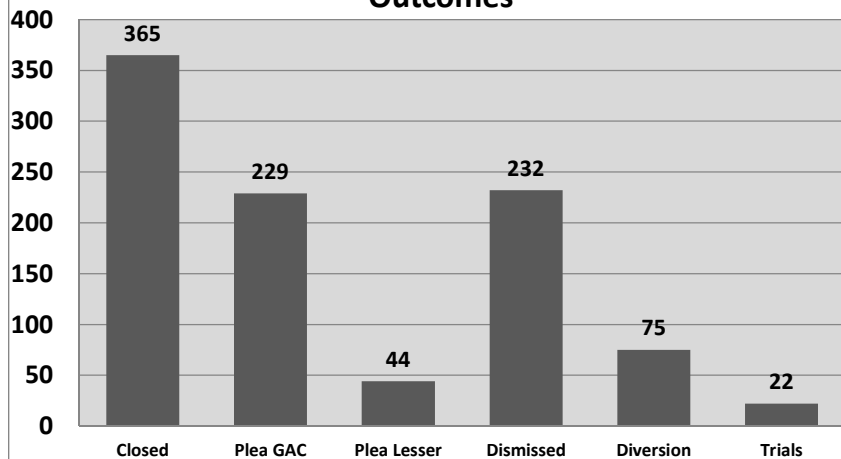
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

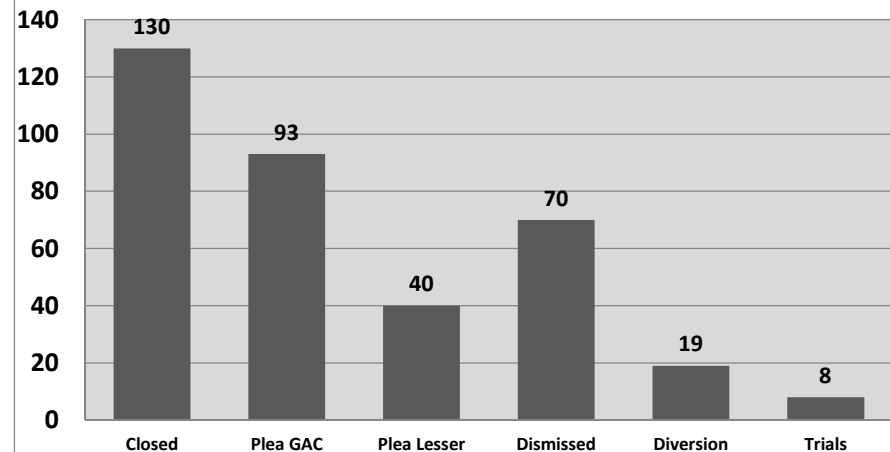




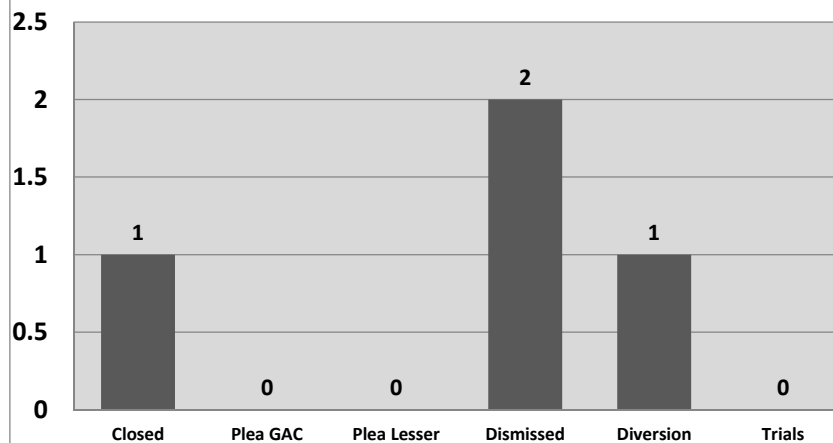
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**

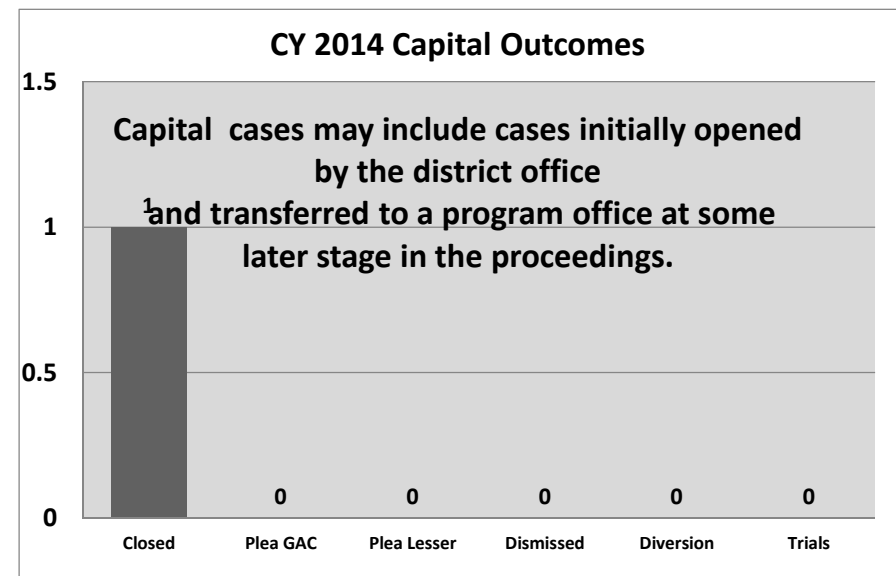
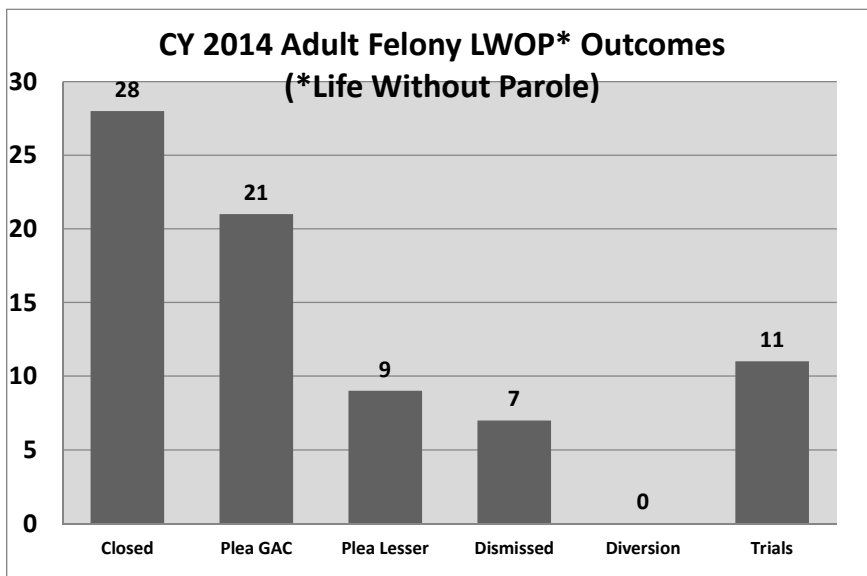
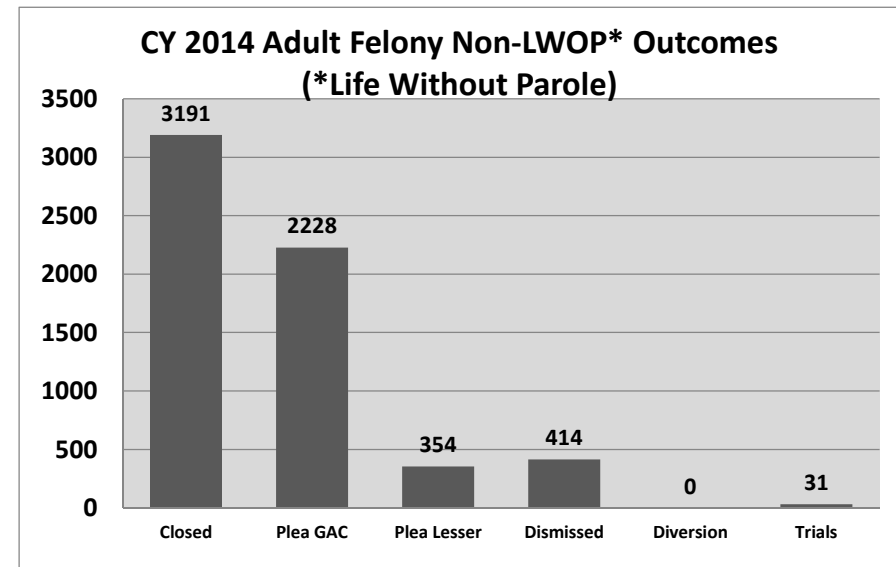
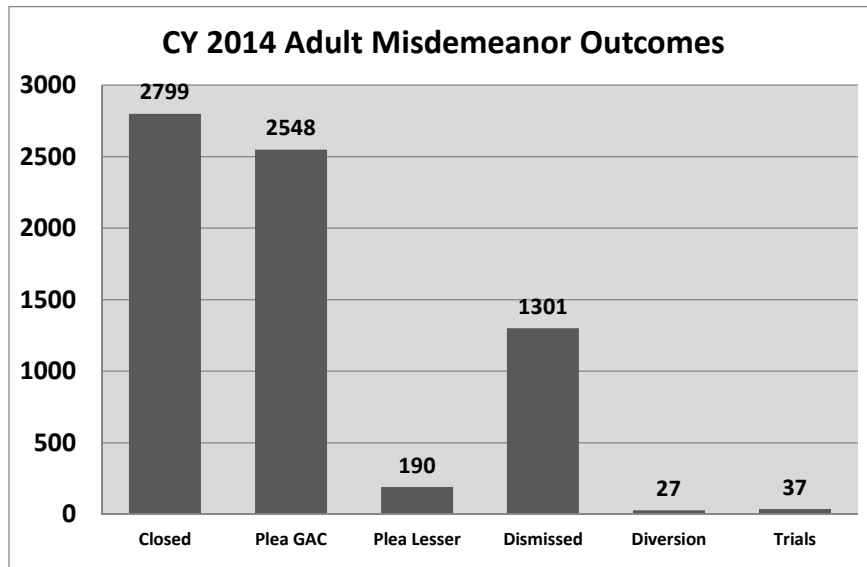


**CY 2014 Delinquency Felony-Grade Outcomes**



**CY 2014 Delinquency Life Outcomes**



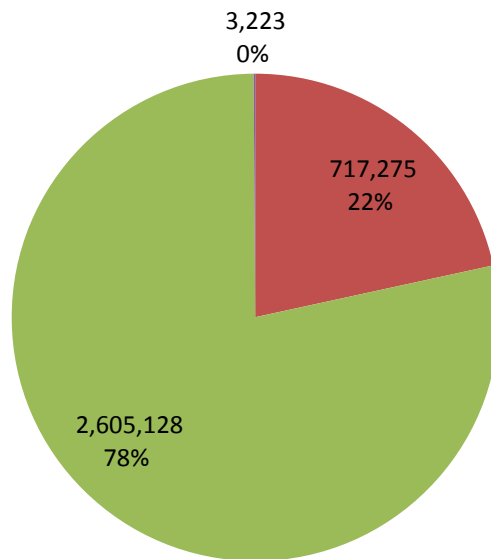


District 24 CY2014	Total CY2014
District Defender: Richard Tompson	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	85,568
District Assistance Fund (DAF)	608,299
Supplemental/Emergency Funds	9,588
Grants	-
Other State Income -List source(s)	13,820
Total for State Government	717,275
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	376,750
Traffic Camera	-
Grants	32,500
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	654,379
Judicial District Courts	143,628
Juvenile Court	37,509
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	1,312,085
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	2,147,601
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	46,458
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	1,819
Other Local Income -List source(s)	-
Total for Charges For Services	48,277
Total for Local Government	2,605,128
Investment Earnings	
Interest Income	3,223
Other Investment Income - List source(s)	-
Total for Investment Earnings	3,223
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	3,325,626

District 24 CY2014	Total CY2014
District Defender: Richard Tompson	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	176,507
Accrued Leave	-
Payroll Taxes	2,337
Hospitalization and Disability Insurance	-
Retirement	23,087
Other	-
Total for Personnel Services and Benefits	201,931
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	1,765
Total for Travel/Training	1,765
Operating Services	
Advertisements	4,894
Workers' Compensation	836
Insurance - Malpractice	31,293
Insurance - Auto/Physical Liability	-
Insurance - Other	3,684
Lease - Office	53,100
Lease - Auto/Equipment	8,652
Lease - Other	-
Office Repair and Maintenance	7,089
Office -	
Telephone/Utilities/Postage/Internet	17,723
Dues and Seminars	9,160
Law Library/Journals/Subscriptions	6,223
Office Supplies	14,745
Total for Operating Services	157,398
Professional Services	
Audit/Accounting Expense	45,200
Contract Clerical	3,018
Expert Witness	31,672
Investigators	76,286
Interpreters	6,900
Social Workers	-
Capital Representation	181,762
Conflict	-
Contract - Juvenile Attorneys or CINC	385,739
Misdemeanor Attorney Contracts	126,417
Contract Attorneys - all other	2,085,424
IT/Technical Support	7,162
Total for Professional Services	2,949,580
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	7,036
Total for Other Charges	7,036
Total for EXPENDITURES	3,317,709

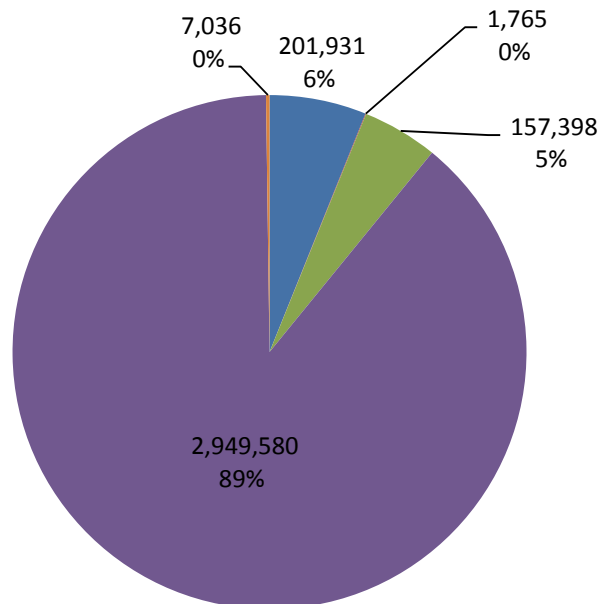
## Total CY14 Revenues

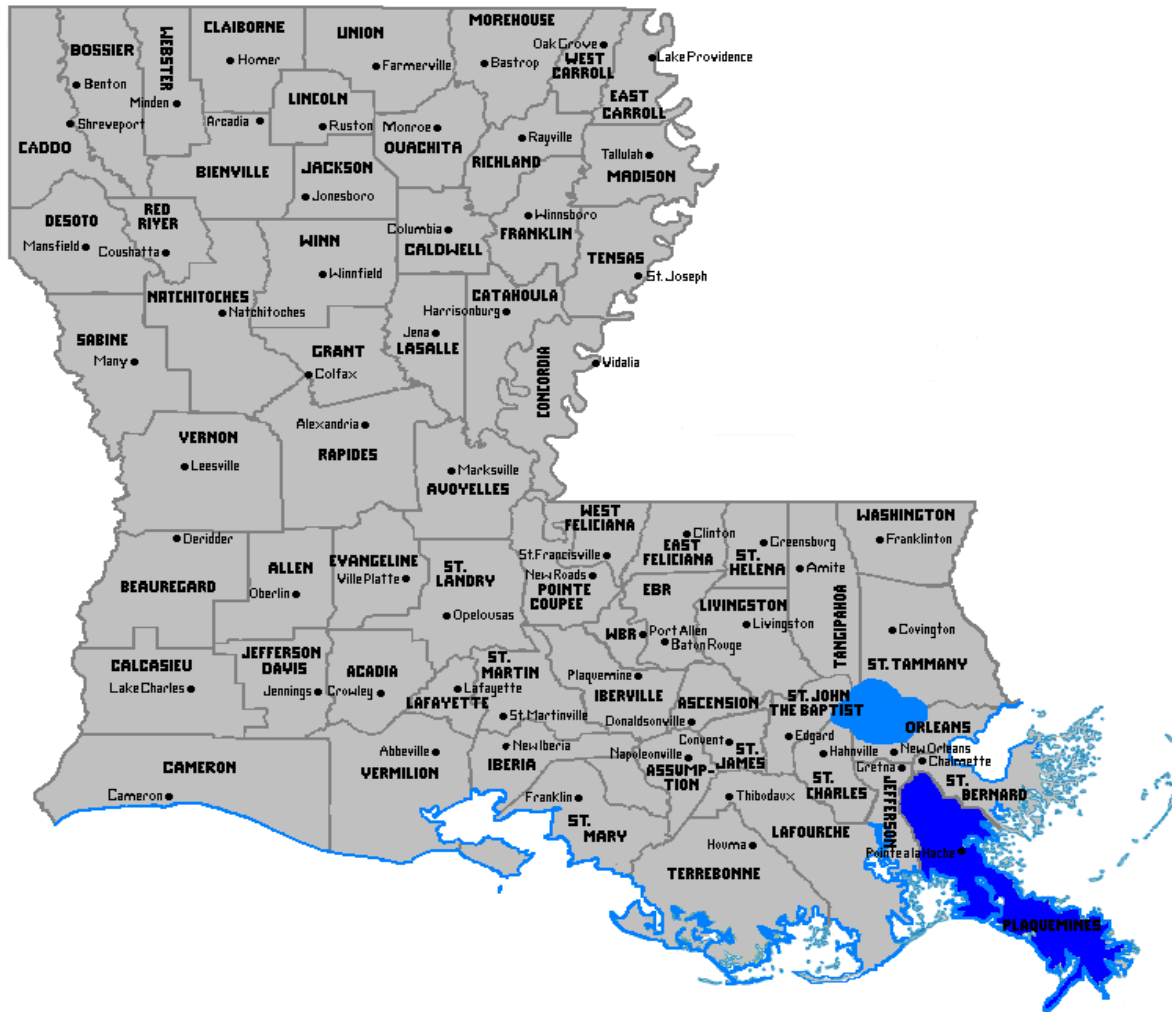
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





THE 25<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
PLAQUEMINES (POINT-A-LA-HACHE)

DISTRICT DEFENDER: MATTHEW ROBNETT  
208 AVENUE G.  
BELLE CHASSE, LA 70037  
(504) 297-5236

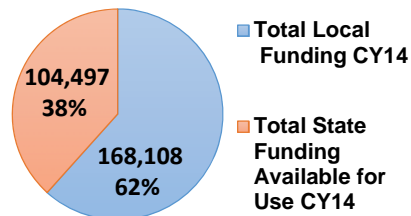
## 25TH JUDICIAL DISTRICT

During calendar year 2014, the 25th Judicial District Public Defenders Office handled 1,412 cases. The office received \$272,605 in total revenues to handle these cases, approximately 62% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

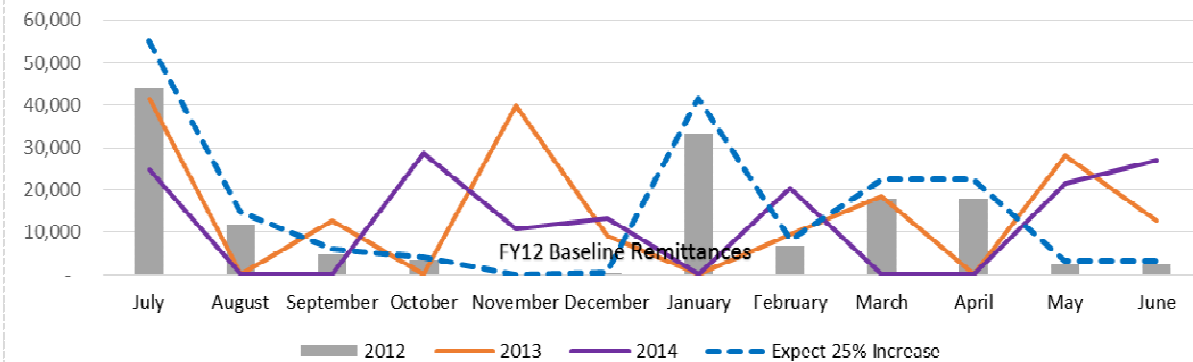
Since the inception of Act 578 (2012), local revenues associated with court costs have been unstable and erratic apparently due to irregular remittance schedules as shown in the graph below. Revenues have often fallen below the 25% expected increase and then again exceeded it with no apparent pattern.

The 25th Judicial District office has nearly exhausted its fund balance, and without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent during FY16.

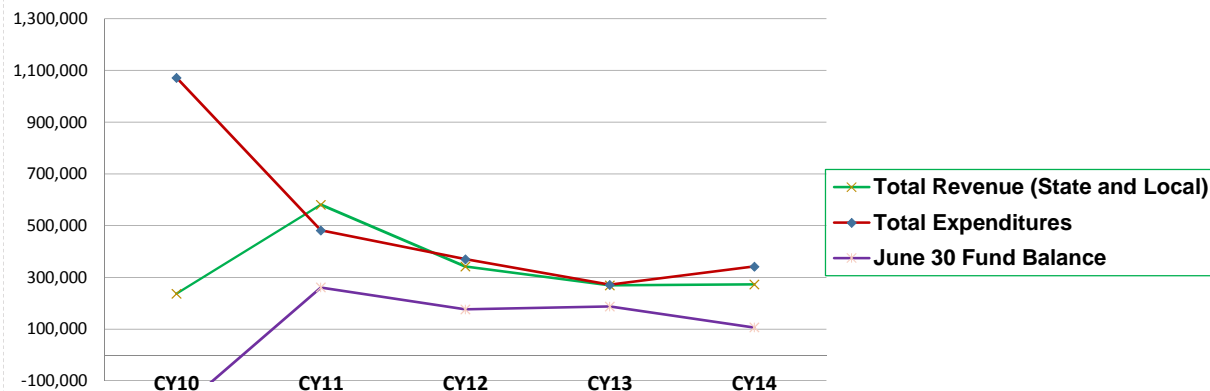
**District 25 PDO Revenue Sources CY14**



**Impact of Act 578 on District 25 PDO**



**District 25 PDO Finances CY10-14**

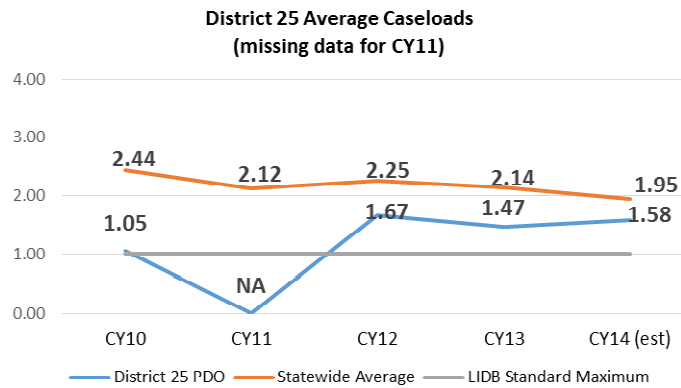




## PLAQUEMINES PARISHES

Matthew Robnett  
District Defender  
208 Avenue G  
Belle Chasse, LA 70037  
504-297-5236

In the 25th Judicial District, public defense attorneys make an average annual salary of \$53,750 while maintaining caseloads in excess of the recommended caseload limit for each attorney.



## CAPITAL REPRESENTATION

Since 2009, there have been no new capital prosecutions in the 25th Judicial District.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 25th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 25<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Plaquemines Parish - 25th Judicial District
<b>Population</b>	2013- 23,550
<b>Juvenile Population</b>	2013-7,913
<b>District Defender</b>	Matthew Robnett
<b>Years as District Defender</b>	1 year 8 months
<b>Years in Public Defense</b>	9
<b>Office Manager</b>	Mandy Buie
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Mandy Buie-Office Manager, Matthew Robnett-Chief Defender, Amos Cormier-Contract Attorney, Clarke Beljean-Staff Attorney, Keith Rovira-CPA.
<b>Primary Office Street Address</b>	208 Avenue G
<b>City</b>	Belle Chasse
<b>ZIP</b>	70037
<b>Primary Phone</b>	504-297-5236
<b>Primary Mailing Address</b>	208 Avenue G, Belle Chasse, LA 70037
<b>Primary Fax Number</b>	504-297-5297
<b>Primary Emergency Contact</b>	Matthew Robnett
<b>Primary Emergency Phone</b>	504-421-1053
<b>Secondary Emergency Contact</b>	Mandy Buie
<b>Secondary Emergency Phone</b>	504-329-6228
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Plaquemines Parish Government
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	None
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	No, Keith Rovira
<b>Courts and Locations</b>	Division "A" :Division "B"; Juvenile Court and Adult Drug Court - 201 Main Street, Suite 15, Belle Chasse, LA 70037 450 F. Edward Hebert Blvd., Belle Chasse, LA 70037
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Division "A" ;Division "B"; Juvenile Court and Adult Drug Court.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Magistrate is held Monday, Wednesday and Friday. An attorney from this office attends all hearings. Judge questions defendant to inquire as to their representation and gives them the option of a PDO attorney. PDO attorney interviews defendant for qualification purposes. If they qualify, the questionnaire is brought back to the office. Assignment of cases are rotated between all Attorneys.
<b>Name of Adult Detention Facilities in This District</b>	The lockup in Belle Chasse is a holding facility until all defendants have a bond set. If unable to post bond, they are transported to the Orleans Parish Prison, which is under contract to the Plaquemine Parish Sheriff's Office since Katrina.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Orleans Parish Prison and St. Bernard Parish Jail.
<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	St. Bernard Detention Facilities.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Due to a lack of funding, the office is currently understaffed. This creates the problem of a lack of resources to represent clients in distant facilities.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Juveniles are often transported in shackles if in custody. Once transported, Judge will generally order shackles to be removed or deputy will remove at attorney's request.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Due to Hurricane Katrina our Detained Clients are housed at Orleans Parish Prison. This sometimes makes it very difficult to access our Detained Clients. Because our office has an excellent work relationship with the Plaquemine Parish Sheriff's Office, they will, when possible transport our client to us.
<b>District Attorney</b>	Charles Ballay
<b>Chief Judge of Criminal District Court</b>	Judge Kevin Conner Division "A"
<b>Juvenile Court Judges (Specify District of City Court)</b>	Judge Michael D. Clement Division "B"
<b>Drug Court Judges</b>	Yes, Kevin Conner Division "A"
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Office personnel determine eligibility based on the 2013 Federal Poverty Guidelines.
<b>When is Assignment/Appointment of Counsel Made?</b>	After magistrate hearings or any other court hearing date.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Attorneys
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes

Brief Explanation of Intake Process	Before the Judge comes to the court the PDO interviews all the clients and determines whether they qualify. I complete all the information sheet that contains questions we need for the PDO computer and I sign them up. After Judge has completed the magistrate, the attorney located in our office conducts a first jail visit/interview with that client. Client is then taken back to prison unless able to bond out. The attorney in our office answers all questions that need to be answered and provides any additional help that the client needs at this time. The attorney also will typically obtain all the facts from the client on the charges client has been arrested for.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
Does the Office Collect the \$40 Application Fee?	Yes. By money order only.
How Many Applications for Services Were Received?	787
How Many Application Fees Were Waived?	N/A
How Many Application Fees Were Reduced?	None
Total Application Fee Dollars Collected in 2014	4,400
Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
Total Revenue from \$45/\$35 Special Costs Received in 2014	110,320
Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.	Yes
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?	Monica Nicosia, Finance Dept for Plaquemine Parish Sheriff's Office gives us a written statement of all fees collected.
Who Collects the Assessed Court Fees?	Monica Nicosia
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	Monica Nicosia, PPSO Finance gives us an itemized statement of all fees collected, along with the checks made payable to the public defender's office.
Who Remits the Court Fees Collected?	Monica Nicosia, PPSO Finance.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	Monica Nicosia, PPSO Finance gives us an itemized statement of all fees collected, along with the checks made payable to the public defender's office.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment	Client must provide proof of unemployment, disability or hardship to the Court. The Court may reduce or dismiss the fee.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?	None
Who Collects the Assessed Partial Payments?	PDO by money order only.

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	PDO by money order only.
<b>Who Remits the Partial Payments Collected?</b>	Client
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	\$0 No one was determined to be partially Indigent in 2014
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Full time Staff Attorneys are not allowed to practice privately.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Funding (Attorney, Investigator)
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	According to projections from LPDB restrictions are not foreseen until 2016.
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Funding (Attorneys)
<b>Long-Term Critical Issue Areas</b>	Funding (Support staff, Data Entry Clerk)
<b>Please List All New Hires in 2014 (Name and Title)</b>	None
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	N/A
<b>Number of Expected New Attorney Hires in 2015</b>	0
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes however no Attorneys were hired in 2014.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Matt Robnett Chief Defender, Mandy Buie Office manager.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	See Attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Medical Benefits are offered to all full time Employees and payed by the office.
<b>Regular Meetings for Any Staff, Please Describe</b>	Meet informally several times a week.
<b>Number of NEW capital cases in CY14 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	None

<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2014</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Determined by the Chief on a case-by-case basis.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator A.G. Crowe, Senator John A. Alario Jr. & Senator David Heitmeier. Representative Chris Leopold.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Distance to Detained Clients.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Clarke Beljeau	504-655-0223
Matt Robnett	504-421-1053
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Amos Cormier	504-343-2667
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Mandy Buie - Office Manager	504-297-5236

## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Mandy Buie
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	N/A
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	x
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	N/A
Microsoft Office 2010	x 2011
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	x
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	X
Internet Explorer 8	
Internet Explorer 9	
Firefox	x
Google Chrome	x
Other	Safari

<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	3
DVD	1 DVD VCR Combo
VCR	0
Desktop PCs	3
Laptops	6
Video Cameras	0
Digital Cameras	0
Video Conferencing Systems	0
B&W Laser Printers	1
Color Printers	1
Wireless Cards	0
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	0
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	N/A
Connection Speed:	N/A
Provider Name:	NewWave
Email Provider:	Rackspace
Please list any software or computer equipment in which you need training:	



## 25th District Defender Office CY 2014 Caseloads & Outcomes

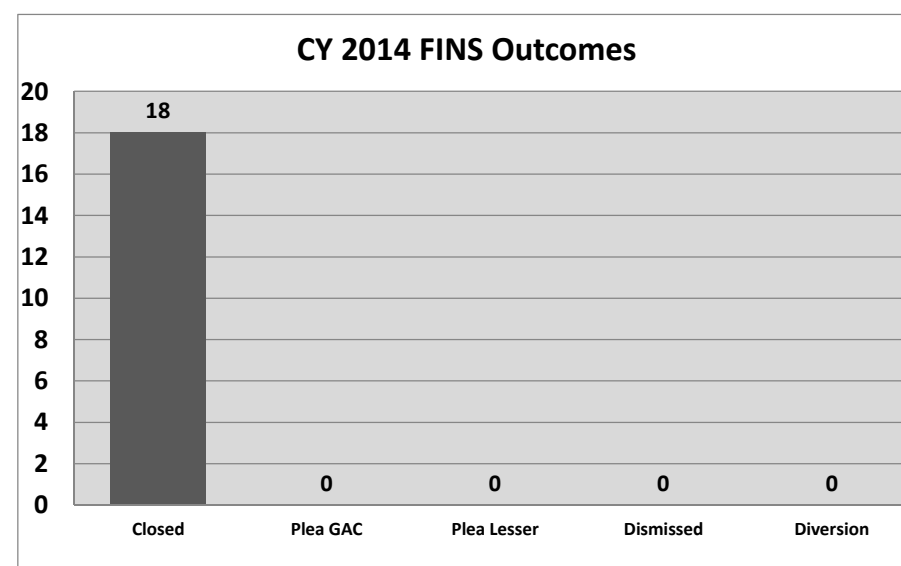
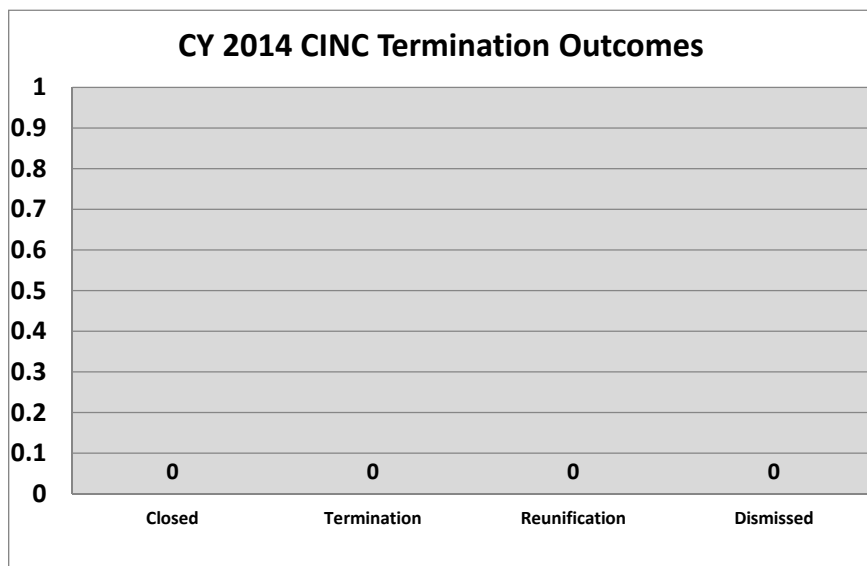
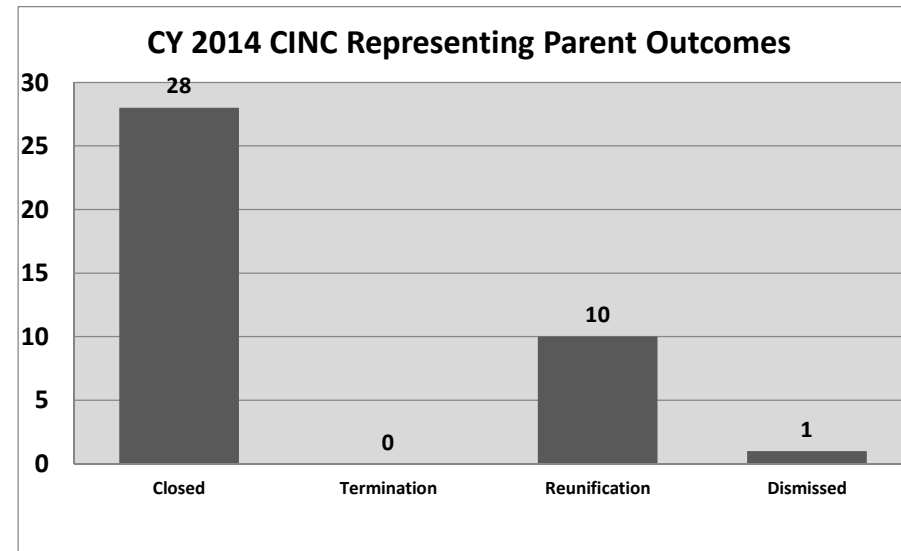
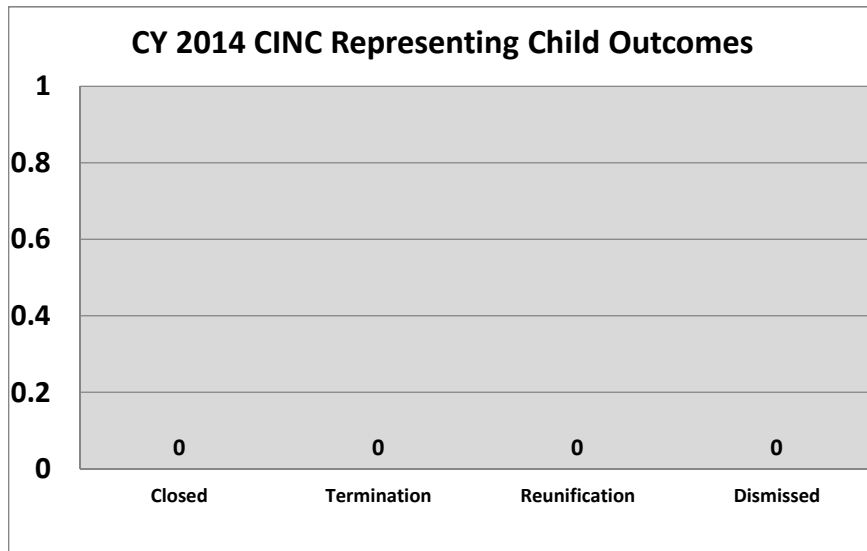
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	3	28	28	31	0	10	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	7	18	18	25	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	21	13	10	31	N/A	N/A	2	0	6	0	N/A	N/A	0	0	0
Delinquency Felony	18	9	5	23	N/A	N/A	2	2	3	0	N/A	N/A	0	0	0
Delinquency-Life	0	1	1	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	449	510	268	717	N/A	N/A	303	35	242	8	0	0	0	0	0
Adult Felony Non-LWOP**	284	366	213	497	N/A	N/A	165	72	102	0	0	2	0	2	4
Adult LWOP	2	1	1	3	N/A	N/A	0	0	0	0	0	1	0	0	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	7	0	77	84	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

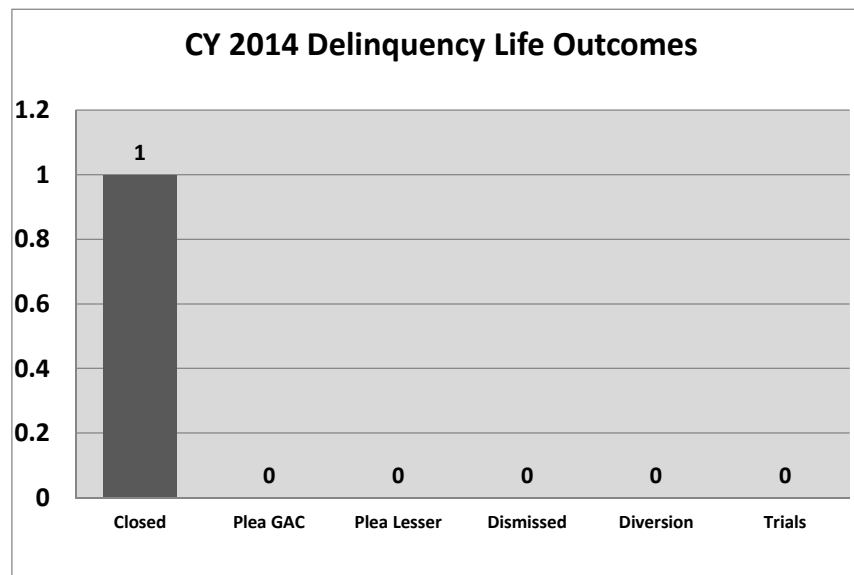
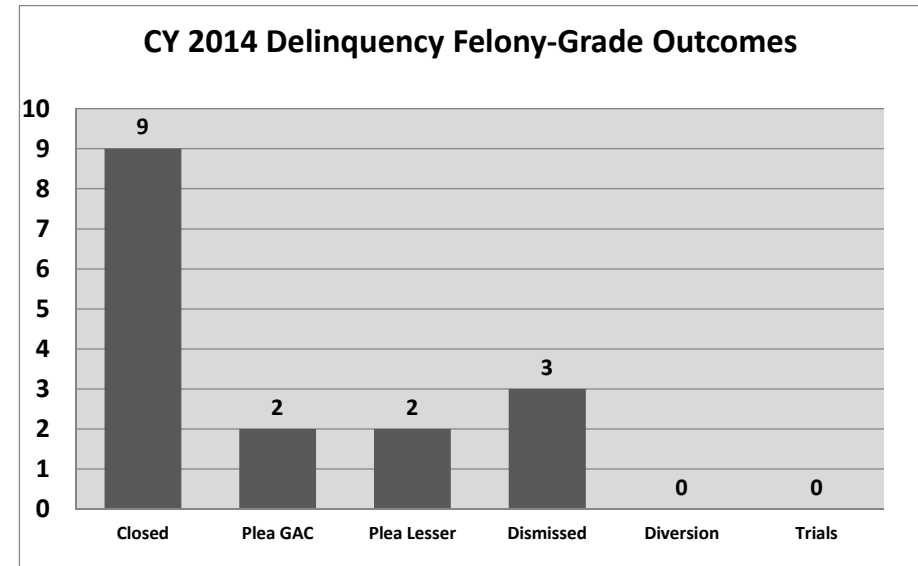
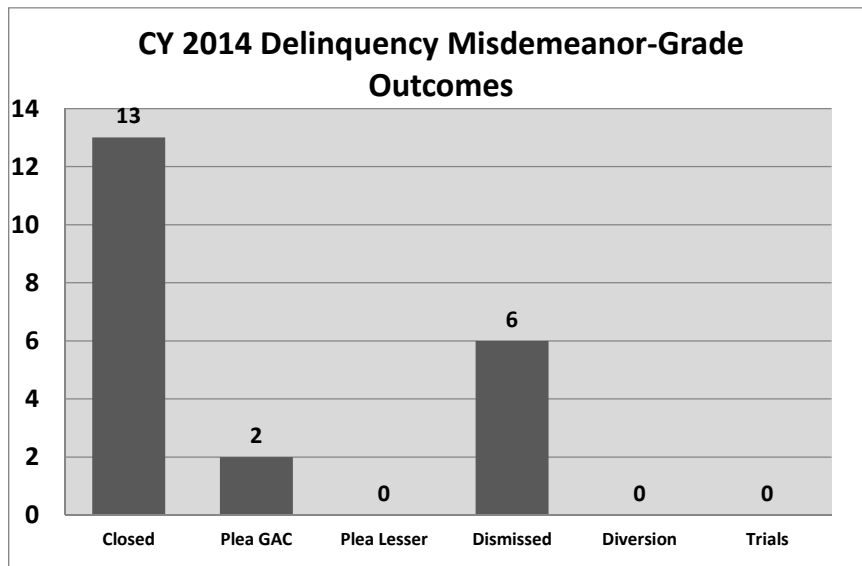
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

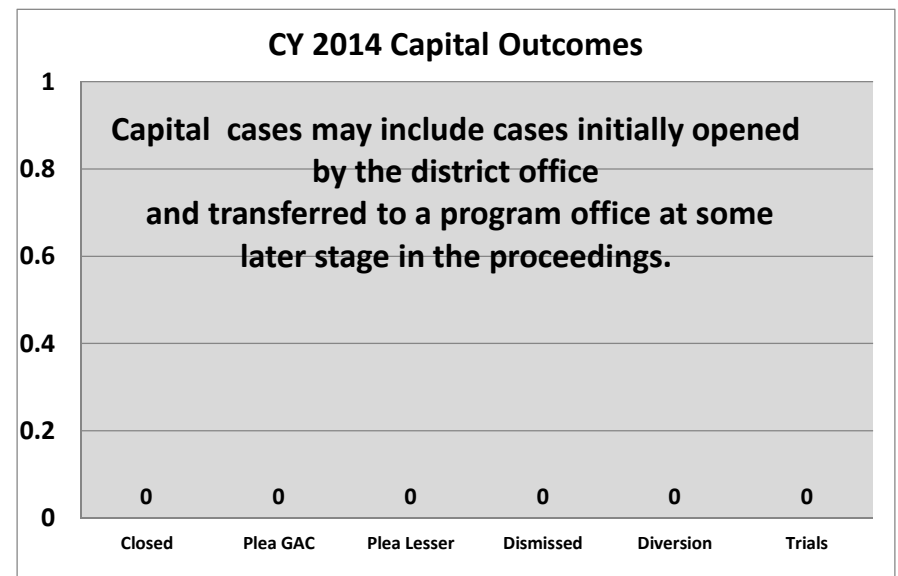
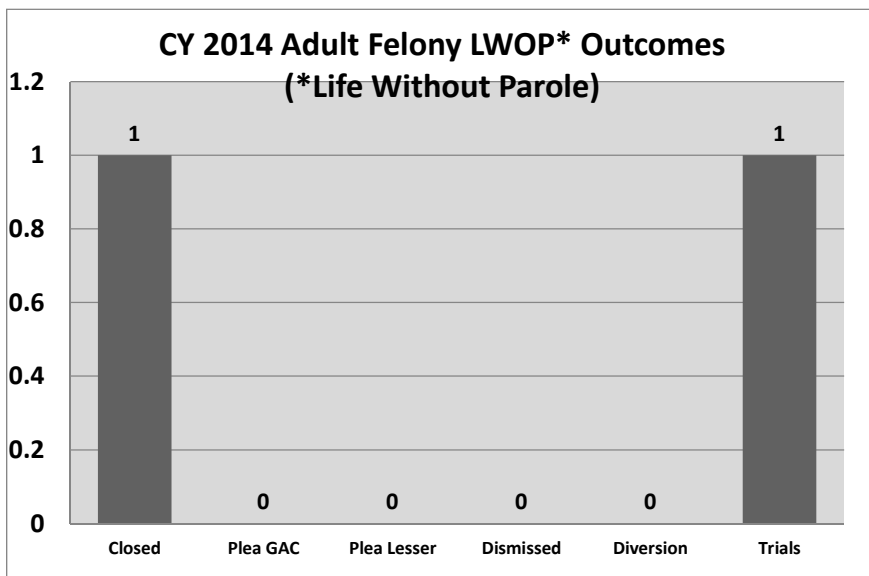
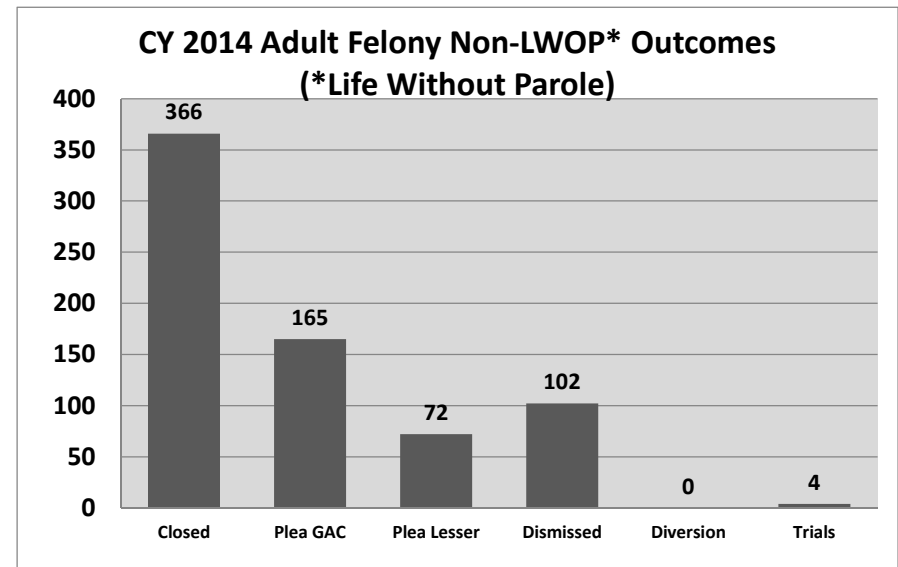
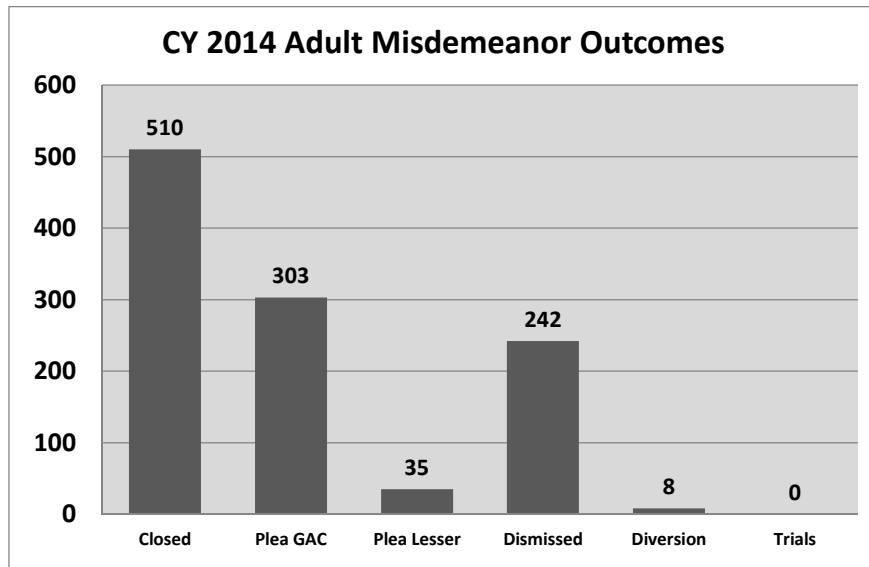
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.





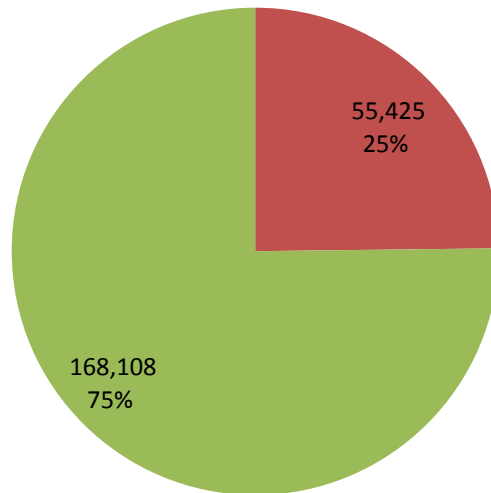


District 25 CY2014	Total CY2014
District Defender: Matthew Robnett	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	6,041
District Assistance Fund (DAF)	49,384
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	55,425
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	7,908
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	29,746
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	12,987
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	110,320
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	110,320
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	4,400
Partial Attorney Fees	
Reimbursements [as per 15:176]	775
Other Reimbursements	-
Other Local Income -List source(s)	1,972
Total for Charges For Services	7,147
Total for Local Government	168,108
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	223,533

District 25 CY2014	Total CY2014
District Defender: Matthew Robnett	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	190,170
Accrued Leave	-
Payroll Taxes	2,955
Hospitalization and Disability Insurance	11,311
Retirement	32,933
Other	-
Total for Personnel Services and Benefits	237,369
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	282
Total for Travel/Training	282
Operating Services	
Advertisements	120
Workers' Compensation	-
Insurance - Malpractice	2,580
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	919
Office -	
Telephone/Utilities/Postage/Internet	5,399
Dues and Seminars	-
Law Library/Journals/Subscriptions	576
Office Supplies	1,385
Total for Operating Services	10,979
Professional Services	
Audit/Accounting Expense	30,345
Contract Clerical	-
Expert Witness	1,114
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	10,067
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	50,000
IT/Technical Support	213
Total for Professional Services	91,738
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	1,425
Total for Other Charges	1,425
Total for EXPENDITURES	341,793

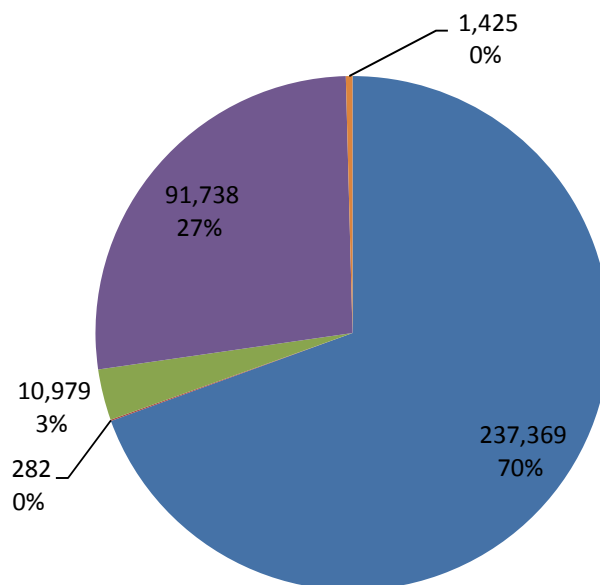
## Total CY14 Revenues

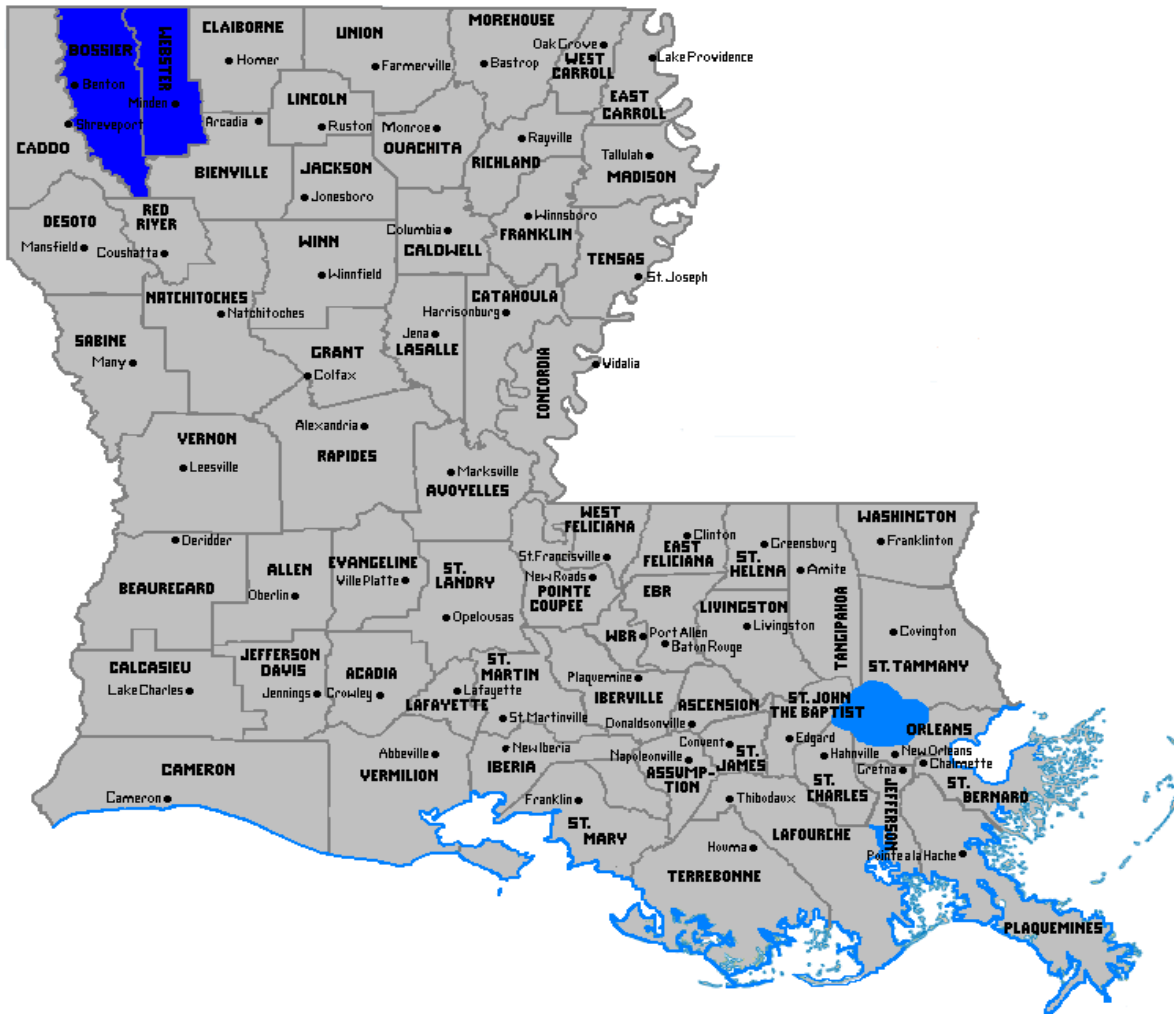
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





## THE 26<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

BOSSIER (BENTON) - WEBSTER (MINDEN)

DISTRICT DEFENDER: PAMELA G. SMART  
211 BURT BOULEVARD  
BENTON, LA 71006  
(318) 965-0630



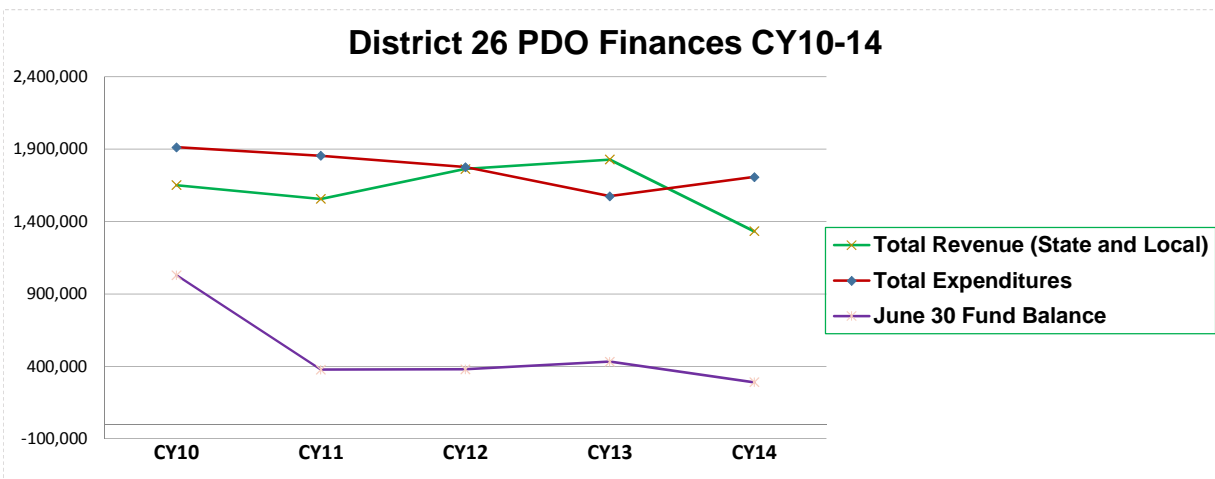
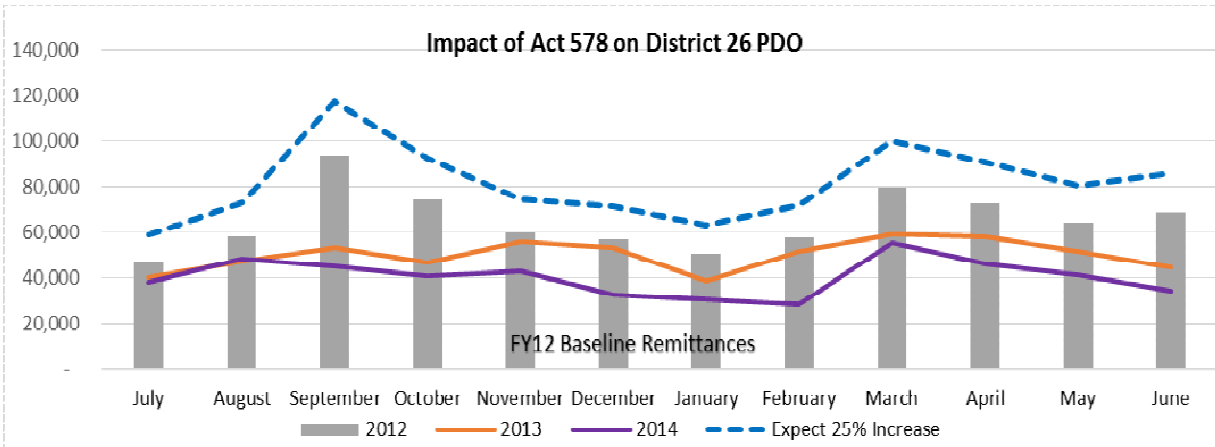
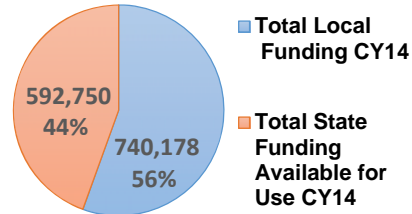
## 26TH JUDICIAL DISTRICT

During calendar year 2014, the 26th Judicial District Public Defenders Office handled 14,190 cases. The office received \$1,332,928 in total revenues to handle these cases, approximately 56% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

Since the passage of Act 578 (2012) in the 26th Judicial District, the expected 25% increase in local revenues has never materialized.

The 26th Judicial District office has nearly exhausted its fund balance, without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent toward the end of FY15.

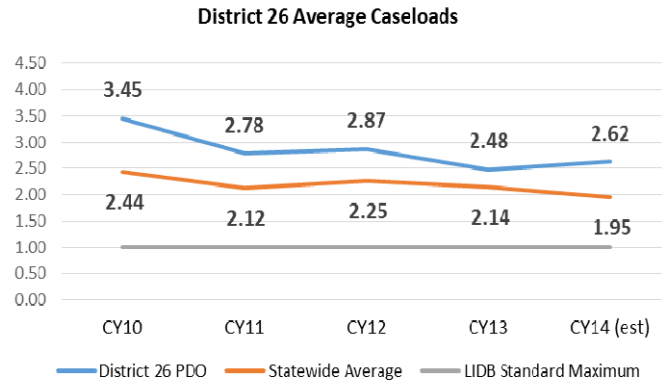
**District 26 PDO Revenue Sources CY14**



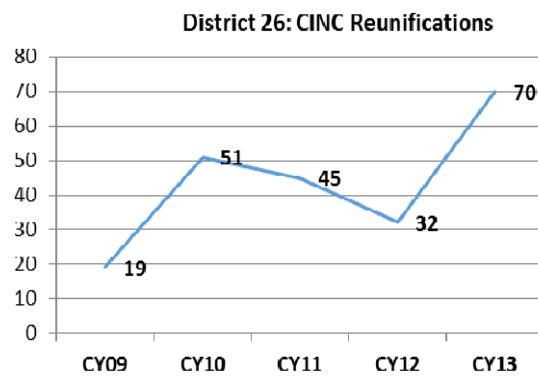
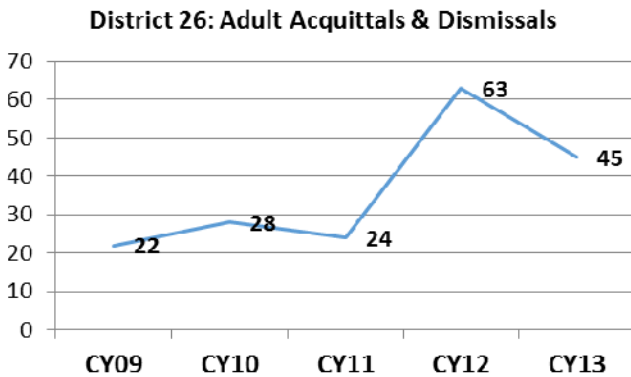
# BOSSIER AND WEBSTER PARISHES

Pamela G. Smart  
District Defender  
211 Burt Boulevard  
Benton, LA 71006  
318-965-0630

In the 26th Judicial District, public defense attorneys maintain caseloads more than twice the recommended caseload limit for each attorney.



Although caseloads remain high due to insufficient revenues, through increased training and supervision, CINC and adult client outcomes have significantly improved over the last five years.





## THE 26TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Bossier Parish- Benton; Webster Parish- Minden.
<b>Population</b>	TOTAL: 164,501 - Bossier Parish - 123,823; Webster - 40,678. Source - 2013 estimates based on 2010 Census (www.quickfacts.census.gov).
<b>Juvenile Population</b>	TOTAL: 40,764 - Bossier Parish - 31,327; Webster Parish - 9,437. Same source as listed above.
<b>District Defender</b>	Pamela G. Smart
<b>Years as District Defender</b>	4 years 10 months
<b>Years in Public Defense</b>	23 years 2 months
<b>Office Manager</b>	Keevia Johnson
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Amanda Roberts (Data Entry Specialist/Secretary); Karen Robinson (Secretary); Nancy Cooper (Secretary); Stormy Hightower (Secretary); Christine Sullivan (Receptionist); Elaine Skinner (Secretary); LaKeia Taylor (Secretary/Receptionist); Keevia Johnson (Office Manager).
<b>Primary Office Street Address</b>	211 Burt Boulevard
<b>City</b>	Benton
<b>ZIP</b>	71006
<b>Primary Phone</b>	318-965-0630
<b>Primary Mailing Address</b>	PO Box 235, Benton, LA 71006
<b>Primary Fax Number</b>	318-965-5521
<b>Primary Emergency Contact</b>	Pamela Smart
<b>Primary Emergency Phone</b>	318-347-7827 cell
<b>Secondary Emergency Contact</b>	Keevia Johnson
<b>Secondary Emergency Phone</b>	318-230-8939 cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	221 Main Street, Minden, LA 71055; Phone 318-377-9255; Fax 318-377-8148
<b>Other District Office Contact Personnel (Primary Only)</b>	LaKeia Taylor
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Both Bossier and Webster office are owned by the office. The actual entity on the title is "Indigent Defender Board".
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	TOTAL: 2,637 - File Storage - 103; Utilities - 1,741; Building Maintenance -793
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	All bills and payroll are handled by Heath Crager, CPA.

<b>Courts and Locations</b>	26th JDC Bossier Parish - Benton; 26th JDC Webster Parish - Minden; Bossier City Court - Bossier City; Minden City Court - Minden; Springhill City Court - Springhill.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	26th JDC Bossier Parish (10: 6 felony/misdemeanor, 1 juvenile, 1 adult drug court, 1 juvenile drug court, 1 non-support); 26th JDC Webster Parish (8: 6 felony/misdemeanor, 1 juvenile, 1 non-support); Bossier City Court (2: 1 misdemeanor, 1 juvenile); Minden City Court (3: 1 misdemeanor, 1 juvenile, 1 juvenile drug court); Springhill City Court (3: 1 misdemeanor, 1 juvenile, 1 juvenile drug court).
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Felony cases are assigned to the attorney for the division to which the case is assigned. LWOP cases are specially assigned to the attorney best suited for the case. In some instances, if it better serves the client, a case is specially assigned to an attorney other than the division attorney. Misdemeanor cases are now assigned to a division like the felony cases so the attorney assignment for those cases are now the same as for felony cases.
<b>Name of Adult Detention Facilities in This District</b>	Bossier Parish Maximum, Medium and Minimum (Plain Dealing); Bossier City Jail (Bossier City); Webster Parish Jail and Bayou Dorcheat Corrections Center (Minden).
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Caddo Correctional Center (Caddo Parish) Claiborne Parish Sheriff's Jail (Claiborne Parish) Shreveport City Jail (Caddo).
<b>Name of Juvenile Detention Facilities In This District</b>	Johnny Gray Jones Shelter (Bossier City).
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center-Webster Parish only through an arrangement with Webster Parish Police Jury (Coushatta)
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	We no longer reimburse staff for mileage effective July 1, 2014. The jails are in rural locations so travel time is at least 20' to many facilities and longer if housed in a surrounding parish facility.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Schuyler Marvin
<b>Chief Judge of Criminal District Court</b>	Parker Self
<b>Juvenile Court Judges (Specify District of City Court)</b>	Bossier Parish - rotates; Webster Parish - rotates; Minden City Court - John C. Campbell until Dec. 2014, now Sherb Sentell; Springhill City Court - John Slattery; Bossier City Court - Tommy Wilson; Hearing Officer - Ret. Judge Bruce Bolin.
<b>Drug Court Judges</b>	Rotates
<b>Mental Health Court Judges</b>	N/A

<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	The judges do a preliminary screening and the PDO uses a more detailed application.
<b>When is Assignment/Appointment of Counsel Made?</b>	Non-capital felonies and misdemeanors - upon appointment of PDO. Capital cases - upon knowledge of arrest.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Bossier Parish: Amanda Roberts (Data Entry Specialist/Secretary) determines/crosschecks case assignments, conflicts, etc. The secretary for the division in which the case is assigned enters the case into the database and notifies the attorney to whom it is assigned. If a case is assigned to a staff attorney, the secretary then prepares the file, enters further information into the database, prepares discovery motion, and forwards the file to the attorney. Webster Parish: LaKeia Taylor (Secretary/Receptionist) determines/crosschecks case assignments, conflicts, etc. and consults with Amanda Roberts when necessary. She then enters the case into the database and notifies the attorney to whom it is assigned. If a case assigned to a staff attorney, Ms. Taylor then prepares the file, enters further information into the database, prepares discovery motion, and forwards the file to the attorney. Initial interviews are done by the attorney to whom the case is assigned. In LWOP cases, the investigator is usually present at the initial interview as well. The Chief Defender reviews case assignments as well.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	When notice of appointment is received (incarcerated clients through jail appointment list and bond clients through court minutes), the information is entered into the database, a file is generated, and the case is assigned to the appropriate attorney. Conflict cases are assigned to the appropriate conflict counsel who receives notice of appointment via database-generated e-mail and regular e-mail.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	4,358
<b>How Many Application Fees Were Waived?</b>	5
<b>How Many Application Fees Were Reduced?</b>	None but we do accept partial payments.
<b>Total Application Fee Dollars Collected in 2014</b>	59,759
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	456,176

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes. However, the amount is \$30 for non-moving traffic violations.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	The agencies from whom we receive fees itemize as far as how much money was collected for bond fees, mandatory assessments, etc. However, we only receive a list of defendants who were assessed the mandatory assessment from Minden City Court.
<b>Who Collects the Assessed Court Fees?</b>	Bossier City Court - Terri Spence; Bossier Sheriff - Mike Rabinowitz; Webster Sheriff - Kaye Taverner; Minden City Court - Becky White; Springhill City Court - Judy Smith.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	The person at each agency that writes the check for the fees either submits the itemization form provided by LPDB or itemizes the amounts on the check stub.
<b>Who Remits the Court Fees Collected?</b>	Bossier City Court - Terri Spence; Bossier Sheriff - Mike Rabinowitz; Webster Sheriff - Kaye Taverner; Minden City Court - Becky White; Springhill City Court - Judy Smith.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Bossier City Court - Terri Spence; Bossier Sheriff - Mike Rabinowitz; Webster Sheriff - Kaye Taverner; Minden City Court - Becky White; Springhill City Court - Judy Smith.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Either determined by the court or the court will consider recommendation from office based on financial information ascertained by the PDO.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	We must rely on court minutes and attorneys in court to keep track of this information.
<b>Who Collects the Assessed Partial Payments?</b>	Generally, the PDO collects the partial payments. Occasionally, money is received via DOC through P&P.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	We collect it in the office. However, we do receive some money from DOC. Those are individually documented.
<b>Who Remits the Partial Payments Collected?</b>	The client sends it directly to the PDO. Sometimes we receive money from DOC through P&P.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None. The office receives the payments directly.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	6,190

<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	The written policy is contained in the Employee Manual. Attorneys may take very minimal private cases outside the jurisdiction as long as full-time hours required by the PDO are fulfilled. However, the Chief Defender must be informed of the private case to make sure there is no conflict. Most attorneys that do private practice do routine wills, curatorships, some private criminal in other jurisdictions, and some appointed cases in federal court or through the Department of Corrections.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	More office space and money to renovate/maintain the offices we have. More money to increase staff, to reimburse attorneys for travel to rural jails, to be able to send staff for training. No one is reimbursed for anything. Eventually, this will lead to loss of good trial lawyers.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes. To increase revenues - The PDO stays in communication with the various agencies that send revenues, the court, and any other stakeholder to uncover other revenue sources and to make sure that the PDO is getting all the money that it should be. To reduce expenditures - The PDO has taken a variety of measures over the last several months in anticipation of these budgetary shortfalls. Both the Bossier Parish and Webster Parish police juries no longer require the PDO to pay any reimbursement towards transcript costs. Additionally, the Bossier Parish Police Jury assisted with some of the maintenance of the Bossier office and provided a small space in the Courthouse Annex Building for juvenile staff. We renegotiated our contracts with Westlaw for legal research and code books for attorneys, Innovative Office for the Webster parish copy machine rental, and Allied Services for trash pick-up in Bossier. The staff attorneys no longer receive reimbursement for travel to seminars and jails nor do they receive reimbursement for LSBA or local bar association dues or CLE tuition. We ceased providing employer-paid disability insurance and switched health insurance plans to one in which the office has a significant savings each month without reducing the quality of the plan for the employees.
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	1 non-support attorney; 1 staff attorney - The resulting staff now consists of a staff attorney for each of the six divisions of court and a senior attorney for all life without parole cases; 1 contract attorney who handled adult truancy cases in truancy court - Parents charged with misdemeanors related to their children's truancy cases are now appearing on the regular misdemeanor docket so PDO staff attorneys now handle those cases.

<b>Immediate Critical Issue Areas</b>	Office renovations in Webster and more support staff to sufficiently handle the database. Office conditions are bad.
<b>Long-Term Critical Issue Areas</b>	More office space for both locations
<b>Please List All New Hires in 2014 (Name and Title)</b>	Misdemeanor Contract Attorneys - Krystal Aires (no longer with office); Shandrika Jackson. Secretary - Karen Robinson.
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	Mostly special news coverage about funding issues with the PDO.
<b>Number of Expected New Attorney Hires in 2015</b>	None due to reduced revenues and state funding.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	New attorneys shadow staff attorneys for a couple of weeks to observe court, jail visits, etc. The "buddy system" is used on all cases proceeding to trial and on certain cases due to the nature and the complexity of the case as a tool to learn the possible ways an investigator may be used, motion practice, etc.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	The attorneys are supervised by the LWOP attorney and the Chief District Defender who observe court, discuss cases with attorneys, and generally act as mentors. Another senior attorney handles collection of time sheets, sign-in sheets, and issues that might arise with the other staff attorneys. The support staff is supervised by the office manager (general human resource issues) and the Data Entry Specialist (monitors the database).
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No new job titles have been added but some duties have changed to relieve the workload of some of the support staff. We no longer handle non-support court in either parish due to no right to representation by PDO for those individuals in non-support court.
<b>Please Attach Your Office Organizational Chart</b>	Attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	The primary senior attorney who observes court and assists with case planning has a reduced case load.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Full-Time Benefits: HEALTH - Option A Plan - Office pays 100% of the premiums for the employee; Option B Plan (Upgrade) - Office pays the amount per employee that it pays for Option A and the employee pays the difference in premium. The office pays 25% of the premium for the spouse and children with both plans. DENTAL - Employee pays 100%. VISION - Employee pays 100%.
<b>Regular Meetings for Any Staff, Please Describe</b>	Meetings are conducted as needed due to space constraints and number of locations of offices and courts.
<b>Number of NEW capital cases in CY14 handled by your office</b>	3



Number of pending capital cases (received prior to CY14) handled by your office during CY14?	6
Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)	0
Number of Writs Your District Handled in 2014	1
Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014	1
Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied	0
Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases	When a juvenile defendant is transferred to adult court he/she is specially assigned to the more experienced attorneys that handle LWOP cases.
Please Provide the Names of All State Representatives and Senators from Your District	Representatives: Henry L. Burns, Roy A. Burrell, Thomas G. Carmody Jr., James H. Morris, H. Eugene Reynolds, Vacancy in District 8 (formerly Jeff R. Thompson who is now a judge in the 26th JDC). Senators: Robert Adley, Barrow Peacock.
Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?	District has grown and PDO has evolved for the better but criminal justice system as a whole remains static. Operating procedures should evolve with the growing population.
What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?	Overall quality of attorneys has improved.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Pamela G. Smart	318-347-7827
Randal Fish	318-349-7694
Mary Ellen Halterman	318-773-4382
Michael Miller	318-455-4977
Sarah Giddens	225-772-1130
Ted Johnson	318-294-4902
Jeremy Babers	318-518-1621
Jessica Davis	601-807-4149
K. Wayne Dishman	318-344-3374
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Larrion Hillman	318-773-1593
Tristan Gilley	318-798-1605
Christopher Broughton	318-560-7002
Kevin Berg	318-470-4130
Wilbert Pryor	318-426-4258
Allen Haynes	318-455-5554
Lee Harville	318-470-9582
Sangbahn Scere	318-489-5818

David Harvey	318-547-0017
Chris Stahl	318-578-2924
Jackson, Shandrika	318-276-6268
Hall, Senae	318-272-1321
Stromile, Bobby	318-349-3889
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Amanda Roberts	318-423-2479
Christine Sullivan	318-288-9015
Nancy Cooper	318-564-6582
Stormy Hightower	318-617-9311
Charles Kern	318-402-7820
Keevia Johnson	318-230-8939
Ruth Elaine Skinner	903-650-1116
Lakeia Taylor	318-371-9919
Robinson, Karen	318-674-0205

## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Pamela G. Smart
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	x
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Firefox	x
Google Chrome	x
Other	

<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	0
DVD	0
VCR	0
Desktop PCs	26
Laptops	5
Video Cameras	0
Digital Cameras	1
Video Conferencing Systems	0
B&W Laser Printers	0
Color Printers	3
Wireless Cards	0
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	0
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	Sudden Link & Century Link
Email Provider:	Network Solutions
Please list any software or computer equipment in which you need training:	Database refresher for support staff would be beneficial since there have been so many updates/changes to the system.

## 26th District Defender Office CY 2014 Caseloads & Outcomes

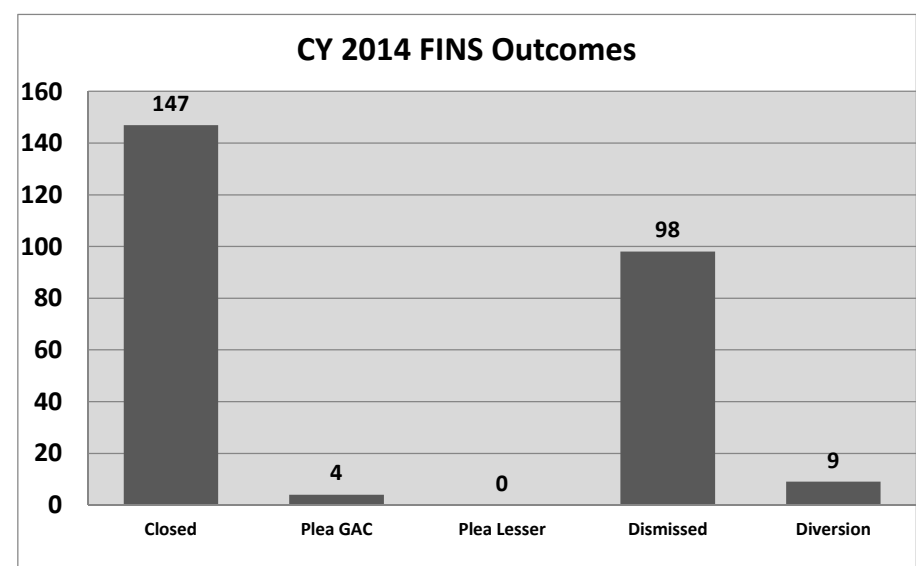
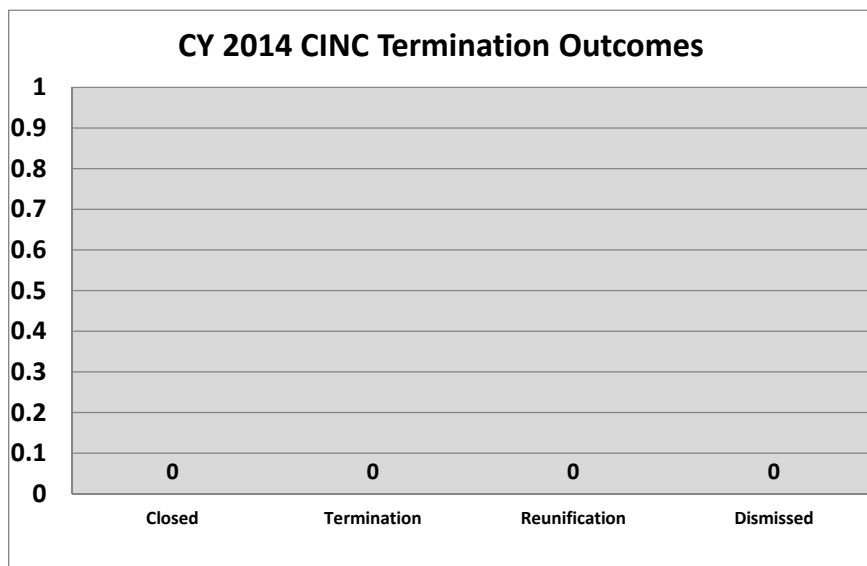
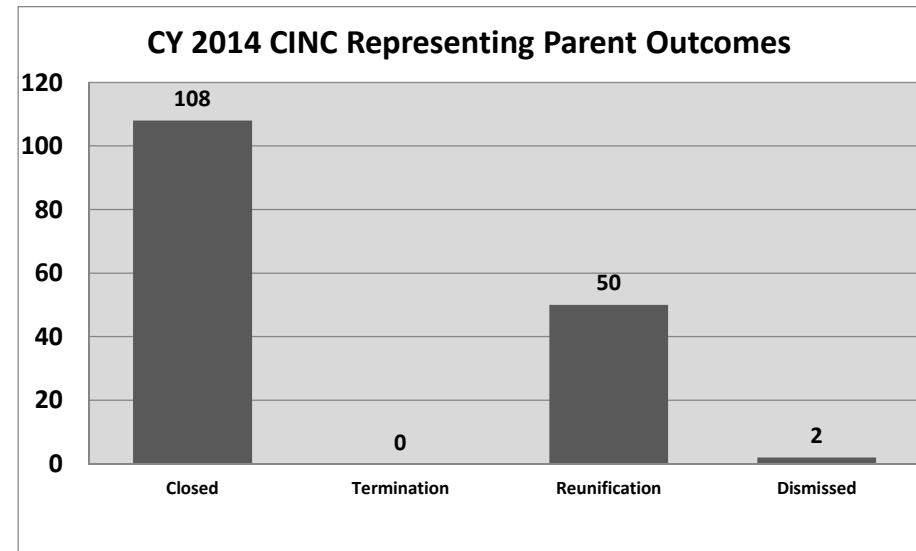
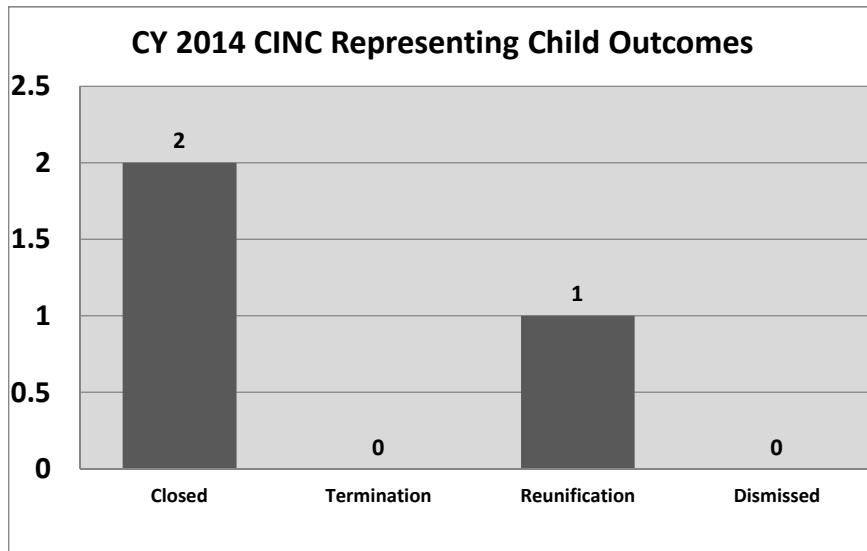
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	61	134	71	132	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	1	2	10	11	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	152	108	149	301	0	50	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	197	147	99	296	N/A	N/A	4	0	98	9	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	726	472	569	1295	N/A	N/A	98	19	323	76	N/A	N/A	0	1	1
Delinquency Felony	131	119	143	274	N/A	N/A	29	21	102	16	N/A	N/A	0	3	3
Delinquency-Life	2	2	0	2	N/A	N/A	1	0	0	2	N/A	N/A	0	0	0
Juvenile Revocations	1	3	2	3	N/A	N/A	1	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	4856	4440	1797	6653	N/A	N/A	2268	246	2298	0	0	0	5	27	32
Adult Felony Non-LWOP**	2845	2643	1431	4276	N/A	N/A	938	531	1376	3	0	13	0	8	21
Adult LWOP	20	11	15	35	N/A	N/A	0	2	3	0	0	3	0	0	3
Capital***	3	2	1	4	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	756	796	150	906	N/A	N/A	1	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	2	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

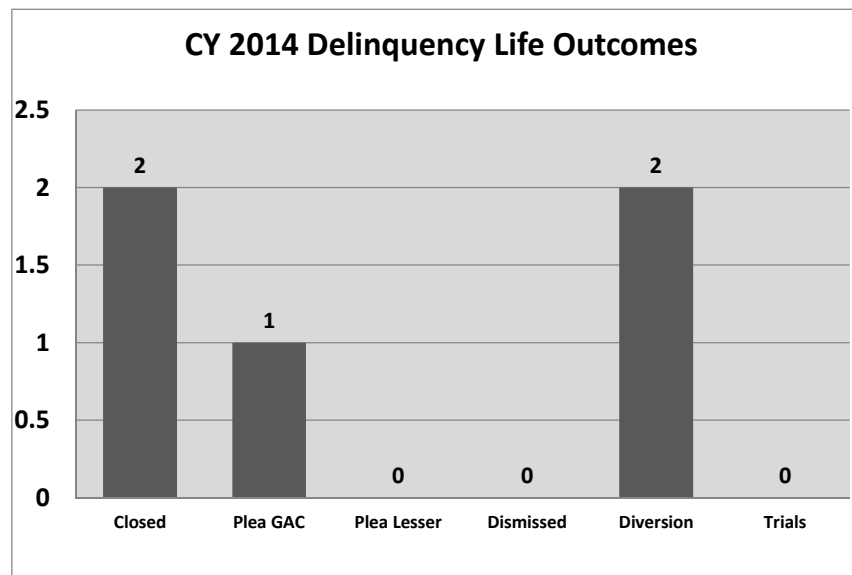
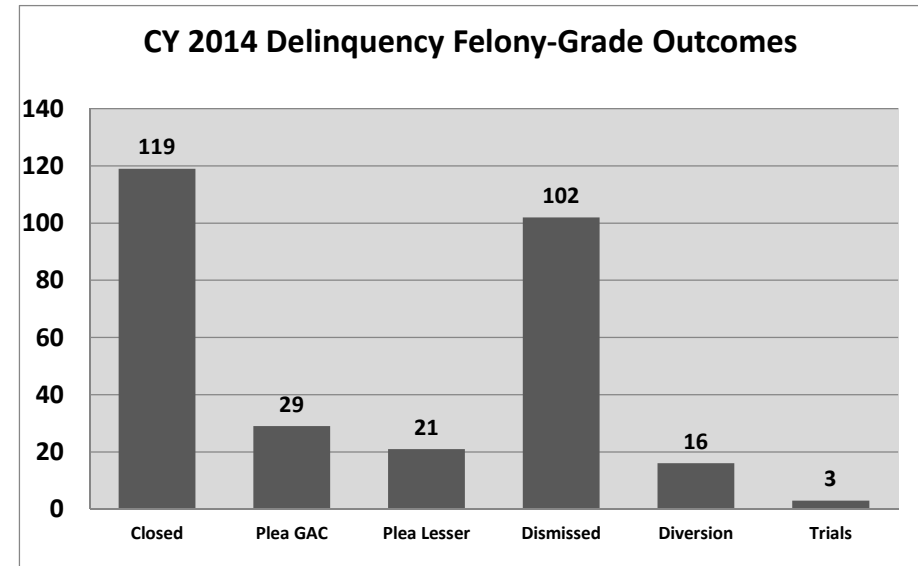
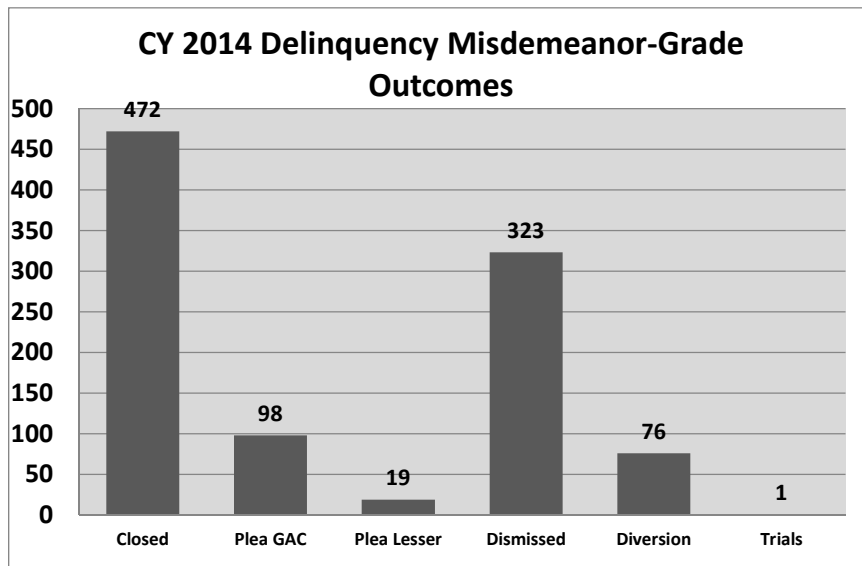
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

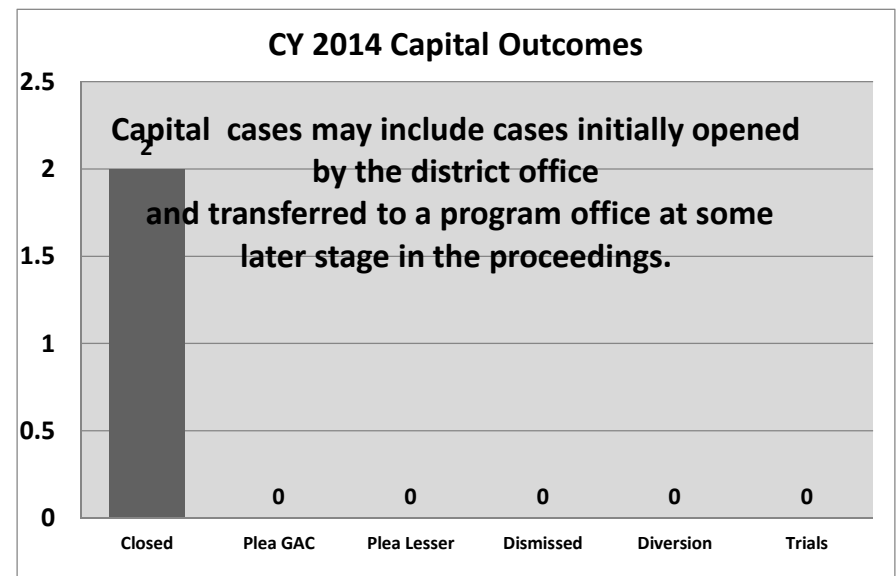
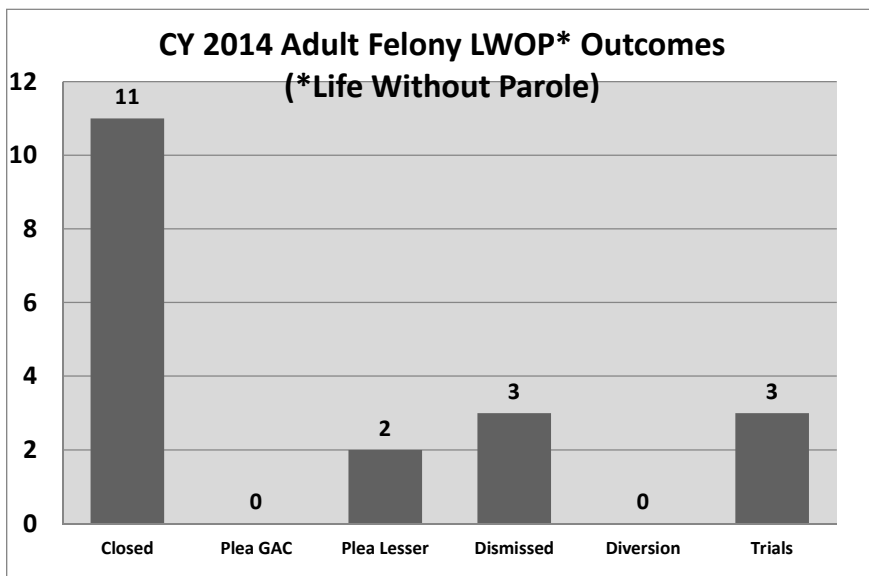
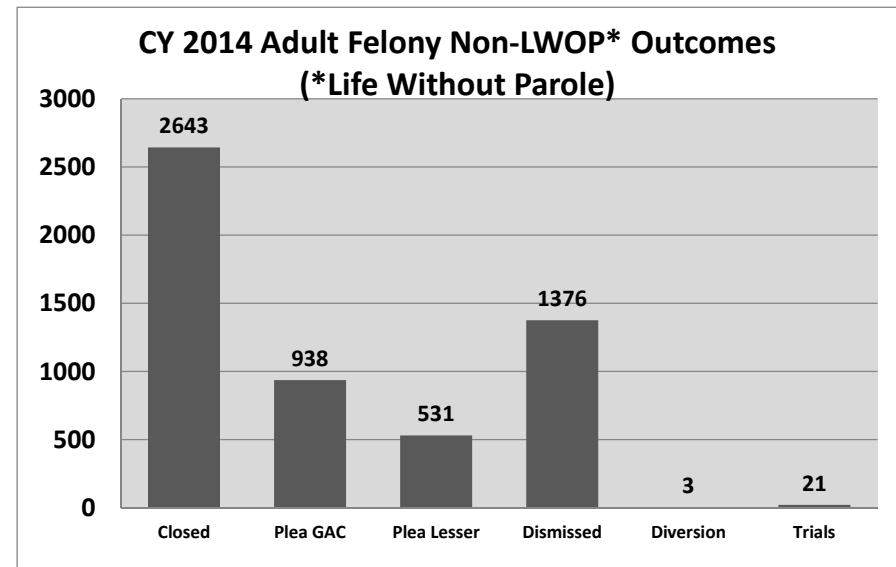
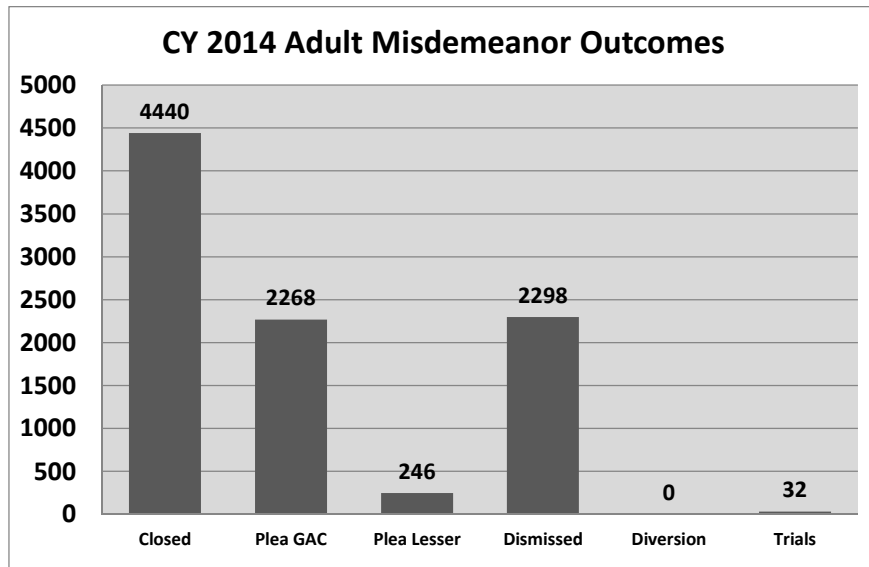
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.







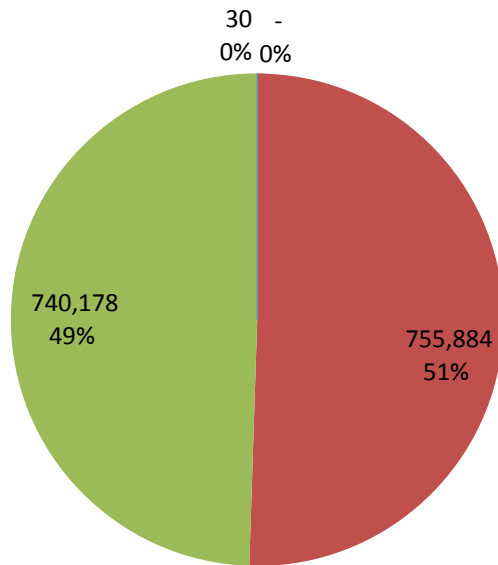


District 26 CY2014	Total CY2014
District Defender: Pamela Smart	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	42,206
District Assistance Fund (DAF)	683,368
Supplemental/Emergency Funds	30,310
Grants	-
Other State Income -List source(s)	-
Total for State Government	755,884
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	201,278
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	285,962
City & City-Ward Courts	186,916
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	472,877
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	59,719
Partial Attorney Fees	
Reimbursements [as per 15:176]	6,190
Other Reimbursements	113
Other Local Income -List source(s)	-
Total for Charges For Services	66,023
Total for Local Government	740,178
Investment Earnings	
Interest Income	30
Other Investment Income - List source(s)	-
Total for Investment Earnings	30
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	-
Total for REVENUE	1,496,092

District 26 CY2014	Total CY2014
District Defender: Pamela Smart	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	767,287
Accrued Leave	-
Payroll Taxes	137,780
Hospitalization and Disability Insurance	195,943
Retirement	21,076
Other	775
Total for Personnel Services and Benefits	1,122,861
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	4,274
Total for Travel/Training	4,274
Operating Services	
Advertisements	132
Workers' Compensation	5,391
Insurance - Malpractice	11,161
Insurance - Auto/Physical Liability	3,793
Insurance - Other	758
Lease - Office	-
Lease - Auto/Equipment	5,511
Lease - Other	1,237
Office Repair and Maintenance	13,410
Office - Telephone/Utilities/Postage/Internet	23,987
Dues and Seminars	-
Law Library/Journals/Subscriptions	21,905
Office Supplies	10,441
Total for Operating Services	97,725
Professional Services	
Audit/Accounting Expense	13,584
Contract Clerical	11,494
Expert Witness	450
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	236,700
Contract - Juvenile Attorneys or CINC	119,129
Misdemeanor Attorney Contracts	55,551
Contract Attorneys - all other	13,120
IT/Technical Support	22,279
Total for Professional Services	472,307
Capital Outlay	
Major Acquisitions	2,250
Total for Capital Outlay	2,250
Other Charges	
Other Operating Expenses	7,555
Total for Other Charges	7,555
Total for EXPENDITURES	1,706,972

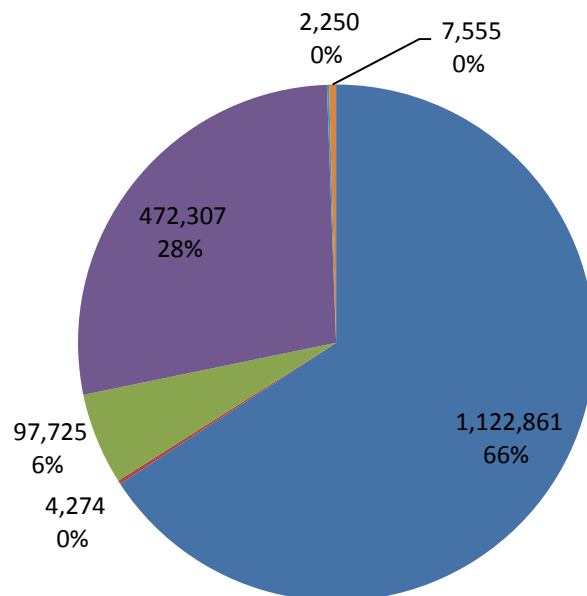
## Total CY14 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





THE 27<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
ST. LANDRY (OPELOUSAS)

DISTRICT DEFENDER: EDWARD JAMES LOPEZ  
125 WEST LANDRY STREET  
OPELOUSAS, LA 70570  
(337) 942-3003

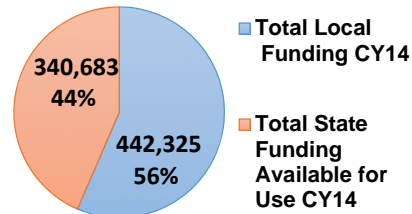
## 27TH JUDICIAL DISTRICT

During calendar year 2014, the 27th Judicial District Public Defenders Office handled 6,840 cases. The office received \$783,008 in total revenues to handle these cases, approximately 56% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

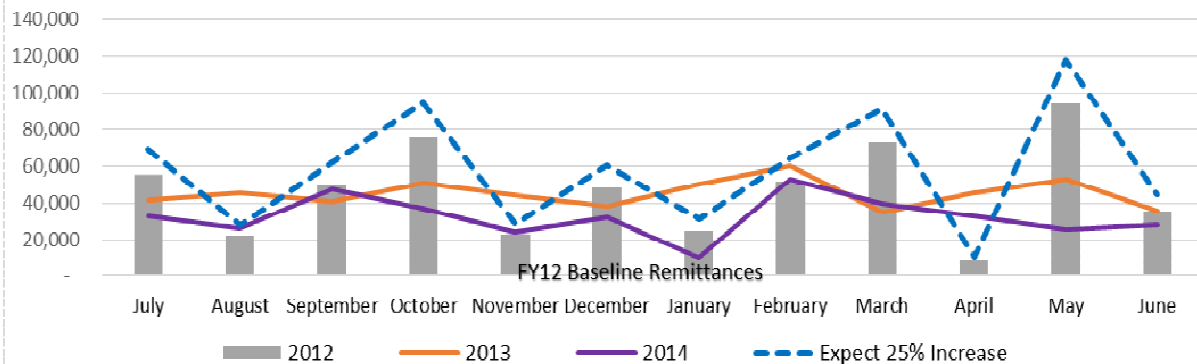
With the exception of a few anomalies, the 27th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 27th Judicial District office has nearly exhausted its fund balance. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent during FY15.

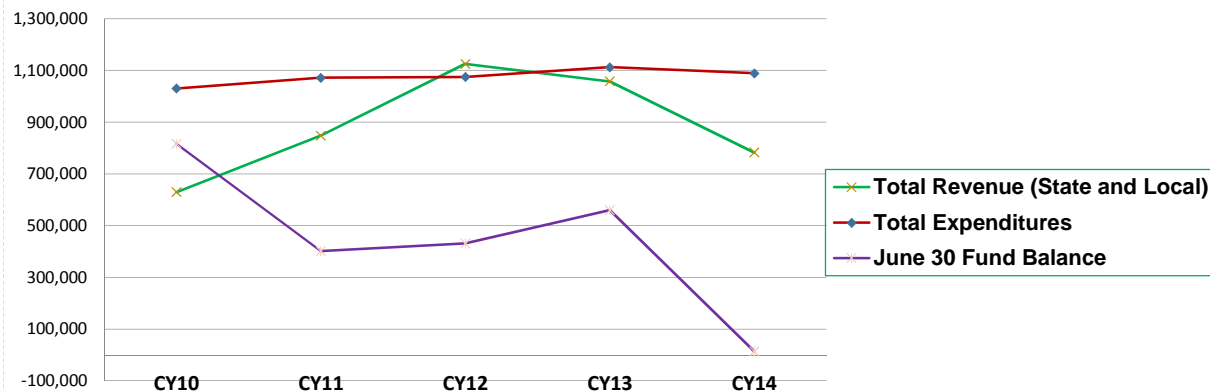
**District 27 PDO Revenue Sources CY14**



**Impact of Act 578 on District 27 PDO**



**District 27 PDO Finances CY10-14**

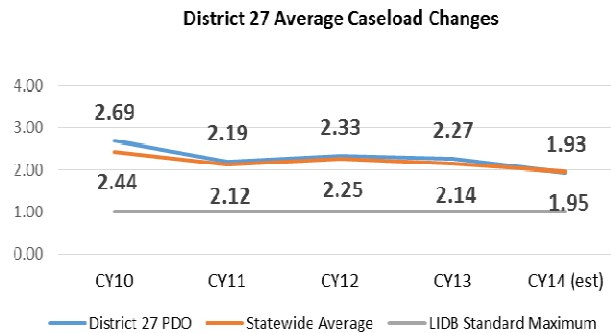


## ST. LANDRY PARISH

Edward J. Lopez  
District Defender  
125 West Landry Street  
Opelousas, LA 70570  
337-942-3003

In the 27th Judicial District, public defense attorneys make an average annual salary of \$67,171 while maintaining caseloads almost twice the recommended caseload limit for each attorney.

Although caseloads remain high due to insufficient revenues, through increased training and supervision, client outcomes in CINC cases have significantly improved over the last five years.



## CAPITAL REPRESENTATION

Since 2009, the 27th Judicial District Public Defenders Office has handled 9 new capital prosecutions.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 27th Judicial District due to a lack of capital certified attorneys and/or funding to support capital services in the District Office.





## THE 27TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. Landry - Opelousas
<b>Population</b>	83,454
<b>Juvenile Population</b>	22,532
<b>District Defender</b>	Edward James Lopez
<b>Years as District Defender</b>	28
<b>Years in Public Defense</b>	42
<b>Office Manager</b>	Gloria M. Bezet
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Gloria Bezet, Ashley Davis, Gabriel Hunter, Joshua Bezet.
<b>Primary Office Street Address</b>	125 West Landry Street
<b>City</b>	Opelousas
<b>ZIP</b>	70570
<b>Primary Phone</b>	337-942-3003
<b>Primary Mailing Address</b>	125 West Landry Street, Opelousas, LA 70570
<b>Primary Fax Number</b>	337-948-7706
<b>Primary Emergency Contact</b>	Edward James Lopez
<b>Primary Emergency Phone</b>	337-351-7053
<b>Secondary Emergency Contact</b>	Gloria M. Bezet
<b>Secondary Emergency Phone</b>	337-945-9348
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Edward James Lopez owns office building - provides office space and utilities, etc., as part of employment contract with State.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	0
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	John Dowling & Co., P. O. Box 433, Opelousas, LA 70570 (CPA firm)
<b>Courts and Locations</b>	27th Judicial District Court, Opelousas; Opelousas and Eunice City Courts.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	4 Divisions in 27th Judicial District Court; Opelousas City Court; Eunice City Court.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	At 72 hour hearing, Magistrate makes preliminary determination of indigency and assigns counsel.
<b>Name of Adult Detention Facilities in This District</b>	St. Landry Parish Jail, Opelousas City Jail, Eunice City Jail, Port Barre City Jail, Krotz Springs City Jail, Sunset City Jail, Washington City Jail.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Basile Detention Center, Pine Prairie Detention Center.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	St. Martin Parish Juvenile Detention Center, St. Martinville, LA

<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Out of parish facilities limit regular access of assigned cases but most inmates kept pre-trial locally.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Juveniles do not appear in Court shackled unless there is a serious fear that they will try to abscond.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Earl Taylor
<b>Chief Judge of Criminal District Court</b>	Alonzo Harris
<b>Juvenile Court Judges (Specify District of City Court)</b>	New Judges elected to replace Daigle and Hebert. Took office January, 2015. Division B- Gerard Caswell; Division D- Jason Meche.
<b>Drug Court Judges</b>	See above.
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	Non-Support
<b>Name of Specialty and Brief Description:</b>	Non-Support
<b>Indigency Determined by Whom and How?</b>	Judge at 72 hour hearing after questioning defendant as to his assets and ability to pay.
<b>When is Assignment/Appointment of Counsel Made?</b>	At 72 hour hearing.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Individual assigned attorney - all contract.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	No
<b>Brief Explanation of Intake Process</b>	Magistrate appoints at 72 hour hearing and assesses \$40.00 intake fee- Fee paid to District Office – appointed contract attorney takes client from appointment.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes.
<b>How Many Applications for Services Were Received?</b>	5,627
<b>How Many Application Fees Were Waived?</b>	0
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2014</b>	17,581- Application fees collected by Opelousas City Court are included in their monthly check sent to us.
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	District Court fees collected by office- Eunice City Court fees collected by district office- Opelousas City Court fees collected by Opelousas City Court.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	347,468 Note: December disbursements not yet received. Approximate amounts added to get total.
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	On every conviction where the defendant is not sent to prison.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Court costs collected by Sheriff's Office and 2 City Courts - we receive checks each month with breakdown of what money collected and how disbursed.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff, St. Landry Parish, Eunice & Opelousas City Courts.



<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Monthly statements accompanying disbursements.
<b>Who Remits the Court Fees Collected?</b>	Sheriff, St. Landry Parish (District Court); Clerks- City Courts for Opelousas and Eunice.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Monthly statements accompanying disbursements.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Court usually imposes a \$100 reimbursement as a condition of probation in felony cases.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Money order and name of defendant- from Prob. and Parole.
<b>Who Collects the Assessed Partial Payments?</b>	Probation and Parole
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Prob. & Parole sends money order and defendant's name.
<b>Who Remits the Partial Payments Collected?</b>	Prob. & Parole
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Probation & Parole sends money order and defendant's name.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Yes. All private practice is permitted
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	No written contract in place - working on it.
<b>Primary Immediate Needs</b>	Enough attorneys to handle case loads
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Lowering felony case loads per attorney
<b>Long-Term Critical Issue Areas</b>	Lowering case loads
<b>Please List All New Hires in 2014 (Name and Title)</b>	Roy Richard, Felony
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	District Defender in District Court on all felony days and monitors attorneys' representation.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Defenders are contract attorneys -District Defender monitors work load and representation.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	None

<b>Please Attach Your Office Organizational Chart</b>	Contract office- District Office Staff is District Defender, Secretary/Bookkeeper (Office Manager, Investigator, and Clerical).
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	No formal -we meet informally on court days.
<b>Number of NEW capital cases in CY14 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	None
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	All appeals handled by LAP.
<b>Number of Writs Your District Handled in 2014</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Rare for State to seek transfer.
<b>Please Provide the Names of All State Representatives and Senators from Your District Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Sen. Elbert Gullory- Dist. 24, Sen. Eric Lafleur- Dist. 28- Sen. Jonathan Perry- Dist. 26- Sen. Fred H. Mills; Rep. Mickey Guillory- Dist. 41- Rep. Mike Huval- Dist. 46- Rep. Stephen J. Ortego- Dist. 39- Rep. Ledricka Johnson Thierry- Dist. 40. Rep. H. Bernard LeBas, Dist. 38.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	Divided all felony contract attorneys into court divisions, basically reducing their in Court time by one-half.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Edward J. Lopez	337-948-6836
Shepton Hunter	337-230-9777
Quincy Cawthorne	337-948-8008
Irvin Celestine	337-407-2898
Laura Rougeau	337-457-5999
Francis Olivier, III.	337-407-0996
Nanette McClain	337-948-7887
Randy Wagley	337-948-4504
Kenneth Willis	337-284-0244
Scott Mouret	337-948-8276
Chris Richard	337-234-5505
Rachel Arvie	337-407-2109

Lauren Mouret	337-948-8276
Daniel Fontenot	337-457-1323
Rebecca Pierrotti	337-550-8608
Brandon Guillory	337-351-5000
Hazel Coleman	337-532-8273
Antonio Birotte	337-407-2898
Roy Richard	337-678-1750
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Michael Grimes	337-942-3003
Gloria Bezet	337-945-9348
Ashley Davis	337-692-3121
Joshua Bezet	337-351-8457
Gabriel Hunter	337-230-0105

2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Gloria M. Bezet
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	

Television	2
DVD	1
VCR	1
Desktop PCs	1
Laptops	4
Video Cameras	0
Digital Cameras	0
Video Conferencing Systems	9
B&W Laser Printers	1
Color Printers	
Wireless Cards	1
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	0
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	A T & T- UVerse
Email Provider:	AOL
Please list any software or computer equipment in which you need training:	

## 27th District Defender Office CY 2014 Caseloads & Outcomes

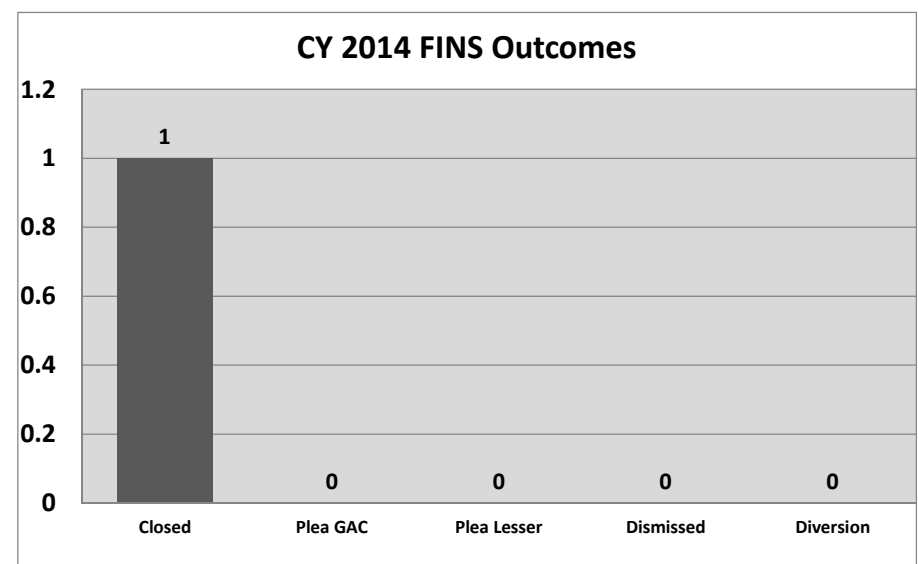
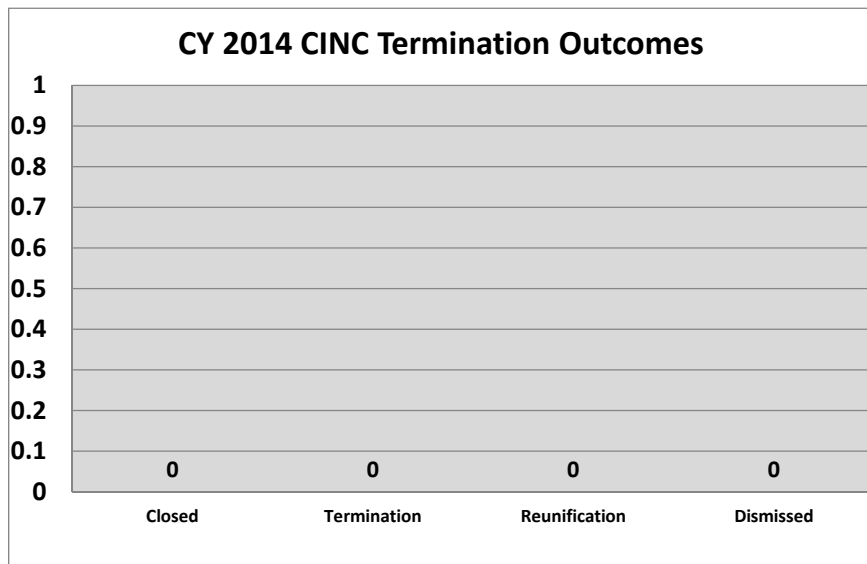
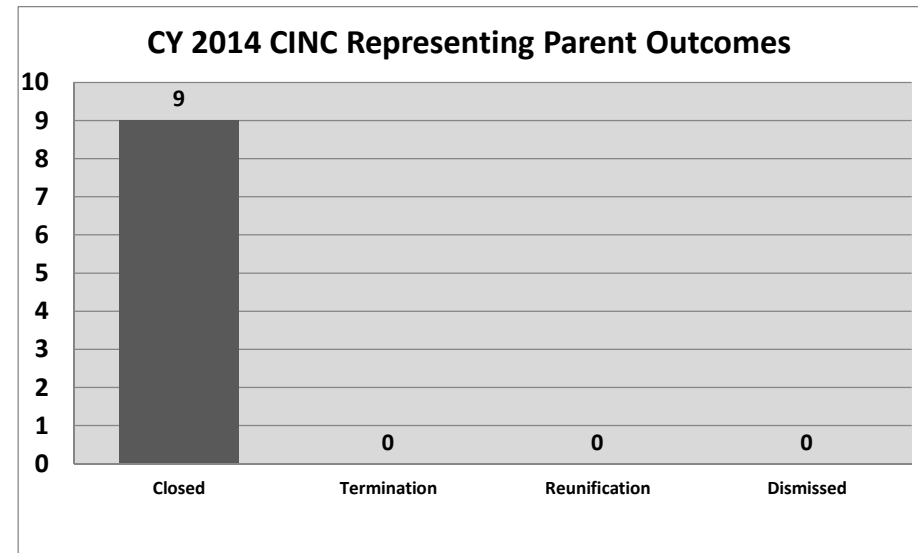
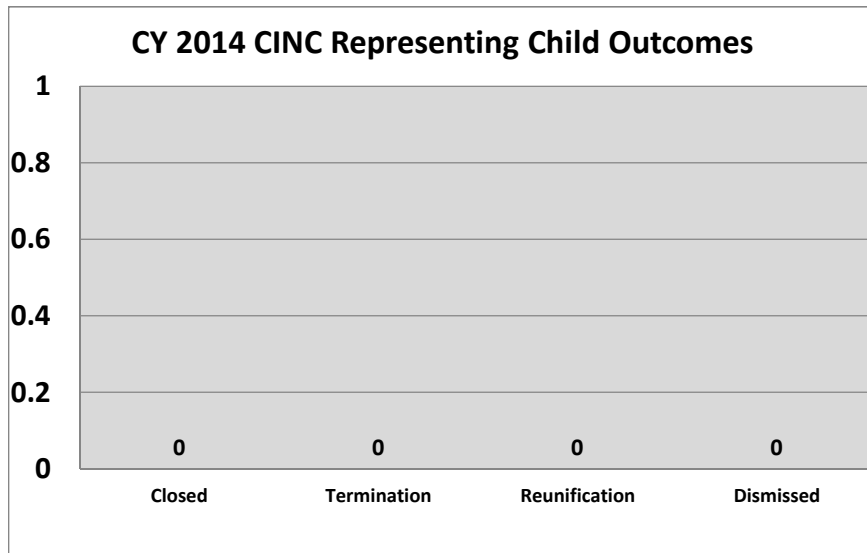
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	4	4	0	4	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	1	1	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	21	9	7	28	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	2	1	0	2	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	22	28	9	31	N/A	N/A	2	0	1	26	N/A	N/A	0	0	0
Delinquency Felony	2	2	1	3	N/A	N/A	1	0	0	1	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	2173	2280	852	3025	N/A	N/A	1550	77	947	8	0	0	2	3	5
Adult Felony Non-LWOP**	1570	1584	1992	3562	N/A	N/A	1362	26	849	11	0	0	0	0	0
Adult LWOP	7	5	9	16	N/A	N/A	2	0	0	1	0	1	0	0	1
Capital***	2	1	7	9	N/A	N/A	1	0	0	0	0	0	0	0	0
Revocations	153	153	5	158	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

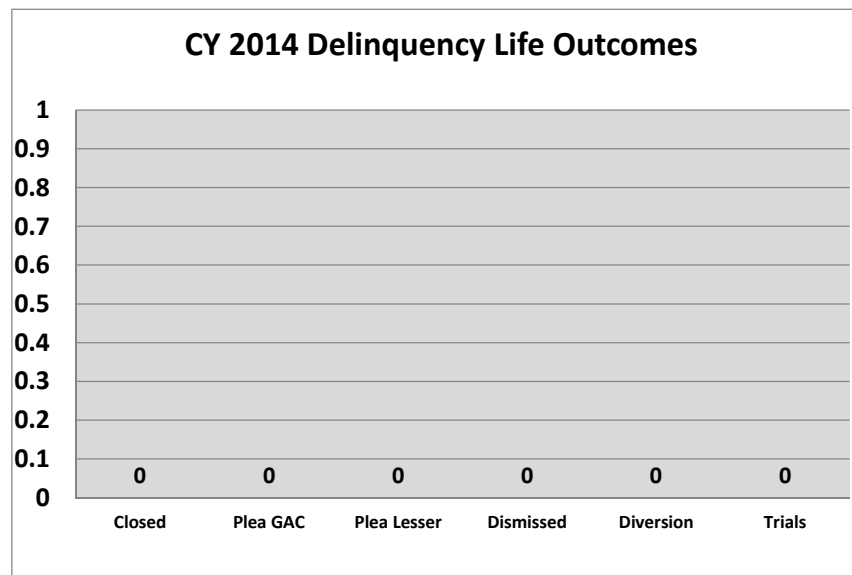
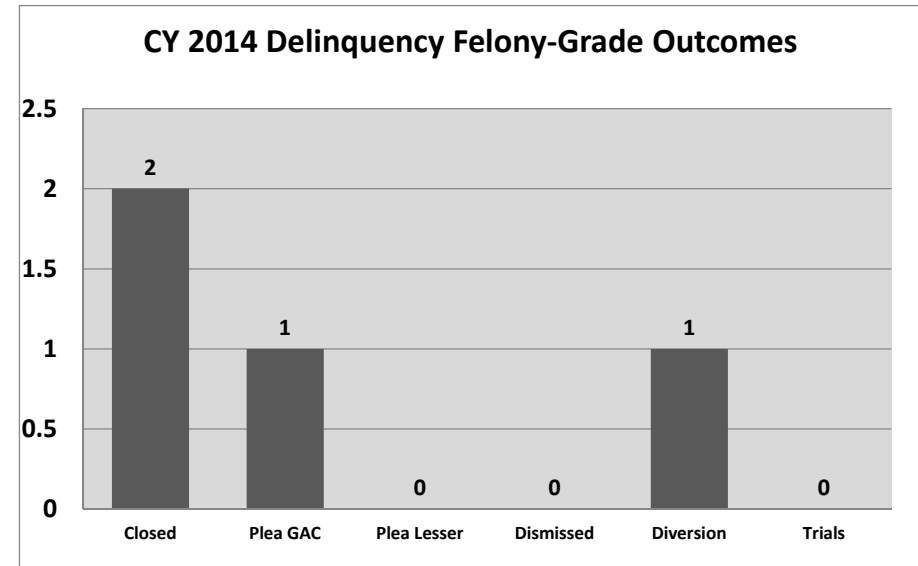
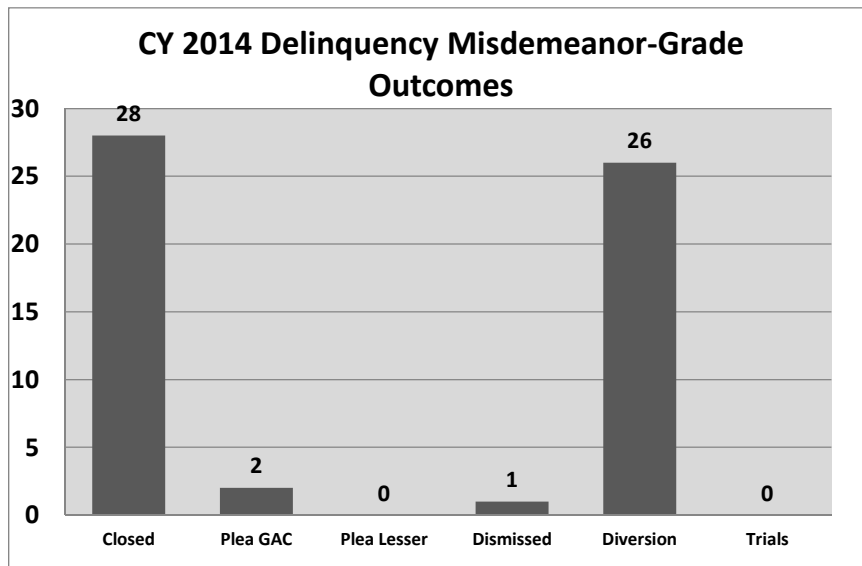
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

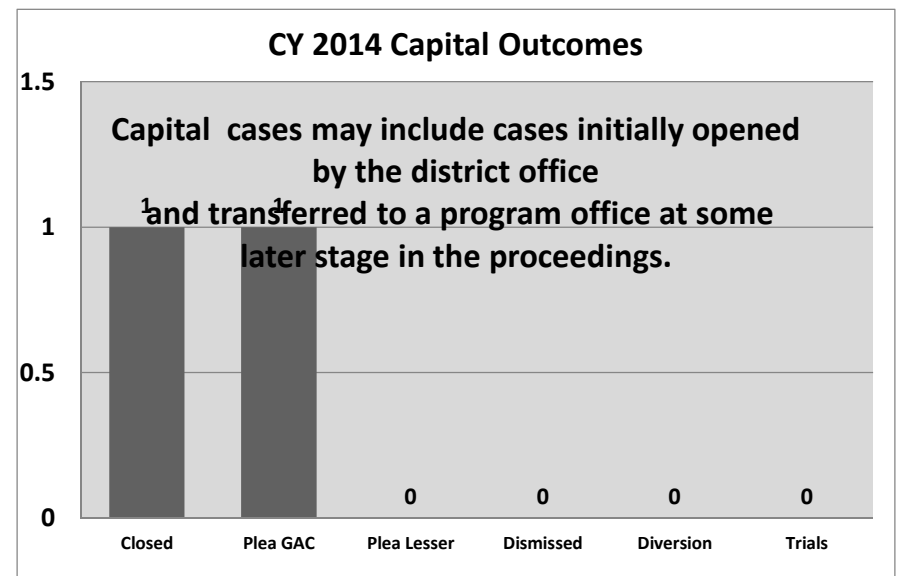
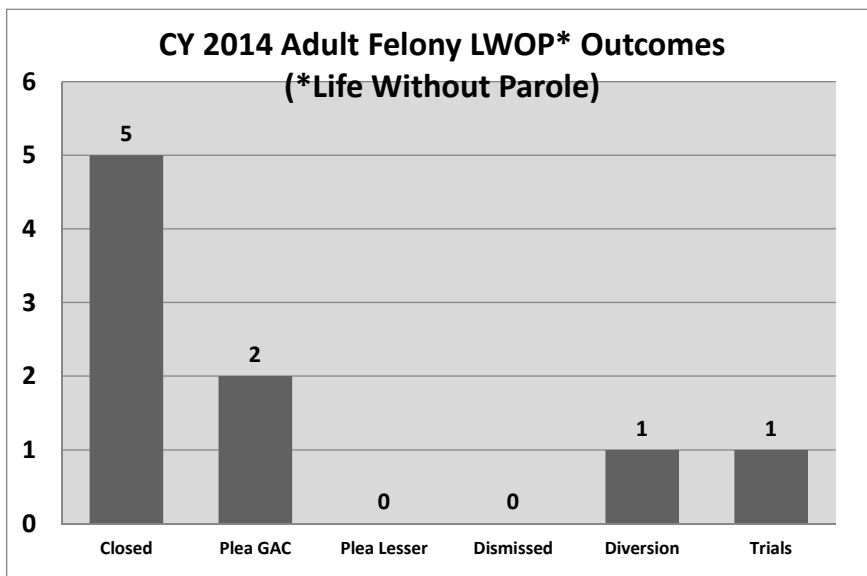
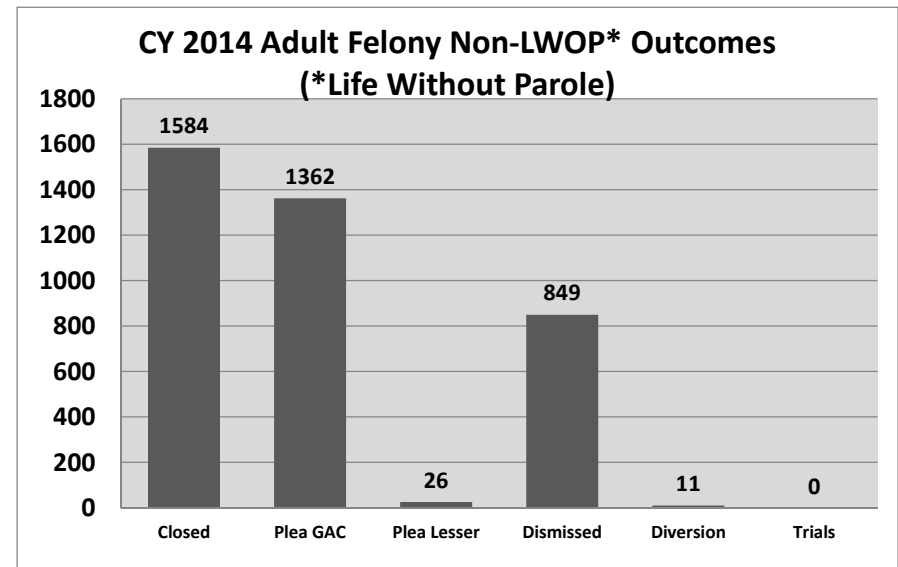
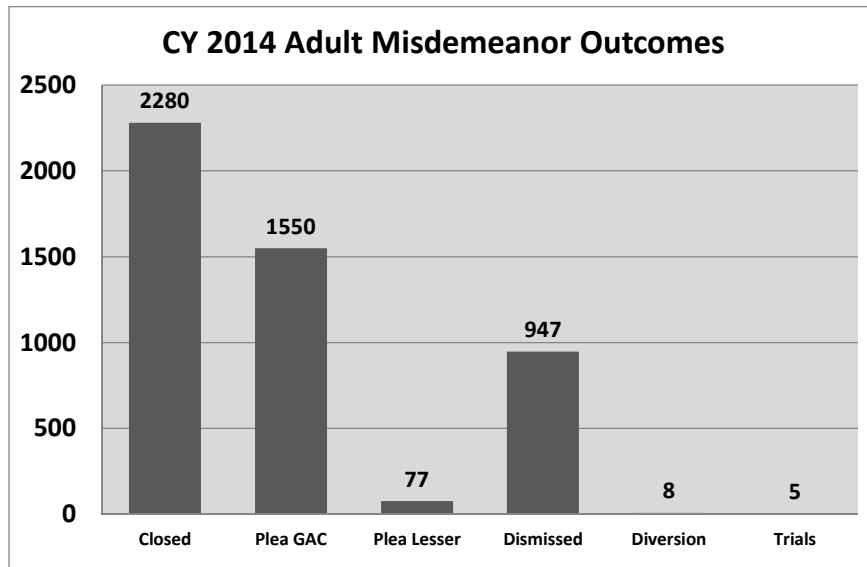
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.







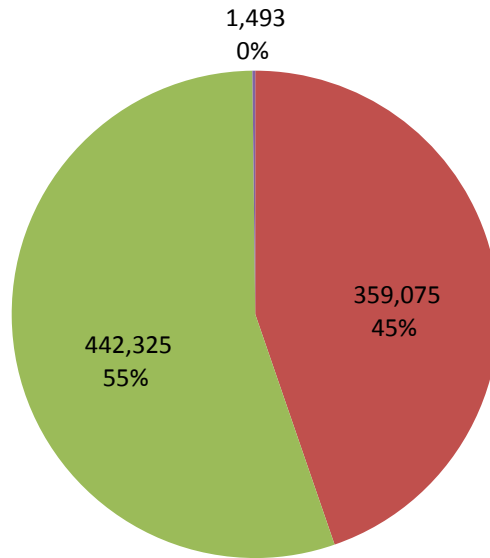


District 27 CY2014	Total CY2014
District Defender: Edward Lopez	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	7,687
District Assistance Fund (DAF)	333,022
Supplemental/Emergency Funds	18,366
Grants	-
Other State Income -List source(s)	-
Total for State Government	359,075
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	12,382
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	69,099
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	130,868
Judicial District Courts	212,445
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	343,313
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	17,531
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	17,531
Total for Local Government	442,325
Investment Earnings	
Interest Income	1,493
Other Investment Income - List source(s)	-
Total for Investment Earnings	1,493
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	802,893

District 27 CY2014	Total CY2014
District Defender: Edward Lopez	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	117,004
Accrued Leave	-
Payroll Taxes	8,658
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	125,662
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	
Operating Services	
Advertisements	38
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	11,984
Dues and Seminars	1,797
Law Library/Journals/Subscriptions	11,778
Office Supplies	4,716
Total for Operating Services	30,313
Professional Services	
Audit/Accounting Expense	8,170
Contract Clerical	92
Expert Witness	2,700
Investigators	1,560
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	11,015
Contract - Juvenile Attorneys or CINC	44,152
Misdemeanor Attorney Contracts	222,333
Contract Attorneys - all other	643,119
IT/Technical Support	-
Total for Professional Services	933,141
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
Total for EXPENDITURES	1,089,116

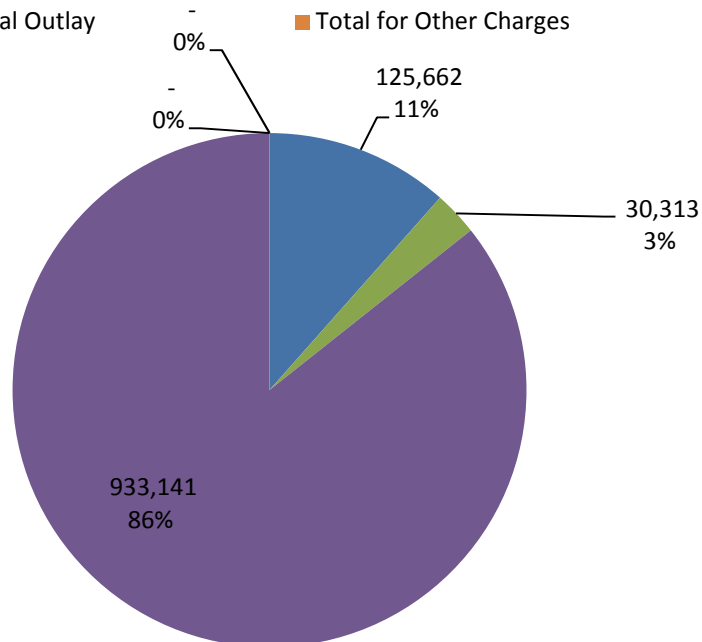
## Total CY14 Revenues

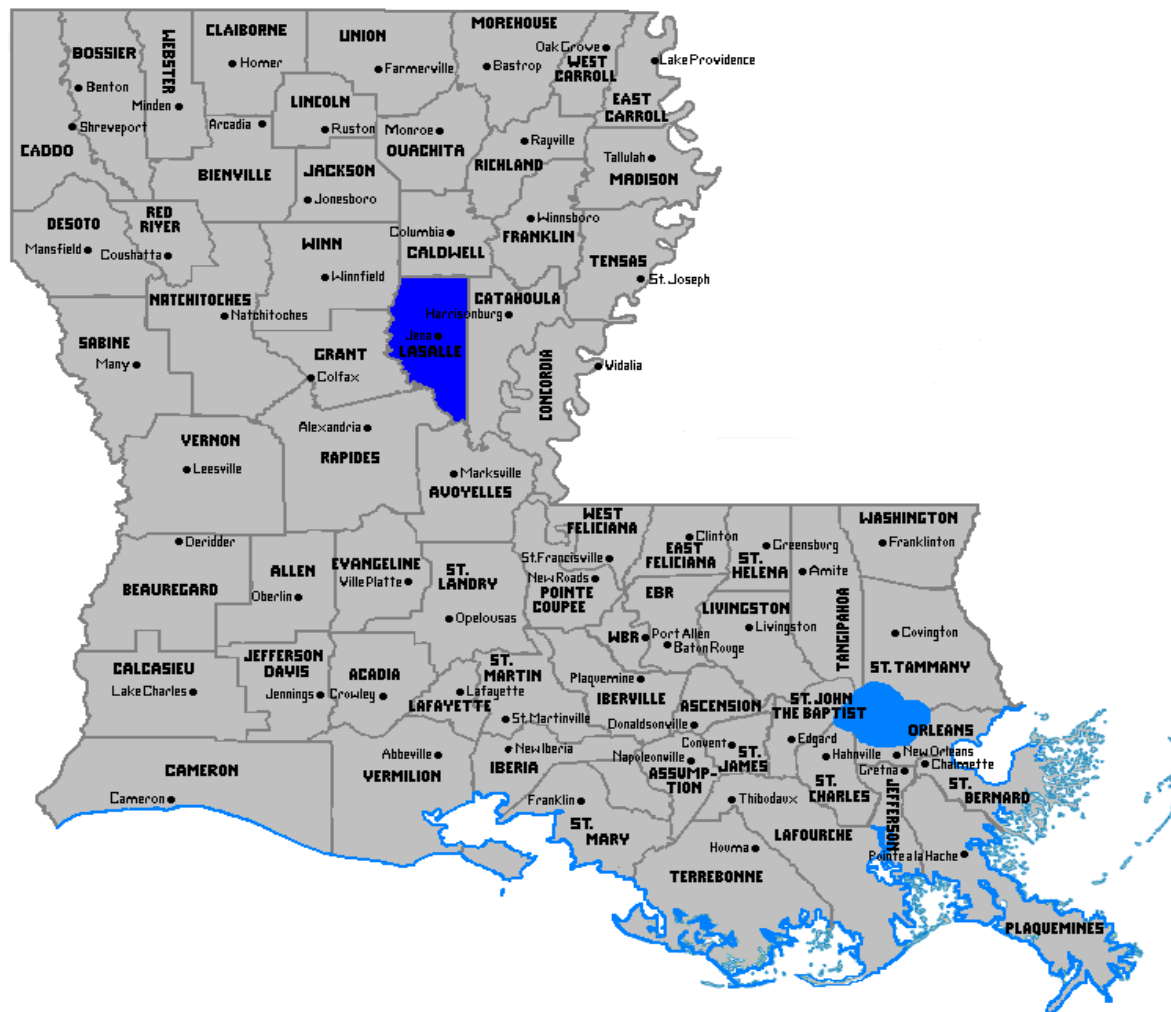
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





THE 28<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
LASALLE (JENA)

DISTRICT DEFENDER: DERRICK CARSON  
3170 N. 1<sup>ST</sup> STREET  
JENA, LA 71342  
(318) 992-0881

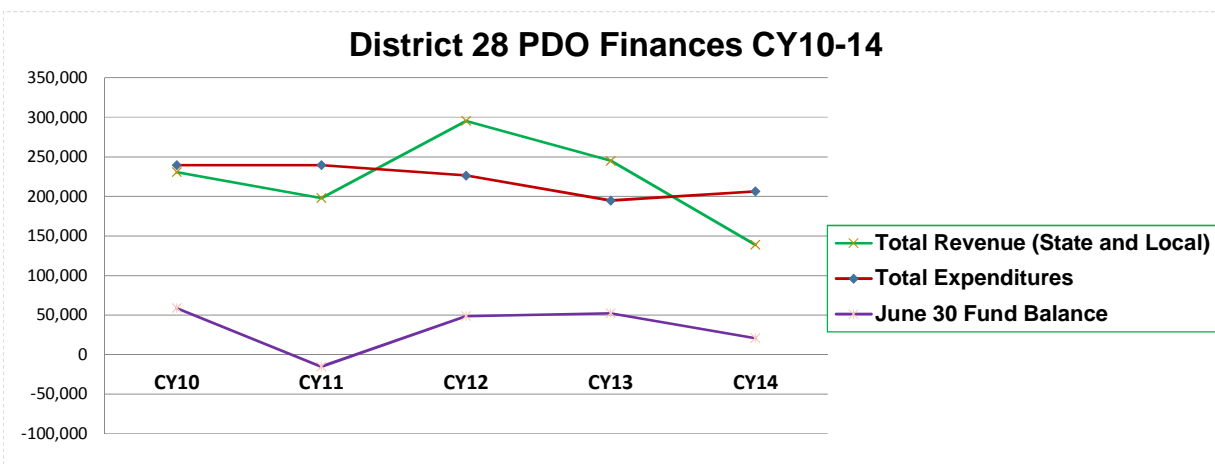
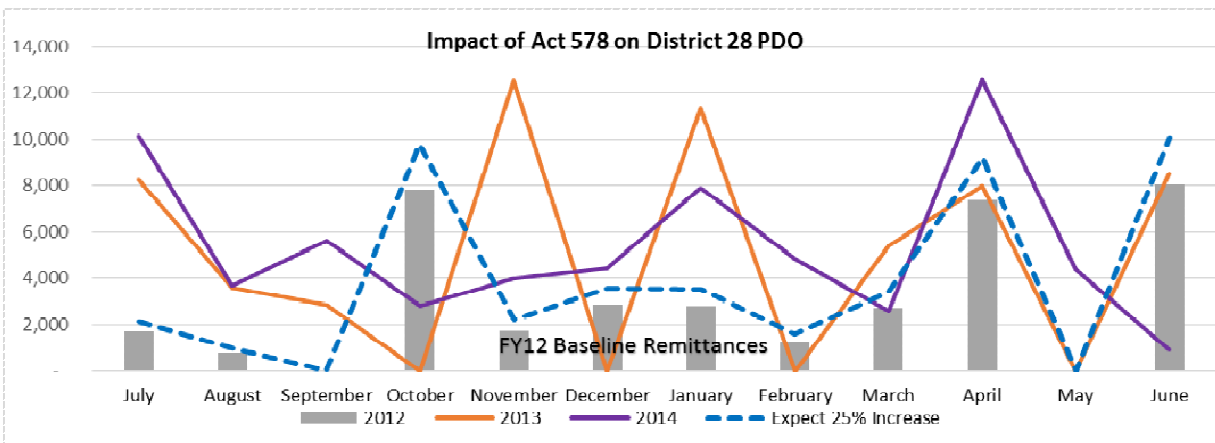
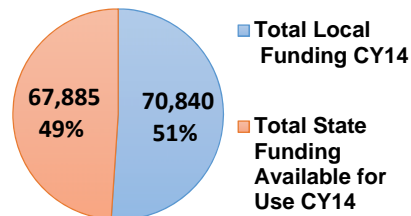
## 28TH JUDICIAL DISTRICT

During calendar year 2014, the 28th Judicial District Public Defenders Office handled 816 cases. The office received \$138,725 in total revenues to handle these cases. Local funds derived primarily from traffic tickets and special court costs are insufficient to support client representation, as approximately 49% of the district's revenues came from state funding.

Since the inception of Act 578 (2012), local revenues associated with court costs have been unstable and erratic due in part to remittances arriving every other month in 2013 as shown in the graph below. Revenues have fallen below the 25% expected increase quite often.

The 28th Judicial District office has nearly exhausted its fund balance. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent toward the end of FY15.

**District 28 PDO Revenue Sources CY14**

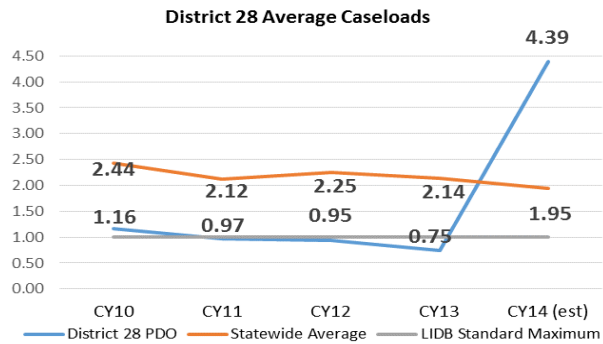


## LASALLE PARISH

Derrick Carson  
District Defender  
3170 N. First Street  
Jena, LA 71342  
318-992-0881

In the 28th Judicial District, public defense attorneys make an average annual salary of \$45,802. Due to a reduction on staff and an increase in workload, public defense attorneys in the district are currently maintaining caseloads more than four times the recommended caseload limit for each attorney.

The 28th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.



## CAPITAL REPRESENTATION

Since 2009, the 28th Judicial District Public Defenders Office has averages less than one new capital case per year.

The district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 28th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 28TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	LaSalle - Jena
<b>Population</b>	14,890
<b>Juvenile Population</b>	3,524
<b>District Defender</b>	Derrick Carson
<b>Years as District Defender</b>	5.5
<b>Years in Public Defense</b>	14
<b>Office Manager</b>	Judy Pugh
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Jami Wishum, Data Entry, Judy Pugh, Paralegal, Office Admin.
<b>Primary Office Street Address</b>	3170 N. 1st St
<b>City</b>	Jena
<b>ZIP</b>	71342
<b>Primary Phone</b>	318-992-0881
<b>Primary Mailing Address</b>	P.O. Box 13, Jena, LA 71342-0013
<b>Primary Fax Number</b>	318-992-0887
<b>Primary Emergency Contact</b>	Judy Pugh
<b>Primary Emergency Phone</b>	318-452-5746 cell, 318-757-2870 home
<b>Secondary Emergency Contact</b>	Derrick Carson
<b>Secondary Emergency Phone</b>	318-623-0390 cell, 318-757-0473 home
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Jena Properties, LLC (John Vercheur)
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Rent 6,600; Phone 2,576; Utilities 6,206.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Jeri Sue Tosspon
<b>Courts and Locations</b>	28th JDC Jena, LA
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	1
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Application is made, reviewed to determine if indigent, determine whether conflict and appointed accordingly.
<b>Name of Adult Detention Facilities in This District</b>	LaSalle Parish Courthouse, Jena, La. LaSalle Corrections, 15976 Hwy 165, Olla, La.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Richland Parish (Women only) Hwy 15, Monroe, Franklin Parish Detention, Winnsboro, La.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Renaissance Home for Youth, 6177 Bayou, Alexandria, La.



<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, makes it more difficult to see clients quickly and more often, increases mileage.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No, do not normally house juveniles.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	J. Reed Walter
<b>Chief Judge of Criminal District Court</b>	Christopher Peters
<b>Juvenile Court Judges (Specify District of City Court)</b>	Judge Christopher Peters
<b>Drug Court Judges</b>	No
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	No
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Indigency determined by information given on application to public defender's Office. Judge does not screen sends everyone.
<b>When is Assignment/Appointment of Counsel Made?</b>	72 hour hearing
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Jami Wishum, data entry; Judy Pugh Paralegal & Office Adm.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	PDO representative goes over forms with client
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	308
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	2,680
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	16,452 this amount designated for \$45.00 fee
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Sheriff's office provides list of fees distributed.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Sheriff's office provides list of fees distributed.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Sheriff's office provides list of fees distributed.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	

<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	None
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	None
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	None
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	0
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted-Yes Criminal, No written private practice policy.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Funding to continue operation of office and to be able to represent clients.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes, restriction of services within next 2 months, plan submitted to state.
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No terminations, one attorney downsizing to part time due to health issues.
<b>Immediate Critical Issue Areas</b>	Funding to be able to continue to provide services and represent clients.
<b>Long-Term Critical Issue Areas</b>	Funding to keep and improve services.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Paul Lemke, replaced Jermaine Harris, Darrell Hickman assist in conflict cases.
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, Chief routinely goes over cases with attorneys, provides advice, insight and support. Regular staff meetings to address any problems or accomplishments.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chief, Office Adm. Attorneys, Office Staff
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	None
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None at present
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None

<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, Chief normally meets with staff approximately every quarter to go over new information, reviews and takes suggestions.
<b>Number of NEW capital cases in CY14 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	None
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None appeals are sent to appellate project.
<b>Number of Writs Your District Handled in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Juvenile attorney appointed follows case with assistance of other attorney if needed.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Terry Brown, Steve Pylant, Representatives, Senator Neil Riser
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Attitude of Judicial System towards the Public Defender Office, in particular the Judge.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Krystal Todd	318-992-0881
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Derrick Carson	318-992-0881
Jermaine Harris	318-992-0881
Robert Clark	318-336-5886
John Reeves	318-744-5457
Darrell Hickman	318-730-2403
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Jami Wishum	318-992-0881
Judy Pugh	318-992-0881

2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Judy Pugh
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	

Television	0
DVD	0
VCR	0
Desktop PCs	3
Laptops	1
Video Cameras	0
Digital Cameras	0
Video Conferencing Systems	0
B&W Laser Printers	1
Color Printers	0
Wireless Cards	
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	0
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	
No Internet Connection	
Connection Speed:	
Provider Name:	Centurylink
Email Provider:	Centurylink
Please list any software or computer equipment in which you need training:	

## 28th District Defender Office CY 2014 Caseloads & Outcomes

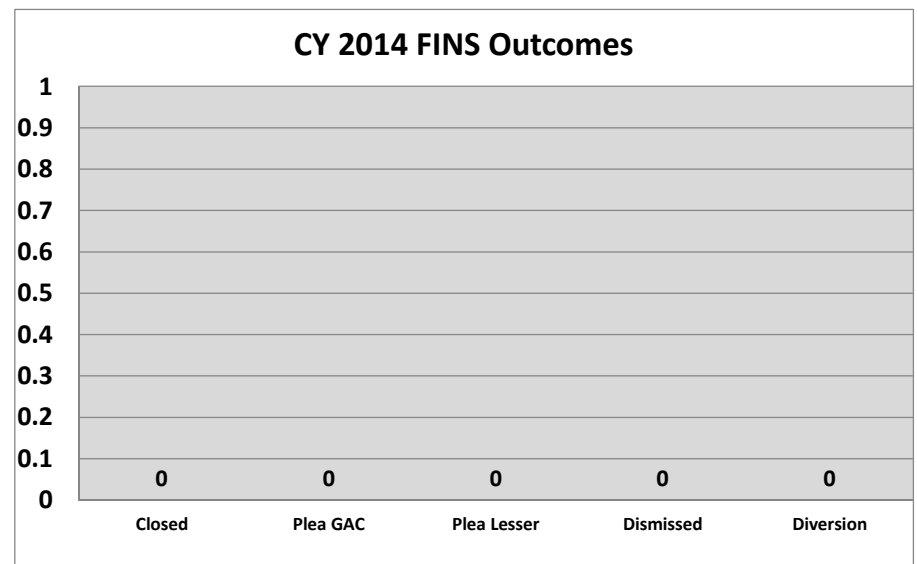
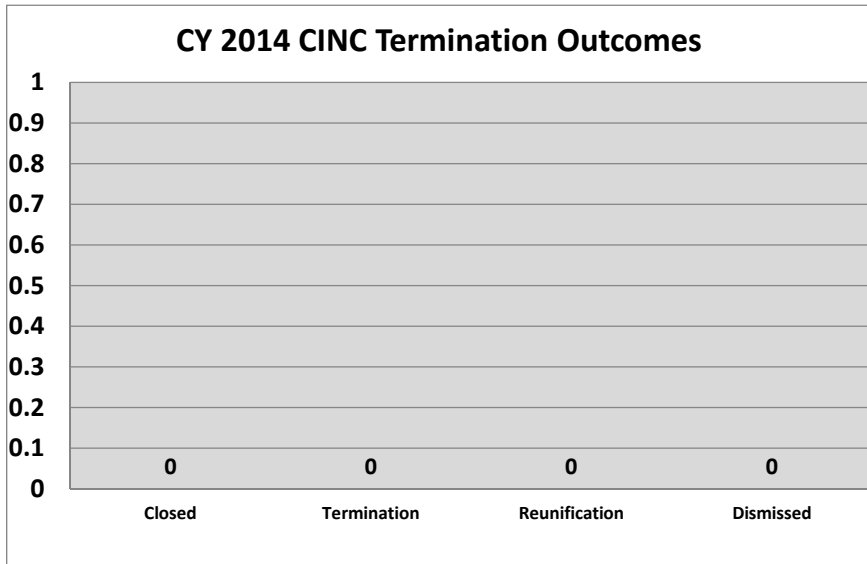
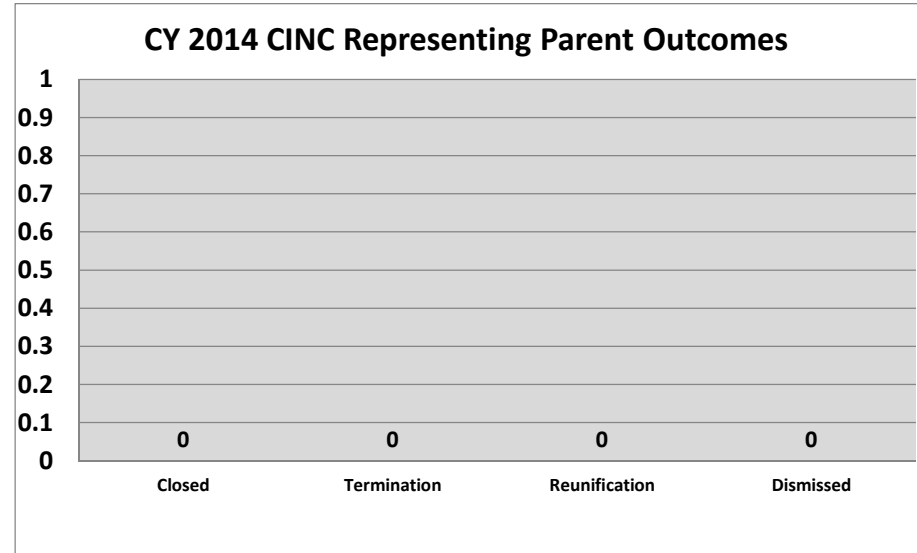
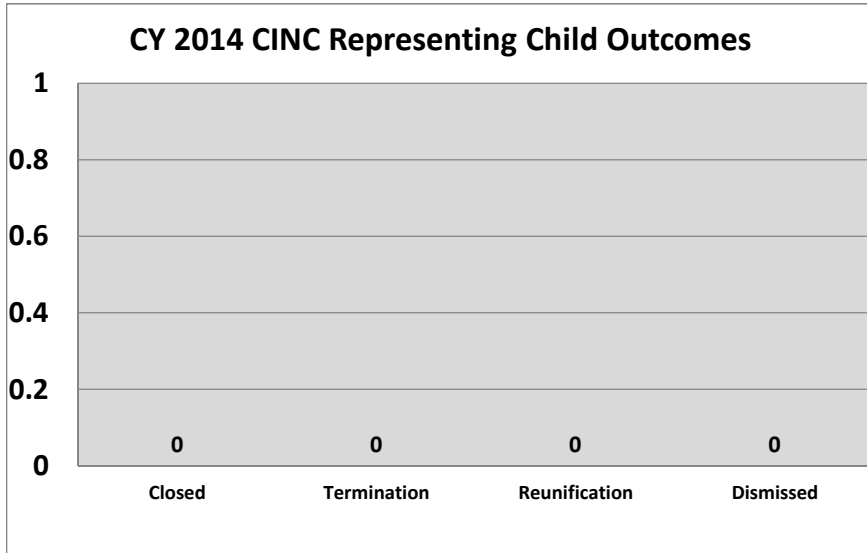
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	2	2	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	0	0	7	7	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	3	3	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	11	2	3	14	N/A	N/A	0	0	0	1	N/A	N/A	0	0	0
Delinquency Felony	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	138	61	163	301	N/A	N/A	49	1	5	0	0	0	0	0	0
Adult Felony Non-LWOP**	159	82	329	488	N/A	N/A	51	2	8	0	0	0	0	0	0
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

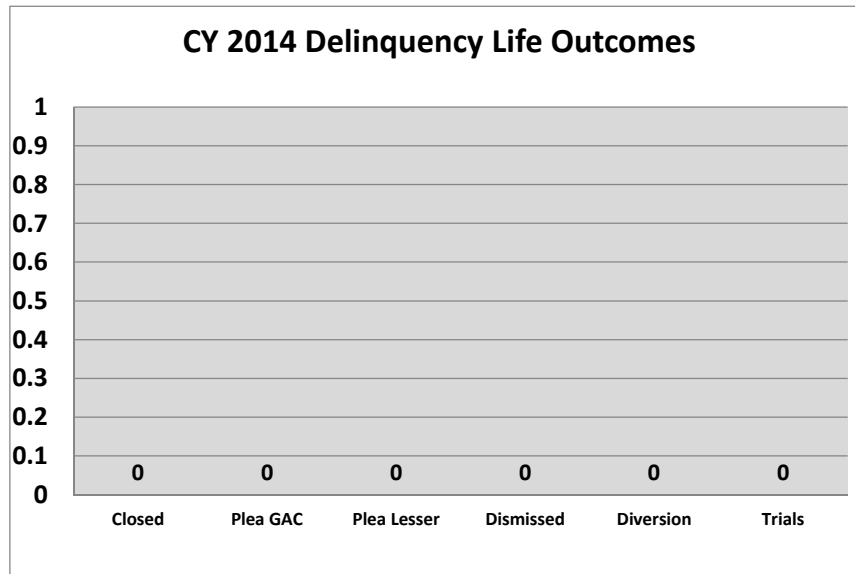
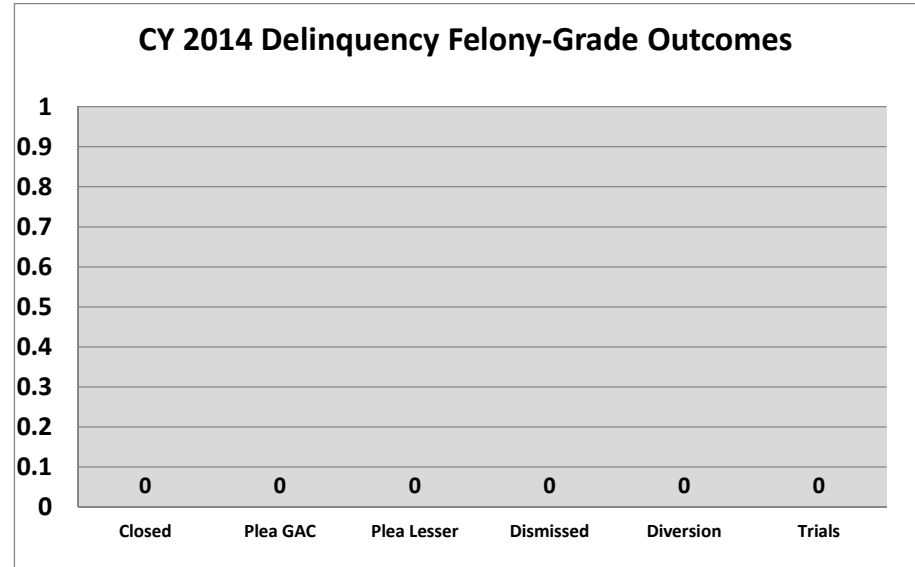
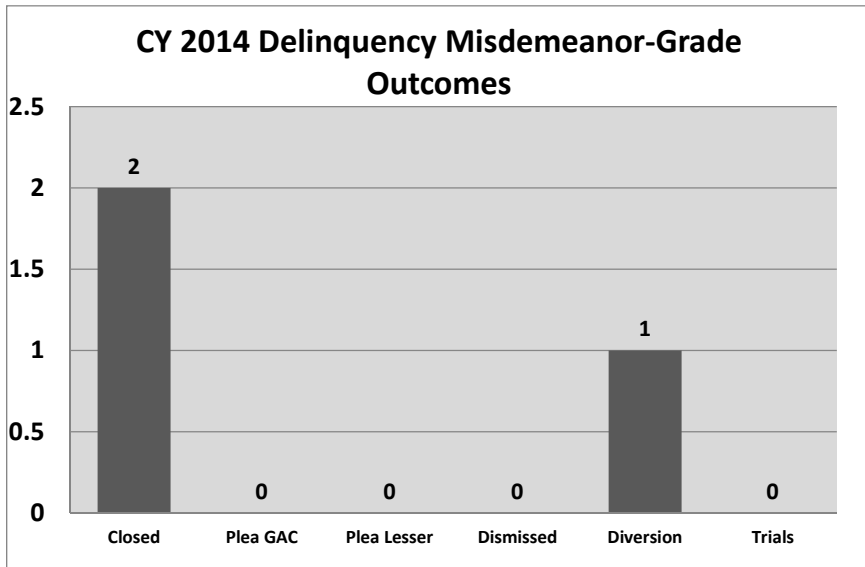
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

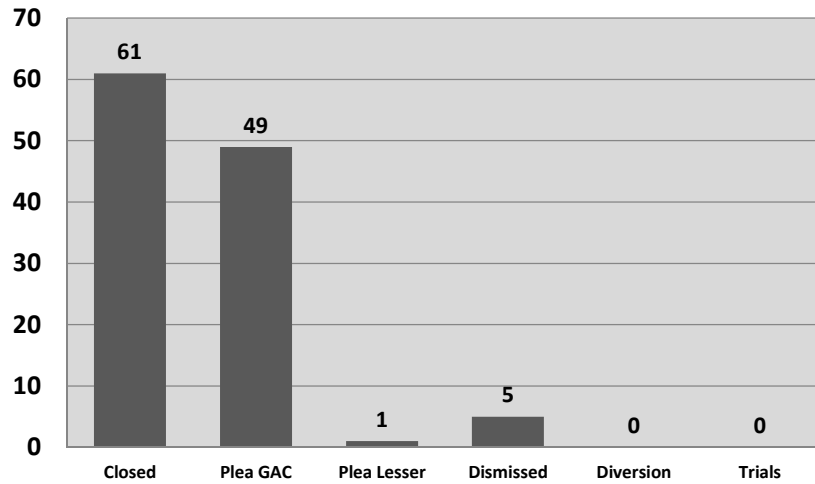
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



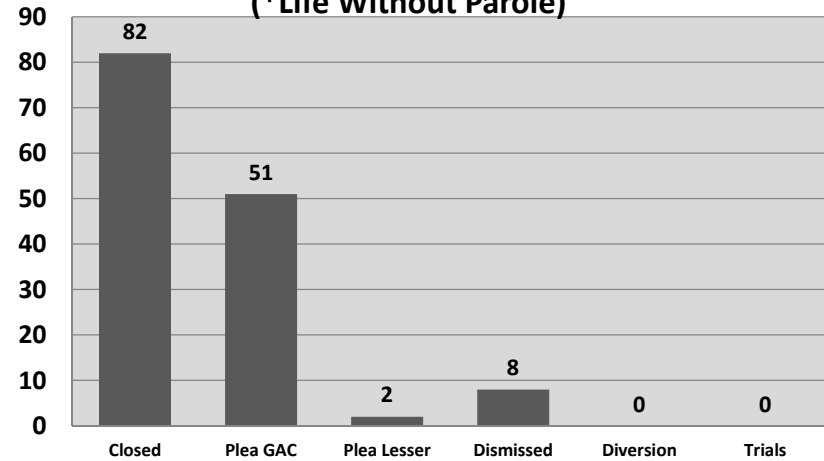




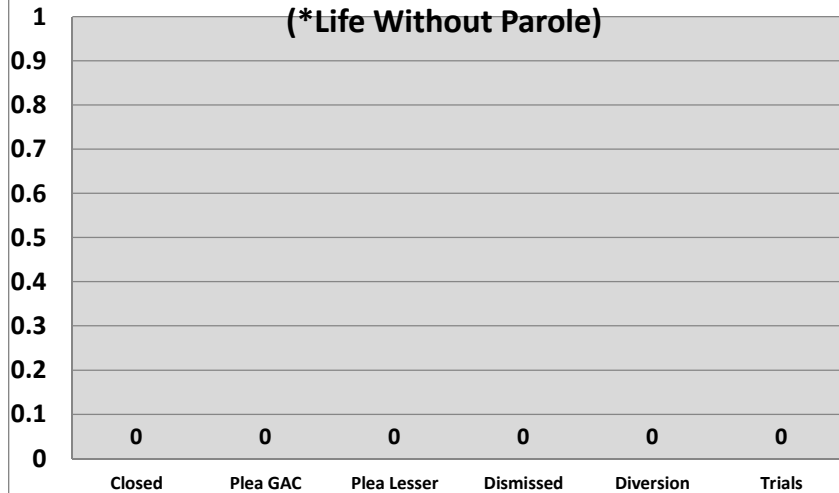
**CY 2014 Adult Misdemeanor Outcomes**



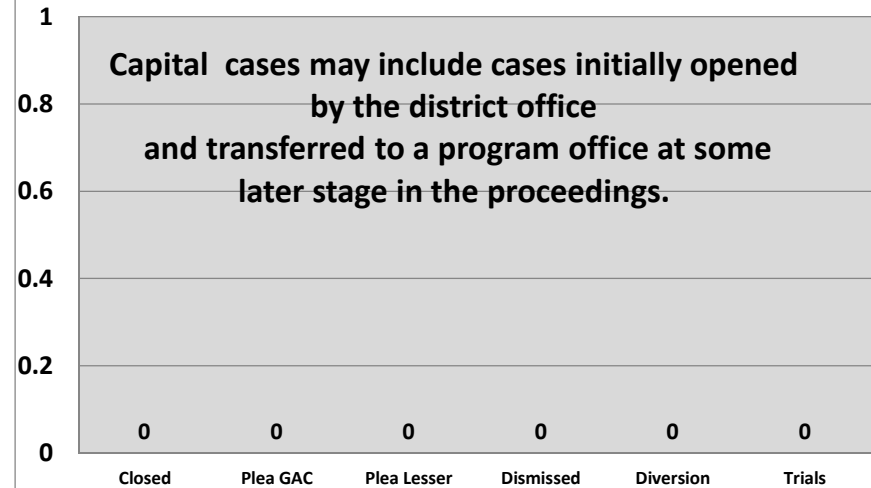
**CY 2014 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Capital Outcomes**

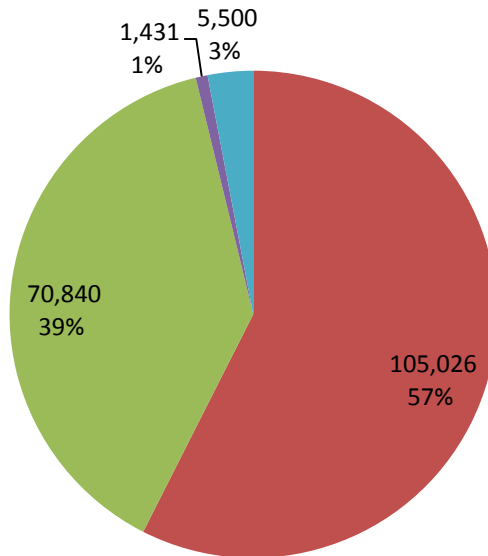


District 28 CY2014	Total CY2014
District Defender: Derrick Carson	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	985
District Assistance Fund (DAF)	103,228
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	813
Total for State Government	105,026
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	7,667
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	21,793
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	30,521
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	8,298
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	60,612
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	2,560
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	2,560
Total for Local Government	70,840
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	1,431
Total for Investment Earnings	1,431
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	5,500
Total for Other Sources (Grants & Contributions)	5,500
Total for REVENUE	182,797

District 28 CY2014	Total CY2014
District Defender: Derrick Carson	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	73,867
Accrued Leave	-
Payroll Taxes	5,686
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	79,553
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	4,985
Total for Travel/Training	4,985
Operating Services	
Advertisements	-
Workers' Compensation	2,986
Insurance - Malpractice	3,887
Insurance - Auto/Physical Liability	-
Insurance - Other	440
Lease - Office	6,648
Lease - Auto/Equipment	295
Lease - Other	-
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	8,709
Dues and Seminars	-
Law Library/Journals/Subscriptions	1,026
Office Supplies	1,851
Total for Operating Services	25,843
Professional Services	
Audit/Accounting Expense	7,371
Contract Clerical	-
Expert Witness	-
Investigators	573
Interpreters	65
Social Workers	-
Capital Representation	-
Conflict	16,516
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	69,801
IT/Technical Support	1,134
Total for Professional Services	95,460
Capital Outlay	
Major Acquisitions	498
Total for Capital Outlay	498
Other Charges	
Other Operating Expenses	69
Total for Other Charges	69
Total for EXPENDITURES	206,408

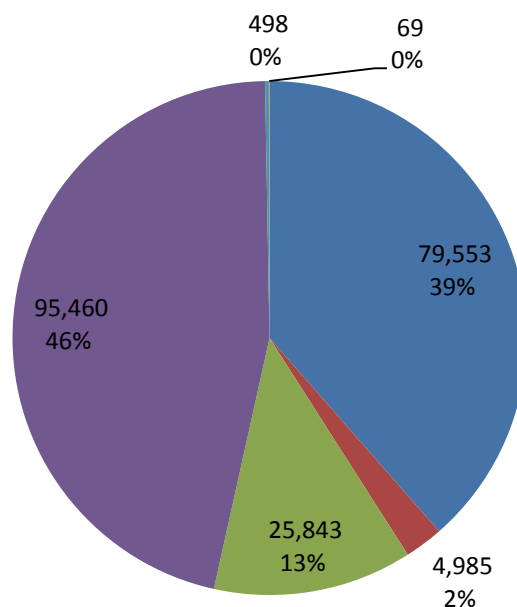
## Total CY14 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





THE 29<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
ST. CHARLES (HAHNVILLE)

DISTRICT DEFENDER: VICTOR E. BRADLEY, JR.  
15621 AIRLINE HWY. SUITE B  
NORCO, LA 70079  
(985) 764-2338

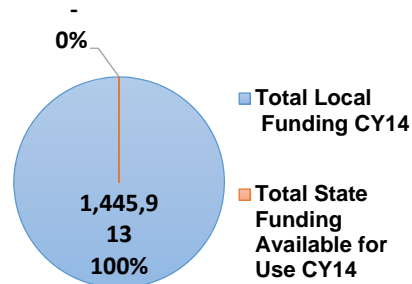
## 29TH JUDICIAL DISTRICT

During calendar year 2014, the 29th Judicial District Public Defenders Office handled 2,075 cases. The office is self-reliant as 100% of its revenues were derived from local funding which came primarily from traffic tickets and special court costs.

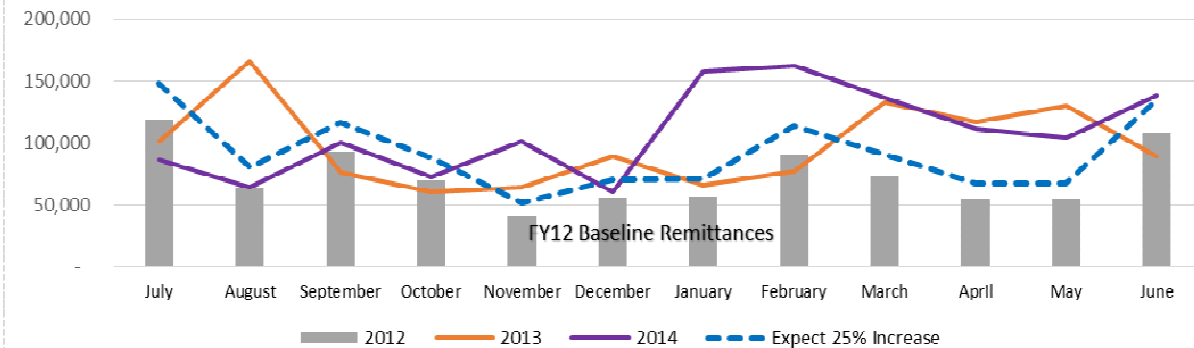
Between CY11 and CY14, the Judicial District Office's local revenues have continued to increase. Consistent revenues have allowed the District Defender to provide living wages to support staff and public defense attorneys, while also maintaining attorney caseloads near the recommended caseload limits.

Since the passage of Act 578 (2012) the 29th Judicial District is one of the only districts in the state to almost consistently meet or exceed the expected 25% increase in local revenues.

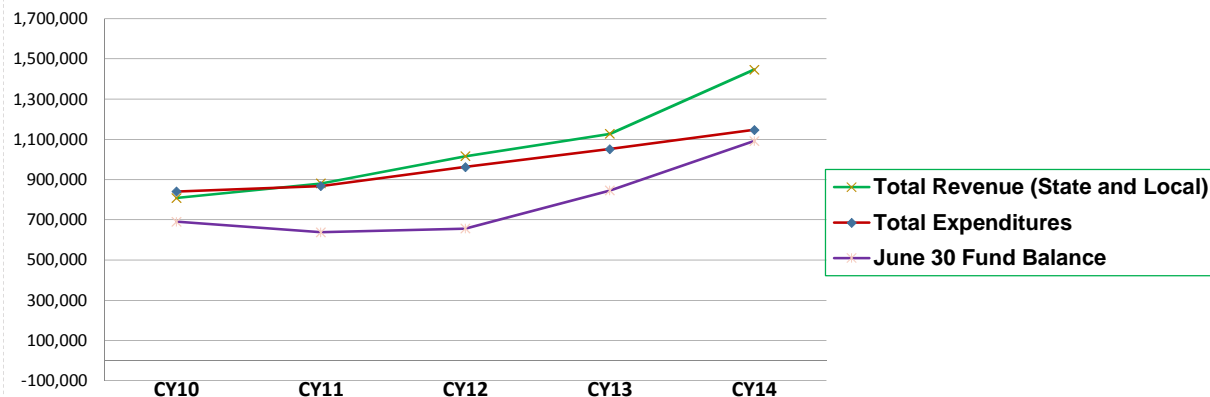
**District 29 PDO Revenue Sources CY14**



**Impact of Act 578 on District 29 PDO**



**District 29 PDO Finances CY10-14**

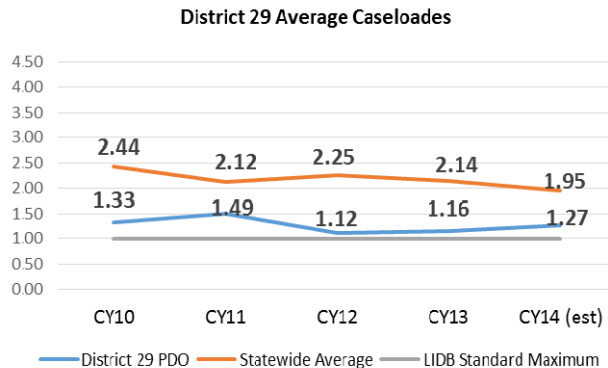


## ST. CHARLES PARISH

Victor E. Bradley, Jr.  
District Defender  
15621 Airline Highway, Ste. B  
Norco, LA 70079-0188  
985-764-2338

In the 29th Judicial District, public defense attorneys maintain caseloads near the recommended caseload limit for each attorney and well below the state average.

Through increased training and supervision, client outcomes have significantly improved over the last five years.



## CAPITAL REPRESENTATION

Since 2009, the 29th Judicial District has handled one new capital prosecution.

However, the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 29th Judicial District due to a lack of capital certified attorneys and/or funding to support capital services in the District Office.





## THE 29TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. Charles - Hahnville
<b>Population</b>	52,670
<b>Juvenile Population</b>	13,484
<b>District Defender</b>	Victor E. Bradley, Jr.
<b>Years as District Defender</b>	17
<b>Years in Public Defense</b>	39
<b>Office Manager</b>	Michele C. Waguespack
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Anne L. Miranda, Data Compliance Clerk
<b>Primary Office Street Address</b>	15621 Airline Highway, Suite B
<b>City</b>	Norco
<b>ZIP</b>	70079
<b>Primary Phone</b>	985-764-2338
<b>Primary Mailing Address</b>	P. O. Box 188, Norco, Louisiana 70079-0188
<b>Primary Fax Number</b>	985-764-1479
<b>Primary Emergency Contact</b>	Vic Bradley, Jr.
<b>Primary Emergency Phone</b>	504-905-8786 - Cell
<b>Secondary Emergency Contact</b>	Michele Waguespack
<b>Secondary Emergency Phone</b>	504-487-5835 - Cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	New Orleans Recovery LLC
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,300
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	29th Judicial District Court
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	29th Judicial District Court, Hahnville - 3 Sections.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Each of the 3 divisions is assigned 2 felony attorneys and 1 misdemeanor/ juvenile attorney. After the judge determines indigency at the 72-hour hearing, a list of those defendants who are entitled to be appointed counsel is sent to the PDO where felony cases are rotated between that division's 2 attorneys and misdemeanor cases are assigned to that division's attorney.



<b>Name of Adult Detention Facilities in This District</b>	Nelson Coleman Correctional Center, Killona
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None locally.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Assumption Youth Detention Center, 122 Parish Complex Road, Napoleonville, LA.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Travel time and expense for attorney
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes, they are kept shackled the entire time.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	At the St. Charles Parish Jail sometimes there is a time-waiting issue for the attorneys to see their clients due to the lack of interview space at the jail.
<b>District Attorney</b>	Joel T. Chaisson, II
<b>Chief Judge of Criminal District Court</b>	Emile R. St. Pierre
<b>Juvenile Court Judges (Specify District of City Court)</b>	The 3 District Judges alternate juvenile court monthly.
<b>Drug Court Judges</b>	3 Judges rotate annually.
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	Yes
<b>Name of Specialty and Brief Description:</b>	Juvenile Drug Court
<b>Indigency Determined by Whom and How?</b>	Judge - questions defendant at initial appearance - 72-Hour Hearing - and checked at PDO when application is completed.
<b>When is Assignment/Appointment of Counsel Made?</b>	Each of the 3 divisions is assigned 2 felony attorneys and 1 misdemeanor/ juvenile attorney. After the judge determines indigency at the 72-hour hearing, a list of those defendants who are entitled to be appointed counsel is sent to the PDO where felony cases are rotated between that division's 2 attorneys and misdemeanor cases are assigned to that division's attorney.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Manina Dubroca, Interview Attorney
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	After the determination of indigency, Ms. Dubroca goes to the jail and interviews the defendants and completes the form - copy of which is attached.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	None
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	5,839

<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Sheriff's Office - if the defendant is unable to pay the \$40.00 at the time of the completion of the application form, this amount is added to the partial payment of legal fees - see below
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	1,385,132
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Most of the time. Sometimes they waive all fees.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Sheriff's Office
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's Office – Bonds & Fines
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Receive bi-monthly statements from the Sheriff's Office.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Office – Bonds & Fines
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Receive bi-monthly statements from the Sheriff's Office.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	\$300.00 for minor misdemeanors; \$400.00 for felonies and sometimes a higher amount is set when case is more serious and defendant is able to pay. If defendant was unable to pay \$40 at the time the application was completed, it is added to above amounts. Fee may be set by judge for major felonies and trials. Defendant who goes to prison pays no fee.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	A Disbursement Summary is provided by the Sheriff's Office indicating settlement dates and the amounts.
<b>Who Remits the Partial Payments Collected?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Sheriff's Office
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Criminal and civil practices are permitted for all attorneys; all attorneys are on contract. Attorneys are Not allowed to be retained by a defendant on a case in which he/she had previously been appointed to represent that defendant for that case. Yes, attorneys have been advised of this in writing.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes – copy attached.
<b>Primary Immediate Needs</b>	Benefits for employees

<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Training for different areas of trial practice in court. This could be by regional training and/or training videos for different parts of trial practice which could be passed out by the State and presented in each district by the District Defender.
<b>Long-Term Critical Issue Areas</b>	Insufficient space at Parish Jail for attorney/client conferences.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Don Paul Landry - Conflict Attorney/Special Projects.
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. When a new attorney is hired, he/she is assigned to one of the other attorneys in the same division and/or with the attorney they are being hired to replace. As District Public Defender, I also appear in court periodically with the new attorney and provide any assistance that may be needed.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District Public Defender supervises all attorneys and the Administrative Assistant. Administrative Assistant supervises the office staff.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	Yes, Don Paul Landry, Conflict Attorney and Special Projects.
<b>Please Attach Your Office Organizational Chart</b>	Attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	N/A
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes, for full-time employees. PDO pays 75%, employee pays 25%.
<b>Regular Meetings for Any Staff, Please Describe</b>	As needed
<b>Number of NEW capital cases in CY14 handled by your office</b>	3 Capital Arrests - 2 cases were reduced to non-capital charges; 1 case defendant retained private counsel.
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	None
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2014</b>	5
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	0

<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Juvenile attorney will be assigned as second chair with the felony attorney.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Gary L. Smith, Jr., - Senator - 19th District; Gregory A. Miller - Representative - 56th District; Randal L. Gaines - Representative - 57th District; Thomas P. Willmott - Representative - 92nd District
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Limited visitation space at Parish jail.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	In the process of hiring a Social Worker.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Chaisson, Maria M.	985-307-1094
Dubroca, Manina	985-785-6212
Lewis, Christina	985-725-6812
Marino, Juanita R.	985-764-1193
Marino, Mark A.	985-764-1515
Moyer, David S.	985-308-1509
Williams, Deanne R.	985-308-0920
Swann, III, Fenwick A.	985-785-5494
Williams, Wendy J.	985-308-0510
Rogers, Lauren D.	985-308-1509
Landry, Don Paul	985-785-5494
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Waguespack, Michele C.	985-764-2338
Miranda, Anne L.	985-764-2338
Rook, John E.	985-764-2338
Findley, Jamie B.	985-764-2338

## 2014 District Office Technology Survey

<p>The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.</p>	
<b>Survey Completer's Name</b>	Michele Waguespack
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	x
Mac OSX	No
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	No
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	x
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	x
Firefox	x
Google Chrome	x
Other	

<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	4
Laptops	3
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	3
Color Printers	2
Wireless Cards	
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	8mb
Provider Name:	Cox Cable
Email Provider:	Go Daddy/Exchange
Please list any software or computer equipment in which you need training:	Excel

## 29th District Defender Office CY 2014 Caseloads & Outcomes

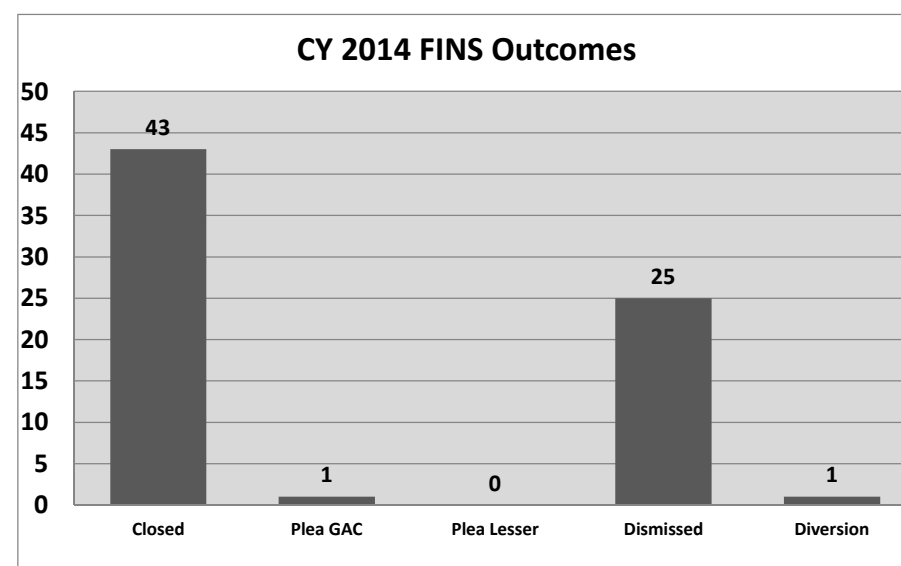
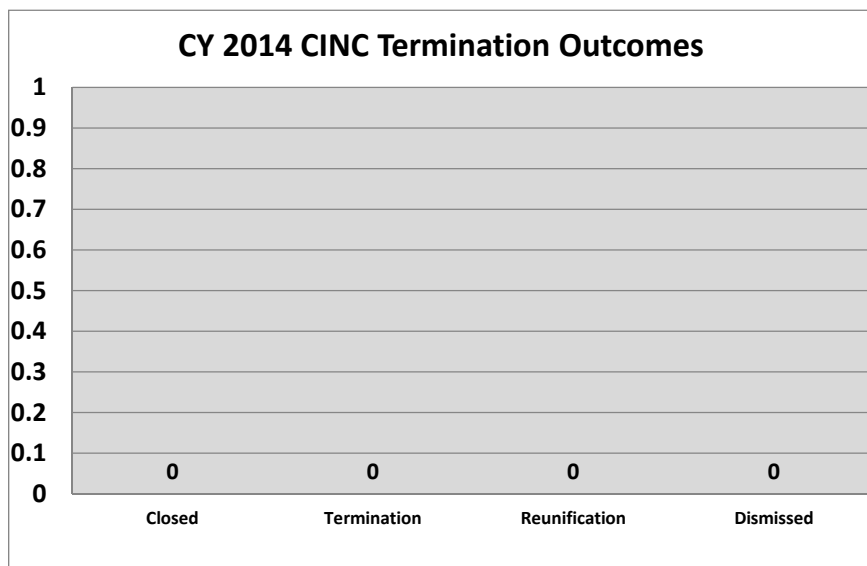
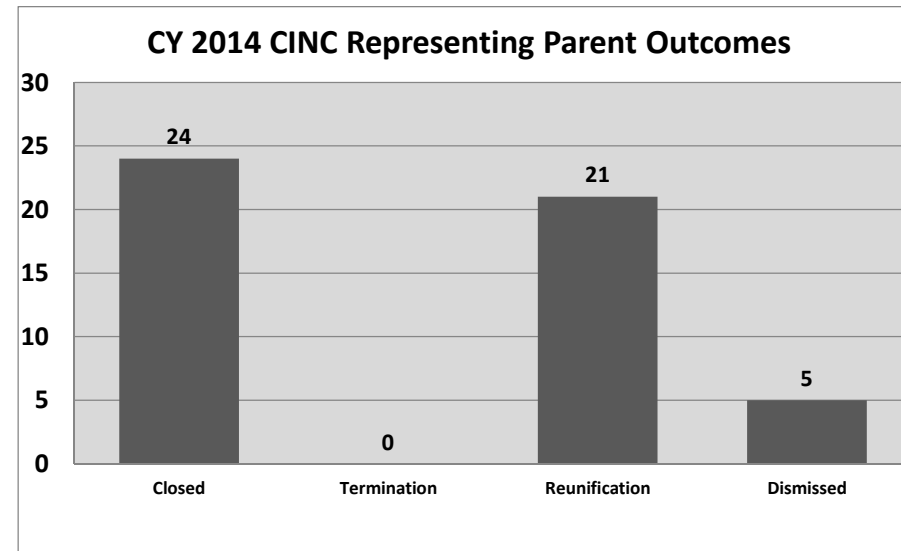
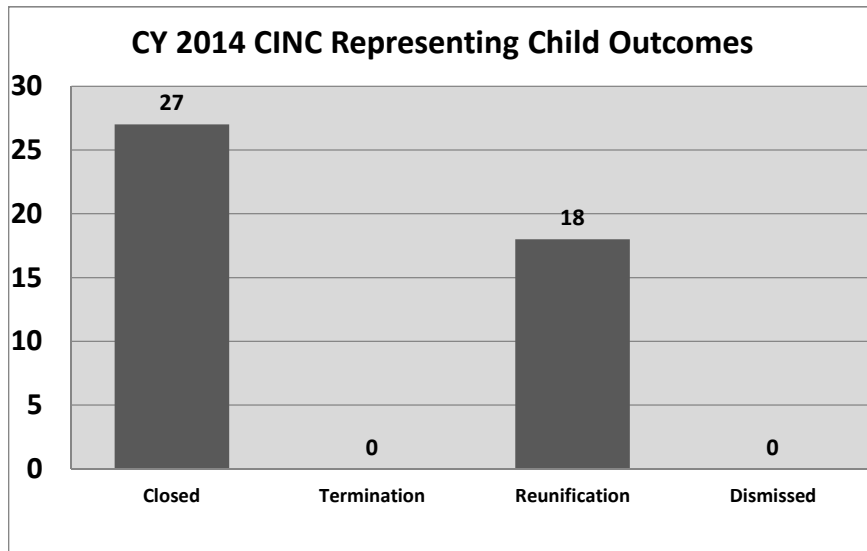
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	13	27	23	36	0	18	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	32	24	18	50	0	21	N/A	N/A	5	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	27	43	24	51	N/A	N/A	1	0	25	1	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	140	137	41	181	N/A	N/A	104	0	60	17	N/A	N/A	0	2	2
Delinquency Felony	39	34	16	55	N/A	N/A	31	1	21	2	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	6	5	5	11	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	536	561	215	751	N/A	N/A	388	30	308	17	0	1	1	2	4
Adult Felony Non-LWOP**	638	529	184	822	N/A	N/A	238	84	379	7	0	0	1	0	1
Adult LWOP	3	8	9	12	N/A	N/A	1	2	10	0	0	1	0	0	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	69	70	37	106	N/A	N/A	1	1	4	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

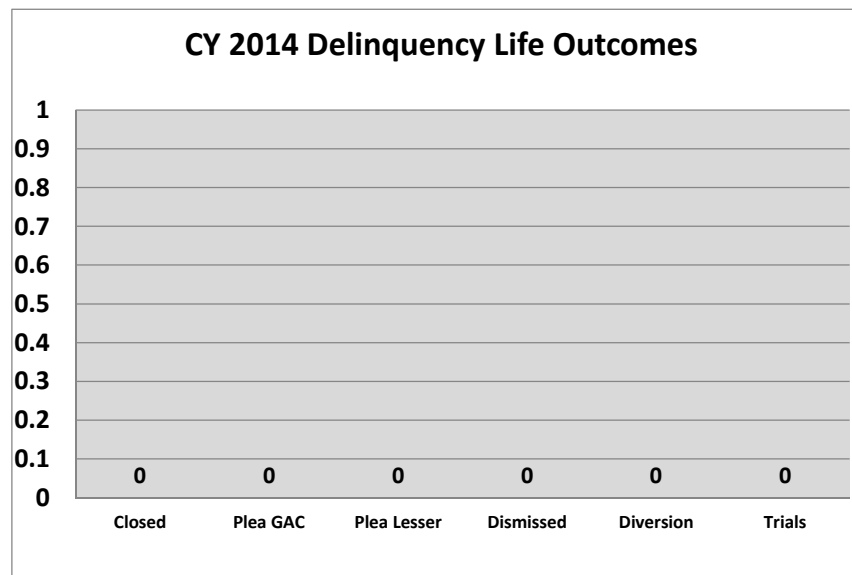
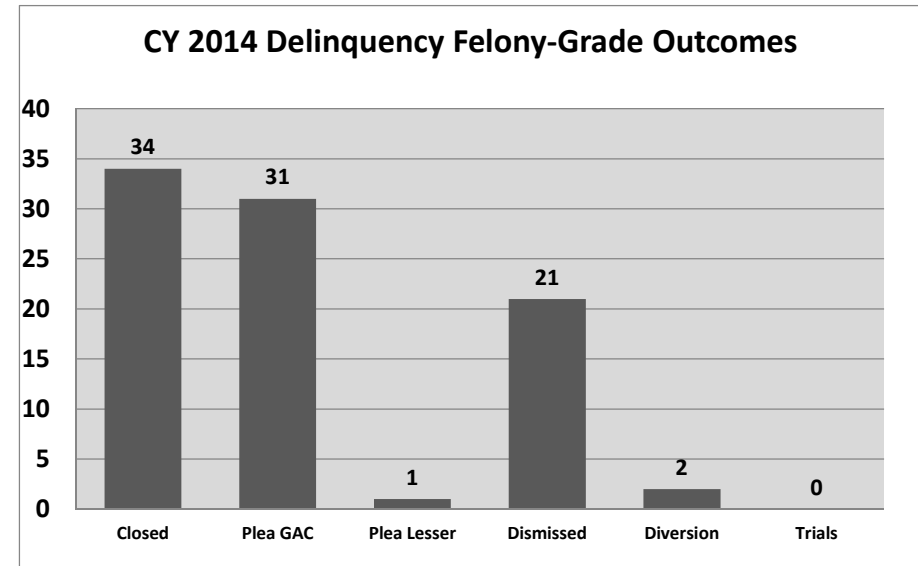
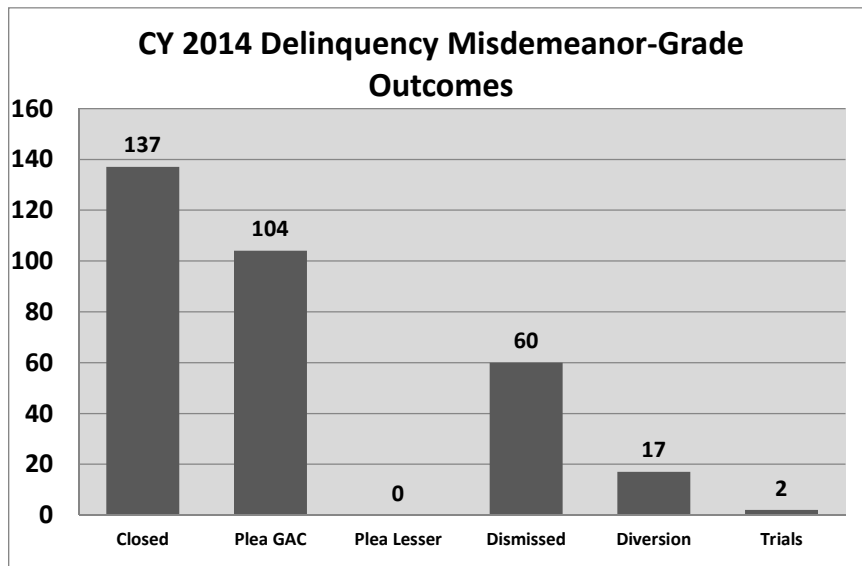
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

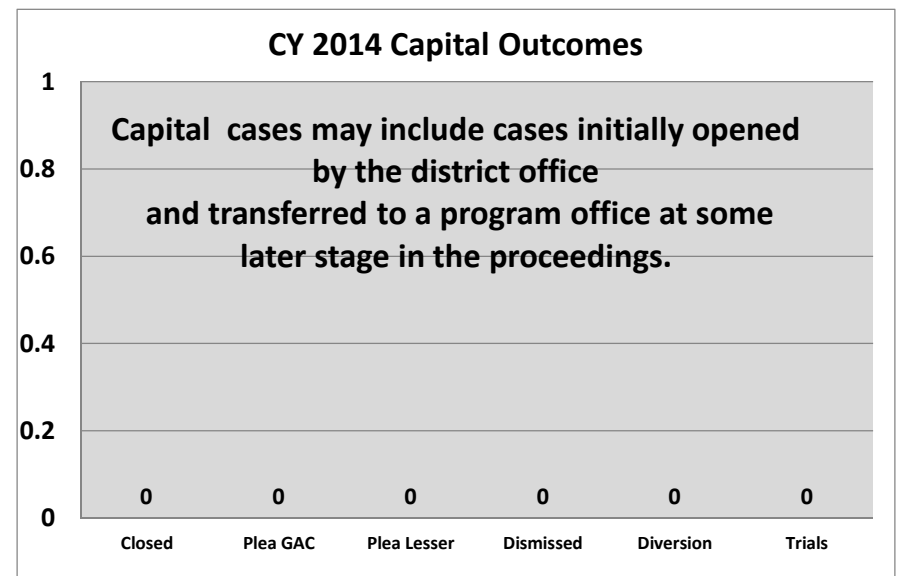
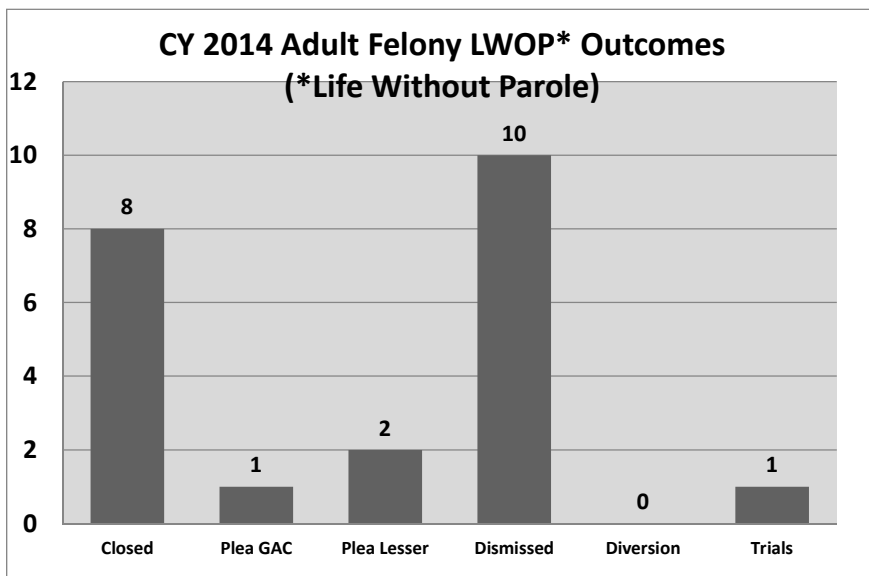
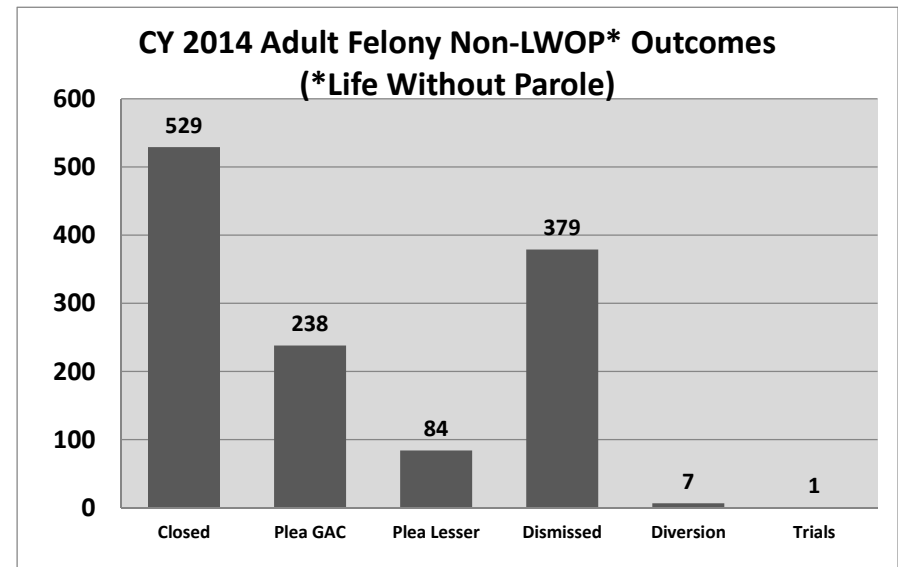
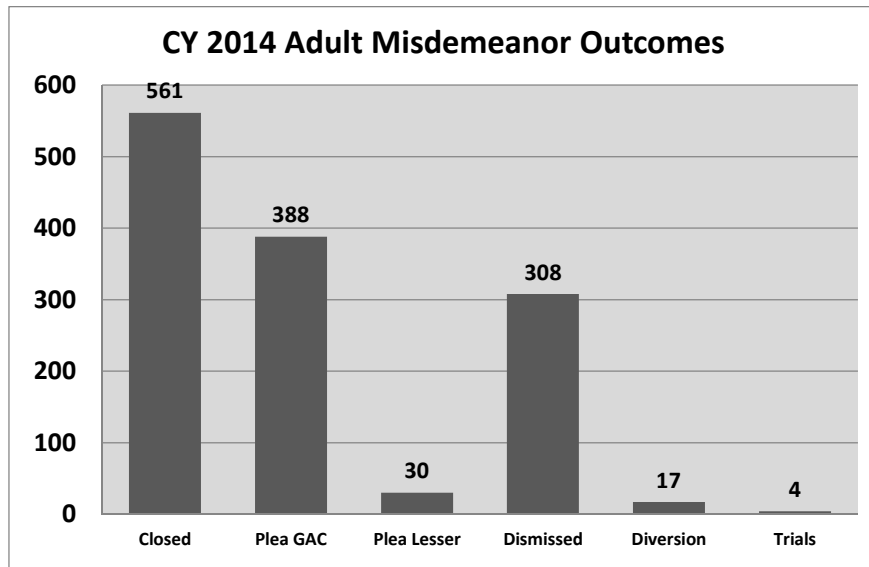
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.







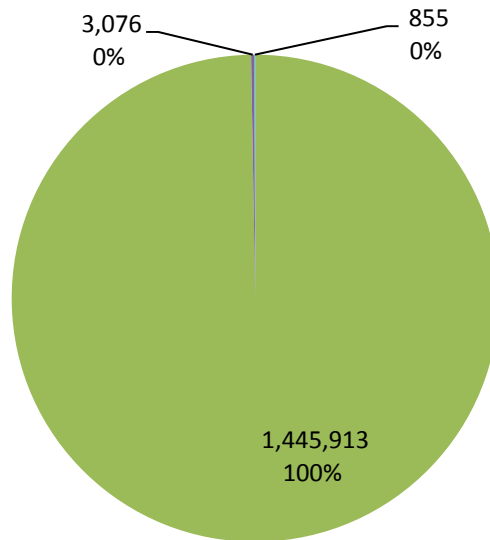


District 29 CY2014	Total CY2014
District Defender: Victor Bradley, Jr.	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	-
District Assistance Fund (DAF)	-
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	11,438
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	1,391,265
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	1,391,265
<b>Charges For Services</b>	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	5,936
Partial Attorney Fees	
Reimbursements [as per 15:176]	35,419
Other Reimbursements	1,855
Other Local Income -List source(s)	-
Total for Charges For Services	43,210
Total for Local Government	1,445,913
<b>Investment Earnings</b>	
Interest Income	3,076
Other Investment Income - List source(s)	-
Total for Investment Earnings	3,076
<b>Other Sources (Grants &amp; Contributions)</b>	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	855
Total for Other Sources (Grants & Contributions)	855
<b>Total for REVENUE</b>	<b>1,449,844</b>

District 29 CY2014	Total CY2014
District Defender: Victor Bradley, Jr.	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	265,014
Accrued Leave	-
Payroll Taxes	26,888
Hospitalization and Disability Insurance	13,974
Retirement	-
Other	-
Total for Personnel Services and Benefits	305,876
Travel/Training	
Parking/Auto Tolls	23
Travel/Lodging/Per Diem/Mileage	13,569
Total for Travel/Training	13,592
Operating Services	
Advertisements	410
Workers' Compensation	2,964
Insurance - Malpractice	3,860
Insurance - Auto/Physical Liability	4,161
Insurance - Other	380
Lease - Office	7,200
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	2,611
Office -	
Telephone/Utilities/Postage/Internet	7,947
Dues and Seminars	5,531
Law Library/Journals/Subscriptions	31,981
Office Supplies	2,942
Total for Operating Services	69,986
Professional Services	
Audit/Accounting Expense	7,250
Contract Clerical	-
Expert Witness	6,125
Investigators	920
Interpreters	1,240
Social Workers	-
Capital Representation	-
Conflict	15,637
Contract - Juvenile Attorneys or CINC	103,415
Misdemeanor Attorney Contracts	103,415
Contract Attorneys - all other	509,747
IT/Technical Support	5,703
Total for Professional Services	753,451
Capital Outlay	
Major Acquisitions	1,050
Total for Capital Outlay	1,050
Other Charges	
Other Operating Expenses	3,140
Total for Other Charges	3,140
Total for EXPENDITURES	1,147,095

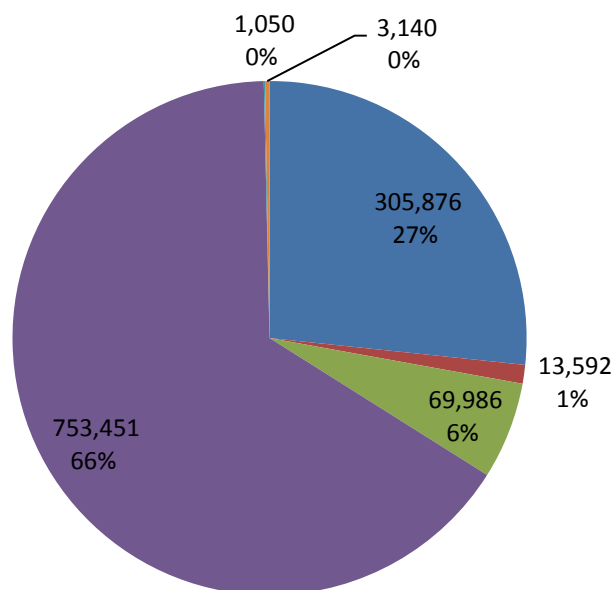
## Total CY14 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





THE 30<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
VERNON (LEESVILLE)

DISTRICT DEFENDER: TONY TILLMAN  
501 SOUTH FOURTH STREET  
LEESVILLE, LA 71446  
(337) 392-3077

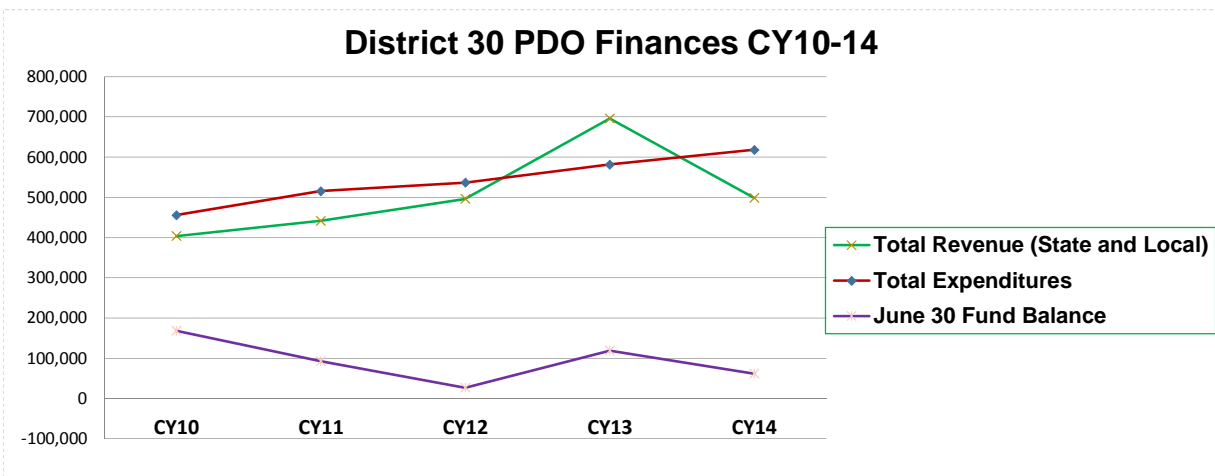
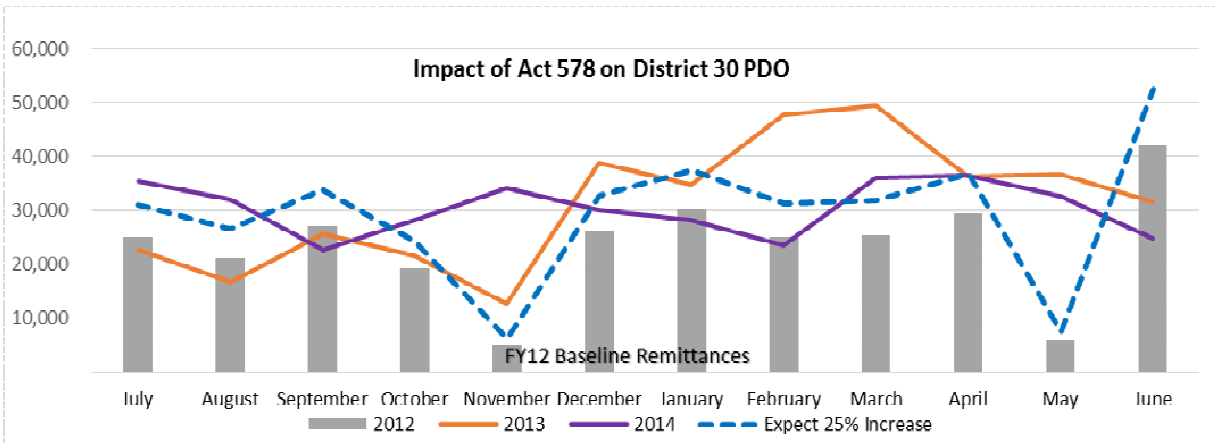
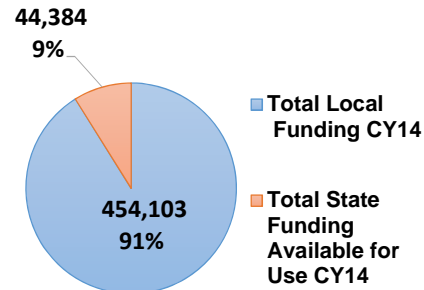
## 30TH JUDICIAL DISTRICT

During calendar year 2014 the 30th Judicial District Public Defenders Office handled 2,045 cases. The office received \$498,487 in total revenues to handle these cases, approximately 91% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

Since the inception of Act 578 (2012), local revenues associated with court costs have been unstable and erratic. As shown in the graph below, revenues have fallen below the 25% expected increase more than fifty percent of the time.

The 30th Judicial District office nearly exhausted its fund balance in 2012 and has replenished it somewhat in later year. However, declining local revenues in CY14 have forced the fund balance into decline again.. Without a significant increase in revenues or reduction in

**District 30 PDO Revenue Sources CY14**

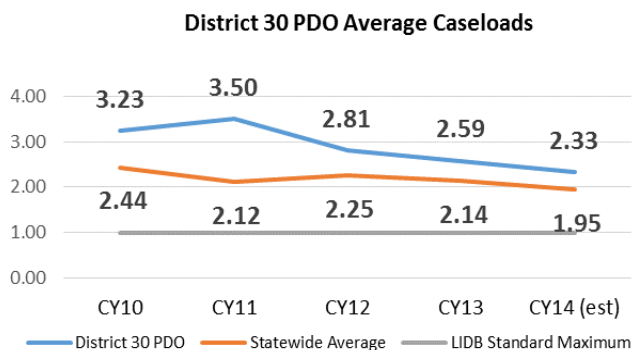


## VERNON PARISH

**Tony Tillman**  
District Defender  
501 South Fourth Street  
Leesville, LA 71496  
337-392-3077

In the 30th Judicial District, public defense attorneys make an average annual salary of \$57,784 while maintaining caseloads more than twice the recommended caseload limit for each attorney.

Although caseloads remain high due to insufficient revenues, through increased training and supervision, adult client outcomes have significantly improved over the last five years.



## CAPITAL REPRESENTATION

Since 2009, the 30th Judicial District has not handled any new capital prosecutions.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 30th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.







## THE 30TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Vernon - Leesville
<b>Population</b>	52,334
<b>Juvenile Population</b>	14,512
<b>District Defender</b>	Tony Tillman
<b>Years as District Defender</b>	6
<b>Years in Public Defense</b>	32
<b>Office Manager</b>	Jennifer Prewitt
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Jennifer Prewitt; Cindy Drew; Lakyn Moldenhauer
<b>Primary Office Street Address</b>	501 South Fourth Street
<b>City</b>	Leesville
<b>ZIP</b>	71496
<b>Primary Phone</b>	337-392-3077
<b>Primary Mailing Address</b>	501 South Fourth St. Leesville, LA 71446
<b>Primary Fax Number</b>	337-392-3078
<b>Primary Emergency Contact</b>	Tony Tillman
<b>Primary Emergency Phone</b>	337-208-5790
<b>Secondary Emergency Contact</b>	Jennifer Prewitt
<b>Secondary Emergency Phone</b>	318-430-0074
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Tony Tillman
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	302
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	30th Judicial District Court- Vernon Parish, 215 S. 4th Street, Leesville; Leesville City Court - 101 W. Lee Street
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	3 Divisions in District Court, 1 in City
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Cases are assigned randomly to attorneys as applications are received without regard to the division. All attorneys handle cases in all divisions.
<b>Name of Adult Detention Facilities in This District</b>	Vernon Parish Jail, 100 East Courthouse Street, Leesville. Leesville City Jail, 101 West Lee Street, Leesville.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None other than DOC facilities.
<b>Name of Juvenile Detention Facilities In This District</b>	None

<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center, Coushatta, LA
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, for juvenile cases. It is approximately 75 miles to the juvenile detention facility. In felony cases where the client is already a DOC prisoner access to the client is impaired by the distance.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No, other than distance issues.
<b>District Attorney</b>	Asa Skinner
<b>Chief Judge of Criminal District Court</b>	John C. Ford
<b>Juvenile Court Judges (Specify District of City Court)</b>	District-John C. Ford, Vernon B. Clark, James R. Mitchell, City Court-Elvin C. Fontenot
<b>Drug Court Judges</b>	John C. Ford
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	No
<b>Name of Specialty and Brief Description:</b>	No
<b>Indigency Determined by Whom and How?</b>	By the office administrator and if questionable by the district defender. The statutory definition of indigency is followed.
<b>When is Assignment/Appointment of Counsel Made?</b>	Approximately half of the felony counsel is assigned immediately following the 72 hour hearing, and the balance at arraignment. The majority of misdemeanor counsel is assigned at arraignment. In an effort to get applicants into the system sooner, the district defender created a Notice which the Sheriff mails to the defendants along with the Notice of arraignment advising the defendants to apply for counsel PRIOR to the day of arraignment. This has helped, and about half of the defendants come in before arraignment, the balance is dealt with at arraignment.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Jennifer Prewitt, Office Administrator
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	The application is completed by the applicant and reviewed by the administrator who explains the process to the applicant.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	1,349
<b>How Many Application Fees Were Waived?</b>	None reported.
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	7,974
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	360,752

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes with the rare exception if a defendant has multiple charges and is disabled or on fixed income a judge will occasionally Not impose costs on all counts.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	We receive detailed information from all agencies who provide us with income. Tony Tillman then reviews each one.
<b>Who Collects the Assessed Court Fees?</b>	The Sheriff and City Clerk
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	We receive a detailed statement from the Sheriff and Leesville City Court on fees as collected.
<b>Who Remits the Court Fees Collected?</b>	The Sheriff and City Clerk
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Same as above
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	No formula is currently used.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	We receive a detailed statement from the Felony and Misd. Probation Offices on fees as collected.
<b>Who Collects the Assessed Partial Payments?</b>	The Probation Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	We receive a detailed statement from the Felony and Misd. Probation Offices on fees as collected.
<b>Who Remits the Partial Payments Collected?</b>	Felony and Misd. Probation Offices
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	We receive a detailed statement from the Felony and Misd. Probation Offices on fees as collected.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	52,612
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	All attorneys are contract attorneys and all have private practices. All attorneys rely on their private practice for their primary income.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Additional funds to obtain an investigator, a social worker, and additional staff. We are having difficulties getting current data into the system, and I think the only effective solution is to have all the data input by the district defenders office directly rather than rely on the individual contract attorneys. One employee can Not do all the intake, bookkeeping, bill paying, office administration, etc, and do all the data input.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	We are already in the process and will find out if our ROS plan is approved by the Board.
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	None

<b>Immediate Critical Issue Areas</b>	Data input is a critical area for us-since the budget is dependent on the data, our district will continue to get short changed until I can solve this problem. The attorneys continually complain that they do Not mind the legal work; it is the data collection they complain about.
<b>Long-Term Critical Issue Areas</b>	Need of office space and staff, particularly an investigator and social worker. With a drug court and extensive OCS caseload, a social worker would greatly benefit our clients
<b>Please List All New Hires in 2014 (Name and Title)</b>	None
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	We received coverage on a case that Katie Beaird and Wesley Bailey won. It was the first jury trial for both attorneys.
<b>Number of Expected New Attorney Hires in 2015</b>	We will Not hire any new attorneys.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	We send them to CLE and if the need assistance Tony Tillman meets with them alone or with their clients to discuss any problems that they are having.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	With only 1 full time employee supervising her is easy-she sits in an office next to mine and I see her many times a day. The attorneys are all on contract and have their own offices. I see them in court regularly, and meet with the judges and the DA and ask for observations about the attorneys' performance. I have met individually with each attorneys to discuss issues, i.e., need to document client contact, need to do more frequent jail visits, etc.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	Attached.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	Tony Tillman meets with the office administrator daily, and with all attorneys monthly, and otherwise as needed. Informal meetings at the courthouse happen frequently.
<b>Number of NEW capital cases in CY14 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	None
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	None

<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	All our attorneys are experienced and capable of handling these cases.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator John Smith, Rep James Armes, Rep Frankie Howard
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Lack of Resources, lack of qualified personnel in area – i.e., investigators, social workers.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	Worked with attorneys' staff to do better job on motion practice, jail visits, and data input. Met with DA and Judges to stream line court time.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Tony Tillman	337-392-3077
Brad Hicks	337-208-0449
Lisa Nelson	337-238-4704
Jack Simms	337-238-9393
Clay Williams	337-238-4704
Charles Sam Jones	337-463-5532
Wesley Bailey	337-238-4704
Mitchel Evans	337-462-5225
Juli Andrews	337-460-7989
Misty Smith	337-238-2800
Clay Williams	337-238-4704
Mary "Katie" Beaird	337-944-0299
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Jennifer Prewitt	337-392-3077
Cindy Drew	337-392-3077
Jeff Skidmore	337-238-4345
Lakyn Modenhauer	337-392-3077

2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Jennifer Prewitt
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	

Television	
DVD	
VCR	
Desktop PCs	1
Laptops	1
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	We have contract with Xerox
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x and WIFI
No Internet Connection	
Connection Speed:	
Provider Name:	Sudden Link
Email Provider:	Squirrel Mail
Please list any software or computer equipment in which you need training:	

### 30th District Defender Office CY 2014 Caseloads & Outcomes

Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	2	2	2	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	54	43	35	89	0	35	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	0
Termination	1	1	0	1	1	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	1	1	0	1	N/A	N/A	0	0	0	1	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	16	11	5	21	N/A	N/A	7	1	2	4	N/A	N/A	0	0	0
Delinquency Felony	11	12	2	13	N/A	N/A	7	4	9	4	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	573	498	202	775	N/A	N/A	346	41	315	30	0	0	3	5	8
Adult Felony Non-LWOP**	499	465	344	843	N/A	N/A	256	134	320	1	0	1	0	7	8
Adult LWOP	1	1	2	3	N/A	N/A	0	0	1	0	0	0	0	1	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	237	180	59	296	N/A	N/A	0	0	12	0	N/A	N/A	N/A	N/A	0
PCR	1	0	0	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

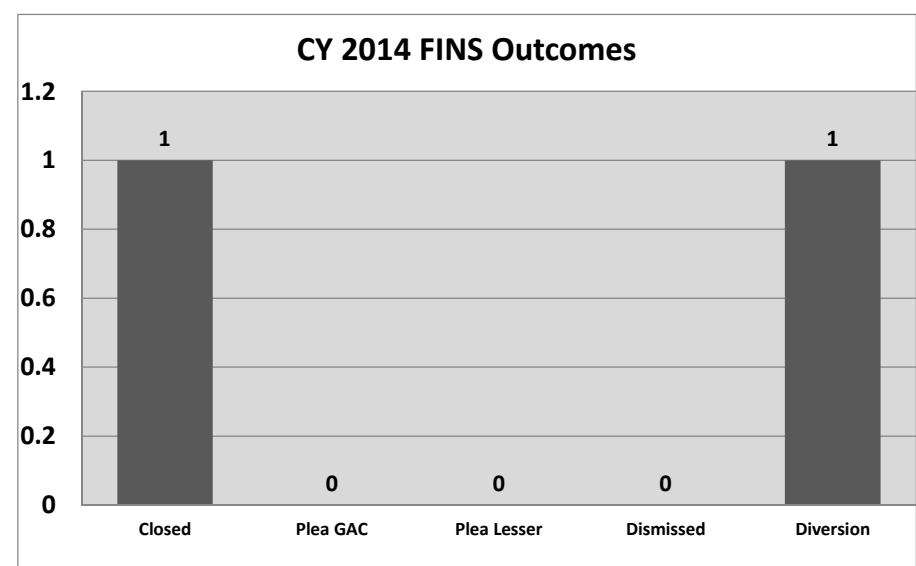
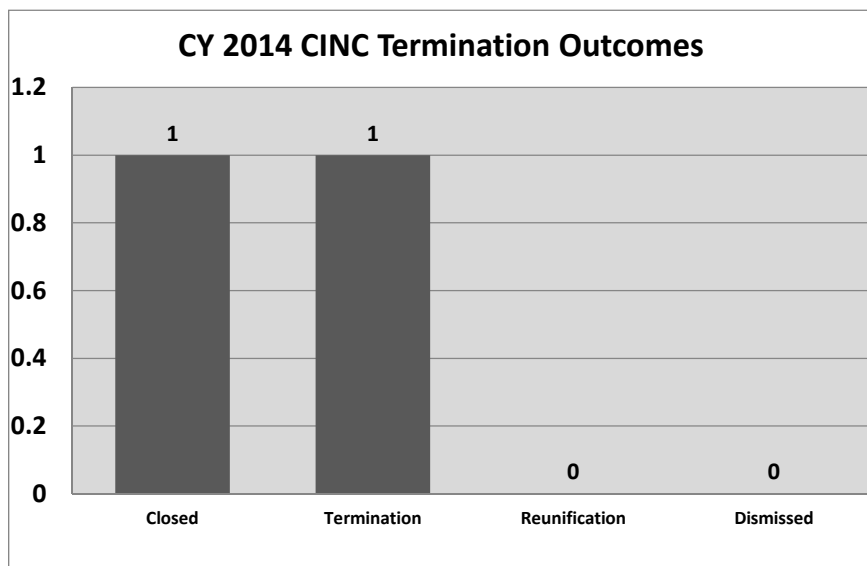
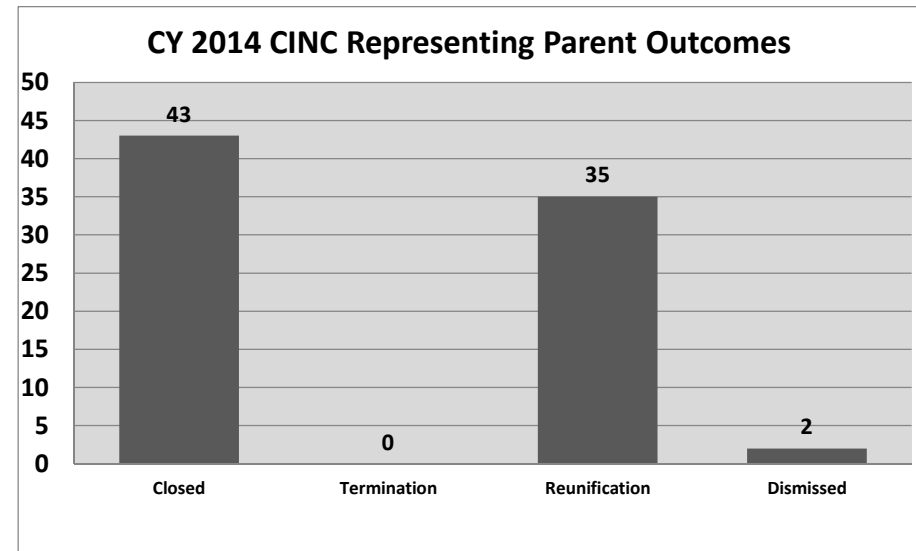
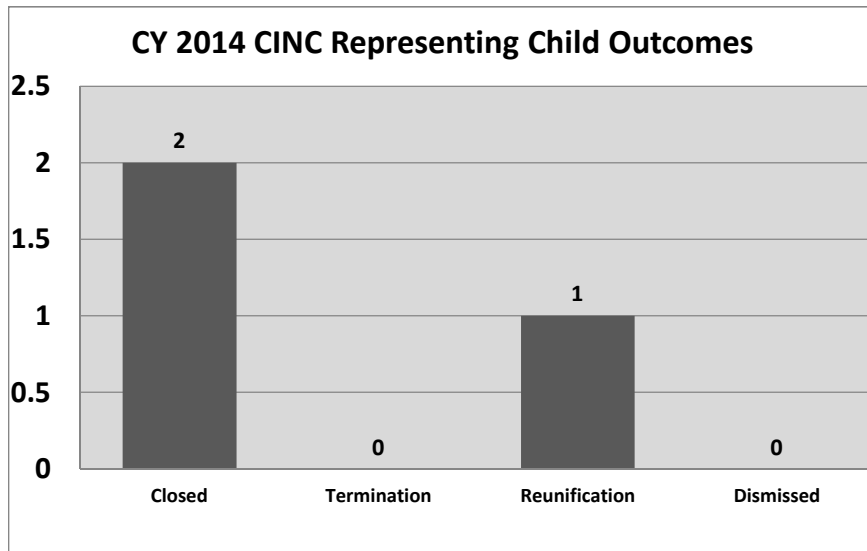
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

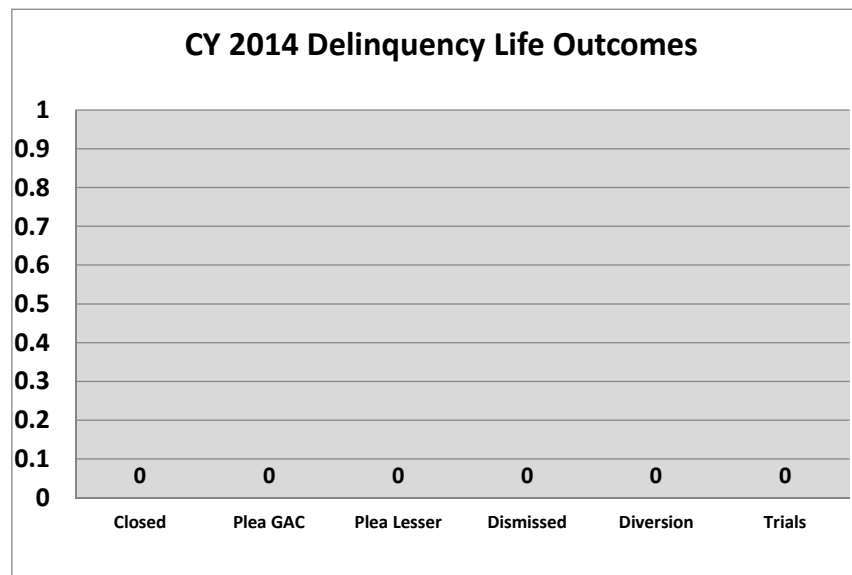
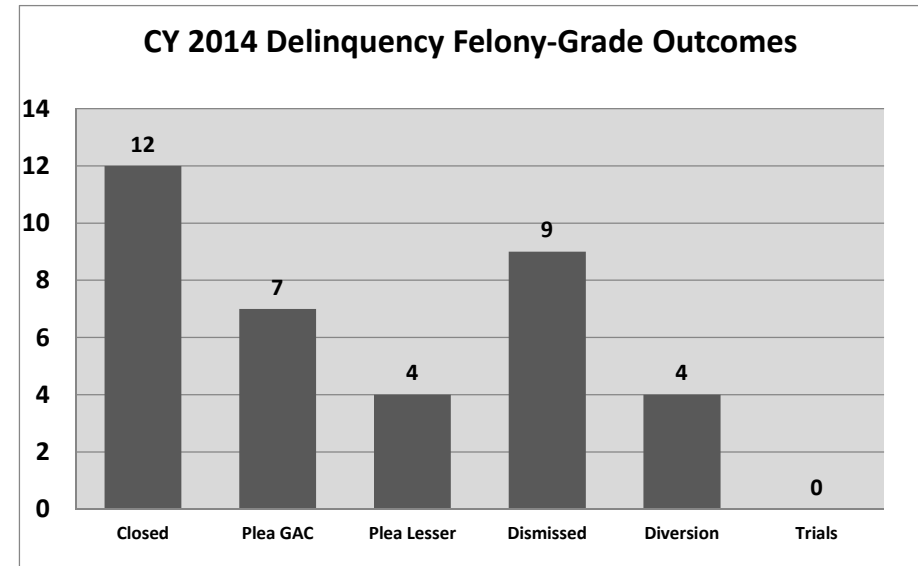
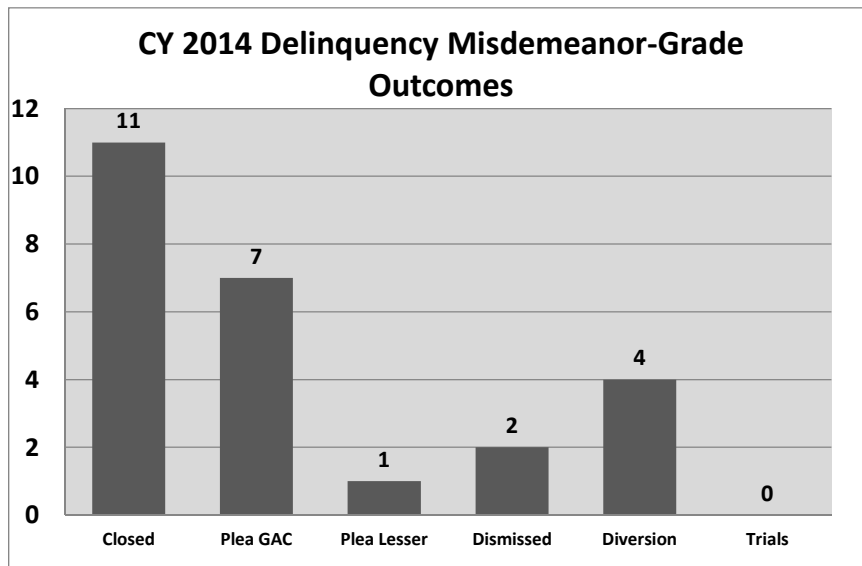
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

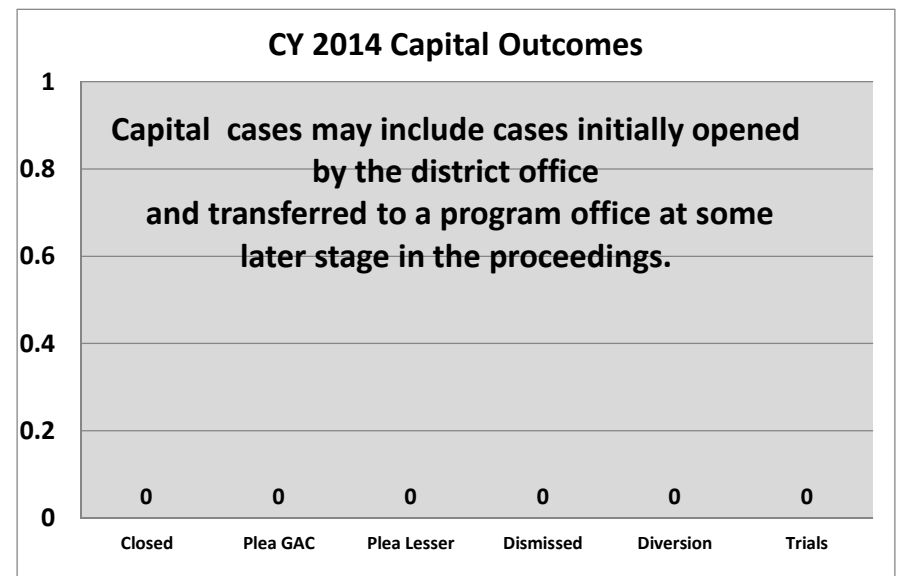
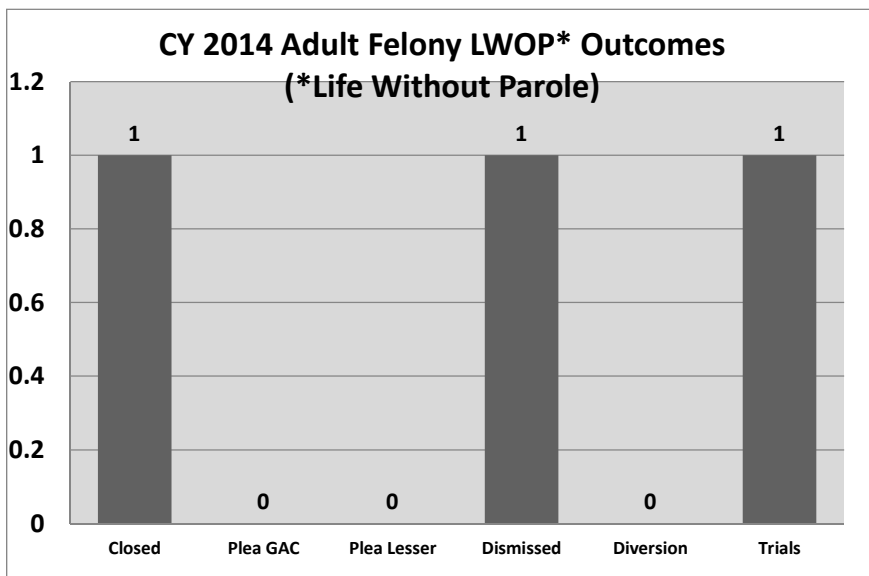
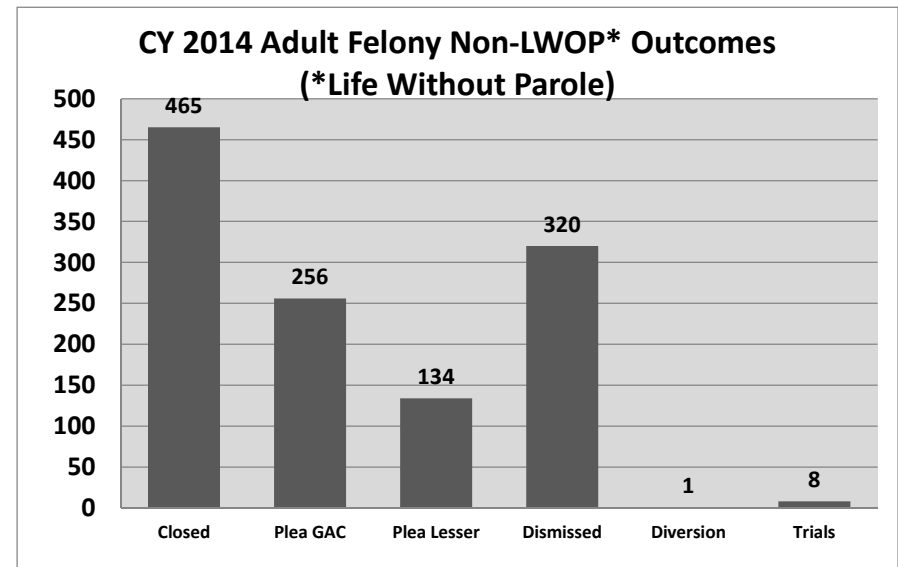
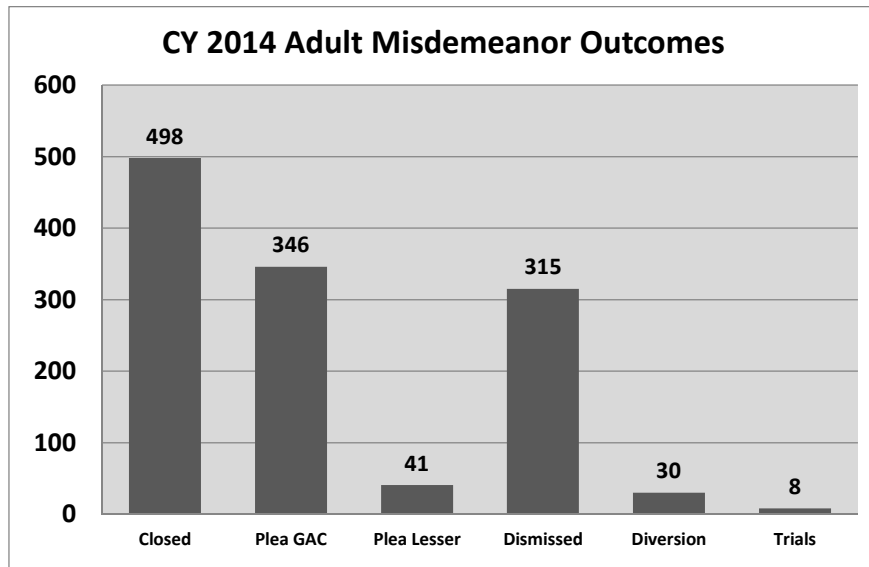
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.







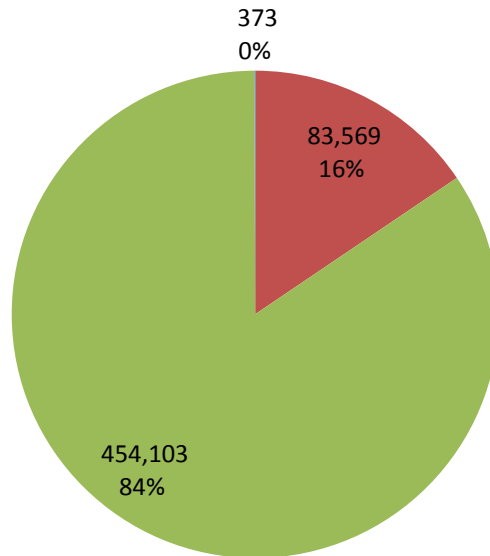


District 30 CY2014	Total CY2014
District Defender: Tony Tillman	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	16,413
District Assistance Fund (DAF)	67,156
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	83,569
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	32,801
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	266,294
City & City-Ward Courts	91,862
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	358,157
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	7,974
Partial Attorney Fees	
Reimbursements [as per 15:176]	55,172
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	63,146
Total for Local Government	454,103
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	373
Total for Other Sources (Grants & Contributions)	373
Total for REVENUE	538,045

District 30 CY2014	Total CY2014
District Defender: Tony Tillman	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	77,858
Accrued Leave	-
Payroll Taxes	4,613
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	82,471
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	9,060
Total for Travel/Training	9,060
Operating Services	
Advertisements	26
Workers' Compensation	557
Insurance - Malpractice	5,666
Insurance - Auto/Physical Liability	-
Insurance - Other	1,362
Lease - Office	-
Lease - Auto/Equipment	4,576
Lease - Other	470
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	5,036
Dues and Seminars	1,255
Law Library/Journals/Subscriptions	28,416
Office Supplies	2,389
Total for Operating Services	49,753
Professional Services	
Audit/Accounting Expense	390
Contract Clerical	-
Expert Witness	5,653
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	4,444
Conflict	1,526
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	462,976
IT/Technical Support	870
Total for Professional Services	475,859
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	1,103
Total for Other Charges	1,103
Total for EXPENDITURES	618,246

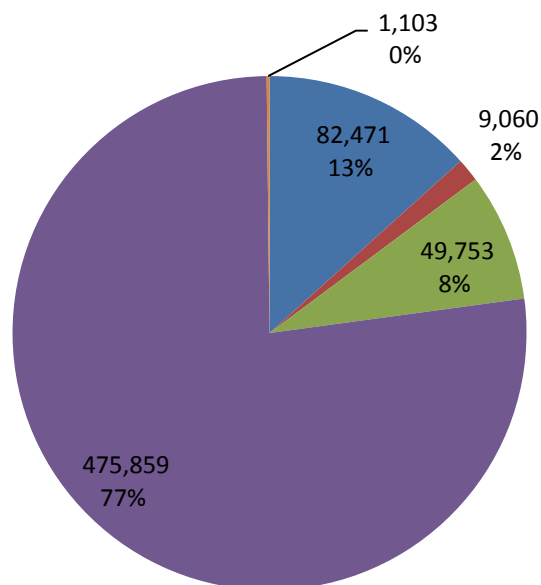
## Total CY14 Revenues

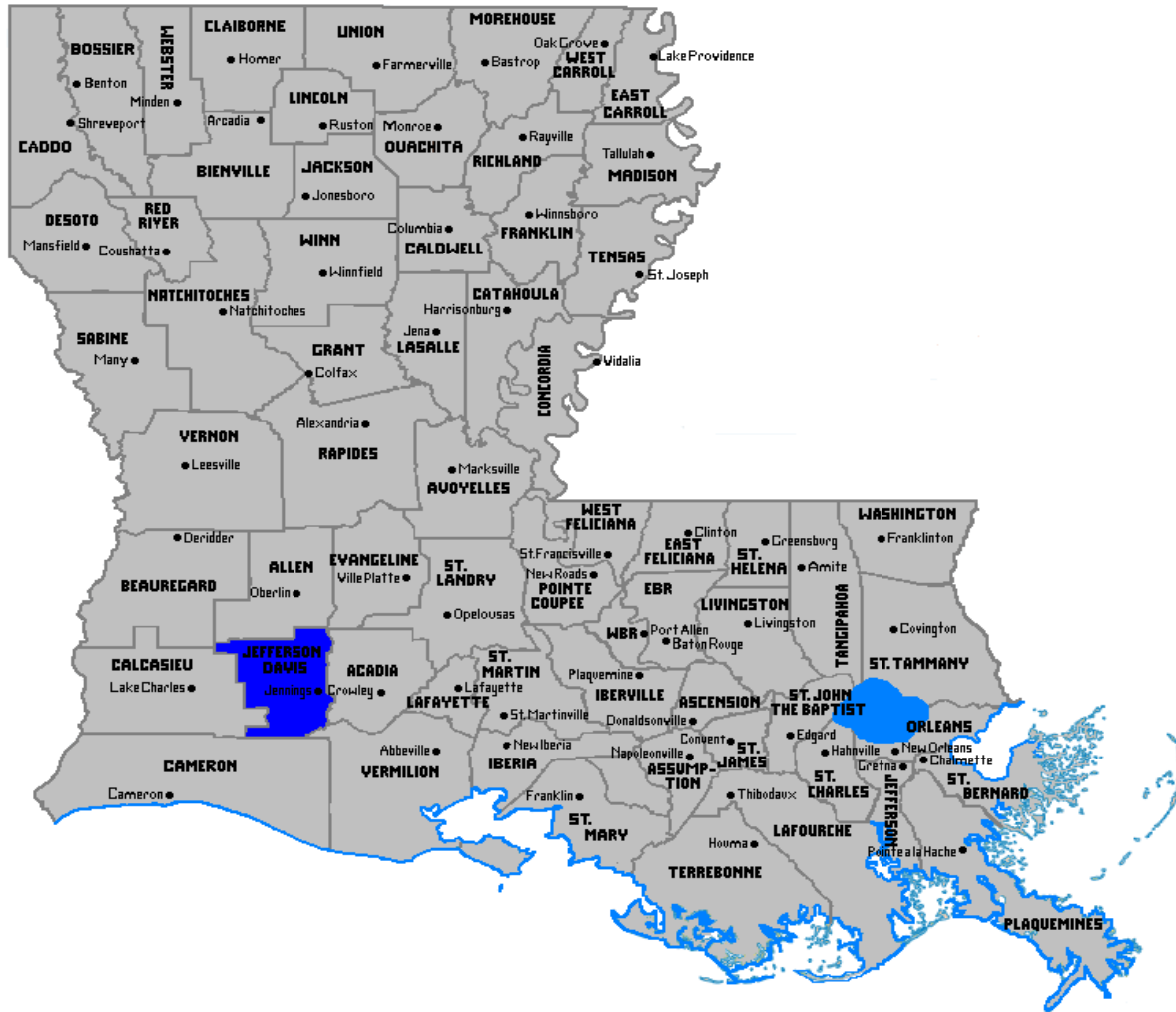
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





## THE 31<sup>ST</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

JEFFERSON DAVIS (JENNINGS)

DISTRICT DEFENDER: DAVID E. MARCANTEL  
300 NORTH STATE STREET, ROOM 203  
JENNINGS, LA 70546  
(337) 824-4900

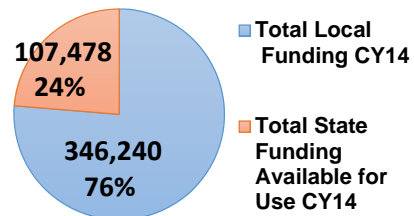
## 31ST JUDICIAL DISTRICT

During calendar year 2014, the 31st Judicial District Public Defenders Office handled 1,425 cases. The office received \$453,717 in total revenues to handle these cases, approximately 76% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

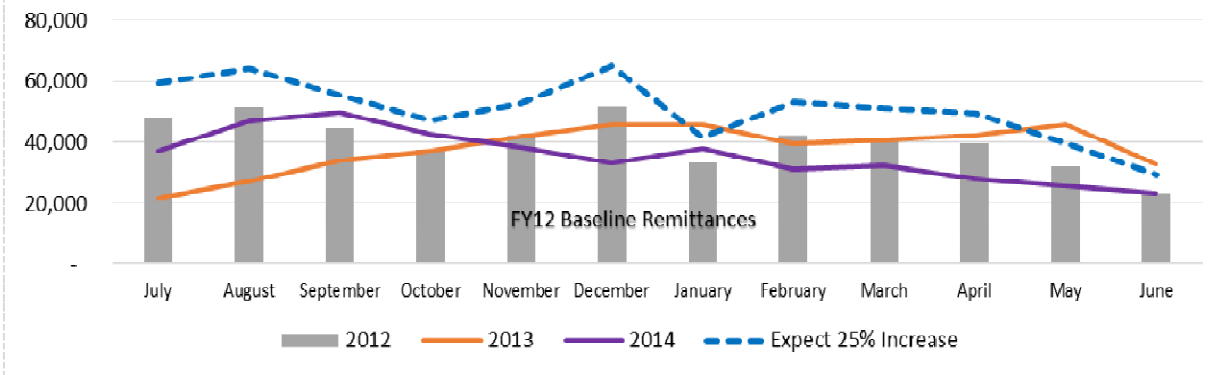
Since the passage of Act 578 (2012), the 31st has generally failed to realize the 25% increase in local funds that was expected to materialize.

As local revenues have declined, the 31st Judicial District Office has relied heavily on its fund balance. While it is too early to project when the 31st Judicial District Office will exhaust its fund balance, without an increase in revenues or reduction in expenditures the office will eventually become insolvent.

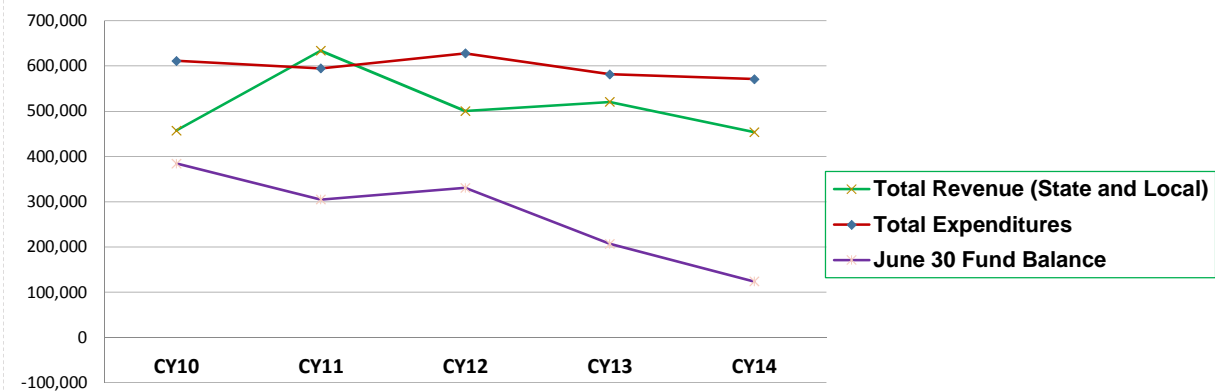
**District 31 PDO Revenue Sources CY14**



**Impact of Act 578 on District 31 PDO**



**District 31 PDO Finances CY10-14**

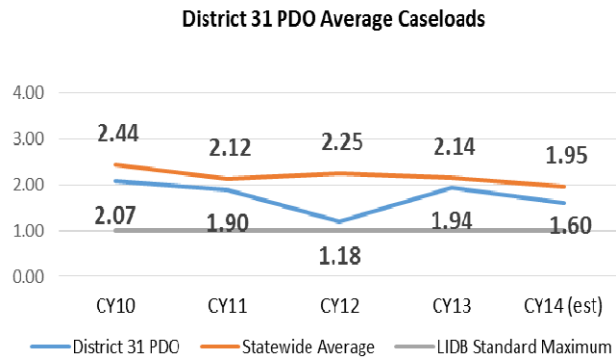




## JEFFERSON DAVIS PARISH

David E. Marcantel  
District Defender  
300 North State Street, Room 203  
Jennings, LA 70546  
337-824-4900

In the 31st Judicial District, public defense attorneys make an average annual salary of \$64,416 while maintaining caseloads in excess of the recommended caseload limit for each attorney.



## CAPITAL REPRESENTATION

Since 2009, there have been no new capital prosecutions in the 31st Judicial District.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 31st Judicial District due to a lack of capital certified attorneys and/or funding to support capital services in the District Office.





## THE 31<sup>ST</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Jefferson Davis - Jennings
<b>Population</b>	31,301
<b>Juvenile Population</b>	8,075
<b>District Defender</b>	David E. Marcantel
<b>Years as District Defender</b>	12
<b>Years in Public Defense</b>	23
<b>Office Manager</b>	Derek A. Bisig
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Julie A. Marceaux, PDO Administrative Assistant; Derek A. Bisig, PDO Executive Assistant.
<b>Primary Office Street Address</b>	300 North State Street, Room 203
<b>City</b>	Jennings
<b>ZIP</b>	70546
<b>Primary Phone</b>	337-824-4900
<b>Primary Mailing Address</b>	P.O. Box 1326, Jennings, LA 70546
<b>Primary Fax Number</b>	337-824-1009
<b>Primary Emergency Contact</b>	Derek A. Bisig
<b>Primary Emergency Phone</b>	337-824-7380
<b>Secondary Emergency Contact</b>	Julie A. Marceaux
<b>Secondary Emergency Phone</b>	337-824-7381
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Jefferson Davis Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	0
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Accounting is handled In-House. However, payroll of W-2 employees is tabulated by Mike Gillespie, CPA and is entered In-house by PDO staff.
<b>Courts and Locations</b>	31st Judicial District Court, Jefferson Davis Parish; Jennings, Welsh, Lake Arthur City Courts, and City of Jennings and Ward II Juvenile Court.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	4
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Clients are assigned an attorney by the PDO at his/her 72-hour advisement if incarcerated. Clients released on bond are assigned attorneys at his/her arraignment. In both cases, the attorneys are assigned by the PDO staff. For incarcerated clients, a PDO staff member meets with the client within 72-hours of arrest.
<b>Name of Adult Detention Facilities in This District</b>	Jefferson Davis Parish Jail & Jennings City Jail-Jennings; Welsh City Jail-Welsh; Lake Arthur City Jail-Lake Arthur.

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	South Louisiana Correctional Center, Richland Parish Jail, Angola, Calcasieu Correctional Center and Vermillion Parish Jail.
<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Assumption Parish Detention Center
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Clients housed in distant locations affect the quality of representation due to attorneys Not being able to contact them as frequently, and it leaves them unable to meet with other clients when they travel to meet clients in distant locations. Individual attorneys absorb the cost of travel.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No difficulties having access to clients.
<b>District Attorney</b>	Michael C. Cassidy
<b>Chief Judge of Criminal District Court</b>	Steve Gunnell
<b>Juvenile Court Judges (Specify District of City Court)</b>	Steve Gunnell (District Court) & Daniel Stretcher (City Court).
<b>Drug Court Judges</b>	N/A
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	The presiding judge determines indigence. Incarcerated clients are presumed indigent. When a client is thought to not be indigent, a contradictory hearing is held in a district court for determination of indigence.
<b>When is Assignment/Appointment of Counsel Made?</b>	72 Hr Advisement or Arraignment
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Derek A. Bisig, Executive Assistant (incarcerated clients) Julie A. Marceaux, Administrative Assistant (clients on bond)
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes. Intake form is attached
<b>Brief Explanation of Intake Process</b>	Client is interviewed for a synopsis of the case and intake forms are completed to ensure 48-hour Probable Cause finding and 72-hour advisement deadlines were met. The client receives contact information for his/her attorney and a brief synopsis of the case is collected for the attorney.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	863
<b>How Many Application Fees Were Waived?</b>	11
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	6,525
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	

<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	325,122
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	The office receives a breakdown of all fines and fees collected from the Sheriff's office. The \$40 PDO representation fee assessed by the Judge is remitted directly to the PDO. We receive an accounting from the Jennings City Court of those who paid fines and fees in court.
<b>Who Collects the Assessed Court Fees?</b>	Fines and court costs are collected by the Sheriff's office for District court. The \$40 PDO fee assessed by the District Judge is collected by PDO staff. Jennings City Court fines and fees are collected the by the Jennings City Clerk of Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	The office receives a breakdown of all fines and fees collected from the Sheriff's office. The \$40 PDO representation fee assessed by the Judge is remitted directly to the PDO. We receive an accounting from the Jennings City Court of those who paid fines and fees in court.
<b>Who Remits the Court Fees Collected?</b>	Fines and court costs are distributed by the Sheriff's office for District court. Jennings City Court fines and fees are distributed the by the Jennings City Clerk of Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The office receives a breakdown of all fines and fees collected from the Sheriff's office. The \$40 PDO representation fee assessed by the Judge is remitted directly to the PDO. We receive an accounting from the Jennings City Court of those who paid fines and fees in court.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	All clients placed on misdemeanor or felony probation are required to pay a \$40 reimbursement fee to the PDO.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Notes are taken in court by PDO staff and accounting and remittance are done in-house.
<b>Who Collects the Assessed Partial Payments?</b>	PDO Staff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	Clients
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	None ordered.
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private criminal practice is permitted. The policy is in writing in the contract attorney employment contract.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes, See attached documents
<b>Primary Immediate Needs</b>	Increase of local and state source funding.

<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes, notify community steak holders of restriction of services intention. The PDO will no longer fund conflict representation, interpreters, or investigators. More restrictions may take place depending on revenue decreases.
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Yes, Charles Bull. A 15% reduction in attorney and staff compensation has also been implemented.
<b>Immediate Critical Issue Areas</b>	Increase of Local and State revenues.
<b>Long-Term Critical Issue Areas</b>	Parity between DA Office and PDO.
<b>Please List All New Hires in 2014 (Name and Title)</b>	None
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, the District Public Defender oversees new hires to ensure best practices and attorneys attend professional development seminars to strengthen deficiencies.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	See attached organizational chart
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	See attached organizational chart.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None. Supervisory staff carry same workload.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Medical benefits are provided by the office for W-2 employees only.
<b>Regular Meetings for Any Staff, Please Describe</b>	Administrative Staff-weekly; Attorneys-monthly
<b>Number of NEW capital cases in CY14 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	0
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2014</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	None. This is a rarified occurrence for our district.
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None. This is a rarified occurrence for our district.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator Dan Morrish; Representative Johnny Guinn.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None

<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	Established new policies in attorney representation to ensure best practices.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
David Marcantel	337-824-7380
Bill Riley	337-824-9158
Robert Lounsberry	337-616-3888
Ric Oustalet	337-616-2323
Joslyn Alex	337-322-1180
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Derek A. Bisig	337-824-4900
Julie A. Marceaux	337-824-4900

2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Derek A. Bisig
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	x
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Firefox	
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	

Television	0
DVD	1
VCR	0
Desktop PCs	3
Laptops	1
Video Cameras	0
Digital Cameras	0
Video Conferencing Systems	0
B&W Laser Printers	2
Color Printers	1
Wireless Cards	1
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	0
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	T3
Provider Name:	Provided by the sheriff's office for the courthouse.
Email Provider:	
Please list any software or computer equipment in which you need training:	



### 31st District Defender Office CY 2014 Caseloads & Outcomes

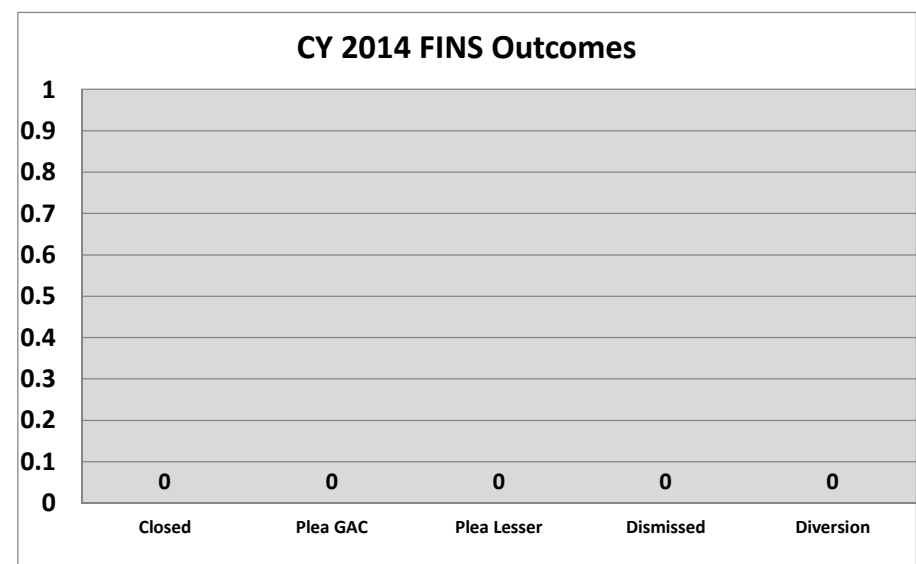
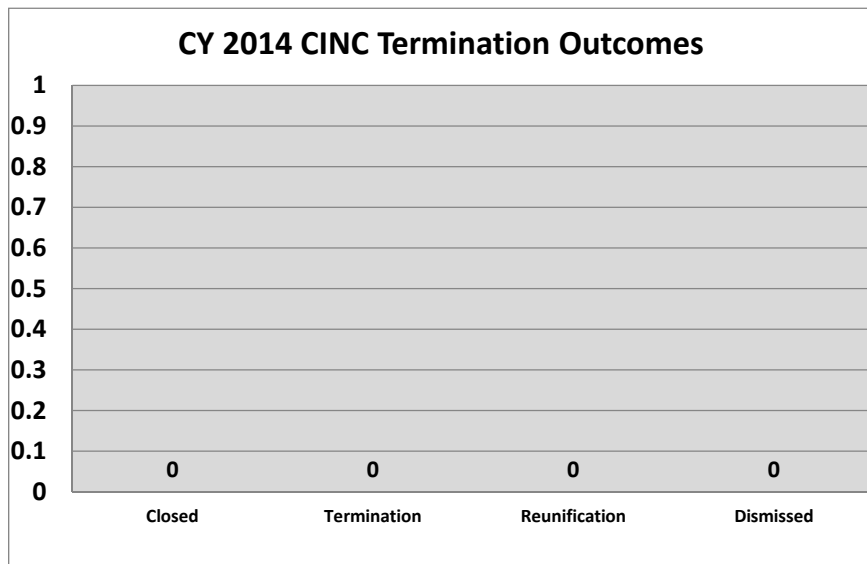
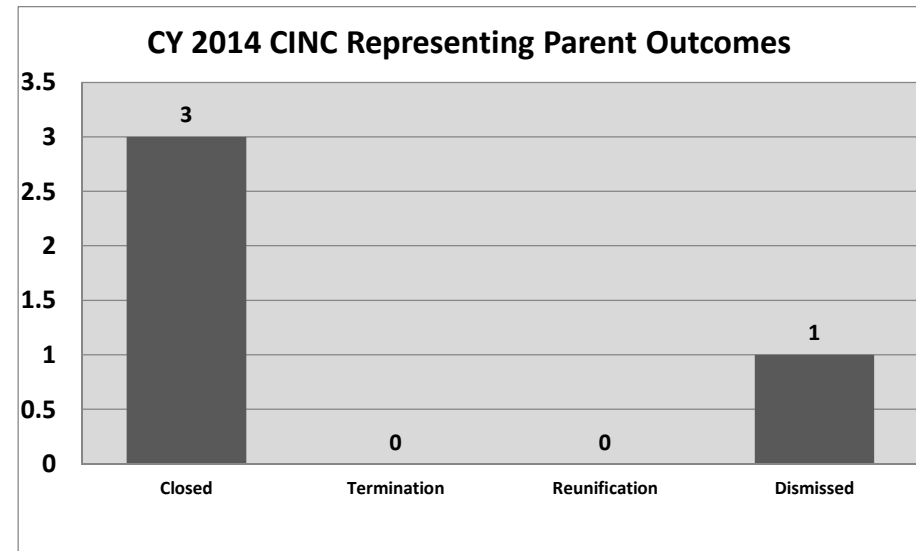
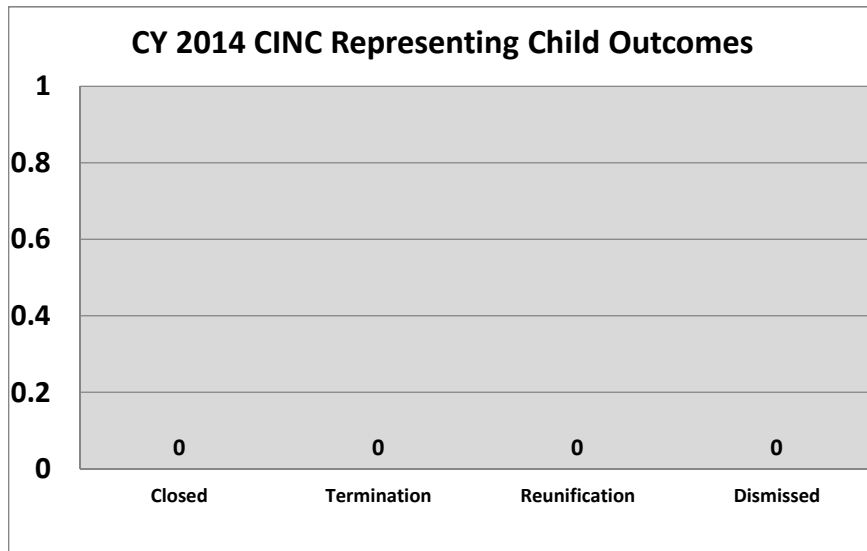
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	1	0	0	1	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	30	3	8	38	0	0	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	13	10	8	21	N/A	N/A	7	1	0	0	N/A	N/A	0	0	0
Delinquency Felony	6	3	4	10	N/A	N/A	1	0	1	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	474	367	213	687	N/A	N/A	132	8	121	2	0	0	0	6	6
Adult Felony Non-LWOP**	335	245	266	601	N/A	N/A	109	5	114	0	0	0	0	0	0
Adult LWOP	2	3	5	7	N/A	N/A	1	0	1	0	0	1	0	0	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	42	42	18	60	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

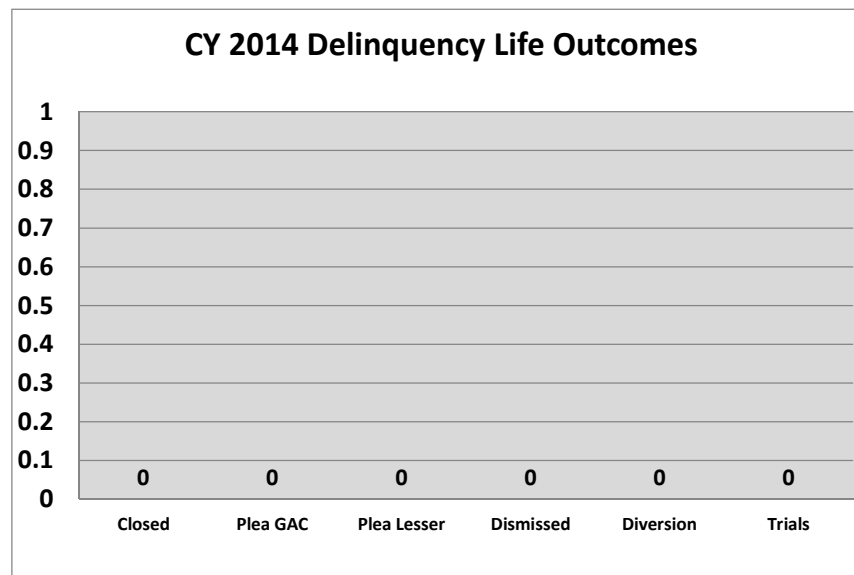
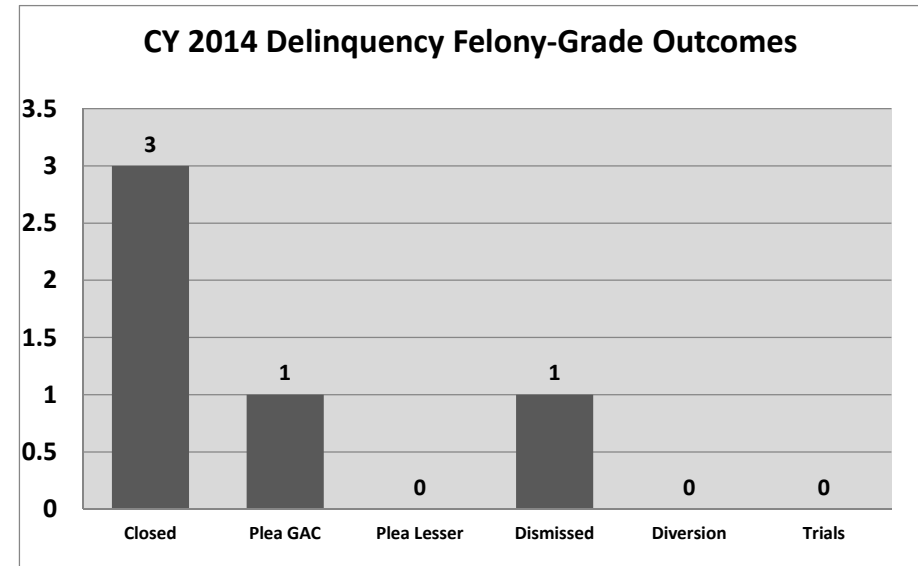
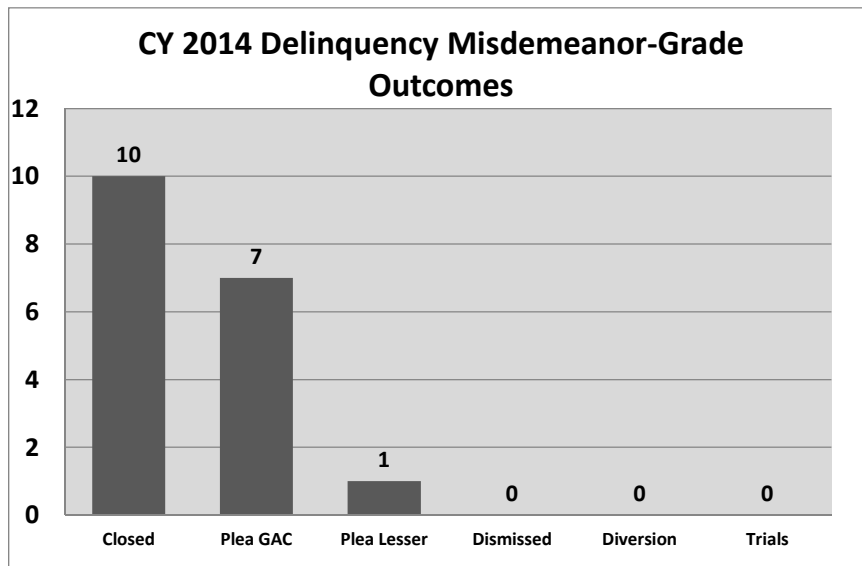
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

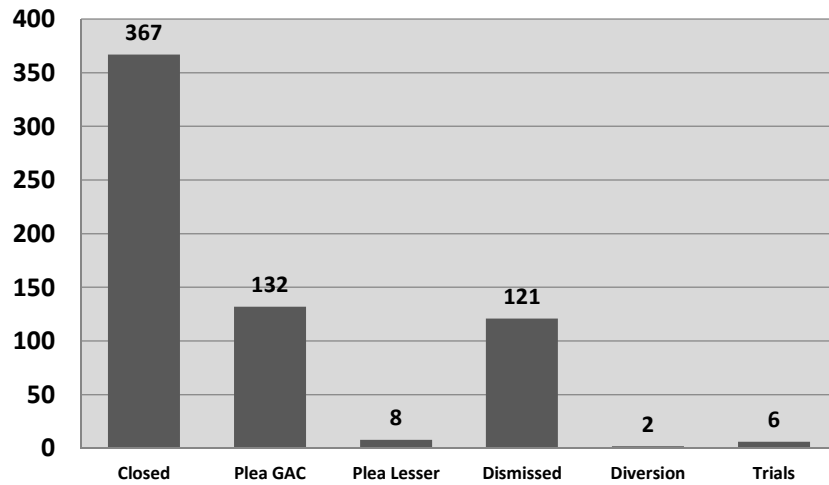
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

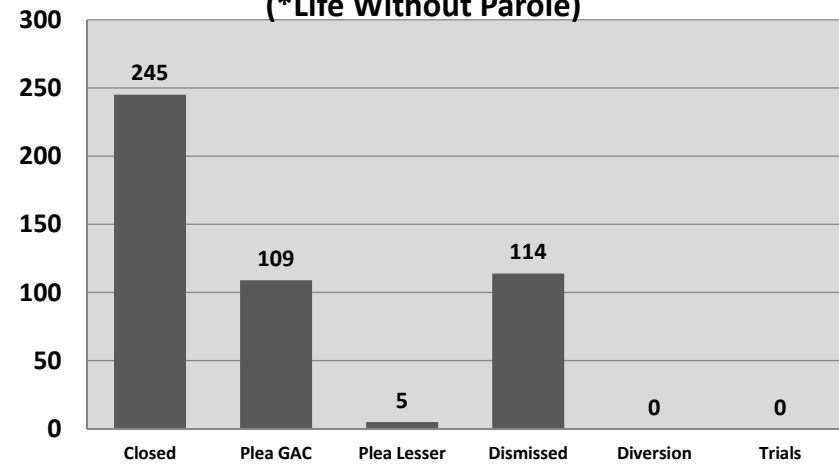




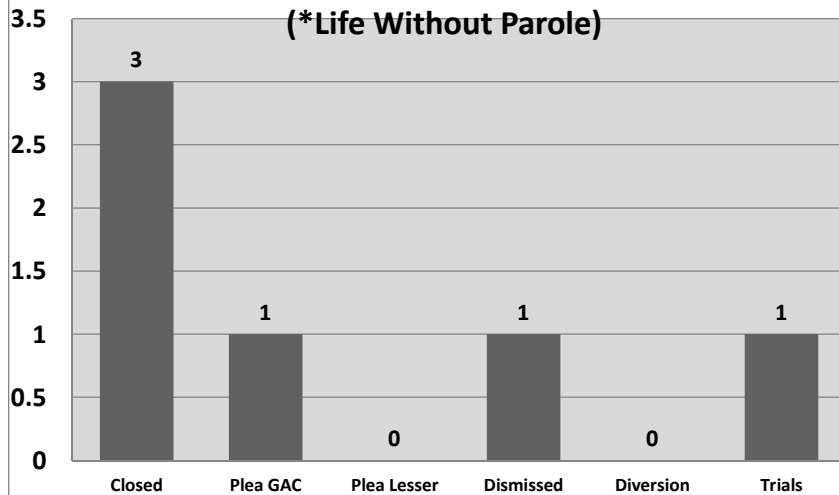
**CY 2014 Adult Misdemeanor Outcomes**



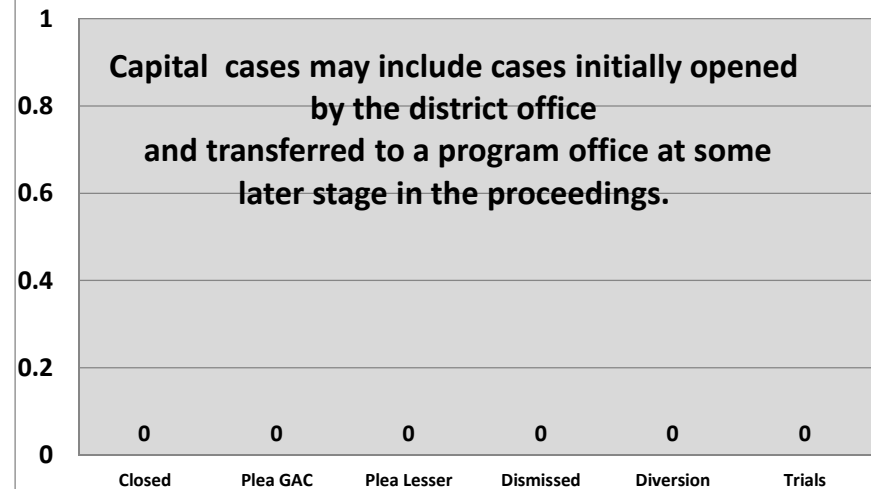
**CY 2014 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Capital Outcomes**

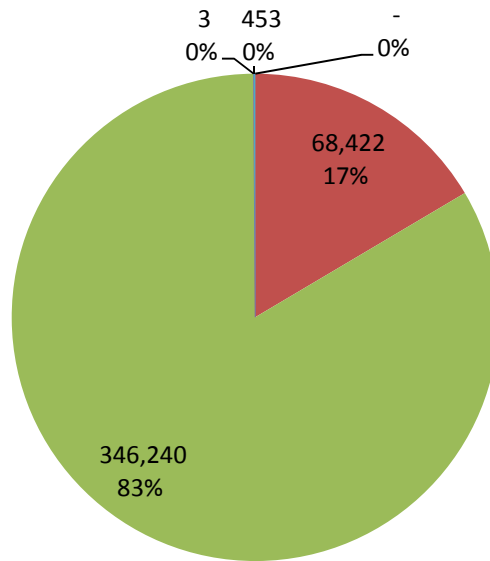


District 31 CY2014	Total CY2014
District Defender: David Marcantel	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	4,554
District Assistance Fund (DAF)	63,868
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	68,422
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	40
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	13,093
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	1,000
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	25,522
Judicial District Courts	7,235
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	292,815
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	325,572
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	6,535
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	6,535
Total for Local Government	346,240
Investment Earnings	
Interest Income	3
Other Investment Income - List source(s)	-
Total for Investment Earnings	3
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	453
Total for Other Sources (Grants & Contributions)	453
Total for REVENUE	415,118

District 31 CY2014	Total CY2014
District Defender: David Marcantel	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	83,835
Accrued Leave	-
Payroll Taxes	25,565
Hospitalization and Disability	
Insurance	11,511
Retirement	27,091
Other	-
Total for Personnel Services and Benefits	148,002
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	2,478
Total for Travel/Training	2,478
Operating Services	
Advertisements	139
Workers' Compensation	800
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	270
Insurance - Other	231
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	84
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	5,938
Dues and Seminars	-
Law Library/Journals/Subscriptions	623
Office Supplies	2,771
Total for Operating Services	10,857
Professional Services	
Audit/Accounting Expense	10,750
Contract Clerical	1,000
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	1,200
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	51,558
Contract Attorneys - all other	343,196
IT/Technical Support	125
Total for Professional Services	407,829
Capital Outlay	
Major Acquisitions	1,090
Total for Capital Outlay	1,090
Other Charges	
Other Operating Expenses	827
Total for Other Charges	827
Total for EXPENDITURES	571,082

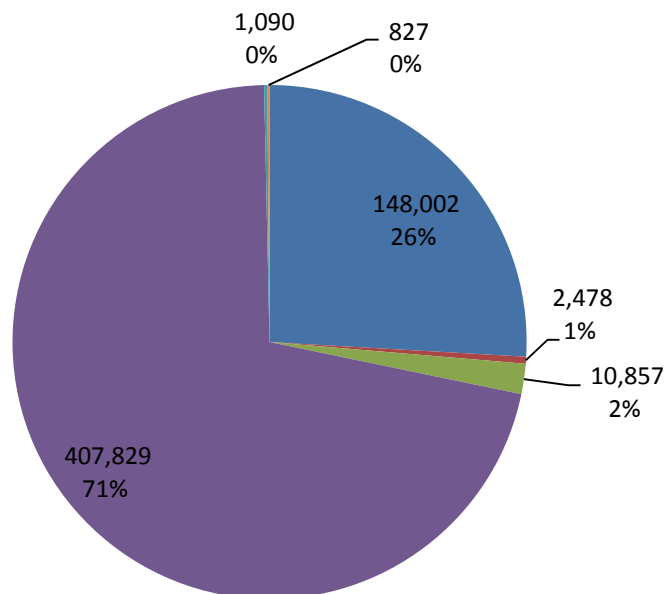
## Total CY14 Revenues

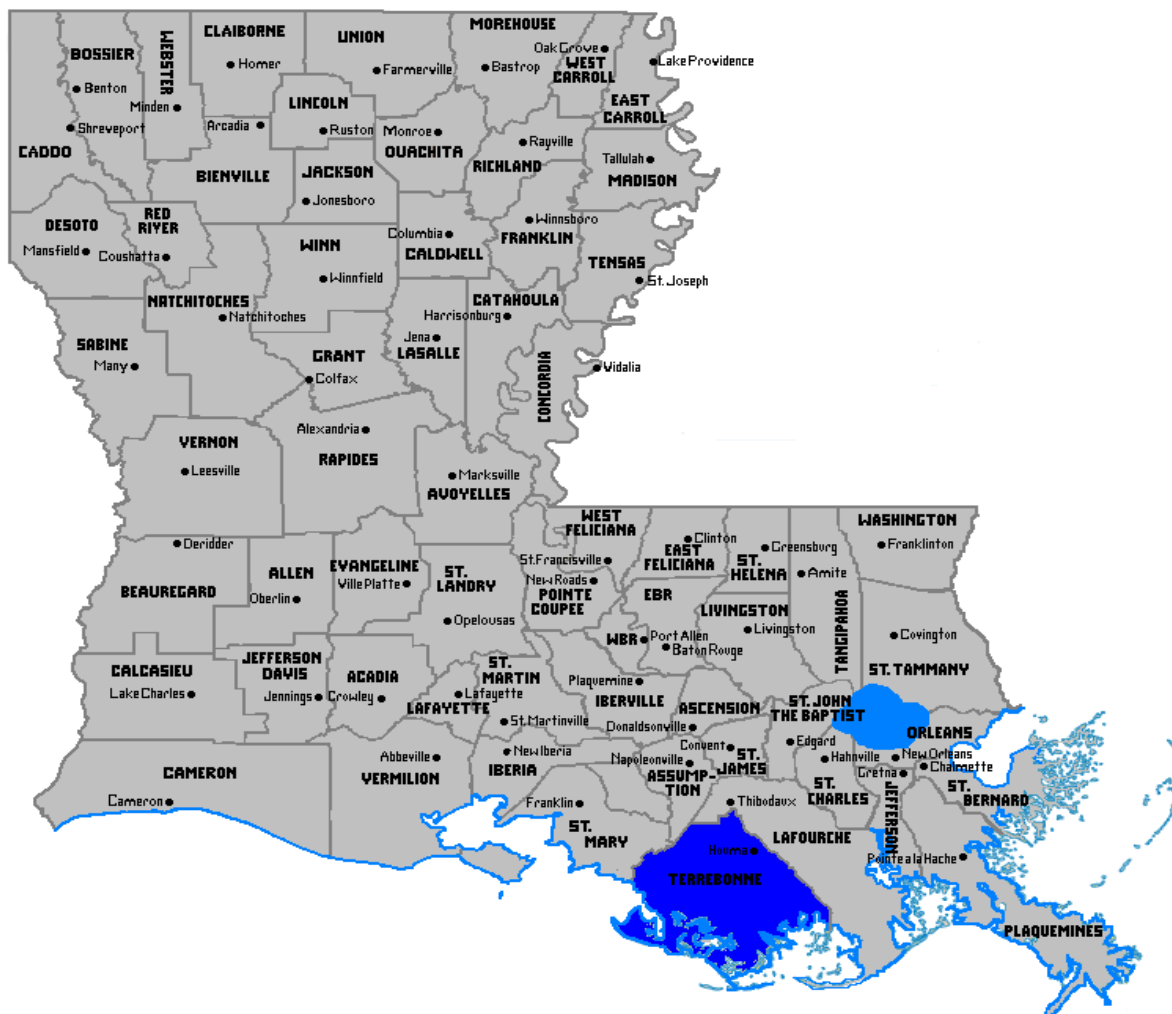
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





# THE 32<sup>ND</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE TERREBONNE (HOUMA)

DISTRICT DEFENDER: ANTHONY CHAMPAGNE  
504 BELANGER STREET  
HOUMA, LA 70360  
(985) 873-6831



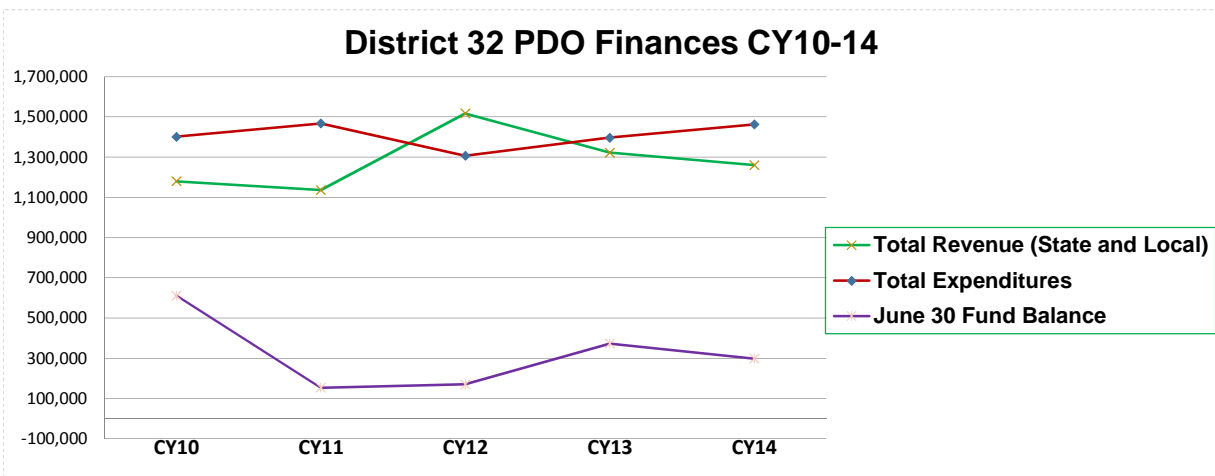
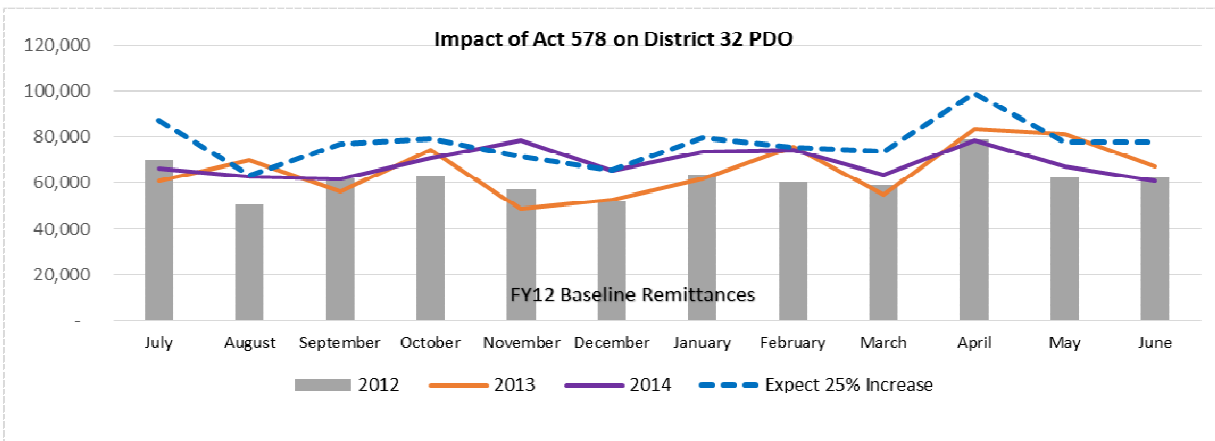
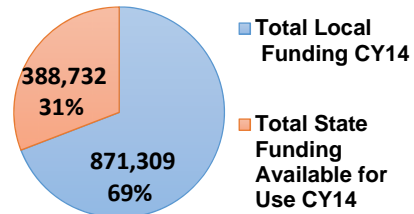
## 32ND JUDICIAL DISTRICT

During calendar year 2014, the 32nd Judicial District Public Defenders Office handled 4,868 cases. The office received \$1,260,041, 69% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

With the exception of a few anomalies, the 32nd has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 32nd Judicial District office's expenditures generally exceed the office's revenues. While it is too early to project when the 32nd Judicial District office will exhaust its fund balance, without an increase in revenues or reduction of expenditures, the office will continue to deplete its fund balance eventually becoming insolvent.

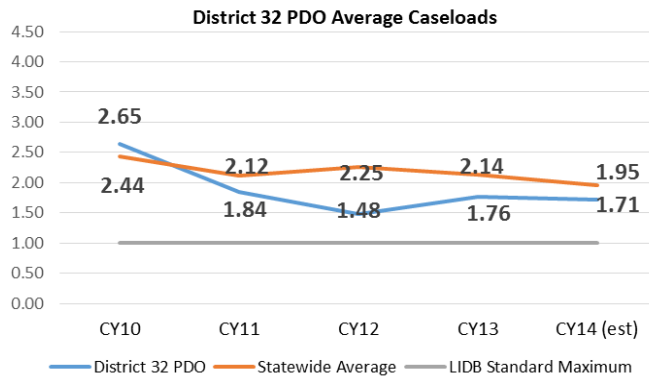
**District 32 PDO Revenue Sources CY14**



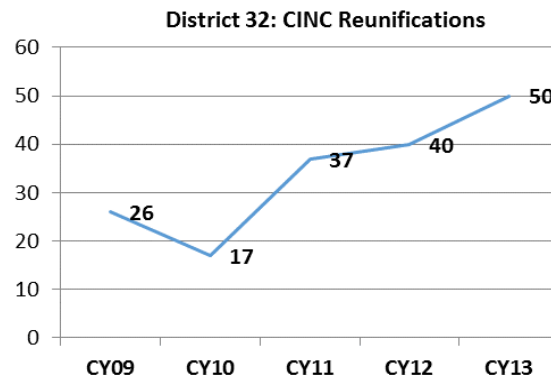
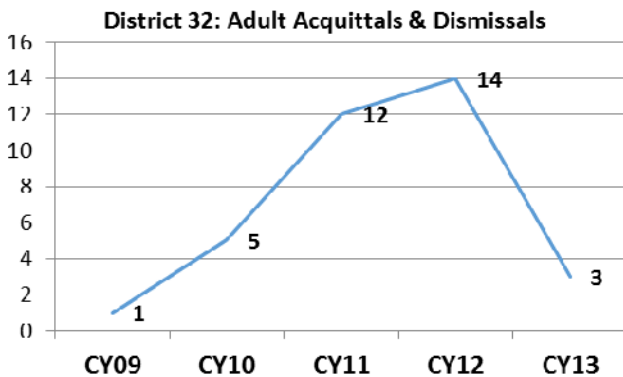
# TERREBONNE PARISH

Anthony P. Champagne  
District Defender  
504 Belanger Street  
Houma, LA 70360  
985-873-6831

In the 32nd Judicial District, public defense attorneys maintain caseloads almost twice the recommended caseload limit for each attorney.



Although caseloads remain high due to insufficient revenues, through increased training and supervision, client outcomes in CINC cases have significantly improved over the last five years and acquittals and dismissals have rapidly increased since 2009 albeit with a recent drop in CY13.





## THE 32ND JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Terrebonne - Houma
<b>Population</b>	112,749
<b>Juvenile Population</b>	28,864
<b>District Defender</b>	Anthony Champagne
<b>Years as District Defender</b>	28
<b>Years in Public Defense</b>	28
<b>Office Manager</b>	Quita Wallace
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Anthony Champagne-District Defender; Amy Lavender, Brea Verret, Holly Adams, Hailley Roussell, Kaylyn Collins, Quita Wallace, Rebecca James-Secretaries; Allie Leblanc, Amanda Mustin, Carmelita Ratna, Teresa King, Jessica Duet, Jacques Beebe, Michael Billiot, Kathryn Lirette, Keara Plaisance, Kerry Byrne, Carolyn McNabb, Todd Joffrion, Vanessa Zeringue, Tanner Magee-Attorneys
<b>Primary Office Street Address</b>	504 Belanger Street
<b>City</b>	Houma
<b>ZIP</b>	70360
<b>Primary Phone</b>	985-873-6831
<b>Primary Mailing Address</b>	504 Belanger Street, Houma, LA 70360
<b>Primary Fax Number</b>	985-873-6574
<b>Primary Emergency Contact</b>	Anthony Champagne
<b>Primary Emergency Phone</b>	985-209-0755 (cell phone)
<b>Secondary Emergency Contact</b>	Quita Wallace
<b>Secondary Emergency Phone</b>	985-873-6831
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Anil K. Chagarlamudi - 504 Belanger Street; Storage Owner: Eric Duplantis 242 Enterprise Drive
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Total: 5,196; Rent: 4,400; Storage: 328; Monthly Utilities 468
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Both in house and by, Terri St. Peter.
<b>Courts and Locations</b>	32nd Judicial District Court, Divisions A-E , 7856 Main St. Courthouse Annex, Houma, 70360 Houma City Court, 8046 Main St., Houma, 70360.

<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	5 District Court Divisions and 1 City Court
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Various attorneys are assigned to specific court rooms. We file Motions to Allot cases within 24-48 hours of appointment. Those cases go to the attorneys assigned to those divisions. This pertains to in-house attorneys. Conflict cases are assigned to conflict attorneys by the District Public Defender.
<b>Name of Adult Detention Facilities in This District</b>	Terrebonne Parish Criminal Justice Complex, 3211 Grand Caillou Rd., Houma, LA 70363.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Normally, outside facilities do not hold clients.
<b>Name of Juvenile Detention Facilities In This District</b>	Terrebonne Parish Juvenile Detention Center, 3182 Grand Caillou Rd., Houma, LA 70363.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None used outside of the parish for juveniles.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	None, other than lengthy waiting periods to be able to see clients.
<b>District Attorney</b>	Joseph Waitz, Jr.
<b>Chief Judge of Criminal District Court</b>	David W. Arceneaux
<b>Juvenile Court Judges (Specify District or City Court)</b>	Jude Fanguy - City Court
<b>Drug Court Judges</b>	John Walker
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A - None
<b>Indigency Determined by Whom and How?</b>	Initial determination is made by the Court. Applications are taken from clients. These applications are reviewed by the District Defender who makes a determination of concurrence or disagreement and signs a certificate which is filed into the record indicating final decision.
<b>When is Assignment/Appointment of Counsel Made?</b>	Assignment of counsel is made upon allotment of cases in most cases which takes place within 24 to 48 hours of appointment by the Court. In cases of conflict assignments those are made as soon as possible by the District Defender upon being notified of the existence of the conflict.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Teresa King Full Time Staff Attorney.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes

<b>Brief Explanation of Intake Process</b>	All persons making application with the Office are required to pay a \$40.00 fee. In some instances the District Defender may waive the fee. Those persons who are incarcerated can not pay the fee upfront and same can be waived. Some persons do not appear at the office to pay the application fee. Failure to pay is not pursued by the office as a condition of representation.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	2,323
<b>How Many Application Fees Were Waived?</b>	0
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2014</b>	19,433
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Yes, Sheriff's Office
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	744,038
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Recently, pursuant to meeting between District Public Defender and the five district judges application fees maybe tacked on as a condition of probation after a plea is entered by certain clients. This would then be collected by the Sheriff's Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	The District Attorney's Office, Sheriff's Office and City Court provide us with an accounting breakdown.
<b>Who Collects the Assessed Court Fees?</b>	The District Attorney's Office, City Court and Sheriff's Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Spreadsheet of person's name and amount being paid to our office (Sheriff/District Attorney/City Court/Police Jury)
<b>Who Remits the Court Fees Collected?</b>	Remittance of Court Cost are as follows: 1 - all cost collected at City Court are remitted by City Court directly to the Office of the District Public Defender. 2 - All cost collected pursuant to pleas and convictions which take place in District Court are collected and remitted by the Sheriff's Office. 3 - All cost collected pursuant to payment of traffic tickets at the Terrebonne Parish District Attorney's Office are remitted by the Terrebonne Parish Consolidated Government to the Office of the District Public Defender.

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Fees remitted by City Court of Houma; City Court of Houma provides the Office of the District Public Defender with a complete list of all payments made by persons in City Court of Houma. 2 - Payments remitted by the Terrebonne Parish Consolidated Government; The District Attorney's Office, who initially collects all of these provides our office with a complete break down of cost collected in all different types of violations. In addition the name of each person making payments is listed with the amounts collected from each person. 3 - Payments remitted by the Terrebonne Parish Sheriff's Office provides our office with a complete break down of cost collected in all different types of violations. In addition the name of each person making payments is listed with amounts collected from each person.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	No formula used.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	1 - City Court of Houma documentation is provided to our office by City Court of Houma regarding payments by clients for Court Ordered Reimbursement. 2 - Terrebonne Parish Sheriff's Office documentation is provided to our office by The Terrebonne Parish Sheriff's Office regarding payments by clients for Court Ordered Reimbursement.
<b>Who Collects the Assessed Partial Payments?</b>	City Court of Houma and Terrebonne Parish Sheriff's Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Remittance of Court Cost are as follows: 1 - all cost collected at City Court are remitted by City Court directly to the Office of the District Public Defender. 2 - All cost collected pursuant to pleas and convictions which take place in District Court are collected and remitted by the Sheriff's Office. 3 - All cost collected pursuant to payment of traffic tickets at the Terrebonne Parish District Attorney's Office are remitted by the Terrebonne Parish Consolidated Government to the Office of the District Public Defender.
<b>Who Remits the Partial Payments Collected?</b>	City Court of Houma and Terrebonne Parish Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Remittance of Court Cost are as follows: 1 - all cost collected at City Court are remitted by City Court directly to the Office of the District Public Defender. 2 - All cost collected pursuant to pleas and convictions which take place in District Court are collected and remitted by the Sheriff's Office. 3 - All cost collected pursuant to payment of traffic tickets at the Terrebonne Parish District Attorney's Office are remitted by the Terrebonne Parish Consolidated Government to the Office of the District Public Defender.

<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	27,524
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted- yes Criminal - yes
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes (see attached)
<b>Primary Immediate Needs</b>	As mentioned on this item in previous reports, this office once employed two attorneys for each district court division. One attorney handled all cases involving violations of control dangerous substance statutes. The other attorney handled all other cases. Three years ago, before the State Board adopted the restriction of service protocol rules, this office cut the five positions for handling drug violation cases. Even with the legislation for increase of court costs, we have not realized the type of revenue that would allow for the reinstatement of those positions. Reinstatement of these positions would help substantially in the reduction of caseloads for the remaining five division attorneys.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Lack of Needed Personnel.
<b>Long-Term Critical Issue Areas</b>	Shortage of funding for provision of services and resources as required by standards.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Jacques Beebe, Jessica Duet-Conflict Attorneys; Kaylyn Collins, Rebecca James, Hailley Roussell, Brea Verret-Secretaries.
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	N/A
<b>Number of Expected New Attorney Hires in 2015</b>	Due to shortage of funding, the office does not expect to hire new attorneys in 2014.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. Attorneys are sent to various training sessions the District Defender also meets with new attorneys to coach and mentor.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	We do not provide employee policy manuals. We do provide Statutory Criminal Law and Procedure handbooks, as well as Criminal Trial Practice handbooks by Gail Dalton Schlosser.
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Effective October 2013 Quita Wallace is the chief secretary; supervising all other secretaries. See #78, Amanda Mustin sharing in supervising of attorneys.

<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	Amanda Mustin assists District Defender with supervision of attorneys with focus on assuring compliance with data base entry requirements and on training. Quita Wallace assists District Defender by supervising secretaries and training new secretary hires. District Defender supervises all attorneys, secretarial staff and investigator.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	N/A
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes - Full Time employees only, 99% of policy paid by employer and 1% of policy paid by employee.
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, the secretarial staff meets every one to three weeks; the District Defender meets with attorneys approximately once every month or two.
<b>Number of NEW capital cases in CY14 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	None
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	All appeals are handled by the Louisiana Appellate Project.
<b>Number of Writs Your District Handled in 2014</b>	3
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	2
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	It is very rare that cases are transferred from our City Court which handles all juvenile matters to District Court. In those instances the attorneys who handle felonies in the District Court take over the file, unless the case was originally handled in juvenile court by a contract or conflict attorney, in that instance the case is handled by the same attorney if qualified.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Representatives: Gordon Dove, Joe Harrison, Lenar Whitney; Senators: Brett Allain, Norbert Chabert.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Shortage of attorneys interested in doing this type of work.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Anthony P. Champagne	985-873-6831
Amanda Mustin	985-873-6831
Keara Plaisance	985-873-6831



Teresa King	985-873-6831
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Kathryn Lirette	985-873-6831
Kerry P. Byrne	985-873-6831
Magee, Tanner	985-873-6831
Leblanc, Allie	985-873-6831
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Robert Pastor	504-486-0402
Todd Joffrion	985-223-3392
Carolyn McNabb	985-851-2533
Vanessa Zeringue	985-872-2877
Quita Wallace	985-873-6831
Amy Lavender	985-873-6831
Robert Brown	985-873-6831
Holly Adams	985-873-6831
Billiot Michael	985-873-8307
Carmelita Ratna	504-388-7170
Rebecca James	985-873-6831
Kaylyn Collins	985-873-6831
Hailley Roussell	985-873-6831
Brea Verret	985-873-6831
<b>2014 District Office Technology Survey</b>	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Quita L. Wallace
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	

<b>Productivity Suites Used:</b>	
Microsoft Office 2013 (Word, Excel, etc.)	X
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b>Accounting Software</b>	
QuickBooks	x
Quicken	
Intuit	x
Other (list here):	
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	x
Internet Explorer 9	x
Firefox	x
Google Chrome	x
Other	
<b>HARDWARE:</b>	
Please enter the number of	
devices in your inventory.	
Television	4
DVD	1
VCR	1
Desktop PCs	10
Laptops	17
Video Cameras	1
Digital Cameras	1
Video Conferencing Systems	0
B&W Laser Printers	2
Color Printers	10
Wireless Cards	0
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	0
Scanner	1
Fax	1
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x

No Internet Connection	
Connection Speed:	100.0 MBPS
Provider Name:	TRIPARISH.NET
Email Provider:	TRIPARISH.NET & YAHOO.COM
Please list any software or computer equipment in which you need training:	None

### 32nd District Defender Office CY 2014 Caseloads & Outcomes

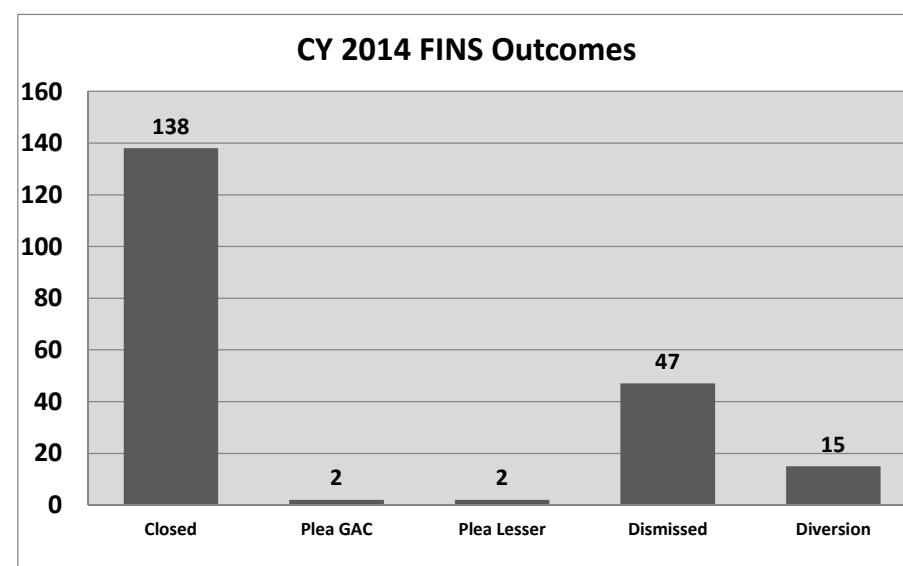
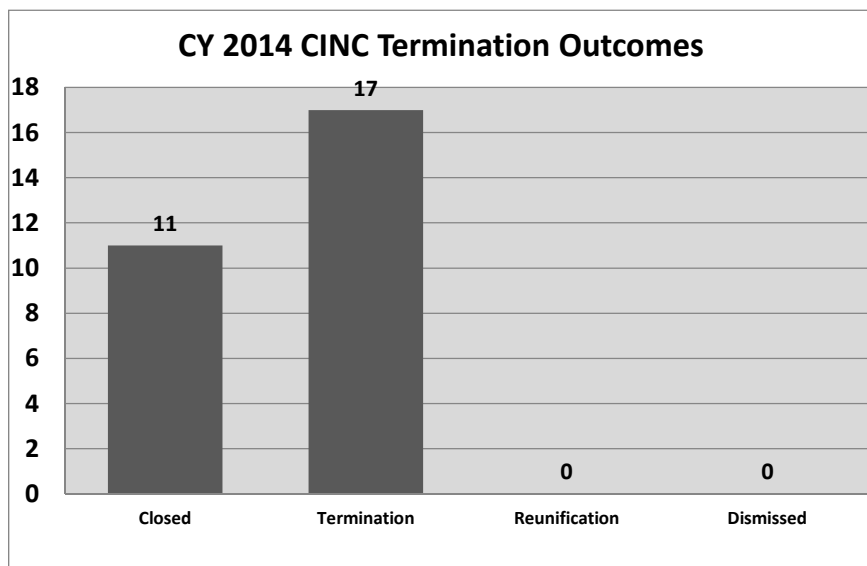
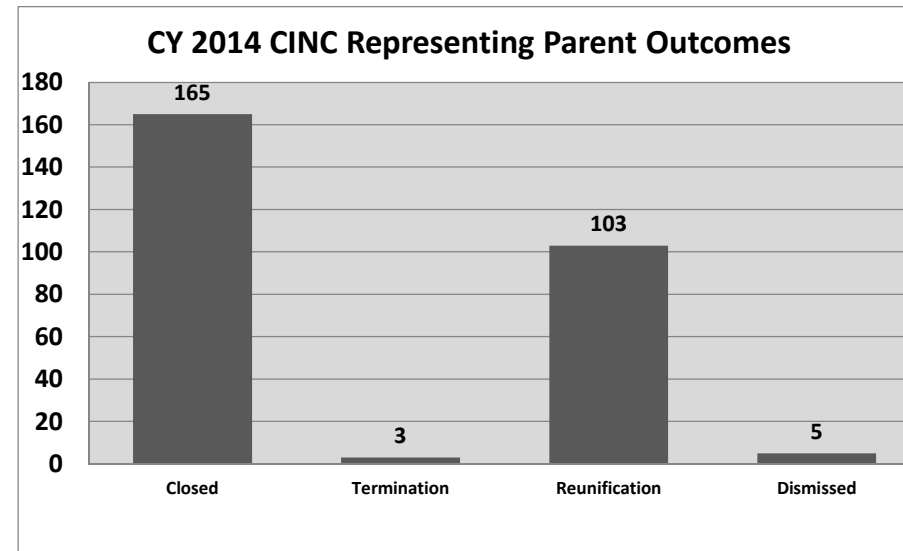
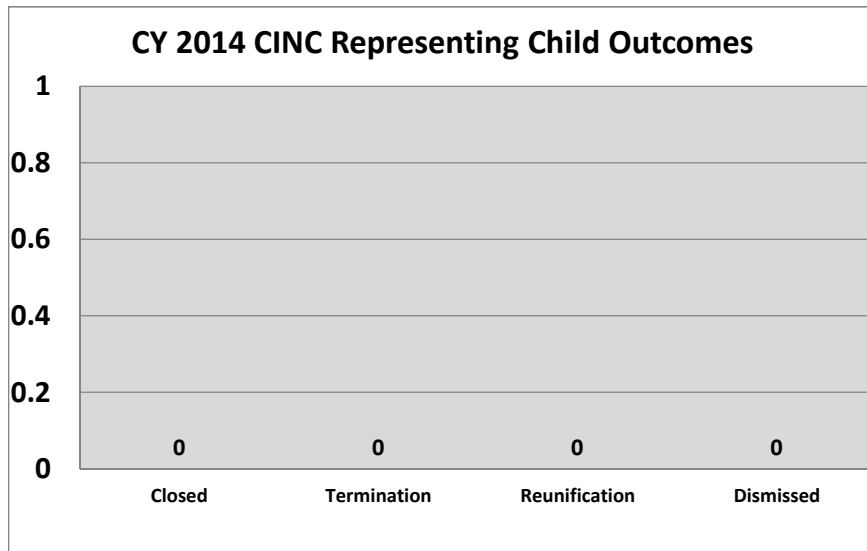
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	4	0	1	5	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	200	165	115	315	3	103	N/A	N/A	5	N/A	N/A	N/A	N/A	N/A	0
Termination	13	11	0	13	17	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	118	138	43	161	N/A	N/A	2	2	47	15	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	507	576	199	706	N/A	N/A	427	16	245	81	N/A	N/A	0	3	3
Delinquency Felony	118	138	64	182	N/A	N/A	105	34	92	15	N/A	N/A	0	3	3
Delinquency-Life	3	0	0	3	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	51	329	63	114	N/A	N/A	17	1	21	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	1125	1057	235	1360	N/A	N/A	1313	47	269	5	0	0	0	1	1
Adult Felony Non-LWOP**	1289	1258	607	1896	N/A	N/A	762	284	478	18	2	4	1	7	14
Adult LWOP	9	13	16	25	N/A	N/A	6	8	8	0	0	0	0	1	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	35	149	34	69	N/A	N/A	11	1	6	0	N/A	N/A	N/A	N/A	0
PCR	3	8	8	11	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	6	6
SOAP	0	8	8	8	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

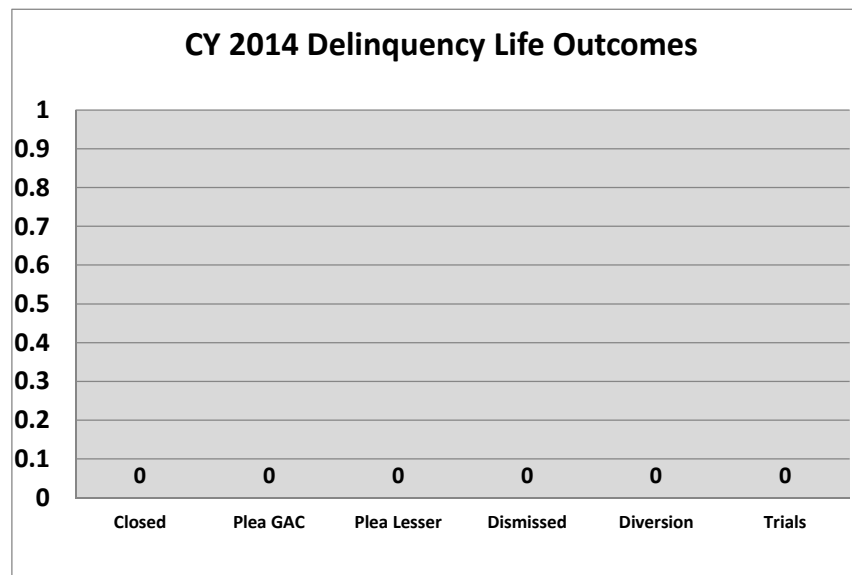
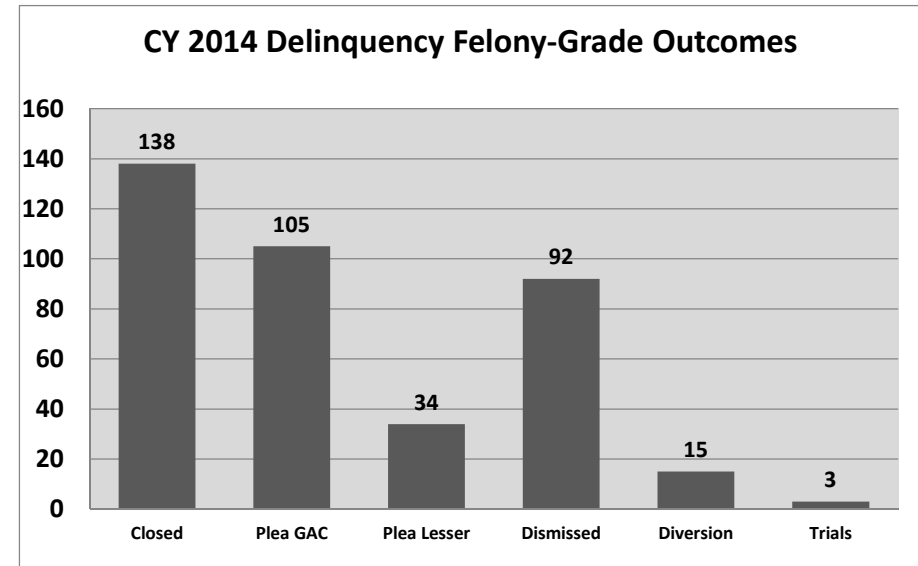
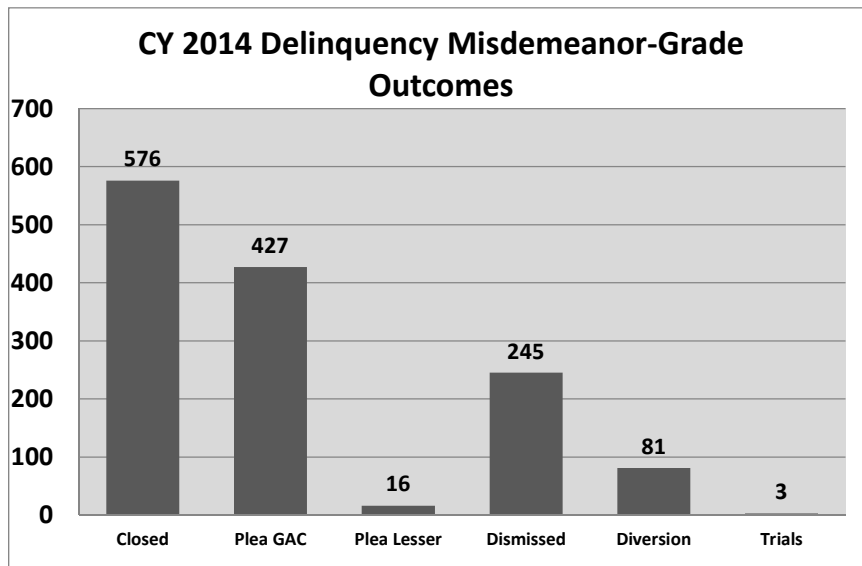
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

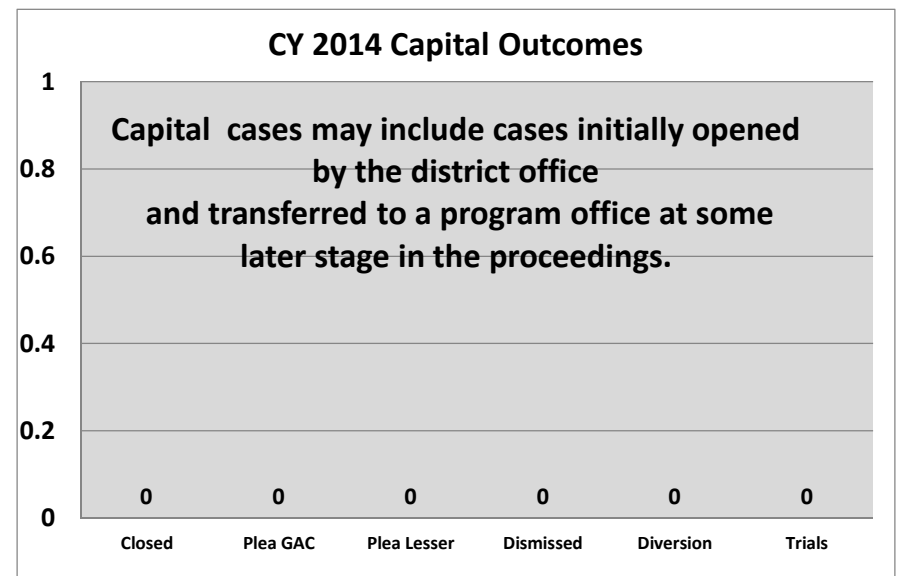
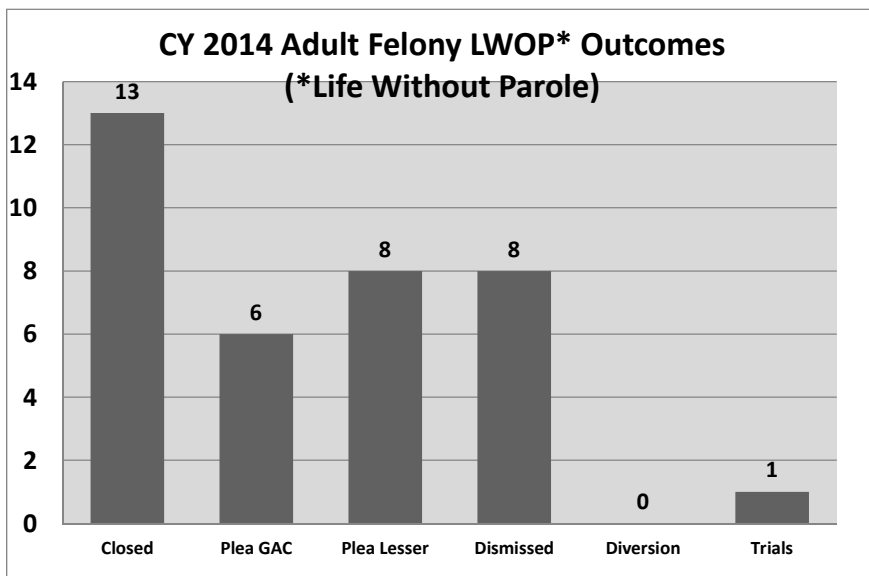
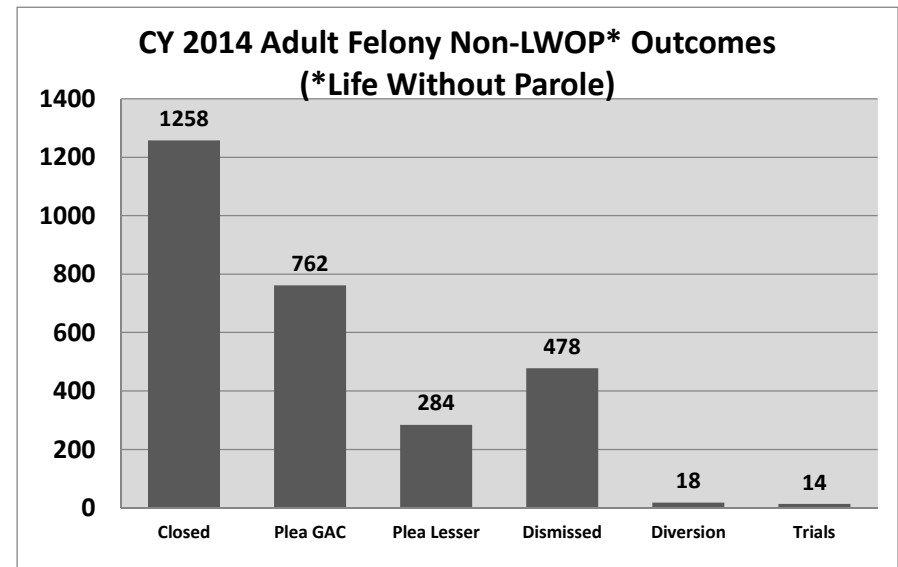
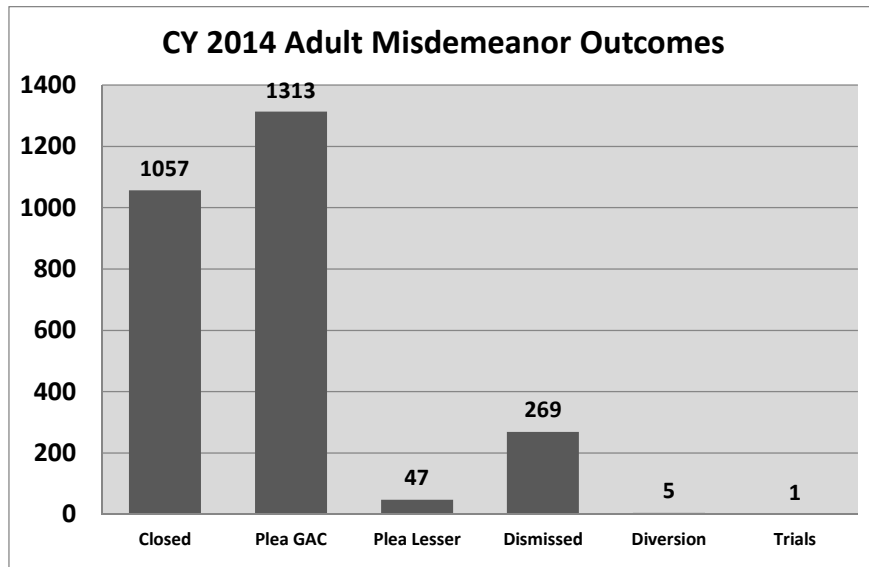
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.







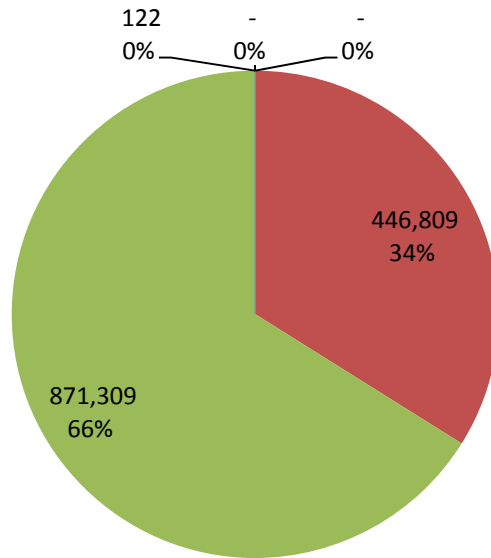
District 32 CY2014	Total CY2014
District Defender: Anthony Champagne	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	48,591
District Assistance Fund (DAF)	398,218
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	446,809
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	80,303
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	203,520
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	75,397
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	465,122
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	744,039
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	19,443
Partial Attorney Fees	
Reimbursements [as per 15:176]	27,525
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	46,968
Total for Local Government	871,309
Investment Earnings	
Interest Income	122
Other Investment Income - List source(s)	-
Total for Investment Earnings	122
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	-
Total for REVENUE	1,318,239



District 32 CY2014	Total CY2014
District Defender: Anthony Champagne	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	764,137
Accrued Leave	-
Payroll Taxes	22,627
Hospitalization and Disability Insurance	55,995
Retirement	92,005
Other	-
Total for Personnel Services and Benefits	934,765
Travel/Training	
Parking/Auto Tolls	18
Travel/Lodging/Per Diem/Mileage	4,121
Total for Travel/Training	4,139
Operating Services	
Advertisements	17
Workers' Compensation	3,037
Insurance - Malpractice	14,384
Insurance - Auto/Physical Liability	7,568
Insurance - Other	948
Lease - Office	56,703
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	13,850
Office - Telephone/Utilities/Postage/Internet	7,306
Dues and Seminars	4,266
Law Library/Journals/Subscriptions	14,432
Office Supplies	12,518
Total for Operating Services	135,028
Professional Services	
Audit/Accounting Expense	13,996
Contract Clerical	-
Expert Witness	5,163
Investigators	2,820
Interpreters	4,369
Social Workers	-
Capital Representation	-
Conflict	169,432
Contract - Juvenile Attorneys or CINC	66,000
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	120,641
IT/Technical Support	-
Total for Professional Services	382,421
Capital Outlay	
Major Acquisitions	5,980
Total for Capital Outlay	5,980
Other Charges	
Other Operating Expenses	483
Total for Other Charges	483
Total for EXPENDITURES	1,462,815

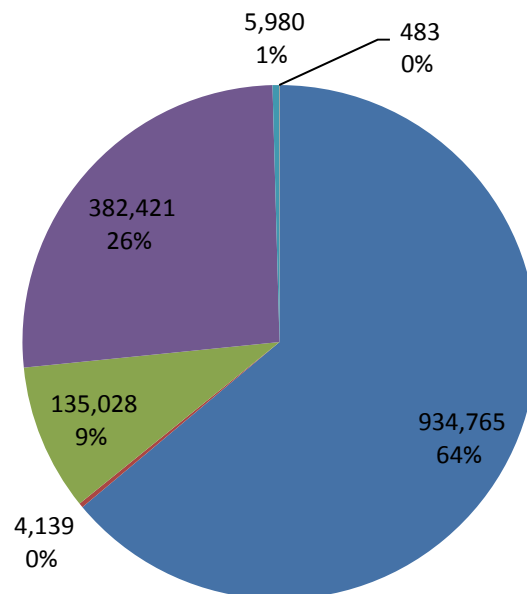
## Total CY14 Revenues

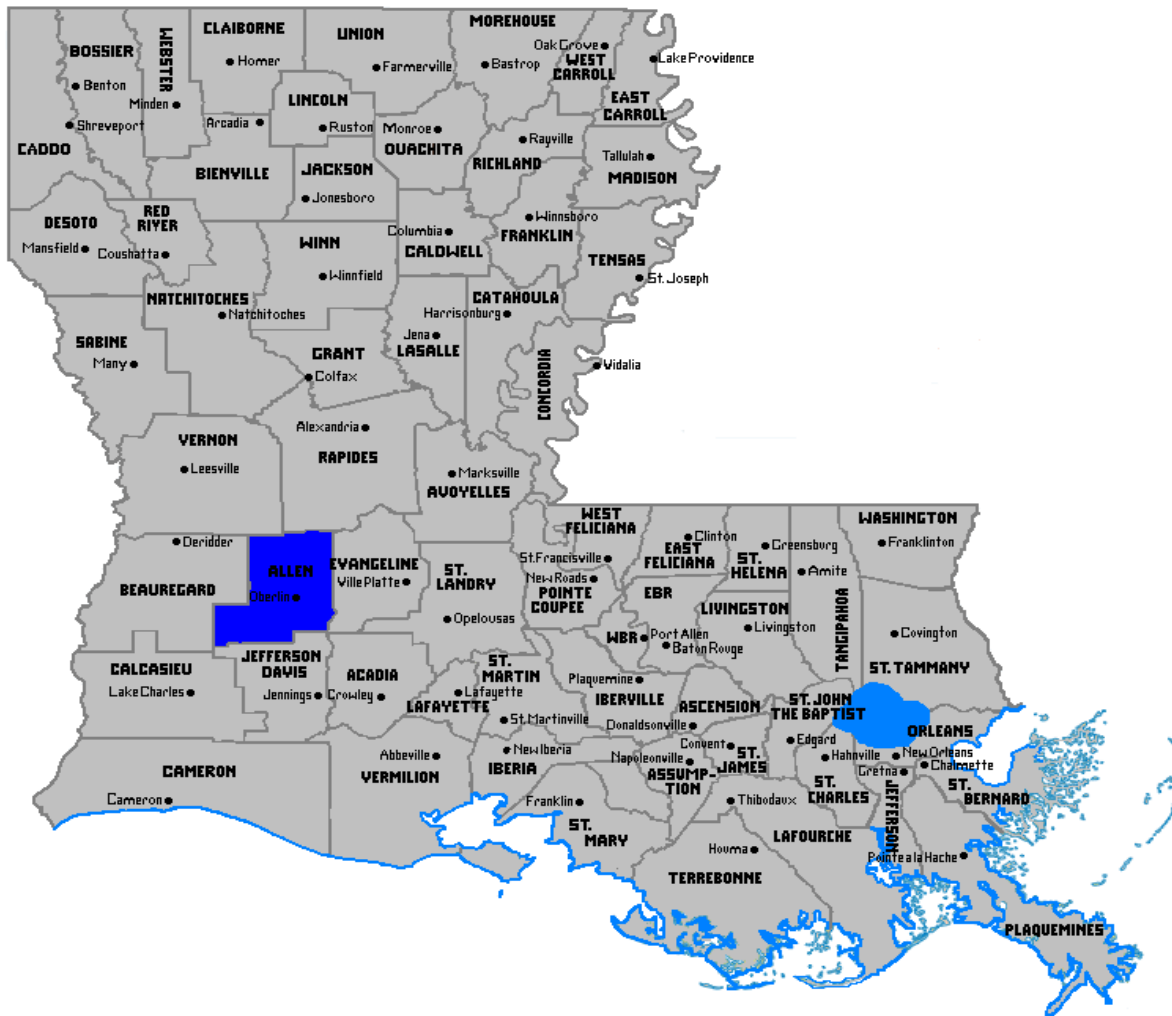
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





# THE 33<sup>RD</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE ALLEN (OBERLIN)

DISTRICT DEFENDER: DAVID DESHOTELS  
(INTERIM DISTRICT DEFENDER ALEX CHAPMAN EFFECTIVE JANUARY 1ST, 2015)

317 W. 6<sup>TH</sup> AVENUE  
OBERLIN, LA 70655  
(337) 639-4309

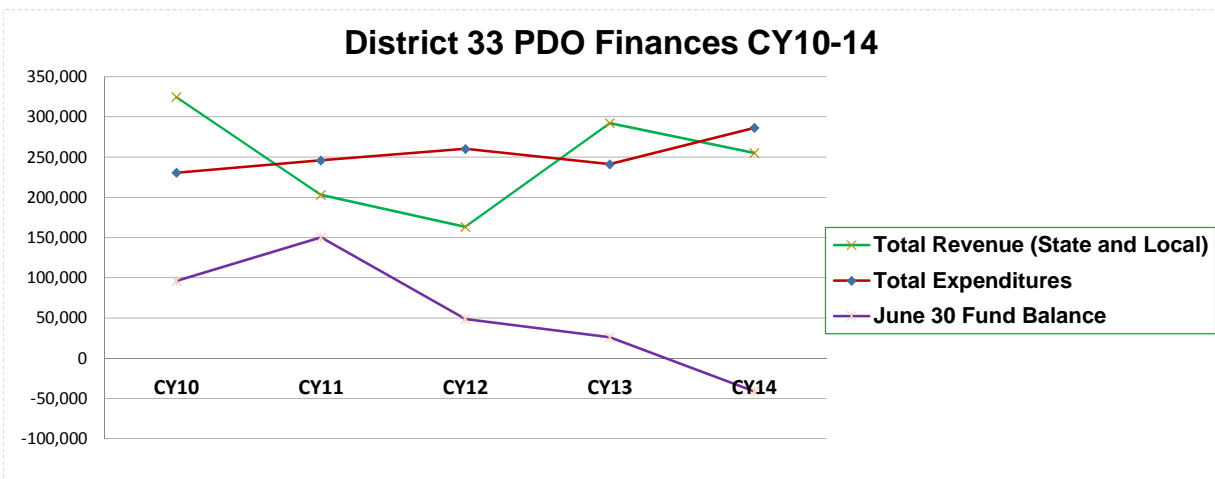
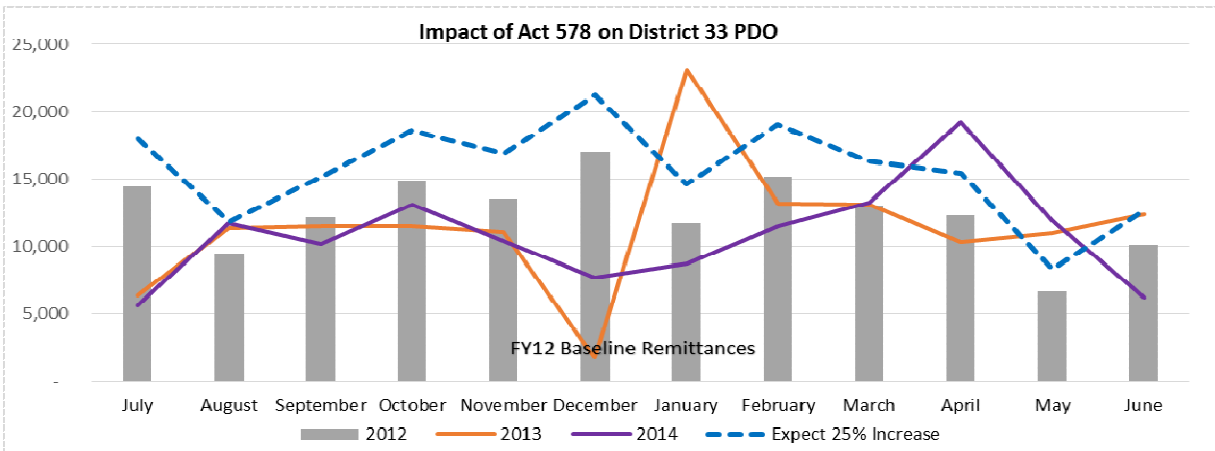
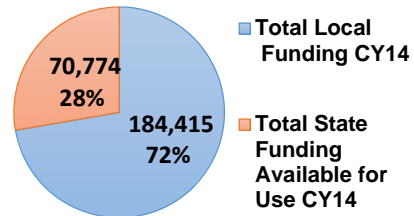
## 33RD JUDICIAL DISTRICT

During calendar year 2014, the 33rd Judicial District Public Defenders Office handled 531 cases. The office received \$255,189 in total revenues to handle these cases, approximately 72% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

With the exception of a few anomalies, the 33rd has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 33rd Judicial District office has exhausted its fund balance. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent during FY16.

**District 33 PDO Revenue Sources CY14**

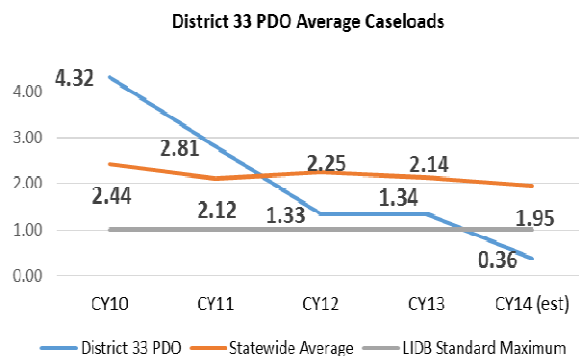


## ALLEN PARISH

David Deshotels  
District Defender  
(Alex D. Chapman  
Interim as of January 1, 2015)  
317 W. 6th Avenue  
Oberlin, LA 70655  
318-255-5100

In the 33rd Judicial District, public defense attorneys maintain caseloads below the recommended caseload limit for each attorney.

The 33rd Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.



## CAPITAL REPRESENTATION

Since 2009, there have been no new capital prosecutions in the 33rd Judicial District.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 33rd Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 33RD JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Allen-Oberlin
<b>Population</b>	25,440
<b>Juvenile Population</b>	4,269
<b>District Defender</b>	Mr. Deshotels resigned as District Defender as of December 31, 2014
<b>Years as District Defender</b>	8
<b>Years in Public Defense</b>	22
<b>Office Manager</b>	Shirley Brady
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Paige Bertrand, Secretary; Melissa Baker, Paralegal; Alecia Duplechain quit in 10/22/2014.
<b>Primary Office Street Address</b>	As of 12/31/2014 this is no longer the primary address for the office, a new address will be provided when new district defender is appointed.
<b>City</b>	As of 12/31/2014 this is no longer the primary address for the office, a new address will be provided when new district defender is appointed.
<b>ZIP</b>	As of 12/31/2014 this is no longer the primary address for the office, a new address will be provided when new district defender is appointed.
<b>Primary Phone</b>	As of 12/31/2014 this is no longer the primary address for the office, a new address will be provided when new district defender is appointed.
<b>Primary Mailing Address</b>	As of 12/31/2014 this is no longer the primary address for the office, a new address will be provided when new district defender is appointed.
<b>Primary Fax Number</b>	As of 12/31/2014 this is no longer the primary address for the office, a new address will be provided when new district defender is appointed.
<b>Primary Emergency Contact</b>	Alex Chapman
<b>Primary Emergency Phone</b>	337-363-2229
<b>Secondary Emergency Contact</b>	Shirley Brady
<b>Secondary Emergency Phone</b>	337-639-2266
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	33rd District- Oberlin
<b>Other District Office Contact Personnel (Primary Only)</b>	Ms. Duplechain is no longer employed by the PD office. When a new secretary is employed this information will be provided.
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	E. David Deshotels, however as of 12/31/14 this building will no longer be used.

<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	District Defender owns the office building which is free of mortgage. District Defenders part time civil practice pays office overhead and utilities. No rent is paid to District Defender for use of office. Office Taxes -\$2,000.00 per year. Utilities and phone-\$700.00 per month. Office supplies-Paper, Copy machine expenses, etc.-\$300.00 per month.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Shirley Brady does all reports and is assisted by the Districts CPA.
<b>Courts and Locations</b>	33rd District- Oberlin; Oakdale City Court, Oakdale Louisiana.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	2 Divisions in District Court and 1 in Oakdale City Court.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	As of 12/31/14 this information will change and Chad Guidry and John Demoruelle will share the case load
<b>Name of Adult Detention Facilities in This District</b>	Allen Parish Jail, Oberlin. Oakdale City Jail, Oakdale. Kinder City Jail, Kinder. Often there is over crowding and inmates are housed at other detention facilities around the state.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles Parish Jail, Concordia Parish Jail, Vernon Parish Jail and Beauregard Parish Jail and Allen Correctional Facility, which is privately run.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	During overcrowding clients held at several other facilities in different parishes.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Causes difficulty for client access. Prior to trial or hearings lawyers request clients to be transferred back to Oberlin Jail for better client access.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Not routinely. To my knowledge the 33rd doesn't not have a shackling policy and procedure in place for juveniles.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Rarely. See above answer
<b>District Attorney</b>	Todd Nesom (District Attorney)
<b>Chief Judge of Criminal District Court</b>	Judge Patricia Cole retired as of 12/31/14 and Judge David Deshotels was elected as the new Judge for Division B.
<b>Juvenile Court Judges (Specify District of City Court)</b>	Joel Davis and Patricia Cole Judge Cole, retired 12/31/14.
<b>Drug Court Judges</b>	None
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	None
<b>Indigency Determined by Whom and How?</b>	Ms Duplechain interviewed the potential clients until 10/22/14. After that the interviews were done Jan Horton who was Mr. Deshotels civil secretary until 12/31/14.
<b>When is Assignment/Appointment of Counsel Made?</b>	Soon after 72 hour hearing.

<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Alecia Duplechain, Public Defender Secretary.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes, Mailed with original report.
<b>Brief Explanation of Intake Process</b>	After 72 hour hearing, Mrs. Duplechain interviews and allows clients to fill out intake information and Chief determines if client is indigent or not.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Attempts are made to collect the \$40.00 dollar application fee, but clients seldom pay.
<b>How Many Applications for Services Were Received?</b>	428
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	4,587
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	157,696
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	None
<b>Who Collects the Assessed Court Fees?</b>	The District Attorney's office collects the fees.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Court Fees Collected?</b>	Alecia Duplechain
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Dept to income ratio.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	DA office or their probation officer.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	Alecia Duplechain
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	The lawyers are not to take hired criminal cases. They do part-time civil cases.



<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Contract is verbal with Lawyers in District.
<b>Primary Immediate Needs</b>	None at this time
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	At this time I do not see the district entering a Restriction of Services for CY2015.
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No staff reduction has occurred.
<b>Immediate Critical Issue Areas</b>	Awaiting an appoint of new chief defender
<b>Long-Term Critical Issue Areas</b>	None at this time, when new chief is appointed he may can address this matter more efficiently
<b>Please List All New Hires in 2014 (Name and Title)</b>	Elizabeth Bond, just did data entry on a very limited bases and worked only 1 or 2 days per week. Jan Horton, also began interviewing clients after Ms. Duplechain quit, but her duties ended on 12/31/14.
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2015</b>	Unknown at this time
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. I personally assist other attorneys with case issues. I also ask for their assistance on issues.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	E. David Deshotels is the Chief and he overseas work of the three other attorneys and office employees.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	N/A
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	N/A
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	Chief sees other lawyers and 2 employees on daily basis in office and in court room.
<b>Number of NEW capital cases in CY14 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	None
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	All appeals are handled by the Louisiana Appellate Project.
<b>Number of Writs Your District Handled in 2014</b>	Unknown at this time
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	None of my knowledge

<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	N/A
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Myself and other attorneys are certified and experienced juvenile attorney's. However, no such cases have been transferred in 10 or more years.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	State Rep. Dorothy Sue Hill; State Senator Eric LaFluer.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	My experience has always been in the court room. Administrative duties are taking some getting use to.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	More communication with the other attorney's.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
E. David Deshotels (As of 12/31/14 Mr. Deshotels is no longer Chief PD in Allen Parish)	337-639-4309
Chad Guidry	337-738-2280
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Craig R. Hill	337-639-2127
John Demoruelle	337-639-4600
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Shirley Brady	337-639-2266

## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Jan Horton
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Firefox	
Google Chrome	
Other	

<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	2
Laptops	2
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	2
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	Centurylink
Email Provider:	Yahoo
Please list any software or computer equipment in which you need training:	

### 33rd District Defender Office CY 2014 Caseloads & Outcome:

NOTE: District Defender no longer with office at time of this report, juvenile figures are tentative

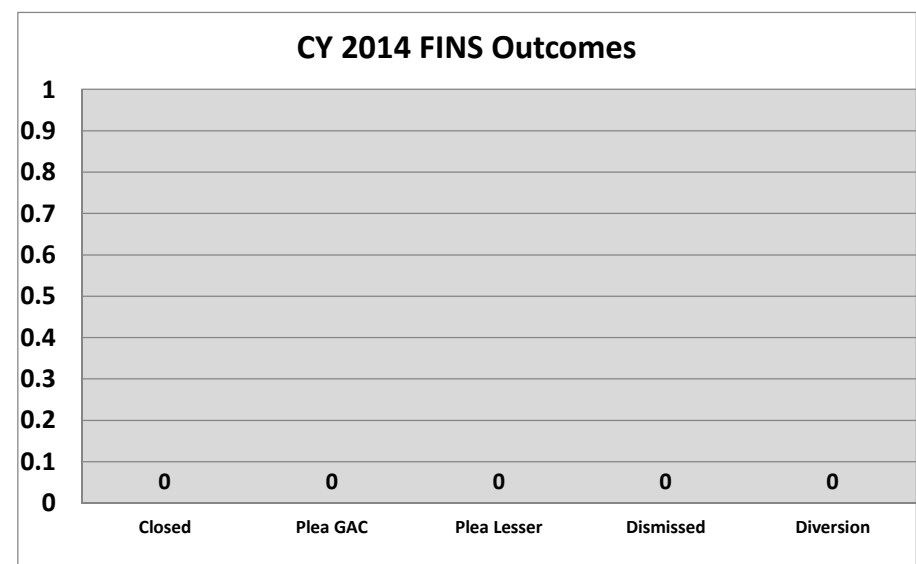
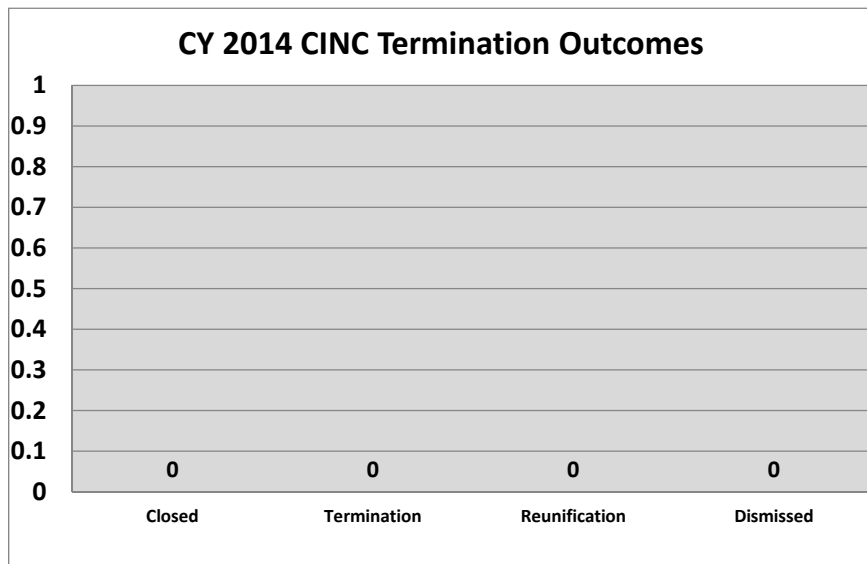
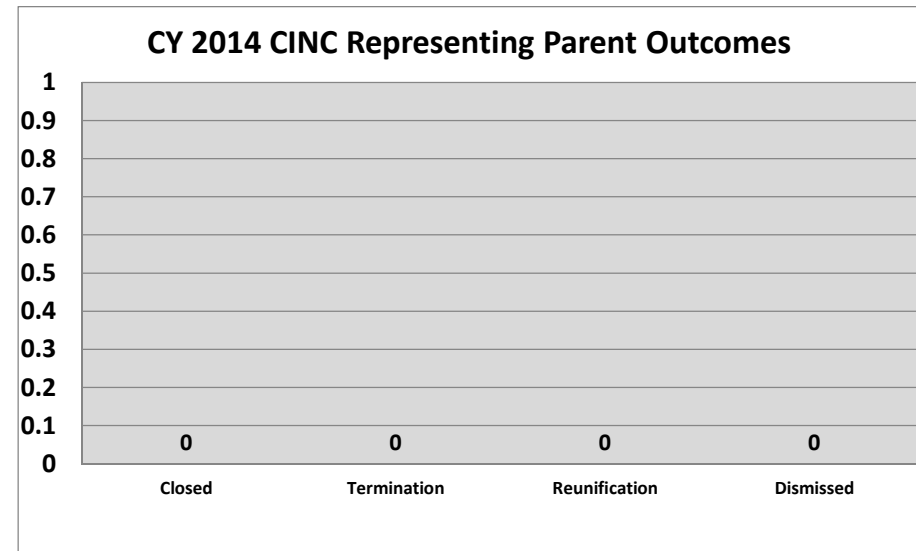
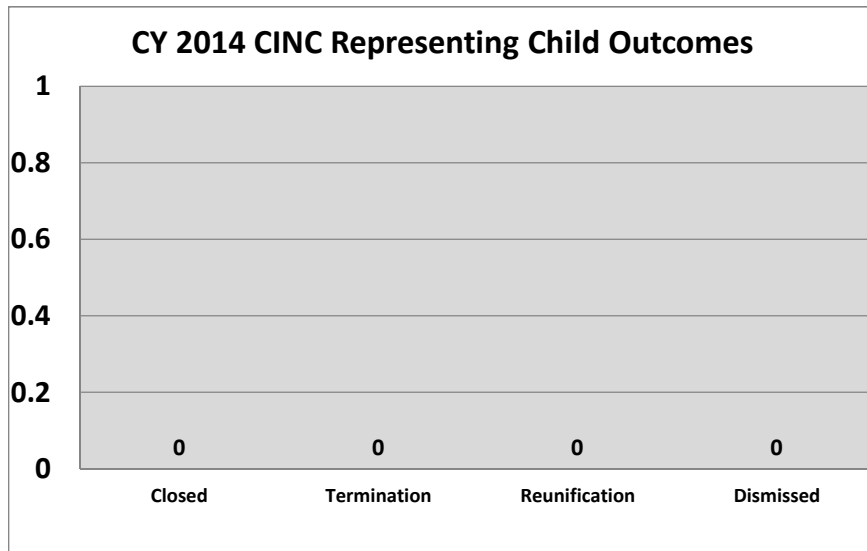
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	33	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	4	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	40	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	30	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	3	0	0	3	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	129	31	24	153	N/A	N/A	4	2	0	0	0	0	0	0	0
Adult Felony Non-LWOP**	274	62	66	340	N/A	N/A	4	1	0	0	0	0	0	0	0
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	25	21	10	35	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

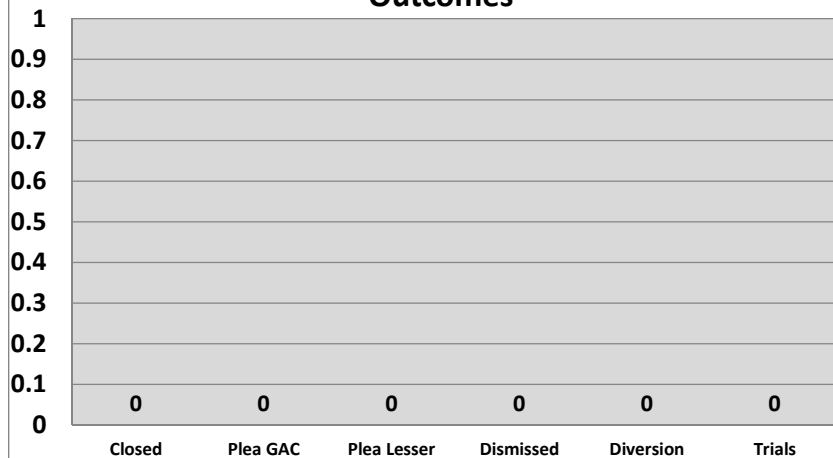
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

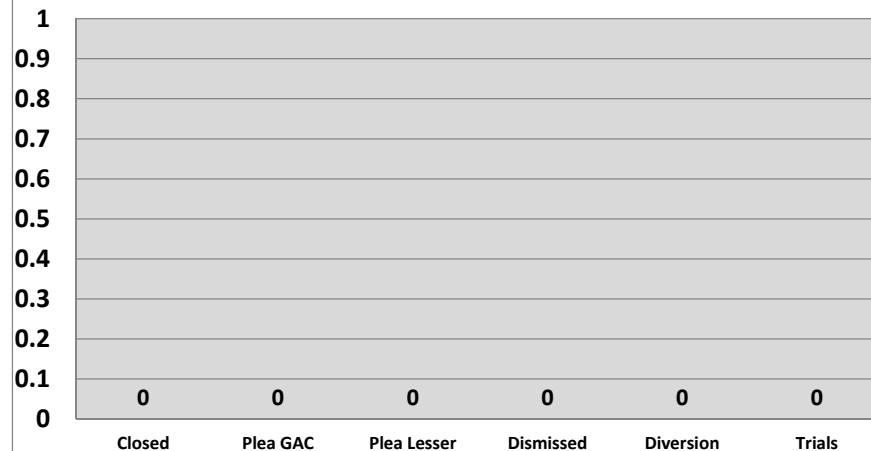
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



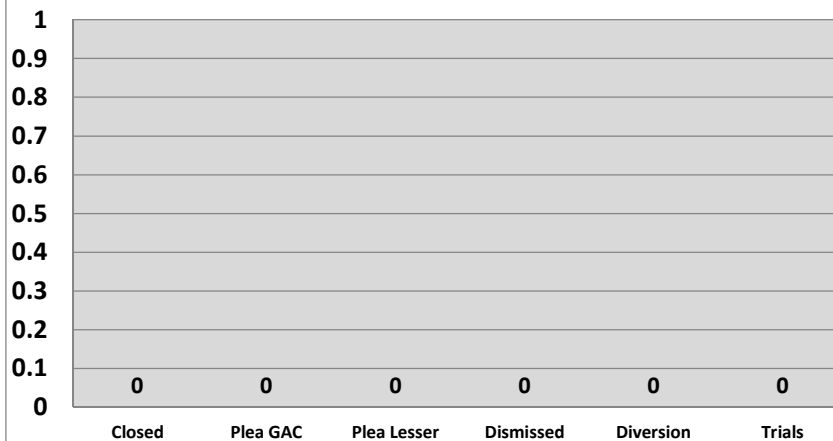
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**



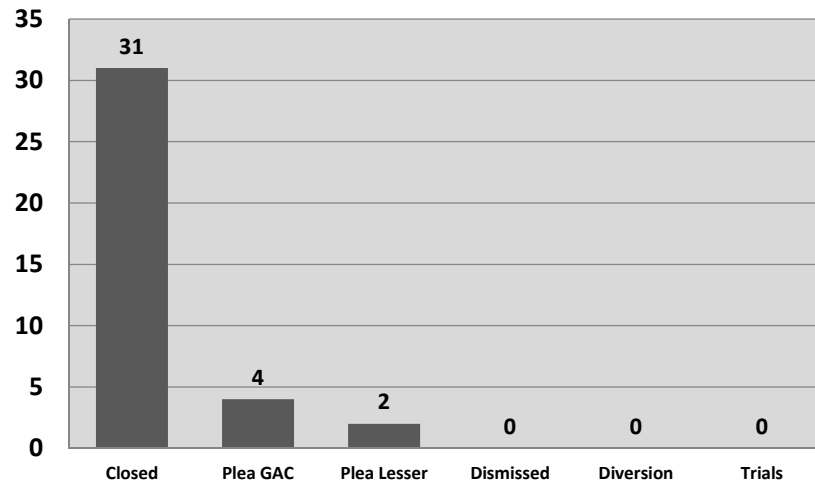
**CY 2014 Delinquency Felony-Grade Outcomes**



**CY 2014 Delinquency Life Outcomes**



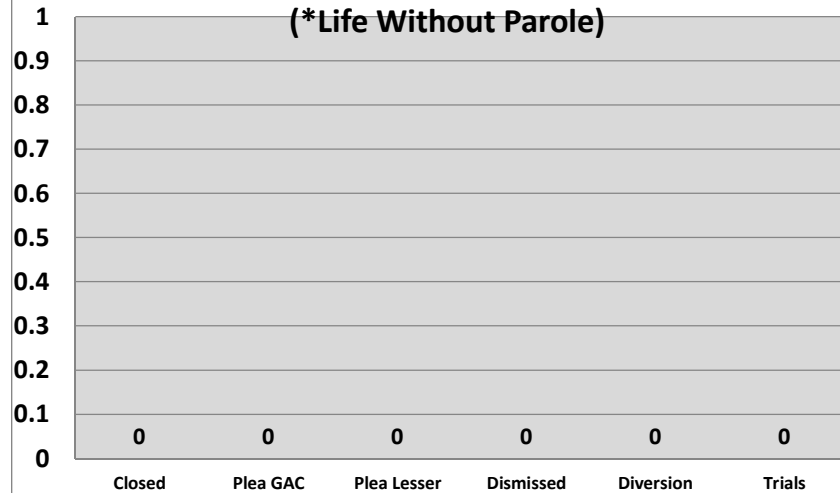
**CY 2014 Adult Misdemeanor Outcomes**



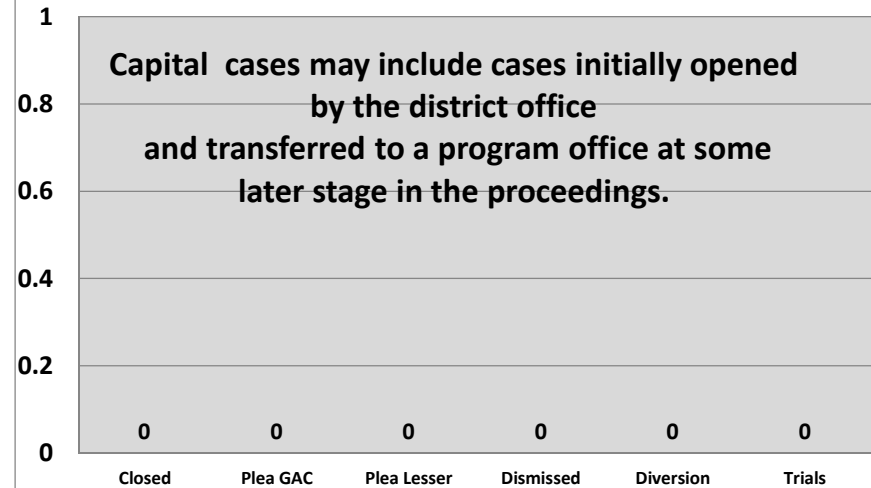
**CY 2014 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Capital Outcomes**



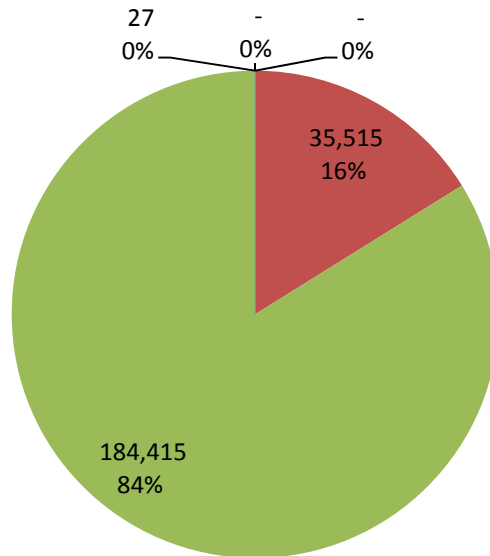


District 33 CY2014	Total CY2014
District Defender: David Deshotels	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	195
District Assistance Fund (DAF)	35,320
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	35,515
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	1,439
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	17,207
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	18,741
City & City-Ward Courts	51,735
Judicial District Courts	86,623
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	157,099
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	4,587
Partial Attorney Fees	
Reimbursements [as per 15:176]	4,084
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	8,670
Total for Local Government	184,415
Investment Earnings	
Interest Income	27
Other Investment Income - List source(s)	-
Total for Investment Earnings	27
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	-
Total for REVENUE	219,957

District 33 CY2014	Total CY2014
District Defender: David Deshotels	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	170,663
Accrued Leave	-
Payroll Taxes	4,475
Hospitalization and Disability Insurance	-
Retirement	22,317
Other	-
Total for Personnel Services and Benefits	197,455
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	-
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	1,260
Lease - Office	12,000
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	58
Dues and Seminars	-
Law Library/Journals/Subscriptions	2,577
Office Supplies	781
Total for Operating Services	16,676
Professional Services	
Audit/Accounting Expense	11,685
Contract Clerical	6,934
Expert Witness	8,829
Investigators	-
Interpreters	2,225
Social Workers	-
Capital Representation	-
Conflict	27,945
Contract - Juvenile Attorneys or CINC	7,764
Misdemeanor Attorney Contracts	428
Contract Attorneys - all other	6,222
IT/Technical Support	-
Total for Professional Services	72,032
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	273
Total for Other Charges	273
Total for EXPENDITURES	286,436

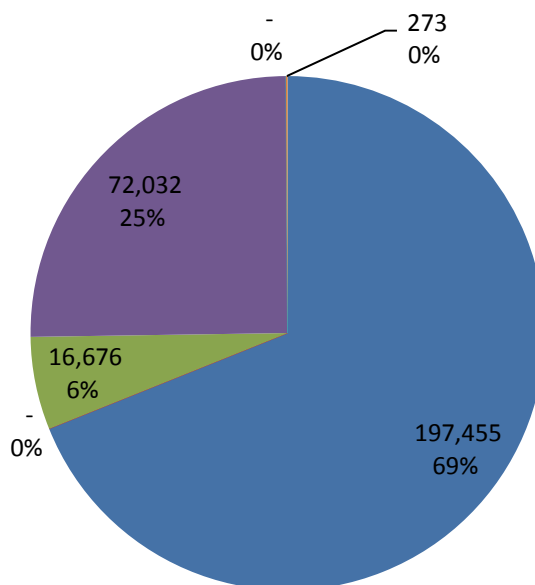
## Total CY14 Revenues

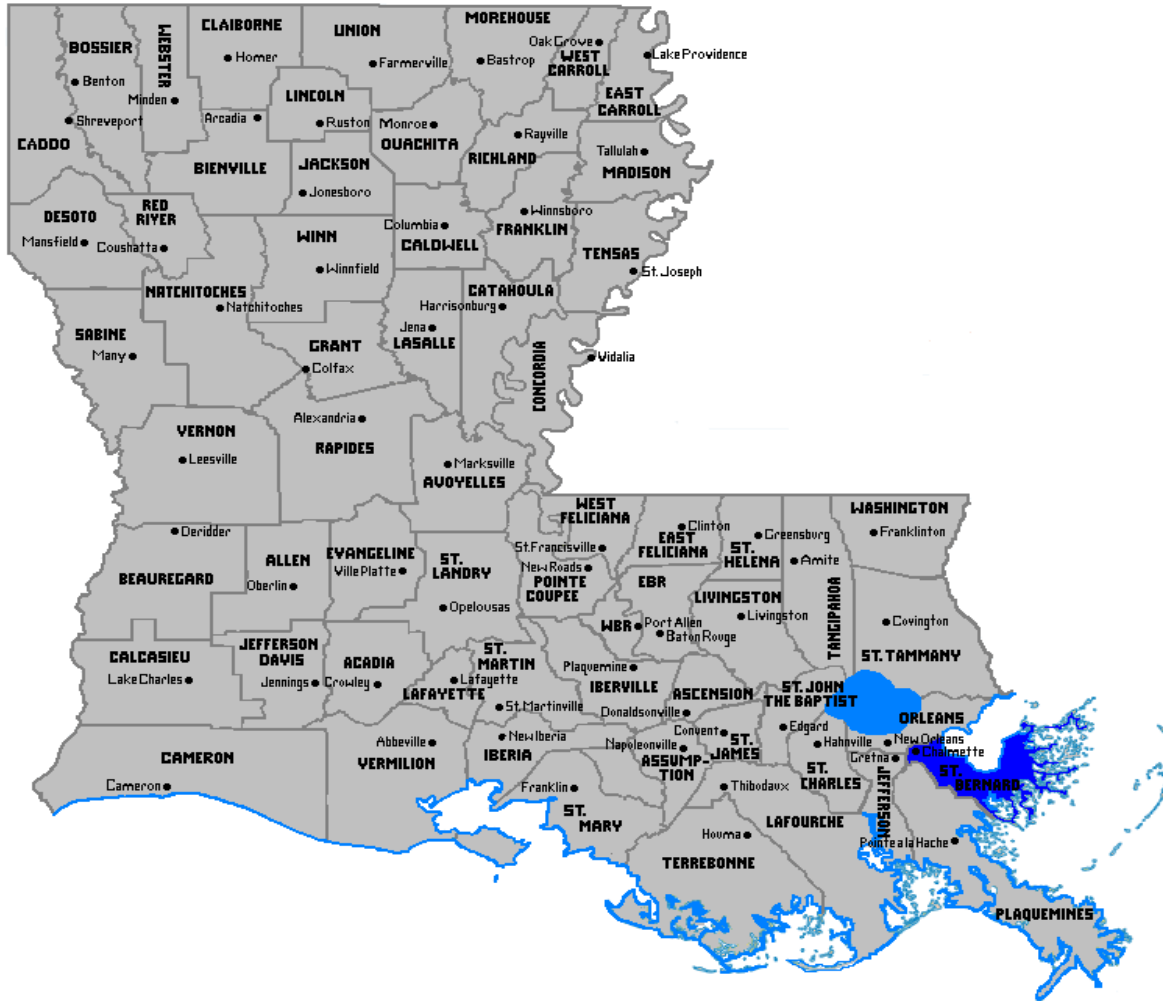
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





# THE 34<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE ST. BERNARD (CHALMETTE)

DISTRICT DEFENDER: THOMAS H. GERNHAUSER  
2118 JACKSON BLVD., SUITE B  
CHALMETTE, LA 70043  
(504) 278-4438

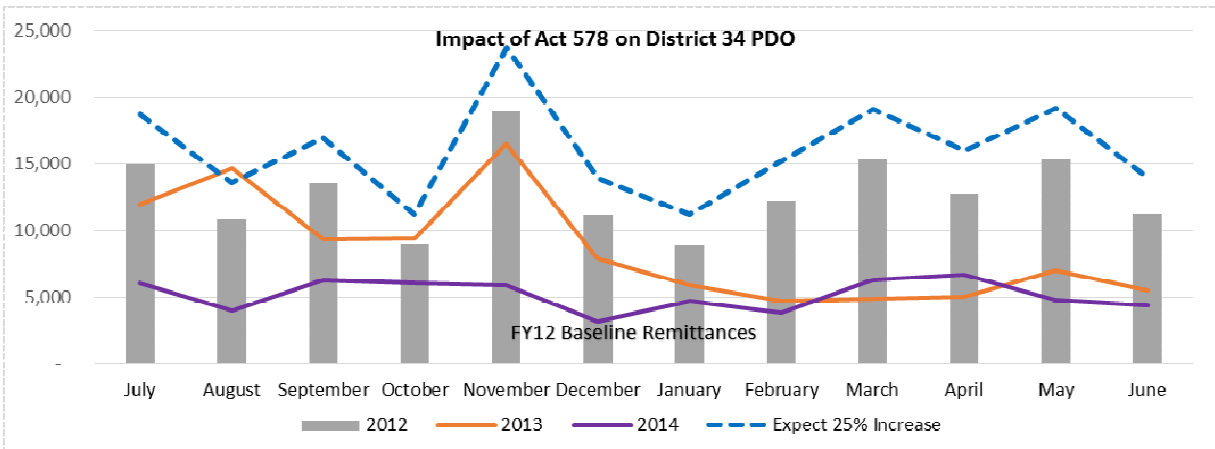
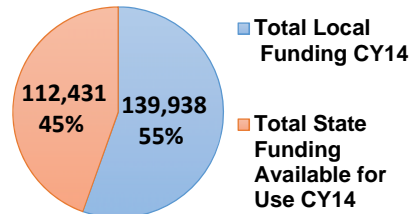
## 34TH JUDICIAL DISTRICT

During calendar year 2014, the 34th Judicial District Public Defenders Office handled 3,634 cases. The office received \$252,368 in total revenues to handle these cases. As local funding is largely insufficient, approximately 55% of revenues came from local funding.

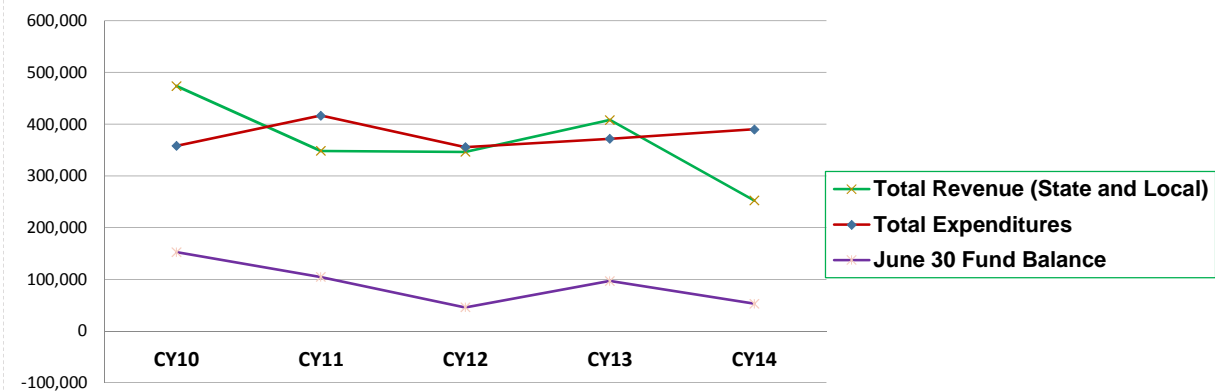
The 34th has failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012), in fact revenues are generally lower than pre-Act 578 levels.

The 34th Judicial District office has nearly exhausted its fund balance in CY14, and the declining local revenues in CY14 will accelerate the fund balance depletion. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent toward the end of FY15.

**District 34 PDO Revenue Sources CY14**



**District 34 PDO Finances CY10-14**

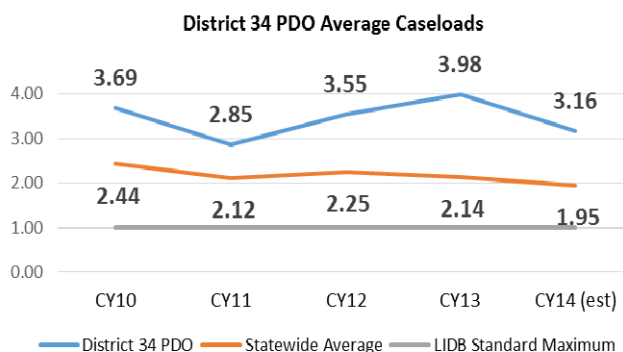


## ST. BERNARD PARISH

Thomas H. Gernhauser  
District Defender  
2118 Jackson Blvd., Suite B  
Chalmette, LA 70043  
504-278-4438

In the 34th Judicial District, public defense attorneys make an average annual salary of \$43,550 while maintaining caseloads more than three times the recommended caseload limit for each attorney.

Although caseloads remain high due to insufficient revenues, through increased training and supervision, client outcomes have significantly improved over the last five years.



## CAPITAL REPRESENTATION

Since 2009, the 34th Judicial District has handled one new capital prosecution.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 34th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 34TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. Bernard - Chalmette
<b>Population</b>	43,482
<b>Juvenile Population</b>	11,566
<b>District Defender</b>	Thomas H. Gernhauser
<b>Years as District Defender</b>	5
<b>Years in Public Defense</b>	15
<b>Office Manager</b>	Bambi Bruscato
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	All contracted attorneys and DD and Office Manager.
<b>Primary Office Street Address</b>	2118 Jackson Blvd., Suite B
<b>City</b>	Chalmette
<b>ZIP</b>	70043
<b>Primary Phone</b>	504-278-4438
<b>Primary Mailing Address</b>	Same as above
<b>Primary Fax Number</b>	504-278-4439
<b>Primary Emergency Contact</b>	Thomas H. Gernhauser
<b>Primary Emergency Phone</b>	504-289-9450-Cell
<b>Secondary Emergency Contact</b>	Bambi Bruscato
<b>Secondary Emergency Phone</b>	504-237-4437 Cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	N/A
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	N/A
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	34 Judicial District Court St. Bernard Parish
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	5 Divisions
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	One attorney is assigned to each division of court and we have a pool of at least 6 conflict attorneys to handle any conflict cases. Motions are filed within 14 days, the clerk of court's office assigns a division of court and then it is assigned to the attorney for that division.
<b>Name of Adult Detention Facilities in This District</b>	St. Bernard Parish Prison

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Louisiana State Penitentiary or Elaine Hunt Correctional Center
<b>Name of Juvenile Detention Facilities In This District</b>	St. Bernard Parish Juvenile Detention Center
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	DOC for storms and seldom in DOC or Orleans in part for overcrowding. Seldom recently.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Perry Nicosia
<b>Chief Judge of Criminal District Court</b>	Rotates per year per division, Judge Buckley.
<b>Juvenile Court Judges (Specify District of City Court)</b>	All five divisions sit as Juvenile and adult Judges.
<b>Drug Court Judges</b>	Juvenile - Judge Sanborn & Adult - Judge Vaughn.
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	By each attorney and by income affidavit sheet. See attached sheet.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest - Magistrate.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Bambi Bruscato-Legal Secretary / Office Manager.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	See Attached Form
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Also may be waived by District Defender after interview and review of financial documentation provided as requested in the application/intake form.
<b>How Many Applications for Services Were Received?</b>	185 This office is appointed by the Court as counsel to all incarcerated defendants, at magistrate and subsequently if incarcerated and unable to post bond. All defendants that have the means to be released on bond must apply and qualify for representation by the PDO.



	35 The court appoints this office to every incarcerated defendant at magistrate and those post bond hearing that do not have the means to bond out of jail. These incarcerated clients may be considered as waived. All other defendants that have been released on bond must apply for representation, at this point a determination is made for the ability to pay the application fee and may be waived.
<b>How Many Application Fees Were Waived?</b>	
<b>How Many Application Fees Were Reduced?</b>	5
	7,802 The application fee is applied to each felony billed by the DA and assigned a case #, with a maximum of 3.
<b>Total Application Fee Dollars Collected in 2014</b>	
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	65,823
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	The fee is included in all Court Costs, in cases where the defendant has been incarcerated and will continue incarceration after conviction without release, costs may not be assessed.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Yes, an accounting pursuant to Act 366 will be provided with each disbursement.
<b>Who Collects the Assessed Court Fees?</b>	St. Bernard Sheriff's Dept.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	See above
<b>Who Remits the Court Fees Collected?</b>	St. Bernard Sheriff's Dept.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Act 366 documentation is now being provided by the SBSO.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	This office files a motion to determine counsel.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Act 366 documentation is now being provided by the SBSO.
<b>Who Collects the Assessed Partial Payments?</b>	St. Bernard Parish Sheriff's Department
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Act 366 documentation is now being provided by the SBSO.
<b>Who Remits the Partial Payments Collected?</b>	Office does not levy fees but when income and/or financial information may lead to a belief of non-indigence courts have fixed fees when "motion to determine counsel" is heard and court feels a fee should be paid to the Public Defender Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Documentation pursuant to Act 366.

<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	18,938
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	All attorneys in our office are part-time independent contractors and are allowed to have a private practice.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes, please see attached
<b>Primary Immediate Needs</b>	Funding and an increased DAF for same reasons as well as an open contract for an Investigator, and more attorneys.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	In conversations with the LPDB and the state Public Defender the possibility of ROS has been brought to our attention. In response, we have met with all judges, and the new District Attorney and made them aware of a possible ROS in FY 15. Expenditures have been closely monitored. Cuts in the amounts of some expenditures are being considered, as well as contracts. Assurances have been given by the new District Attorney for a PDO allowance to be included in fees for various new diversion programs. The courts have been advised of the non-waiver aspect of the \$45 fee. Certain judges are also reconsidering appointments and qualifications of potential clients, with partial indigence. Discussions and meetings with local legislators are being scheduled. Office space, an employee, utilities, telephone and internet services continue to be supplied by parish government.
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Not at this time
<b>Immediate Critical Issue Areas</b>	Investigator, Additional attorneys.
<b>Long-Term Critical Issue Areas</b>	Funding to acquire Juvenile attorney, Misdemeanor attorney and Division C attorney where the DD presently handles all matters.
<b>Please List All New Hires in 2014 (Name and Title)</b>	None
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	4 True Bill Capital indictments that were previously reduced to 2 degree, and prosecuted as non-capital in 2014 as a result of motions filed by this office. 4 of the 4 plea bargained from Capital/2 deg murder to a manslaughter conviction in 2014. 2 other LWOP dismissed in 2014. 1 Termination Trial in favor of Parent, A writ was denied in a CINC/Termination proceeding in favor of the parent with Appellate Court affirming District Court after brief and argument by this office. 4 reunifications with the parents before Termination.
<b>Number of Expected New Attorney Hires in 2015</b>	0 No funding

<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	This year both the DD and AS gave one on one Database instruction on multiple occasions to all attorneys. Mentoring included participation of DD in drafting and filing of Capital Cases reduced to LWOP.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Monthly staff meetings, unannounced observation of attorney during court proceeding. Constant review of database reports, one on one database training and assistance and individual meetings with staff and attorneys to discuss performance issues.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	Attached separately
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Funding needed for additional staff for assistance in Database input as well as need for additional attorneys.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Bambi Bruscatto -Legal Secretary/Office Manger is the only staff member. She is provided medical benefits through the St. Bernard Parish Government.
<b>Regular Meetings for Any Staff, Please Describe</b>	We have regular meetings twice a month.
<b>Number of NEW capital cases in CY14 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	4
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	1
<b>Number of Writs Your District Handled in 2014</b>	2
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	The Juvenile would remain in the same division with same attorney throughout.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator A.G. Crowe and Representative Ray Garafaolo.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	CINC appointments, trials and subsequent Termination Appeals and lack of attorneys as the DA's office has increased the number of ADA attorneys as well as staffing.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	No, because of the lack of funding to the office.
<b>Staff Directory:</b>	

<u>Full-Time Staff Attorneys</u>	<u>Contact Information</u>
Thomas Gernhauser	504-278-4438
<u>Part-Time Contract Attorneys</u>	<u>Contact Information</u>
Joshua Gordon	504-278-4438
Joseph Browning	504-278-4438
William Egan	504-278-4438
Thomas Dunn	504-669-1129
<u>Non Attorney Employees and Contractors and Other Staff</u>	<u>Contact Information</u>
Bambi Bruscato	504-278-4438

## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Thomas Gernhauser
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	x
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	x
Firefox	x
Google Chrome	
Other	

<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	1
DVD	1
VCR	1
Desktop PCs	0
Laptops	8
Video Cameras	1
Digital Cameras	1
Video Conferencing Systems	0
B&W Laser Printers	4
Color Printers	1
Wireless Cards	1
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	0
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	4g
Provider Name:	Verizon
Email Provider:	Yahoo
Please list any software or computer equipment in which you need training:	New computers with new operating software as many office computers are now well over 5 years old, as well as all operating software.

### 34th District Defender Office CY 2014 Caseloads & Outcomes

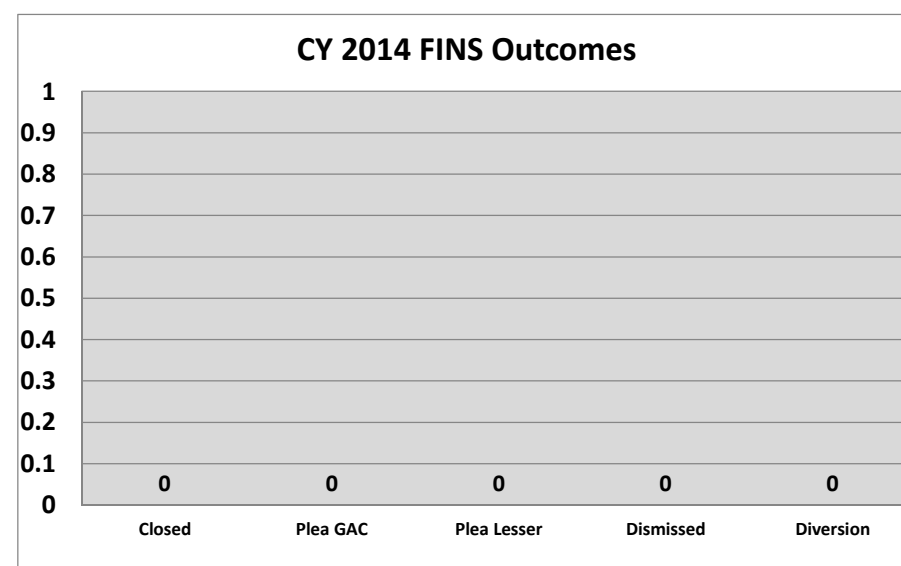
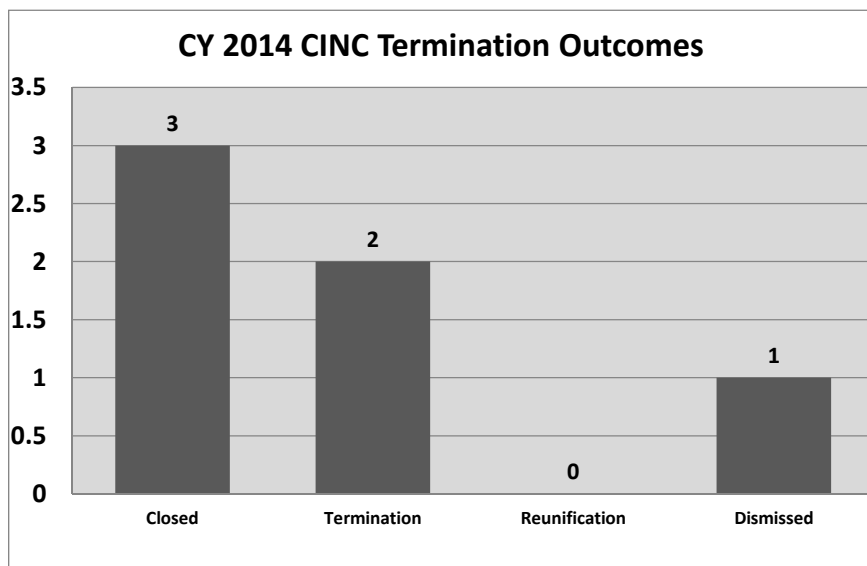
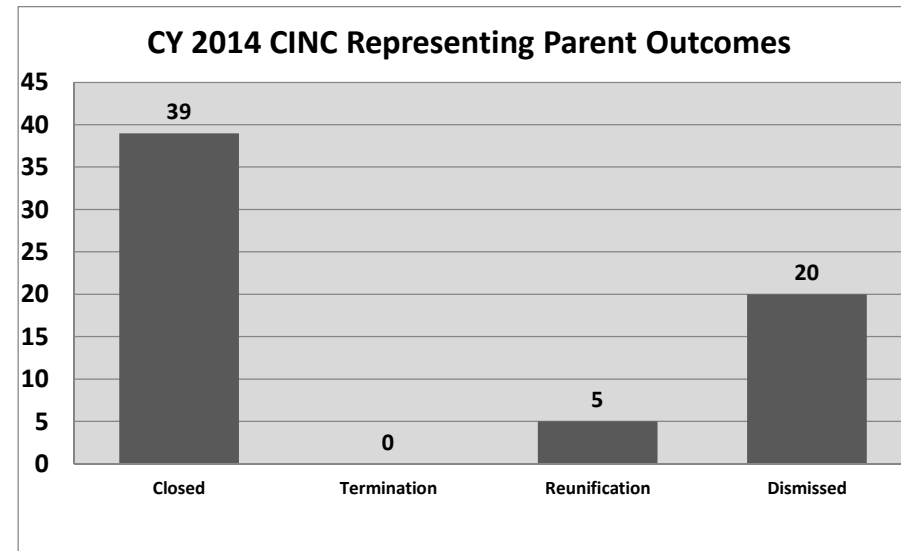
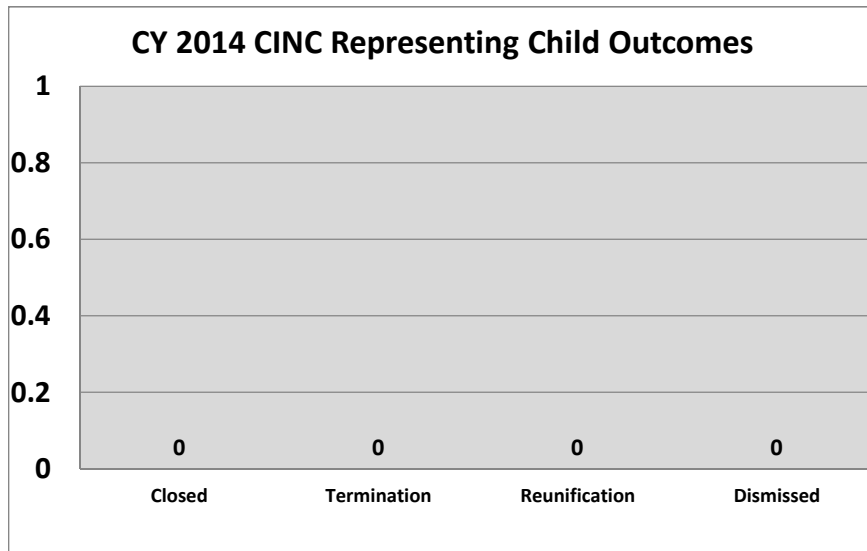
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	53	39	50	103	0	5	N/A	N/A	20	N/A	N/A	N/A	N/A	N/A	0
Termination	6	3	2	8	2	0	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	154	157	13	167	N/A	N/A	150	7	49	0	N/A	N/A	0	0	0
Delinquency Felony	38	39	2	40	N/A	N/A	36	11	47	0	N/A	N/A	0	2	2
Delinquency-Life	0	2	3	3	N/A	N/A	0	2	0	0	N/A	N/A	0	1	1
Juvenile Revocations	12	12	0	12	N/A	N/A	1	0	4	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	1465	1422	297	1762	N/A	N/A	501	11	786	10	0	0	0	1	1
Adult Felony Non-LWOP**	1011	836	460	1471	N/A	N/A	132	58	335	2	0	2	0	0	2
Adult LWOP	4	8	8	12	N/A	N/A	1	5	4	0	0	0	0	0	0
Capital***	0	1	1	1	N/A	N/A	0	1	0	0	0	0	0	0	0
Revocations	49	46	5	54	N/A	N/A	0	0	3	0	N/A	N/A	N/A	N/A	0
PCR	1	0	0	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

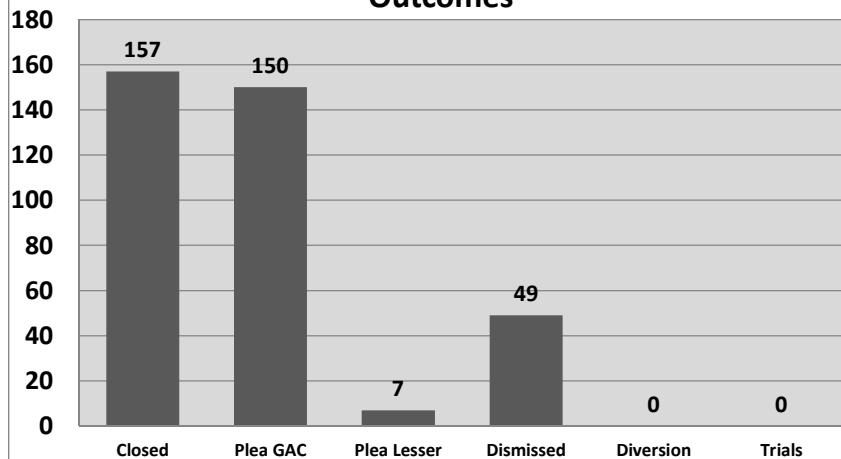
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

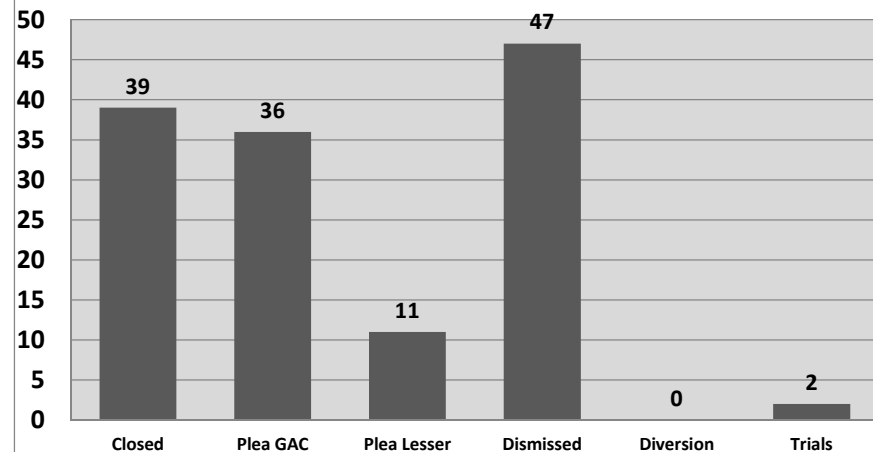




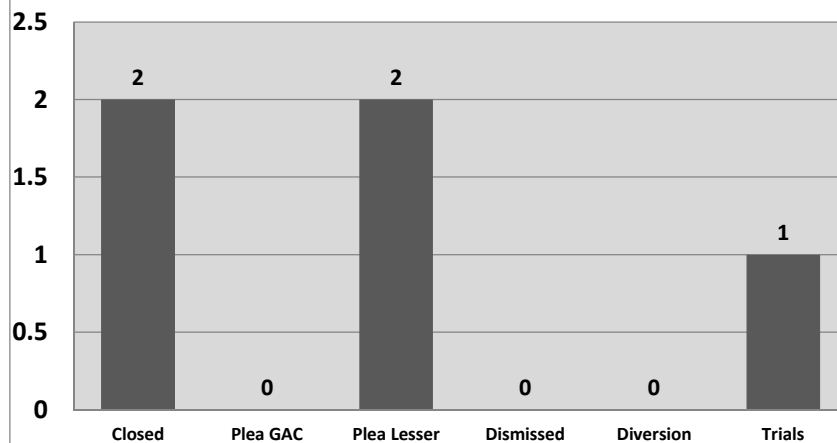
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**



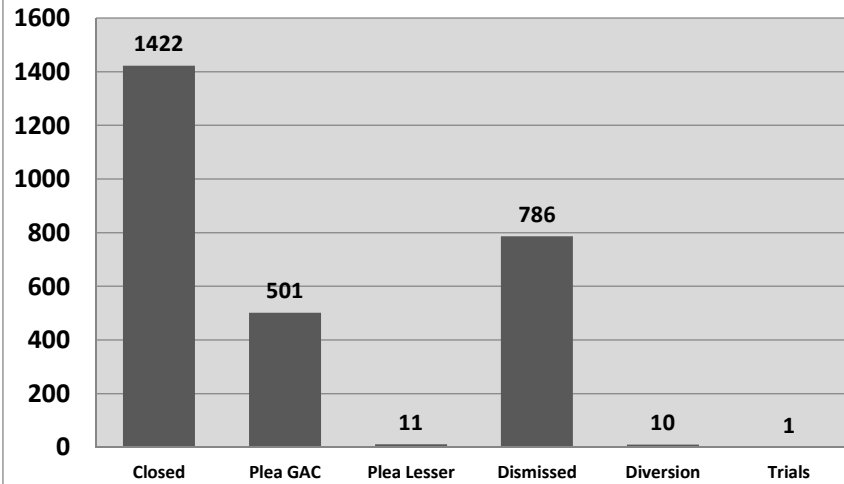
**CY 2014 Delinquency Felony-Grade Outcomes**



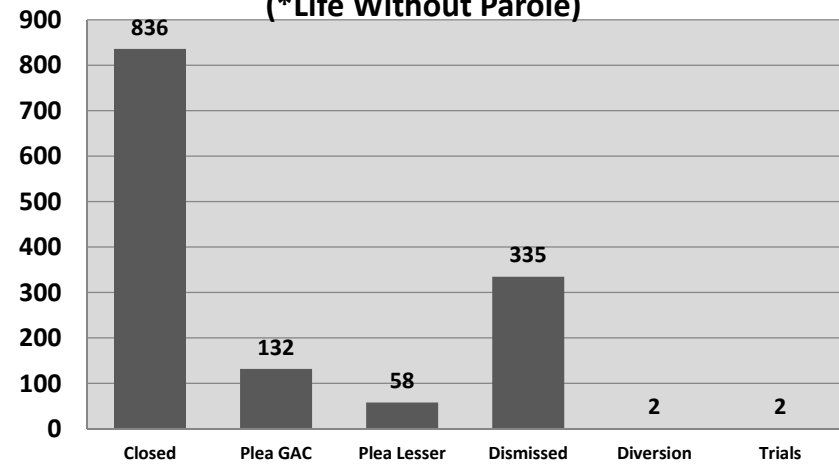
**CY 2014 Delinquency Life Outcomes**



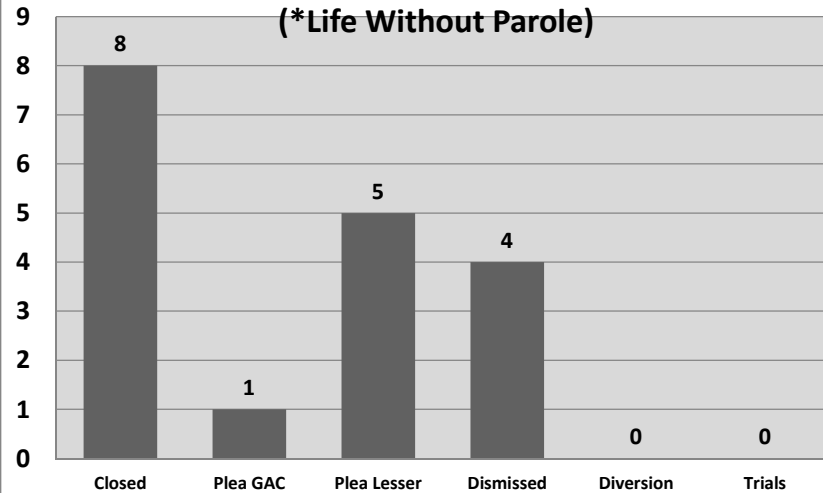
**CY 2014 Adult Misdemeanor Outcomes**



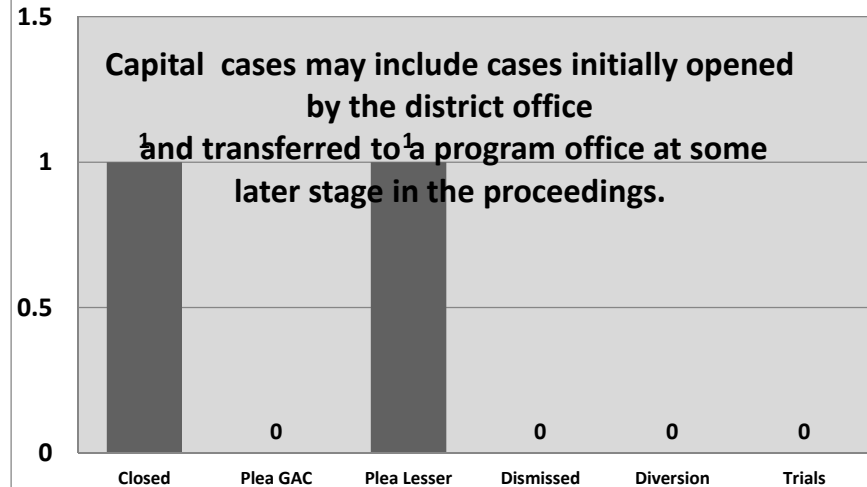
**CY 2014 Adult Felony Non-LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Adult Felony LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2014 Capital Outcomes**

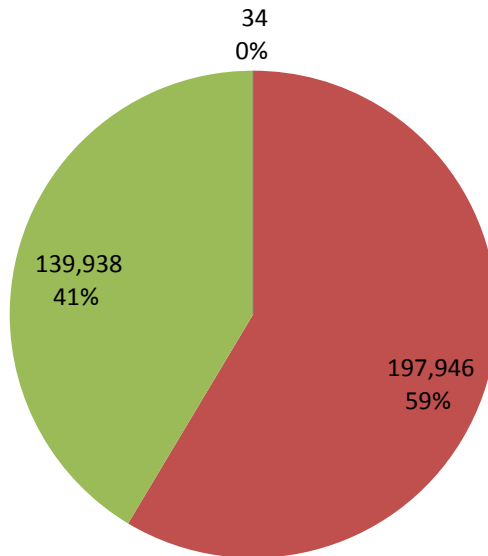


District 34 CY2014	Total CY2014
District Defender: Thomas Gernhauser	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	28,348
District Assistance Fund (DAF)	169,598
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	197,946
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	48,996
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	28,543
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	37,307
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	65,850
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	6,160
Partial Attorney Fees	
Reimbursements [as per 15:176]	18,932
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	25,092
Total for Local Government	139,938
Investment Earnings	
Interest Income	34
Other Investment Income - List source(s)	-
Total for Investment Earnings	34
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	337,918

District 34 CY2014	Total CY2014
District Defender: Thomas Gernhauser	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	94,000
Accrued Leave	-
Payroll Taxes	33,235
Hospitalization and Disability Insurance	-
Retirement	8,722
Other	-
Total for Personnel Services and Benefits	135,958
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	793
Total for Travel/Training	793
Operating Services	
Advertisements	40
Workers' Compensation	-
Insurance - Malpractice	2,122
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	706
Dues and Seminars	810
Law Library/Journals/Subscriptions	816
Office Supplies	1,195
Total for Operating Services	5,689
Professional Services	
Audit/Accounting Expense	8,500
Contract Clerical	9,050
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	51,404
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	178,400
IT/Technical Support	-
Total for Professional Services	247,354
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	157
Total for Other Charges	157
Total for EXPENDITURES	389,951

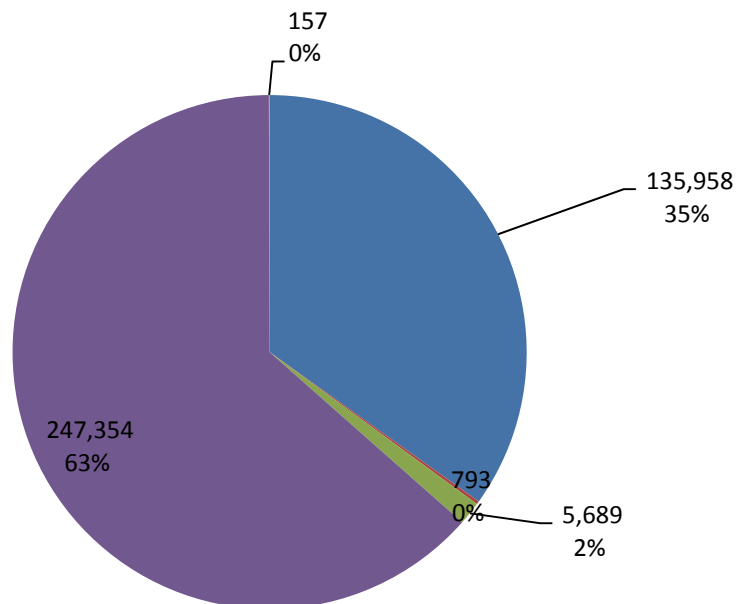
## Total CY14 Revenues

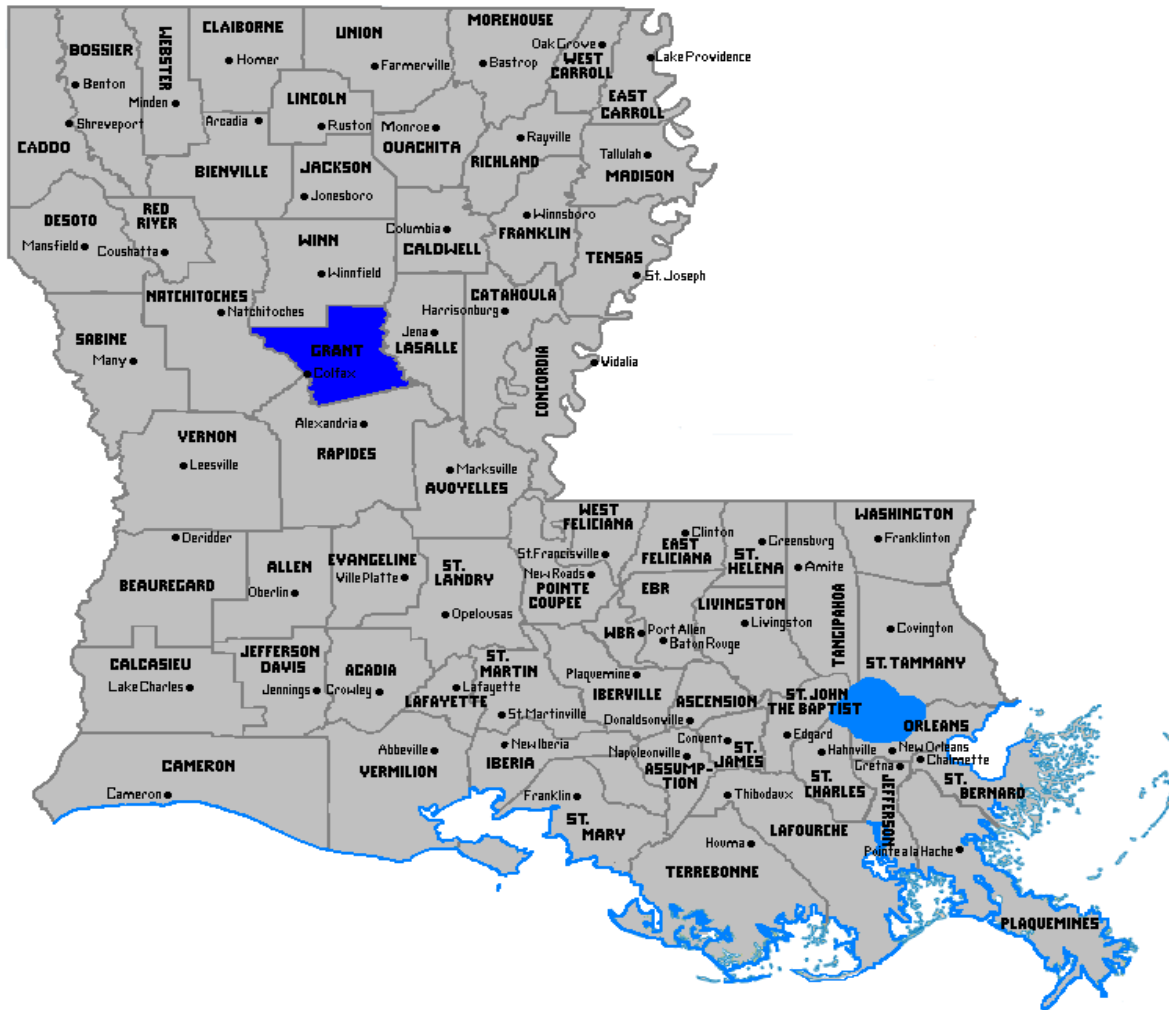
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





# THE 35<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE GRANT (COLFAX)

DISTRICT DEFENDER: ROBERT L. KENNEDY  
352 SECOND STREET  
COLFAX, LA 71417  
(318) 627-3255

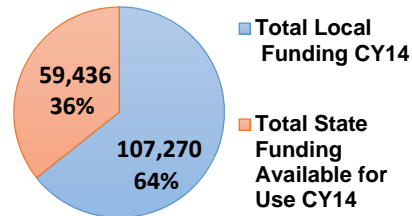
## 35TH JUDICIAL DISTRICT

During calendar year 2014, the 35th Judicial District Public Defenders Office handled 696 cases. The office received \$166,706 in total revenues to handle these cases, approximately 64% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

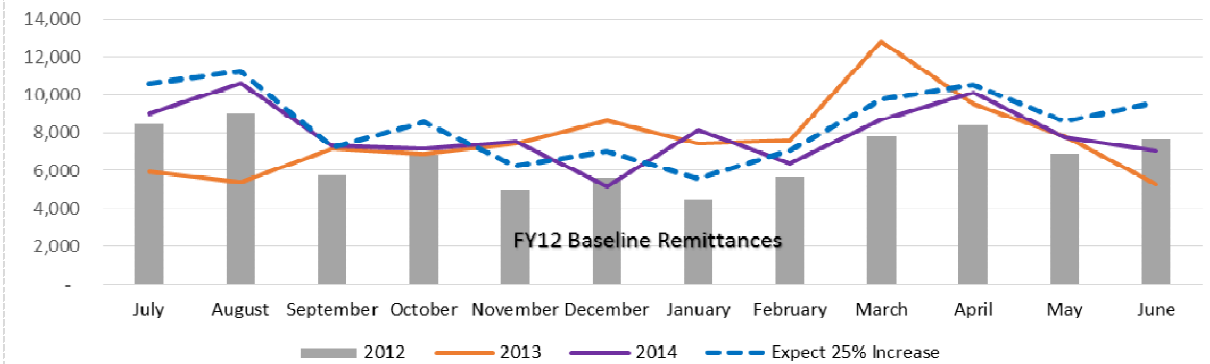
With the exception of a few anomalies, the 35th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 35th Judicial District office has nearly exhausted its fund balance and CY14 revenues are in decline. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent during FY16.

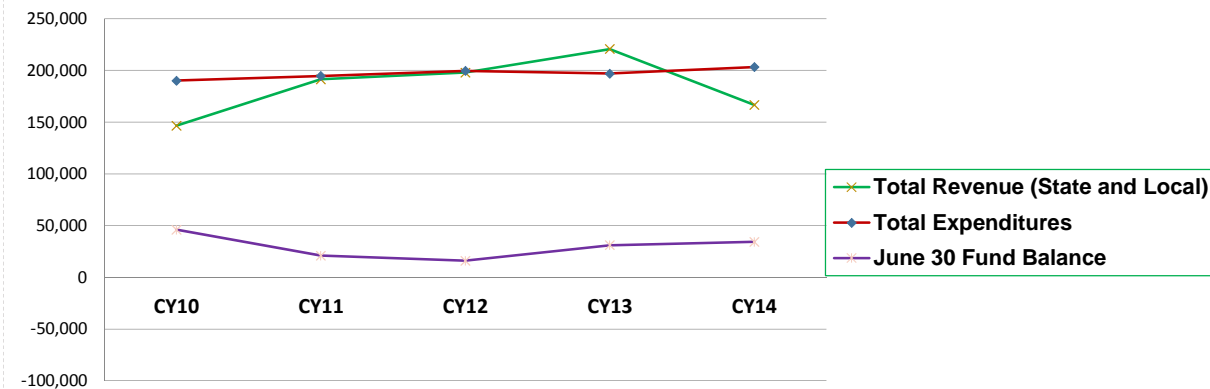
**District 35 PDO Revenue Sources CY14**



**Impact of Act 578 on District 35 PDO**



**District 35 PDO Finances CY10-14**

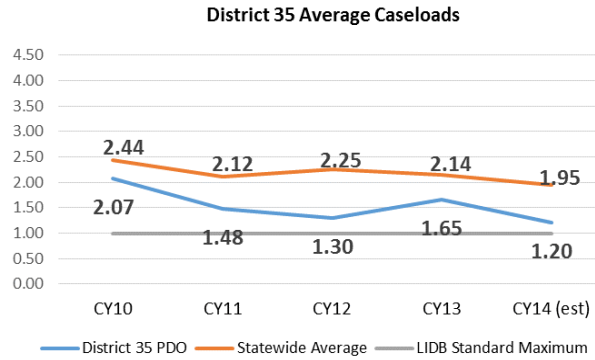


## GRANT PARISH

Robert L. Kennedy  
District Defender  
352 Second Street  
Colfax, LA 71417  
318-627-3255

In the 35th Judicial District, public defense attorneys maintain caseloads near the recommended caseload limit for each attorney.

The 35th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.



## CAPITAL REPRESENTATION

Since 2009, there have been no new capital prosecutions in the 35th Judicial District.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 35th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.







## THE 35<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Grant - Colfax
<b>Population</b>	22,030
<b>Juvenile Population</b>	4,802
<b>District Defender</b>	Robert L. Kennedy
<b>Years as District Defender</b>	Since inception of District Defender System.
<b>Years in Public Defense</b>	46.5
<b>Office Manager</b>	Bettye F. Wall
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Bettye F. Wall, Office Manager
<b>Primary Office Street Address</b>	352 Second Street
<b>City</b>	Colfax
<b>ZIP</b>	71417
<b>Primary Phone</b>	318-627-3255
<b>Primary Mailing Address</b>	P.O. Box 222, Colfax, 71417
<b>Primary Fax Number</b>	318-627-2432
<b>Primary Emergency Contact</b>	Robert L. Kennedy
<b>Primary Emergency Phone</b>	318-792-7914 - cell
<b>Secondary Emergency Contact</b>	Glenn Cortello
<b>Secondary Emergency Phone</b>	318-443-7082
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Robert L. Kennedy
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	None paid to Owner.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	35th Judicial District Court, 200 Main Street, Colfax LA 71417
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	One
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Cases are assigned to two part-time contract attorneys and District Defender who are on salary. If more than 3 co-defendants non-contract conflict attorneys are assigned who are paid by the case.
<b>Name of Adult Detention Facilities in This District</b>	Grant Parish Detention Facility
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles Parish Detention Facility
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles and Rapides Parish

<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Often persons are arrested and shipped before PDO is notified and they can be interviewed. When an attorney is appointed he has to expend extra time for travel to meet with the client.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No. The court has no shackling policy and procedure, however if a juvenile is brought to court in shackles, the public defender will request that the shackles be removed.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	James P. Lemoine
<b>Chief Judge of Criminal District Court</b>	Warren Willett
<b>Juvenile Court Judges (Specify District of City Court)</b>	Yes. Warren Willett
<b>Drug Court Judges</b>	No
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	No
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Chief Indigent Defender by application (see form attached)
<b>When is Assignment/Appointment of Counsel Made?</b>	Within 72 hours of arrest.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Robert L. Kennedy, Chief
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Betty Wall interviews when Chief is out of the office and unable to interview within above time period.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	372 estimated
<b>How Many Application Fees Were Waived?</b>	9
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	1,690
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Louisiana Fee Collection
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	94,415
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Monthly Remittance Report provided by Sheriff
<b>Who Collects the Assessed Court Fees?</b>	Sheriff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Court Fees Collected?</b>	Sheriff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	

<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Standard fees:\$600 for felonies, \$300 for misdemeanors; Felony Category 1 - 750 Felony Category 2 - 1,050, Felony Category 3 - 1,550.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Clerk of Court by providing copy of court minutes and Office of Probation and Parole.
<b>Who Collects the Assessed Partial Payments?</b>	Louisiana Fee Collection
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Provided by Louisiana Fee Collection
<b>Who Remits the Partial Payments Collected?</b>	Louisiana Fee Collection
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Louisiana Fee Collection shows on check stubs
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	11,165
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted - yes
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Funding to avoid deficit and Restriction of Services
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Funding
<b>Long-Term Critical Issue Areas</b>	Funding
<b>Please List All New Hires in 2014 (Name and Title)</b>	None
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	N/A
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chief supervises attorney and non-attorneys.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	None
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	Daily interaction. I have a staff of one (1), the office manager.

Number of NEW capital cases in CY14 handled by your office	0
Number of pending capital cases (received prior to CY14) handled by your office during CY14?	0
Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)	None
Number of Writs Your District Handled in 2014	None
Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014	None
Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied	None
Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases	None
Please Provide the Names of All State Representatives and Senators from Your District	Rep. Terry Brown-Dist 22
Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?	Unable to answer without clarification of meaning of "External Factors".
What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?	More time is being spent in court supervising and advising contract attorneys.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Beck, III, Joseph P.	318-640-9202
Wilson, Thomas G.	318-201-2807
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Wall, Bettye F.	318-627-3255

2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Bettye F. Wall
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	

Television	
DVD	1
VCR	
Desktop PCs	1
Laptops	1
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	2
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	1
No Internet Connection	
Connection Speed:	150KB/sec
Provider Name:	AT&T
Email Provider:	Windows Live
Please list any software or computer equipment in which you need training:	

### 35th District Defender Office CY 2014 Caseloads & Outcomes

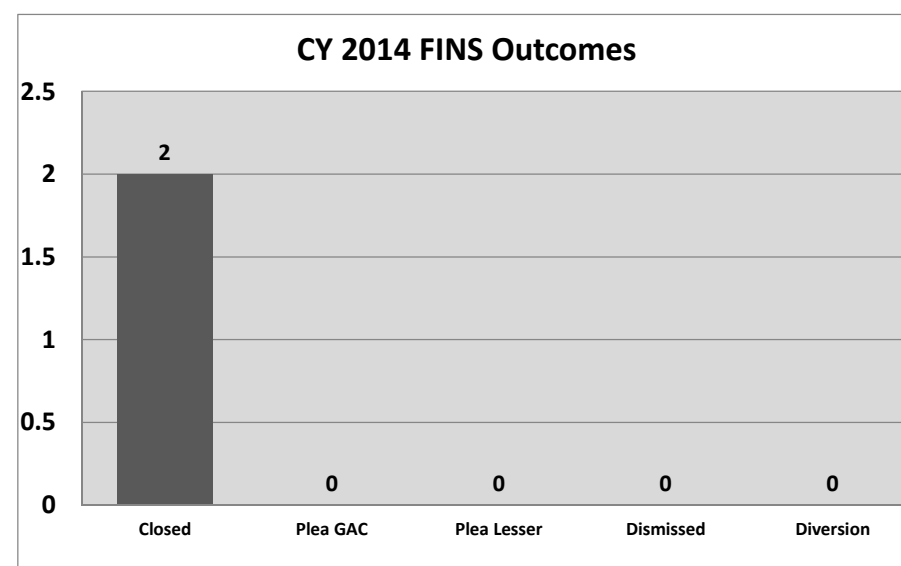
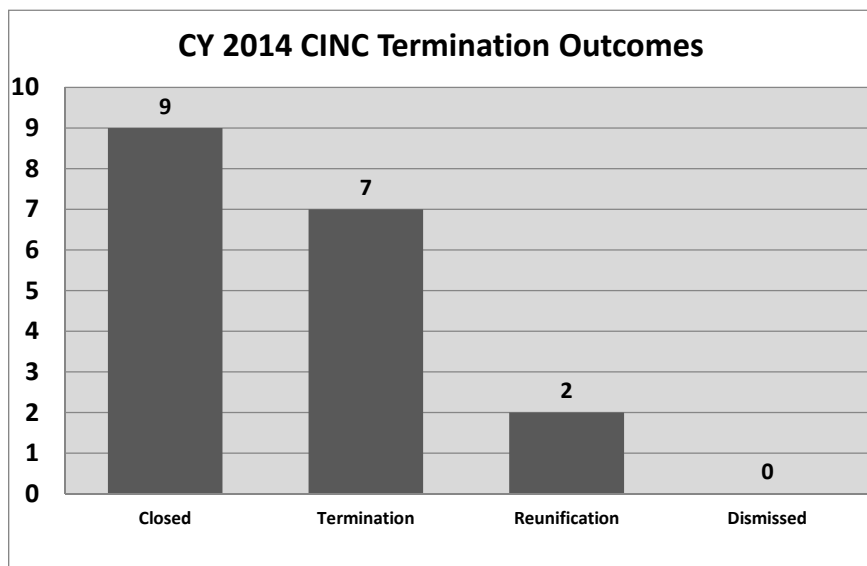
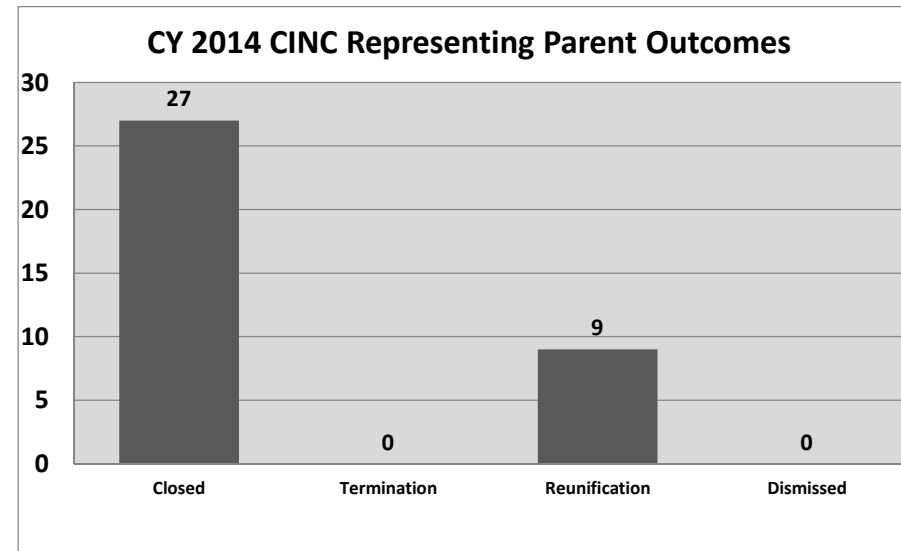
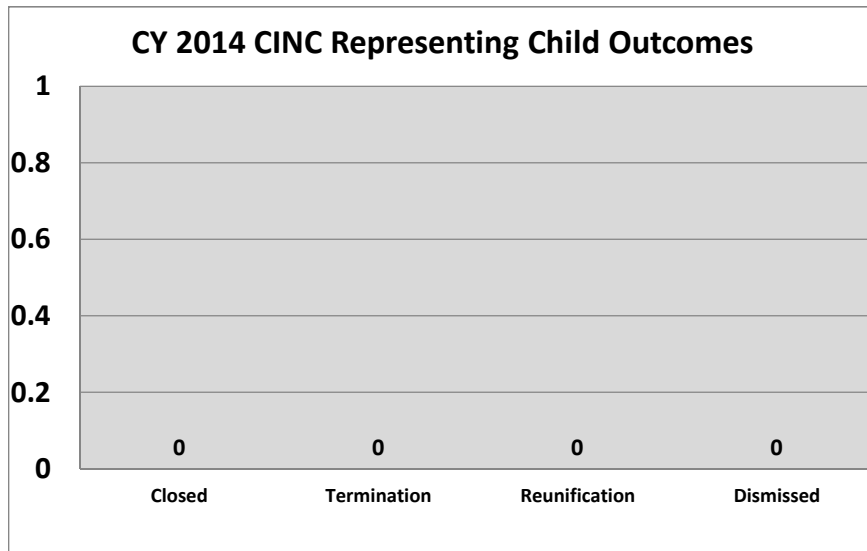
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	35	27	20	55	0	9	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	6	9	6	12	7	2	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	5	2	1	6	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	19	11	0	19	N/A	N/A	7	0	4	4	N/A	N/A	0	0	0
Delinquency Felony	11	3	0	11	N/A	N/A	1	0	1	2	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	4	4	0	4	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	104	84	41	145	N/A	N/A	19	0	118	0	0	0	0	0	0
Adult Felony Non-LWOP**	344	258	100	444	N/A	N/A	199	4	110	0	0	1	1	0	2
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

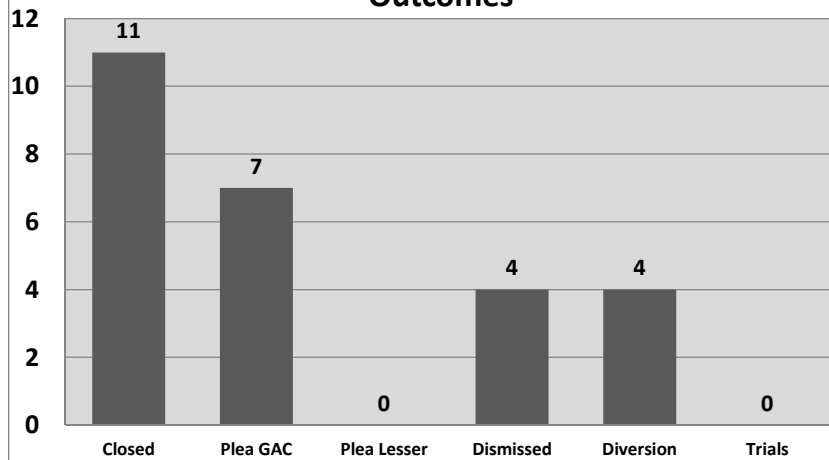
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

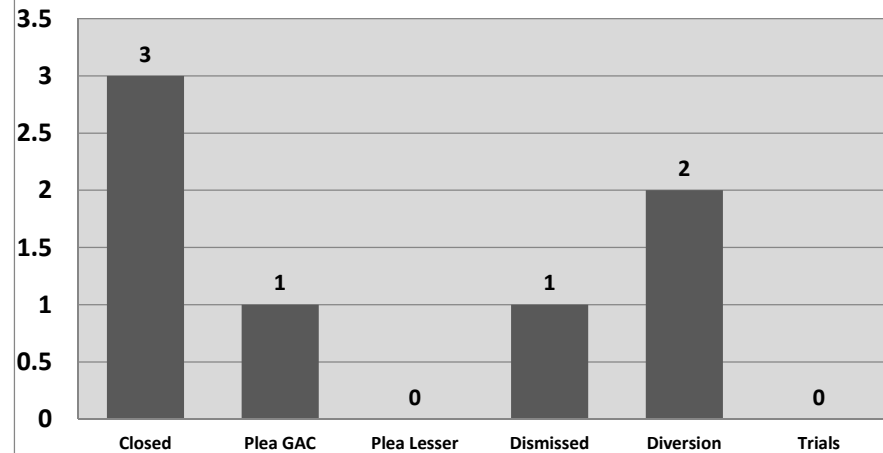




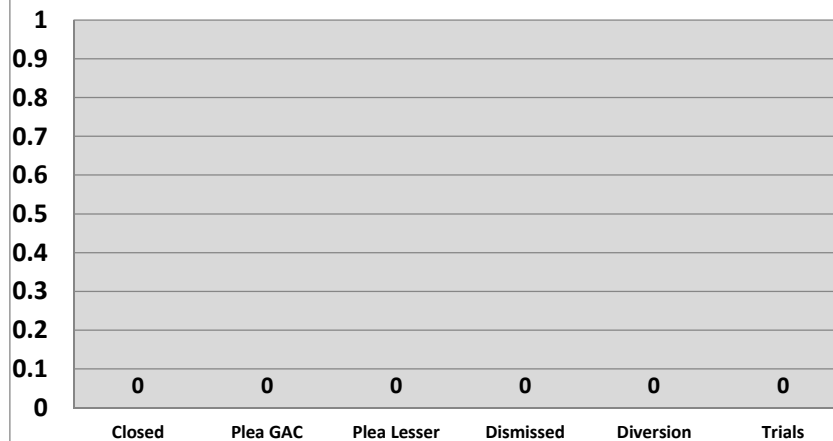
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**



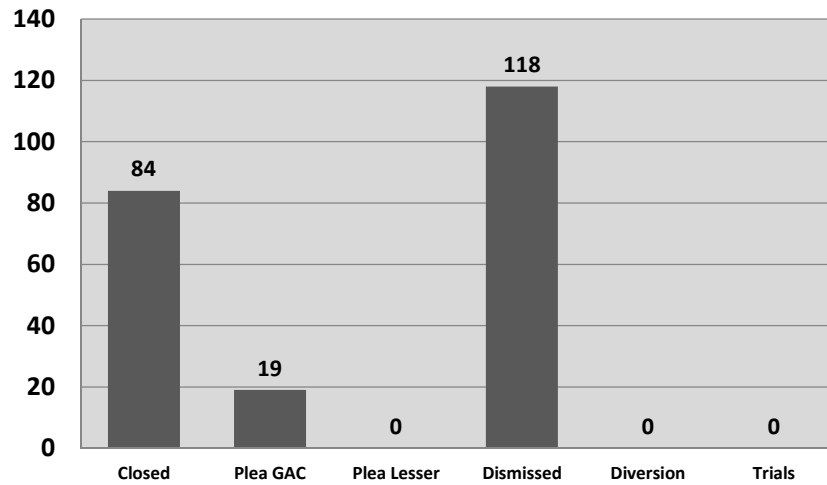
**CY 2014 Delinquency Felony-Grade Outcomes**



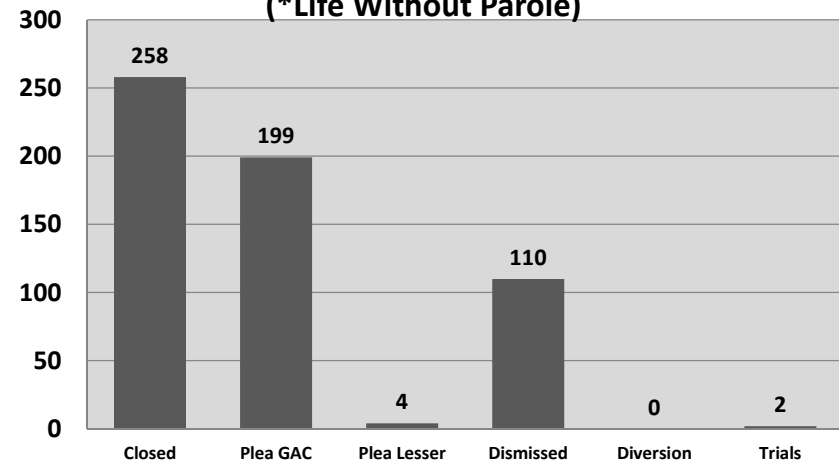
**CY 2014 Delinquency Life Outcomes**



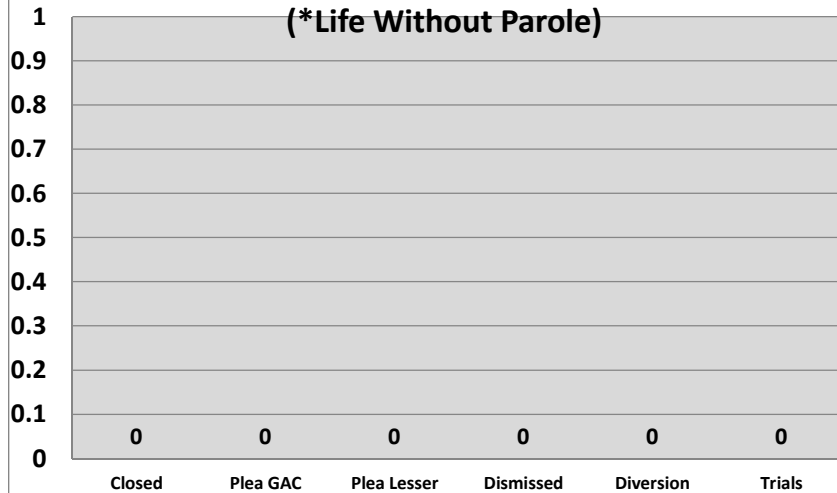
**CY 2014 Adult Misdemeanor Outcomes**



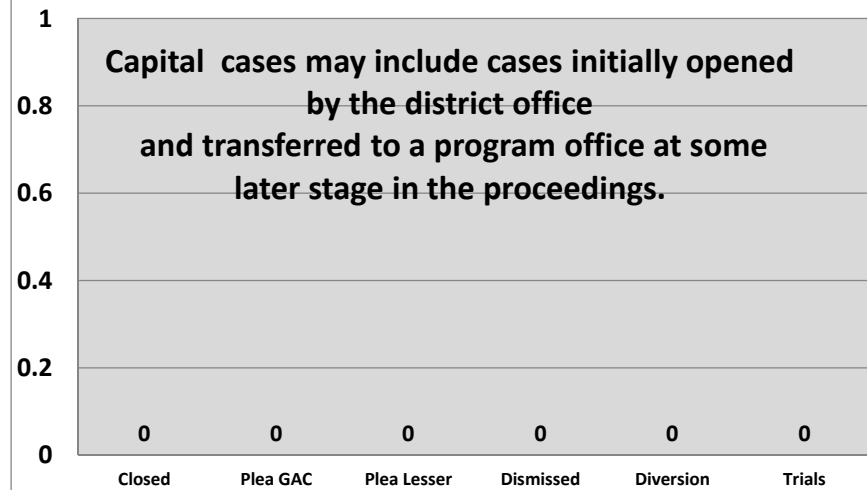
**CY 2014 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Capital Outcomes**

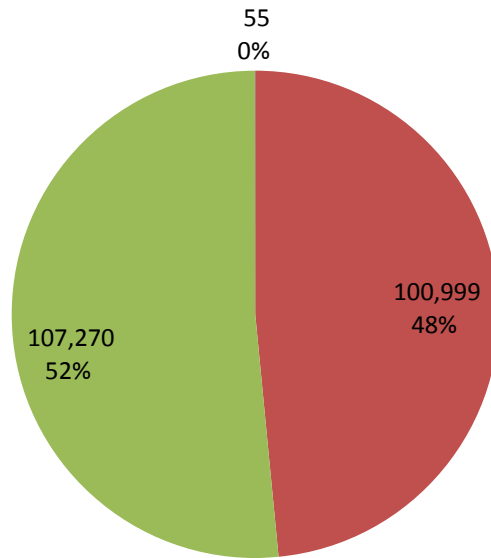


District 35 CY2014	Total CY2014
District Defender: Robert Kennedy	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	15,252
District Assistance Fund (DAF)	78,906
Supplemental/Emergency Funds	6,841
Grants	-
Other State Income -List source(s)	-
Total for State Government	100,999
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	1,713
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	92,702
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	92,702
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	1,690
Partial Attorney Fees	
Reimbursements [as per 15:176]	11,166
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	12,856
Total for Local Government	107,270
Investment Earnings	
Interest Income	55
Other Investment Income - List source(s)	-
Total for Investment Earnings	55
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	208,324

District 35 CY2014	Total CY2014
District Defender: Robert Kennedy	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	23,500
Accrued Leave	-
Payroll Taxes	1,932
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	25,432
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	292
Total for Travel/Training	292
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	1,914
Insurance - Auto/Physical Liability	-
Insurance - Other	135
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	615
Dues and Seminars	-
Law Library/Journals/Subscriptions	-
Office Supplies	255
Total for Operating Services	2,919
Professional Services	
Audit/Accounting Expense	1,817
Contract Clerical	-
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	3,450
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	169,090
IT/Technical Support	198
Total for Professional Services	174,555
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	30
Total for Other Charges	30
Total for EXPENDITURES	203,229

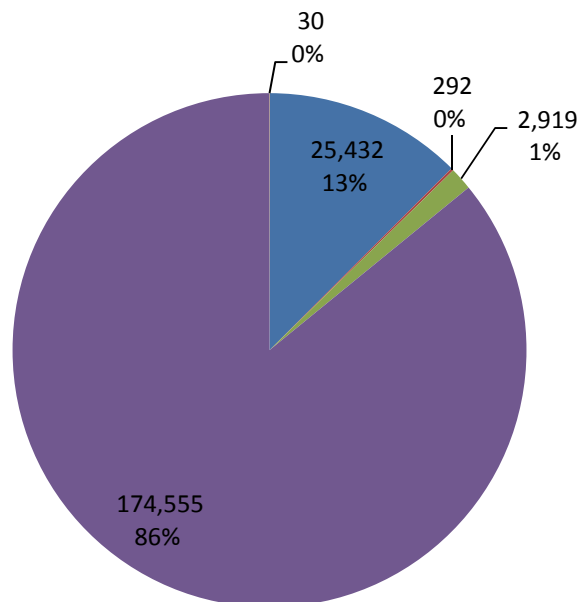
## Total CY14 Revenues

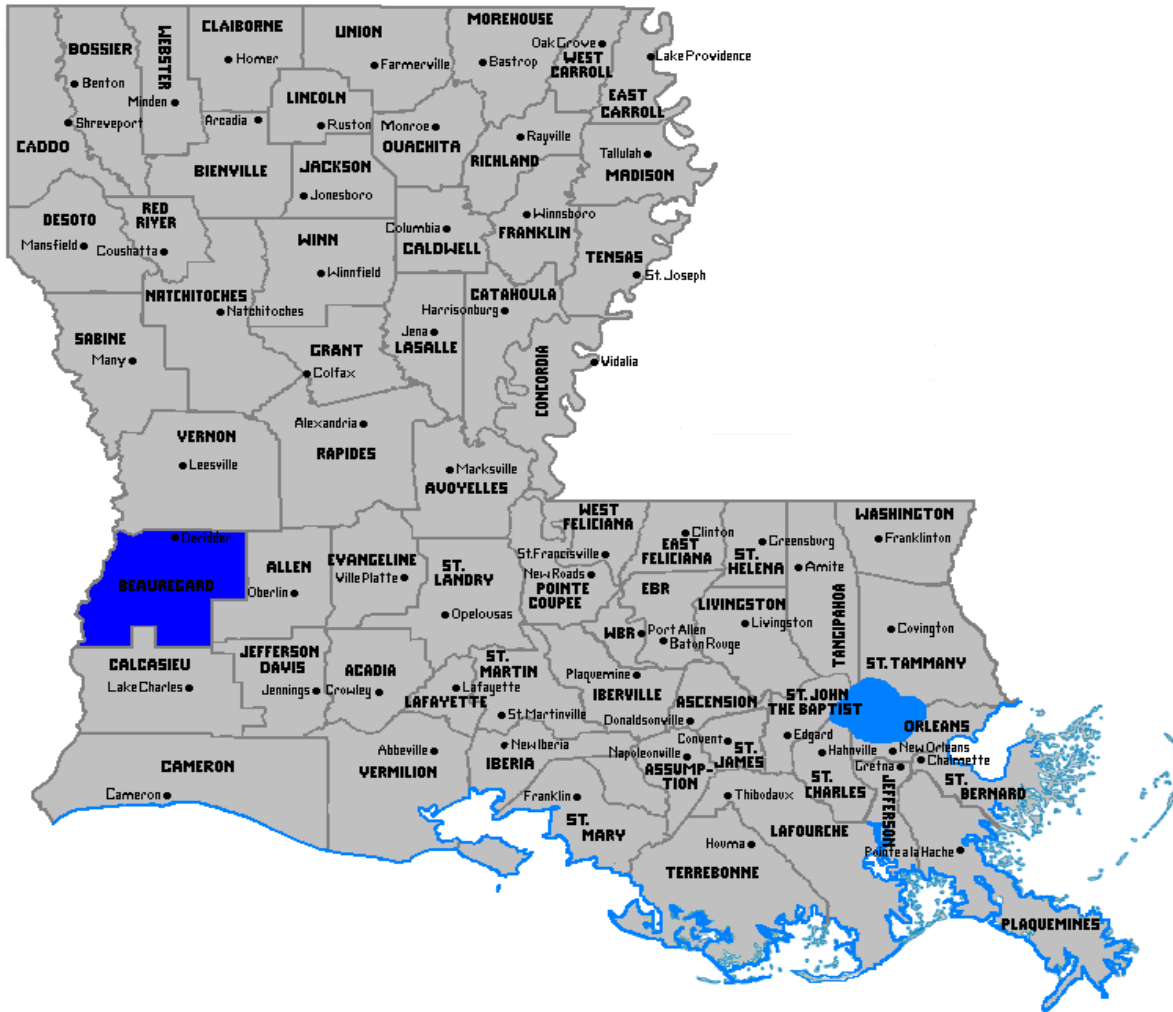
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





# THE 36<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE BEAUREGARD (DERIDDER)

DISTRICT DEFENDER: DAVID L. WALLACE  
518 NORTH PINE STREET  
DERIDDER, LA 70634  
(337) 462-8891

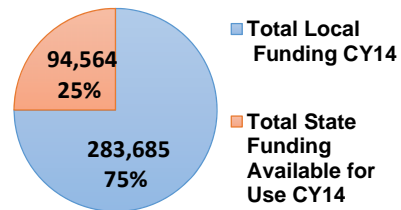
## 36TH JUDICIAL DISTRICT

During calendar year 2014, the 36th Judicial District Public Defenders Office handled 879 cases. The office received \$378,249 in total revenues to handle these cases, approximately 75% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

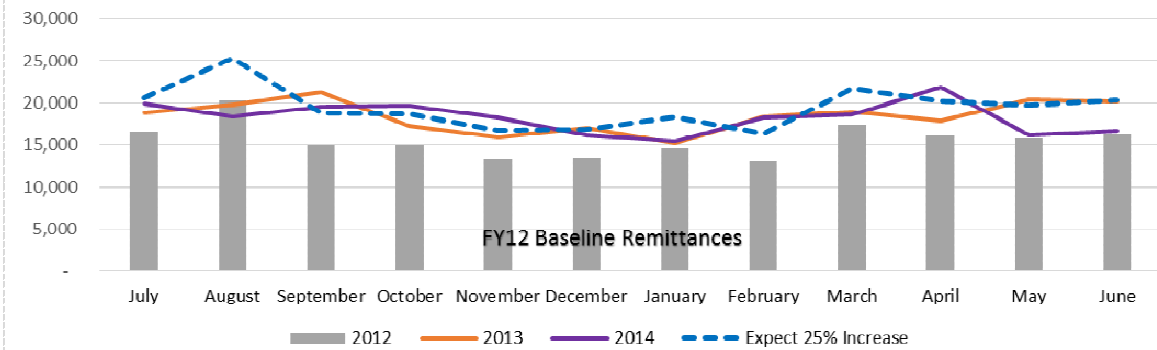
With the exception of a few anomalies, the 36th Judicial District has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 36th Judicial District office's expenditures exceed the office's revenues except in CY13 and CY14 where revenues very slightly exceed expenditures. While it is too early to project when the 36th Judicial District office will exhaust its fund balance, without an increase in revenues or reduction in expenditures, the office will continue to deplete its fund balance eventually becoming insolvent.

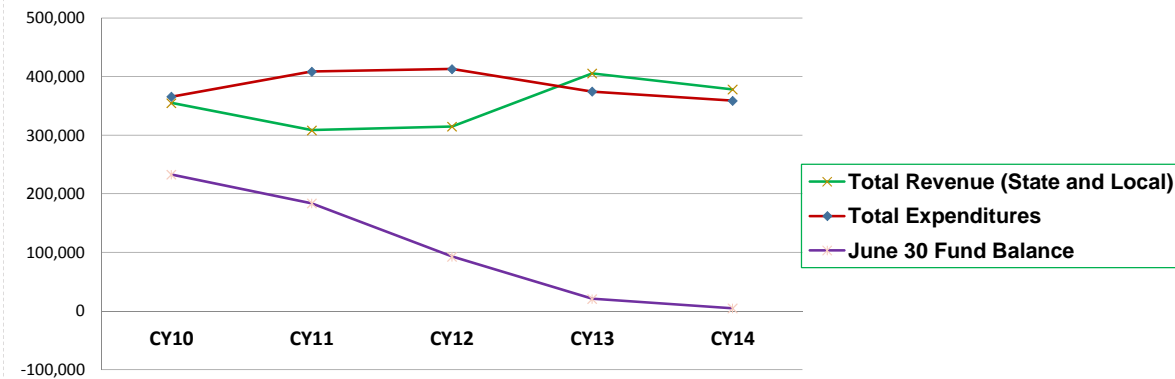
**District 36 PDO Revenue Sources CY14**



**Impact of Act 578 on District 36 PDO**



**District 36 PDO Finances CY10-14**



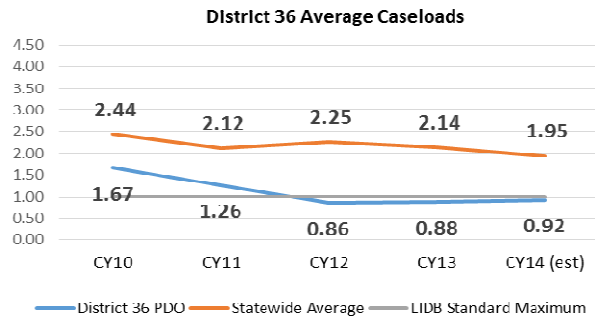
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## BEAUREGARD PARISH

David L. Wallace  
District Defender  
518 North Pine Street  
DeRidder, LA 70634  
337-462-8891

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In the 36th Judicial District, public defense attorneys make an average annual salary of \$48,569 while maintaining caseloads near the recommended caseload limit for each attorney.



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## CAPITAL REPRESENTATION

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Since 2009, there have been no new capital prosecutions in the 36th Judicial District.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 36th Judicial District due to a lack of capital certified attorneys and/or funding to support capital services in the District Office.







## THE 36TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Beauregard - DeRidder
<b>Population</b>	35,654
<b>Juvenile Population</b>	9,295
<b>District Defender</b>	David L. Wallace
<b>Years as District Defender</b>	6
<b>Years in Public Defense</b>	32
<b>Office Manager</b>	Rosie Kolarik
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Cathy Lopez, Data Entry Clerk & Inmate Liaison
<b>Primary Office Street Address</b>	518 North Pine Street
<b>City</b>	DeRidder
<b>ZIP</b>	70634
<b>Primary Phone</b>	337-462-8891
<b>Primary Mailing Address</b>	PO Box 489, DeRidder, 70634
<b>Primary Fax Number</b>	337-462-3810
<b>Primary Emergency Contact</b>	David L. Wallace
<b>Primary Emergency Phone</b>	337-462-0473 office
<b>Secondary Emergency Contact</b>	337-462-8891 office
<b>Secondary Emergency Phone</b>	337-462-2144 office
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	David L. Wallace
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	300 Month (Utilities Only)
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	36th Judicial District Court, Divisions A & B, P.O. Box 1148, DeRidder, 70634
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	(2) Two Divisions: Division A - Judge Martha A. O'Neal; Division B - Judge C. Kerry Anderson. Judges rotate on a monthly basis between civil and criminal dockets.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	The presiding Judge issues an Appointment of Counsel Order or Assigns the client to the PDO at the 72 hour hearing, which is noted on the "Notice of Custody Order" either of these are forwarded to the PDO for assignment of counsel on a rotational basis.

<b>Name of Adult Detention Facilities in This District</b>	C. Paul Phelps Correctional closed on 11/01/2013. The only adult facility in this parish is the Beauregard Parish Jail.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles-Simmesport Women's Detention Ctr., Simmesport, LA Parish females are often housed there due to overcrowding.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center 3565 Highway 71 Coushatta, LA; Calcasieu Parish Juvenile Detention Center Lake Charles, LA; The District used the St. James Juvenile Detention Center until its closure in June, 2013, and since then juvenile clients have been housed in Bridge City Center for Youth in Bridge City, Louisiana.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	This causes lack of access to clients, as well as additional expense and time traveling to these facilities. Ware Youth Center – 225 miles roundtrip; Calcasieu Juv. Center – 105 miles roundtrip; St. James Youth Ctr – 430 miles roundtrip.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No. Officers are in court room and holding room if juveniles are in custody.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Upon arrest clients are only allowed one phone call to a bondsman only. Often clients are denied phone access and/or knowledge of bond amount if any has been set.
<b>District Attorney</b>	New DA as of 01/12/15 - Jame R. Lestage
<b>Chief Judge of Criminal District Court</b>	Martha Ann O'Neal
<b>Juvenile Court Judges (Specify District or City Court)</b>	Same as above
<b>Drug Court Judges</b>	Same as above
<b>Mental Health Court Judges</b>	Same as above
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Judge, based upon application completed by defendant and interview conducted by Judge.
<b>When is Assignment/Appointment of Counsel Made?</b>	Judge assigns PDO within 72 hours of arrest, at arraignment or other court hearing.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Cathy Lopez, PDO Liaison
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes

	Application completed by client, \$40 fee paid to Ms. Lopez at arraignment, or paid at office in person at a later time. Application is then presented to the Judge who interviews the client, determines indigency and amount of fees to be paid to the PDO. Judge then signs and forwards an "Appointment of Counsel Order" to the PDO. For incarcerated clients, Ms. Lopez meets with client at jail to complete the application; she submits the application to the presiding Judge at the time of the 72 hour hearing. Judge completes Notice of Custody Order to either deny or approve. Ms. Lopez brings the completed order to the PDO. PDO makes assignment and advises Ms. Lopez what attorney will represent what client. Ms. Lopez then meets with client within 24 hours to advise them who their attorney is as well as conducting the initial interview and advising client of their rights, and contact information for their counsel.
<b>Brief Explanation of Intake Process</b>	
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	660
<b>How Many Application Fees Were Waived?</b>	0
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2014</b>	10,049
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Probation & Parole collects fees after conviction of defendants.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	215,457
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Appointment of Counsel Order signed by Judge; notes the application fee as well as any ordered amount.
<b>Who Collects the Assessed Court Fees?</b>	State Probation Office if client placed on Felony Probation. Local office if misdemeanor case. Louisiana District Probation Offices forward collected fees to our office via U. S. mail.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Fees collected in office are given a written receipt as well as receipt from PDO database. Sheriff's Office, Civil Division.
<b>Who Remits the Court Fees Collected?</b>	District Attorney – Bond Forfeitures; Sheriff's Office provides a "break-down" of fees with each payment.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	District Attorney also provides name, total bond amount, and amount allotted to PDO with each payment.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	

<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Determined by District Judge
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Application for court appointed counsel filled out by applications & final determination of fees by Judge(s).
<b>Who Collects the Assessed Partial Payments?</b>	PDO Office if paid before conviction. Probation & Parole after conviction.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Probation & Parole sends money orders from defendants.
<b>Who Remits the Partial Payments Collected?</b>	Defendants individually before conviction and Probation & Parole after conviction.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Letter from Probation & Parole along with payment.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	35,613
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted - yes; Criminal Practice - yes; Private Practice Policy - yes.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Not at this time.
<b>Primary Immediate Needs</b>	Funding for experts & all other expenses.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Unknown
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Funding
<b>Long-Term Critical Issue Areas</b>	Funding
<b>Please List All New Hires in 2014 (Name and Title)</b>	Elizabeth B. Carr & Shanta Tomeka Gilbert
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, as needed or as requested.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Director, Individual Attorneys, Support Staff; Individual Defenders supervise their assistants in their offices.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	District Director, Office Manager, Clerk

<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	None regular, meetings held as needed
<b>Number of NEW capital cases in CY14 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	0
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	All referred to Appellate Counsel
<b>Number of Writs Your District Handled in 2014</b>	2
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	All District Defenders are experienced in Juvenile Defense. Clients are assigned on a rotational basis just as adult cases are.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator – John R. Smith; Representative Dorothy S. Hill; Representative James K. Armes III; Representative Michael E. Danahay; Representative Brett F. Geymann.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	We constantly work to get bonds set on individuals (even misdemeanor) some may get set several days later, but the jail doesn't get them in and tell the client the amount so they can bond. Also, clients are only allowed one phone call and only to a bondsman. Clients are not allowed to contact a family or friend to assist them. PDO staff has to take the initiative to contact City PD or Sheriff, then Judge to try to get a bond set, this is even on Disturbing the Peace charges etc.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	Our staff meets with the client within 24 hours of appointment to advise them of their rights, who their counsel is and how to contact him/her. Staff makes phone calls for client to contact family for bond assistance or to ask them to bring items the clients that are allowed at the jail.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
David L. Wallace	337-462-8891
Mitchel M. Evans, II	337-462-5225
Jodi C. Andrews	337-460-4987
Elizabeth B. Carr	337-462-8891

Shanta Tomka Gilbert	337-202-1871
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Rosie Kolarik	337-462-0473
Paul Lopez	337-463-4700
Cathy Lopez	337-462-8891

## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Rosie Kolarik
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	x
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	x
Microsoft Office 2010	
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	x
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	
Firefox	
Google Chrome	x
Other	

<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	1
Laptops	1
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	x
Broadband	
No Internet Connection	
Connection Speed:	DSL
Provider Name:	AT&T
Email Provider:	AT&T
Please list any software or computer equipment in which you need training:	



### 36th District Defender Office CY 2014 Caseloads & Outcomes

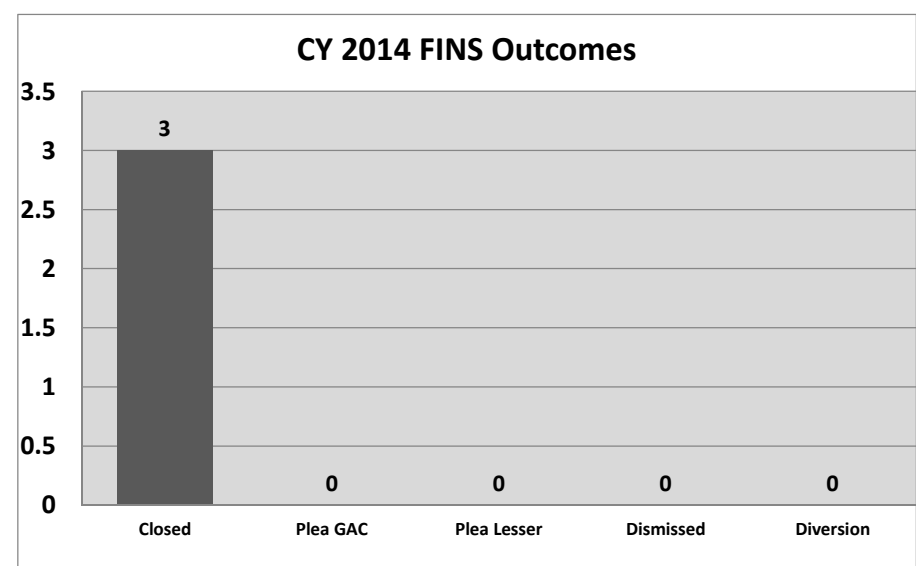
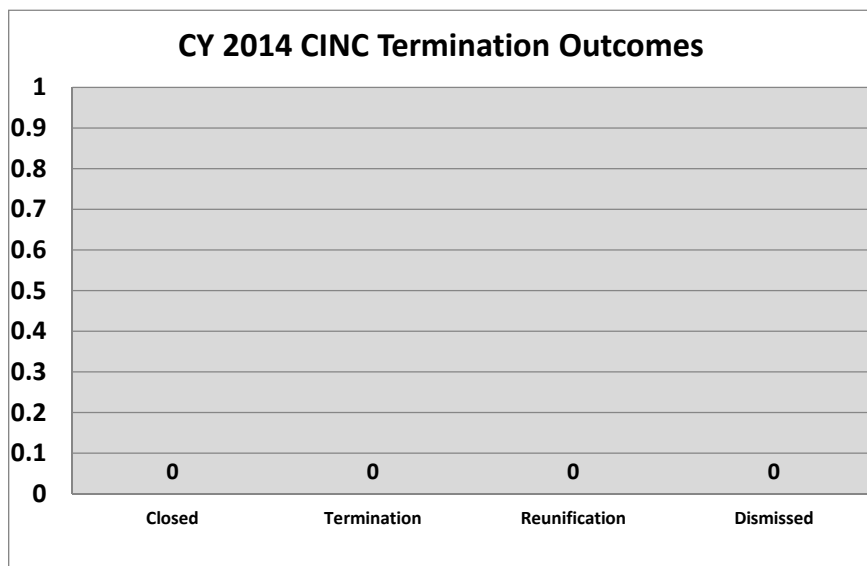
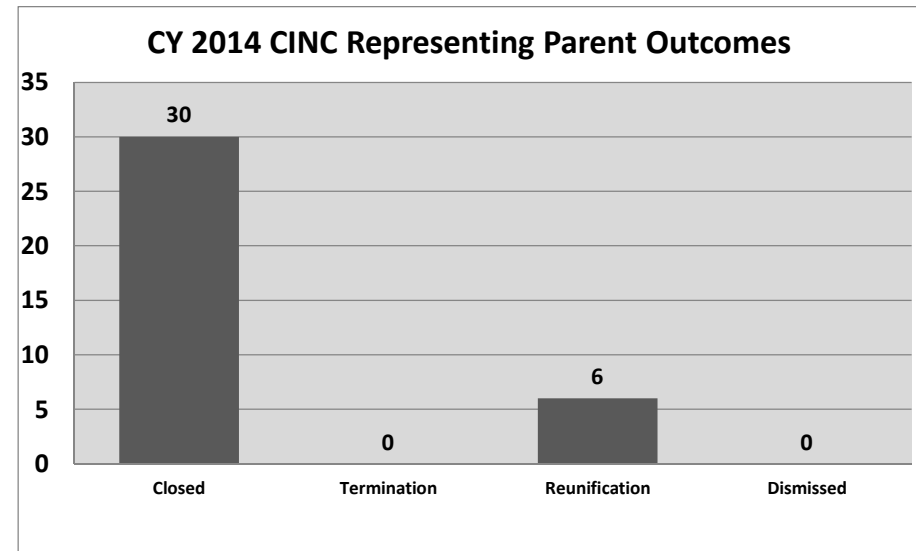
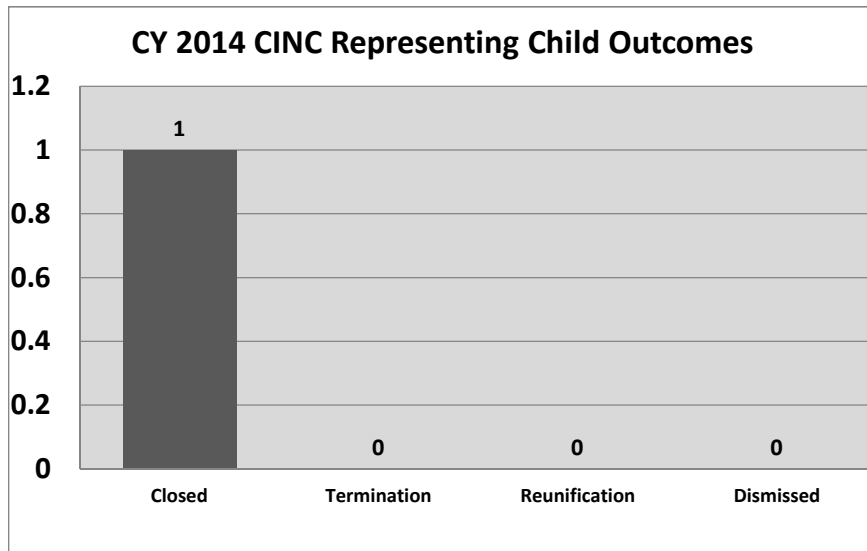
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	1	1	1	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	49	30	35	84	0	6	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	6	3	3	9	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	8	5	2	10	N/A	N/A	3	0	2	0	N/A	N/A	0	0	0
Delinquency Felony	6	8	5	11	N/A	N/A	11	0	1	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	309	277	95	404	N/A	N/A	261	8	128	0	0	0	0	3	3
Adult Felony Non-LWOP**	243	198	104	347	N/A	N/A	168	25	109	0	0	2	0	0	2
Adult LWOP	3	6	7	10	N/A	N/A	4	2	7	0	0	1	0	0	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	2	2	0	2	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	1	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

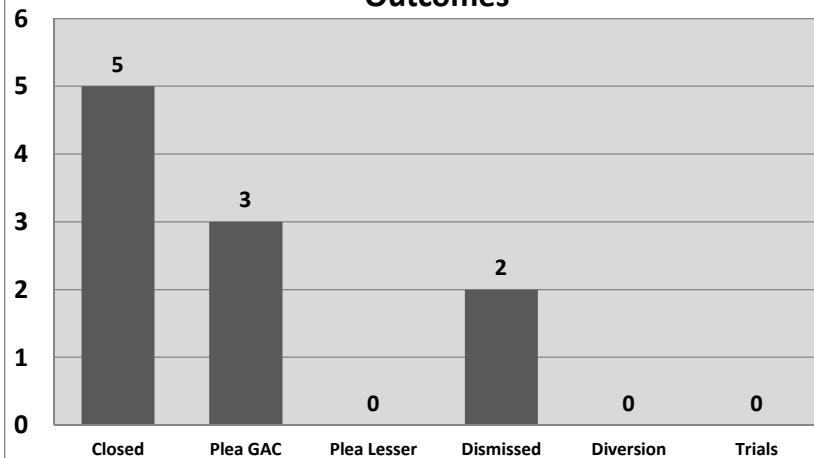
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

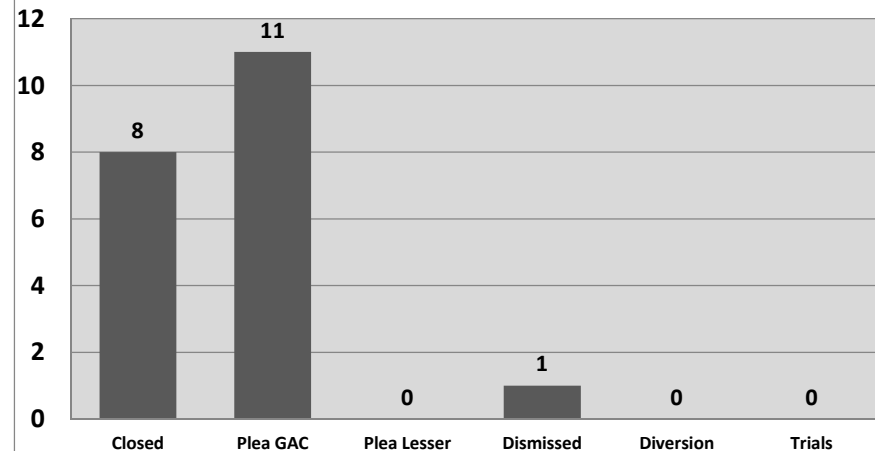
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



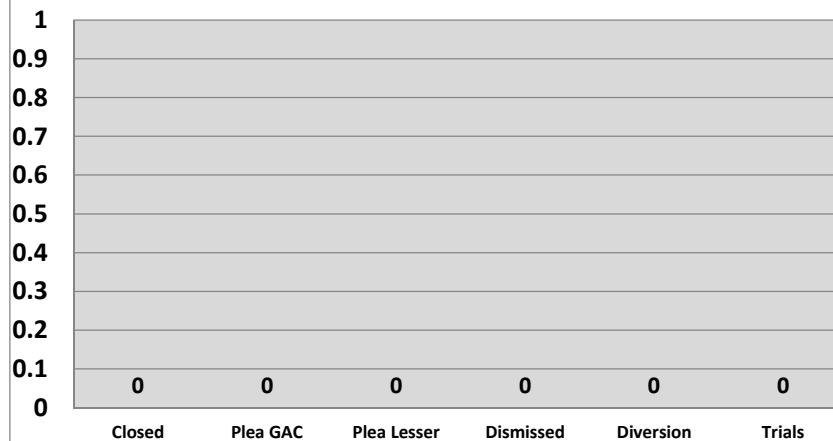
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**



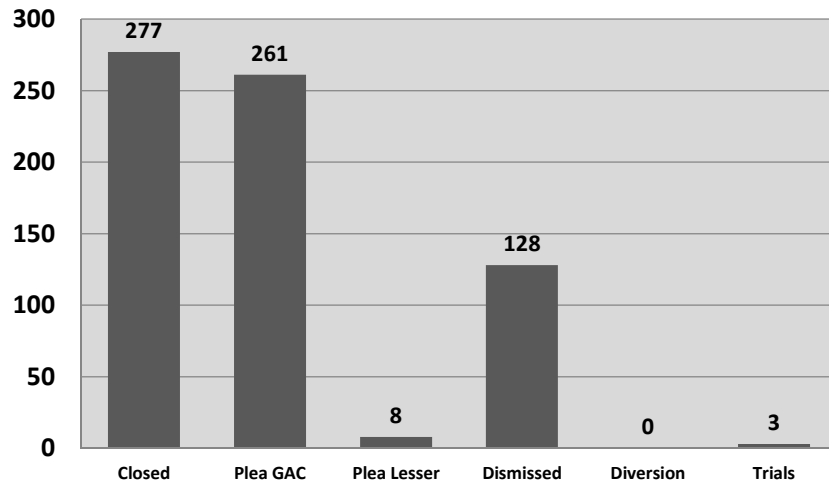
**CY 2014 Delinquency Felony-Grade Outcomes**



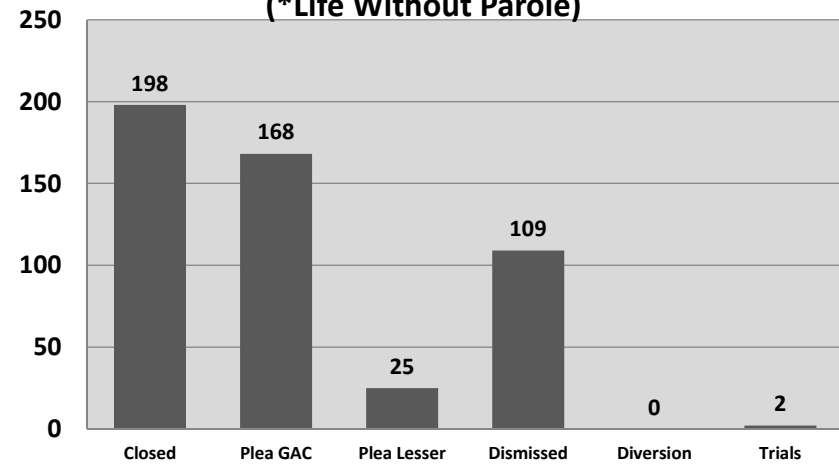
**CY 2014 Delinquency Life Outcomes**



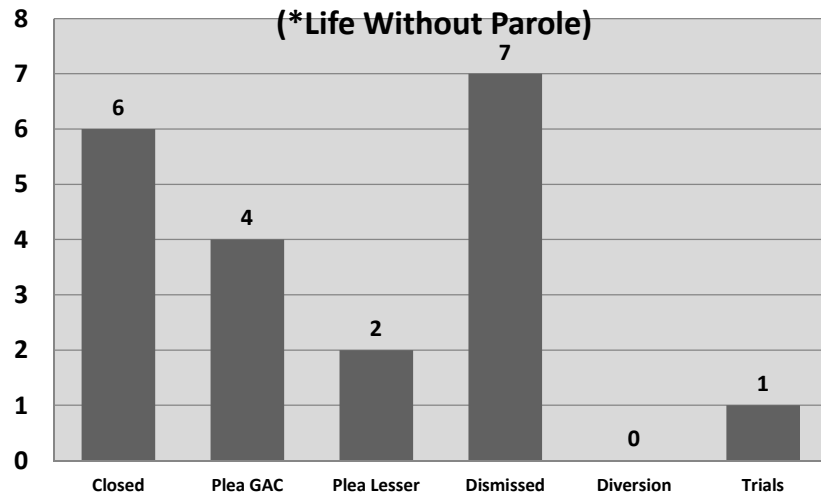
**CY 2014 Adult Misdemeanor Outcomes**



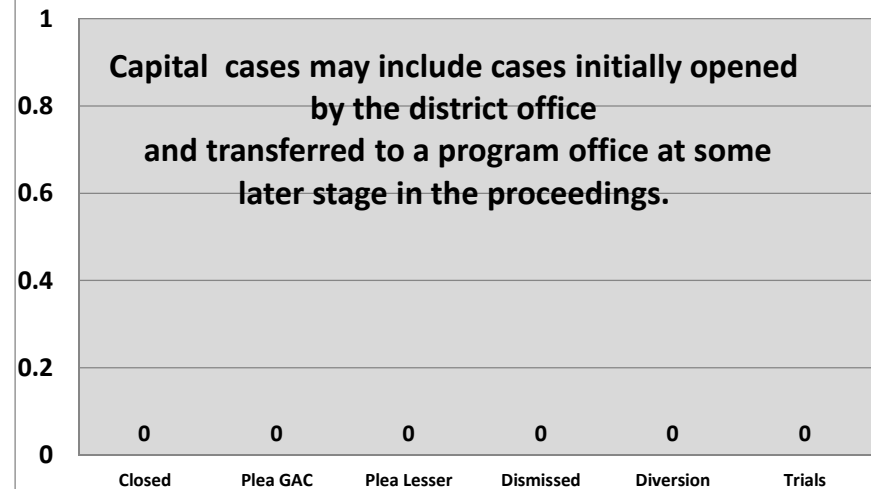
**CY 2014 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Capital Outcomes**

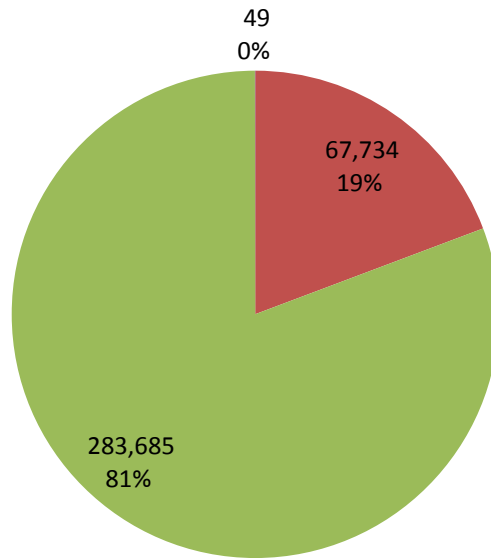


District 36 CY2014	Total CY2014
District Defender: David Wallace	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	14,562
District Assistance Fund (DAF)	53,172
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	67,734
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	17,351
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	5,033
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	36,868
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	178,589
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	215,457
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	10,049
Partial Attorney Fees	
Reimbursements [as per 15:176]	35,619
Other Reimbursements	176
Other Local Income -List source(s)	-
Total for Charges For Services	45,844
Total for Local Government	283,685
Investment Earnings	
Interest Income	49
Other Investment Income - List source(s)	-
Total for Investment Earnings	49
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	351,468

District 36 CY2014	Total CY2014
District Defender: David Wallace	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	-
Accrued Leave	-
Payroll Taxes	-
Hospitalization and Disability Insurance	-
Retirement	-
Other	40
Total for Personnel Services and Benefits	40
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	338
Total for Travel/Training	338
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	4,405
Insurance - Auto/Physical Liability	155
Insurance - Other	1,064
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	192
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	3,386
Dues and Seminars	385
Law Library/Journals/Subscriptions	16,966
Office Supplies	865
Total for Operating Services	27,417
Professional Services	
Audit/Accounting Expense	5,600
Contract Clerical	15,500
Expert Witness	-
Investigators	74,700
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	2,500
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	68,500
Contract Attorneys - all other	162,500
IT/Technical Support	-
Total for Professional Services	329,300
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	1,779
Total for Other Charges	1,779
Total for EXPENDITURES	358,874

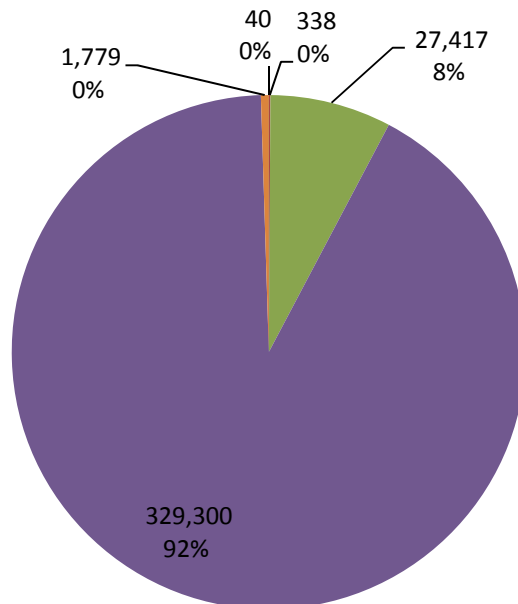
## Total CY14 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





THE 37<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
CALDWELL (COLUMBIA)

DISTRICT DEFENDER: LOUIS CHAMPAGNE  
301 WALL STREET  
COLUMBIA, LA 71418  
(318) 649-2626



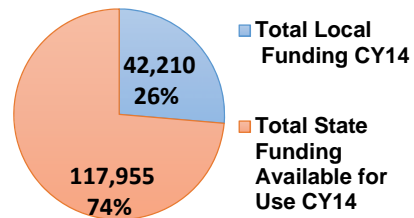
## 37TH JUDICIAL DISTRICT

During calendar year 2014, the 37th Judicial District Public Defenders Office handled 639 cases. The office received \$160,164 in total revenues to handle these cases. As local funding is largely insufficient, approximately 74% of revenues came from state funding.

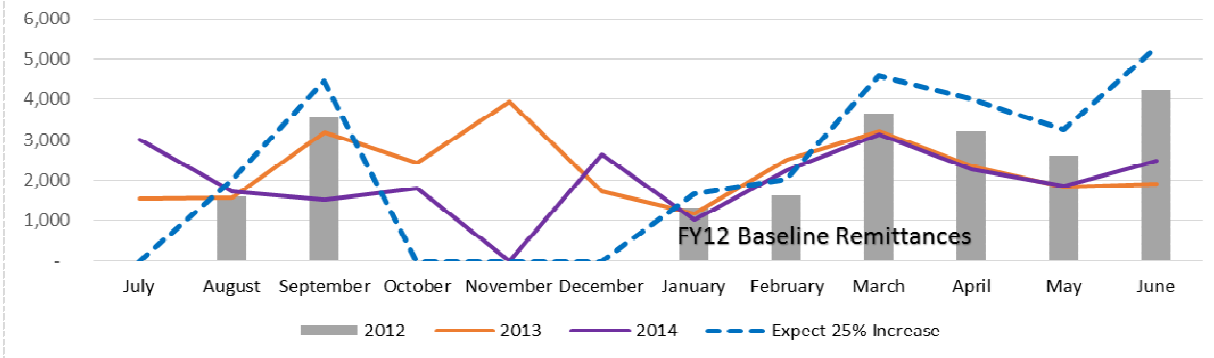
With the exception of those months when no local funds were remitted in the baseline year of 2012, the 37th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 37th Judicial District office has nearly exhausted its fund balance while CY14 local revenues are in decline. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent toward the end of FY15.

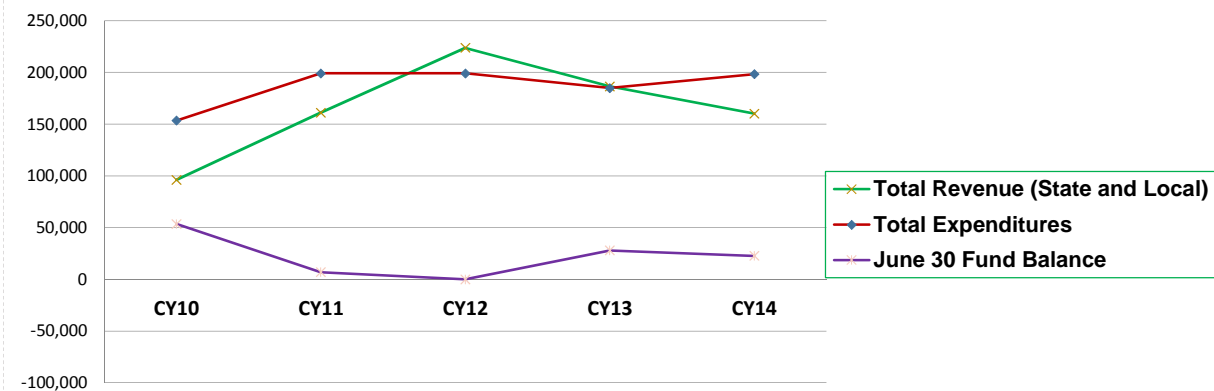
**District 37 PDO Revenue Sources CY14**



**Impact of Act 578 on District 37 PDO**



**District 37 PDO Finances CY10-14**

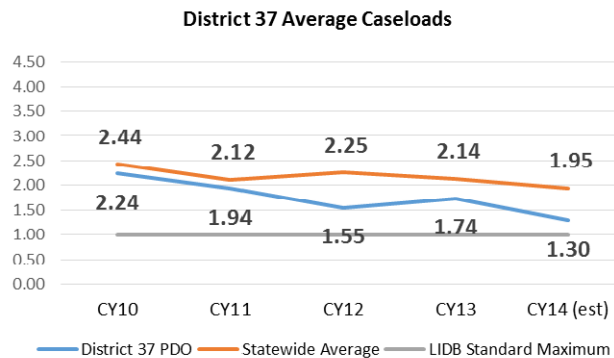


## CALDWELL PARISH

Louis V. Champagne  
District Defender  
301 Wall Street  
Columbia, LA 71418  
318-649-2626

In the 37th Judicial District, public defense attorneys maintain caseloads in excess of the recommended caseload limit for each attorney.

The 37th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.



## CAPITAL REPRESENTATION

Since 2009, there have been no new capital prosecutions in the 37th Judicial District.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 37th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 37TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Caldwell - Columbia
<b>Population</b>	10,132
<b>Juvenile Population</b>	2,374
<b>District Defender</b>	Louis Champagne
<b>Years as District Defender</b>	13
<b>Years in Public Defense</b>	17
<b>Office Manager</b>	Terri L. Graves
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Terri L. Graves
<b>Primary Office Street Address</b>	301 Wall Street
<b>City</b>	Columbia
<b>ZIP</b>	71418
<b>Primary Phone</b>	318-649-2626
<b>Primary Mailing Address</b>	P.O. Box 1029, Columbia, 71418
<b>Primary Fax Number</b>	318-649-0212
<b>Primary Emergency Contact</b>	Louis Champagne
<b>Primary Emergency Phone</b>	318-649-2626
<b>Secondary Emergency Contact</b>	Terri L. Graves
<b>Secondary Emergency Phone</b>	318-649-7046
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	No other addresses or phone numbers.
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Louis Champagne owns 1/2 of the office building and the Estate of Governor John J. McKeithen, owns 1/2 of the office building. IDB doesn't pay any rent, utilities, or any other office expenses at this time.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,400
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Day to day bookkeeping is handled in this office, however, our annual Audit is done by Mary Jo Finley, CPA.
<b>Courts and Locations</b>	37th Judicial District Court, Columbia, Louisiana
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	1
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Mixed Delivery
<b>Name of Adult Detention Facilities in This District</b>	Caldwell Correctional Center, Caldwell Parish Detention Center and Caldwell Parish Jail.

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Richland & Franklin - Women
<b>Name of Juvenile Detention Facilities In This District</b>	Swanson Center for Youth at Columbia, this facility is located in Columbia, however, the Parish is not allowed to hold juveniles there.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Green Oaks - Ouachita Parish
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Very rarely. If they are being held in detention at the time of juvenile hearing, the Office of Juvenile Justice officer brings them and they are in handcuffs.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	2014, but our district has a new district attorney which will take office on January 9, 2015.
<b>Chief Judge of Criminal District Court</b>	2014, but our district has a new district judge which took office on January 1, 2015.
<b>Juvenile Court Judges (Specify District of City Court)</b>	2014, but our district has a new district judge which took office on January 1, 2015.
<b>Drug Court Judges</b>	2014, but our district has a new district judge which took office on January 1, 2015.
<b>Mental Health Court Judges</b>	2014, but our district has a new district judge which took office on January 1, 2015.
<b>Other Specialty Court</b>	No
<b>Name of Specialty and Brief Description:</b>	None
<b>Indigency Determined by Whom and How?</b>	Chief Defender, Information from IDB Application.
<b>When is Assignment/Appointment of Counsel Made?</b>	72 hour hearing and sometimes when person comes for arraignment.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Terri L. Graves, Legal Assistant; Billy Varnell, Investigator.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Billy Varnell handles all investigation and some intake. Terri L. Graves handles all intake and interviews with female prisoners.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	204
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	3,740
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	23,152

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	A monthly statement is provided by the Caldwell Parish Sheriff Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	A monthly statement is provided by the Caldwell Parish Sheriff's Office.
<b>Who Collects the Assessed Court Fees?</b>	CPSO & DOC probation and parole.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	A monthly statement is provided by the CPSO and probation and parole.
<b>Who Remits the Court Fees Collected?</b>	CPSO & DOC probation and parole.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	A monthly statement is provided by the CPSO and probation and parole.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	If ordered by the Judge - after a hearing to determine how much the defendant can afford. The Judge usually determines the amount owed to IDB.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	There is no accounting documentation, other than my receipt.
<b>Who Collects the Assessed Partial Payments?</b>	Those fees are collected by this office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	There is no accounting documentation, other than my receipt.
<b>Who Remits the Partial Payments Collected?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	N/A
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	0
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	IDB attorneys can have a private practice but must devote majority of their time to IDB based on caseload.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Increase funding received to provide quality IDB defense.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Presently our office is in communication with the State Office regarding changes which we are proposing to make to our budget. Letters are presently being prepared to send to the Judge, District Attorney and other offices advising them of the potential restriction of services by the Public Defender Office.
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No staff have been terminated. Ashley P. Thomas with our office was recently elected 37th Judicial District Judge. With his leaving our IDB office, Joseph W. Grassi has been employed to take his place.
<b>Immediate Critical Issue Areas</b>	None

<b>Long-Term Critical Issue Areas</b>	Having enough funding to provide quality IDB defense.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Joseph W. Grassi, Contract Attorney
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	Our proceeds from the LACE program ceased as of July, 2014. 2014 was an election year and a new district attorney was ultimately elected. Unless the new DA continues that program, this income will cease permanently. We received approximately \$8,950.00 in proceeds from the LACE program in 2014.
<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, in office training on Motions, Trials, and all other aspects of legal representation is provided. The attorneys also meet to discuss cases.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	None at this time.
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Louis meets with attorneys and staff on a daily basis to discuss status of cases and review work product.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	Yes
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Monitor cases for compliance with state guidelines.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, meet on weekly basis
<b>Number of NEW capital cases in CY14 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	None
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Juvenile Attorney, Dina Domangue, handles all juvenile cases. Our juvenile is handled by the 4th JD IDB office in Monroe.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Representative Steven E. Pylant and Senator Neil Riser.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	2014 was an election year. Because of the pending elections, the LACE tickets stopped and there is still political turmoil between the District Attorney, Mark McKee and the Sheriff Office.

<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	Mandatory attendance to CLE provided by IDB.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Champagne, Louis V.	318-649-2626
Thomas, Ashley P.	318-649-2626
Joseph W. Grassi	318-649-2626
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Graves, Terri L.	318-649-2626
Varnell, Billy	318-649-2626

## 2014 District Office Technology Survey

<p>The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.</p>	
<b>Survey Completer's Name</b>	Terri L. Graves
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x Professional
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	Abacus
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	x
Microsoft Office 2010	
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	12
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	x
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	10 & 11
Firefox	x
Google Chrome	x
Other	



<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	3
Laptops	3
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	4
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	2
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	IP DSL
No Internet Connection	
Connection Speed:	18 meg
Provider Name:	AT & T
Email Provider:	AT & T, America Online & Yahoo
Please list any software or computer equipment in which you need training:	None

### 37th District Defender Office CY 2014 Caseloads & Outcomes

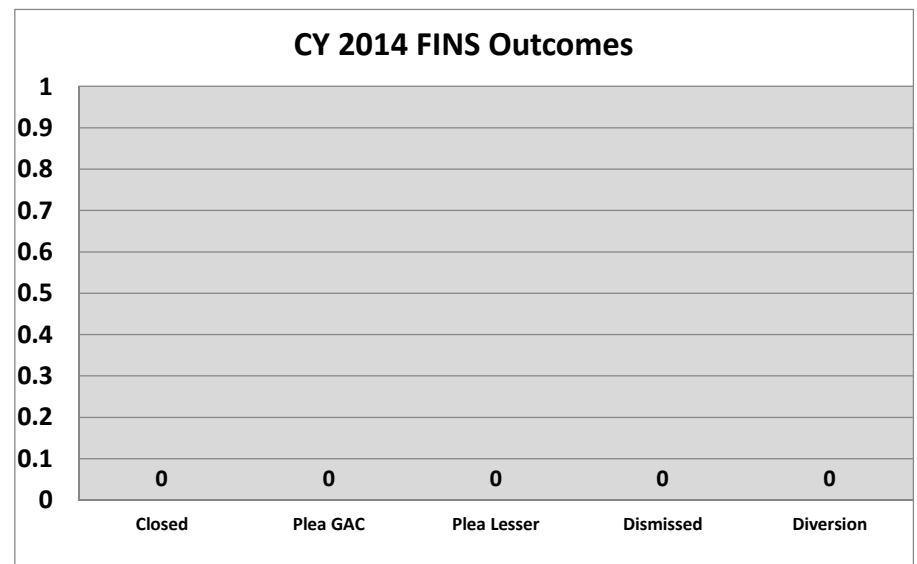
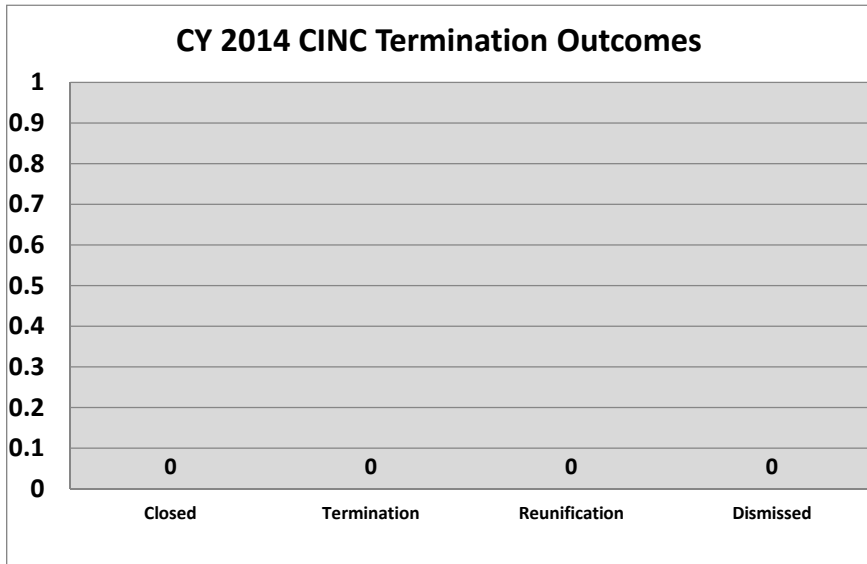
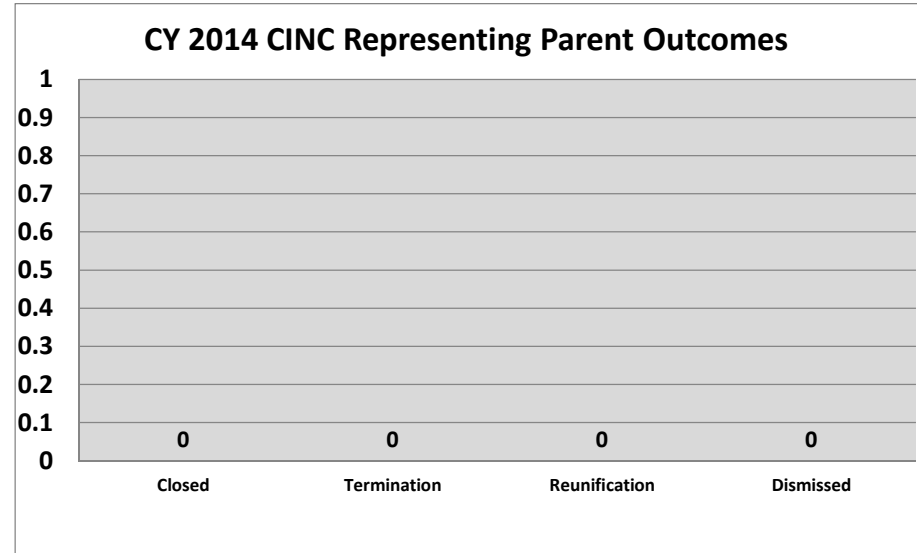
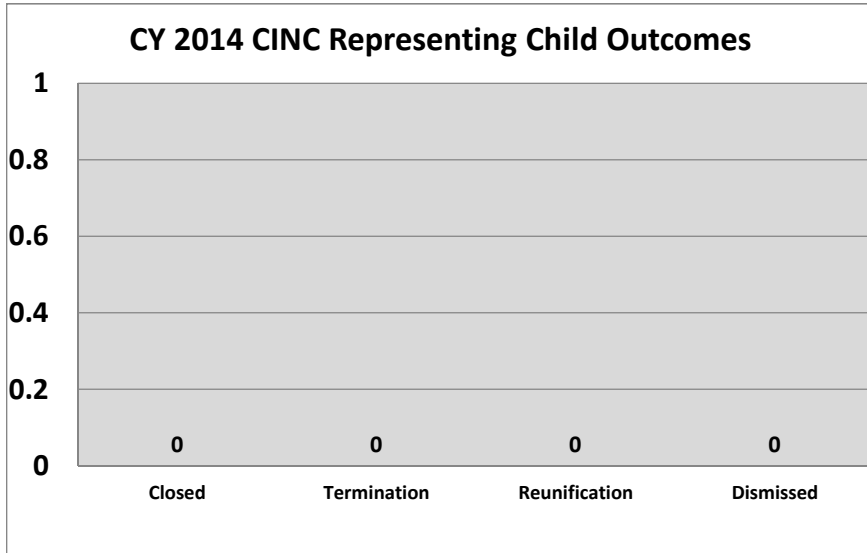
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	241	224	101	342	N/A	N/A	53	4	173	0	0	0	0	0	0
Adult Felony Non-LWOP**	204	185	93	297	N/A	N/A	97	5	124	0	0	0	0	0	0
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

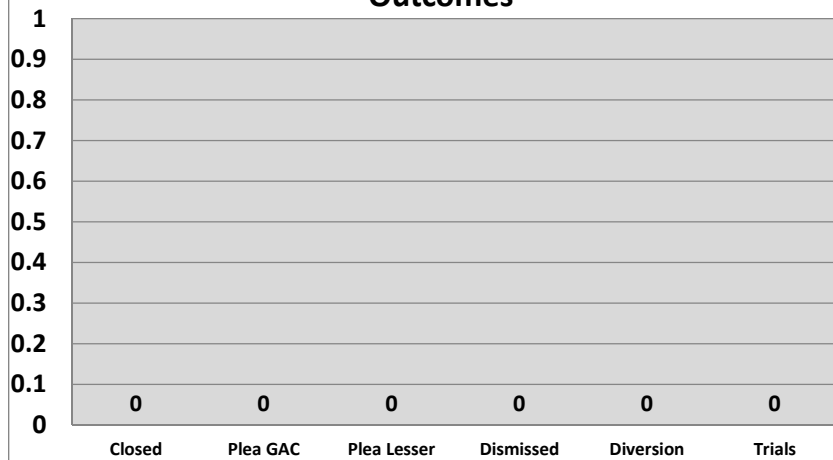
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

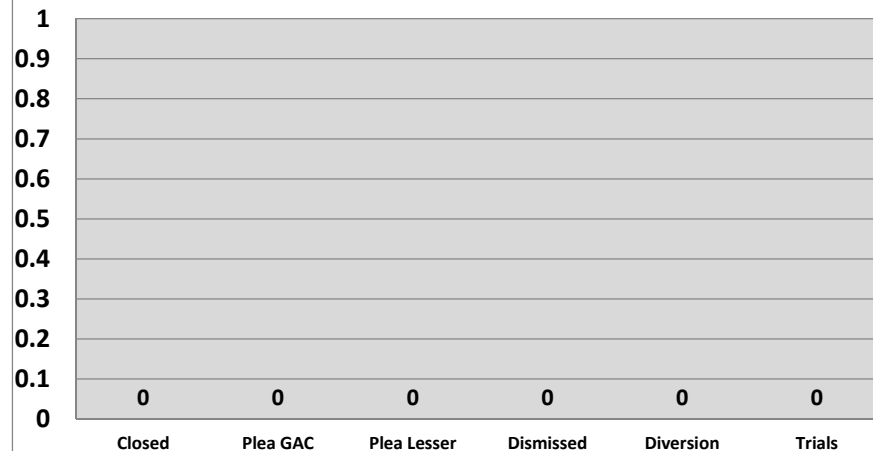
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



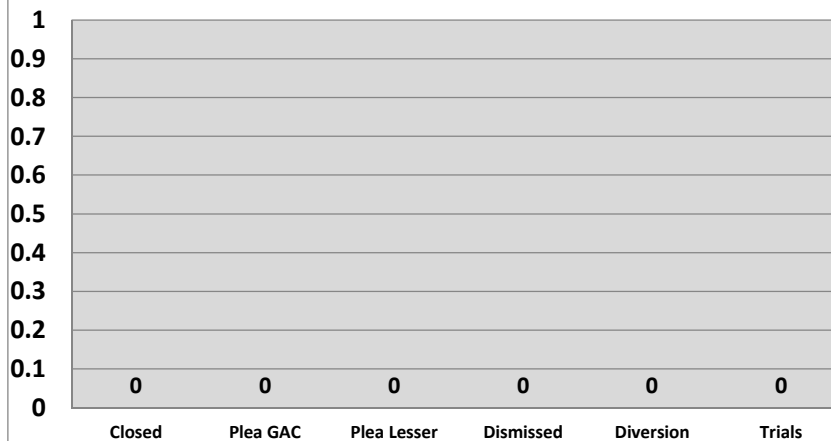
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**

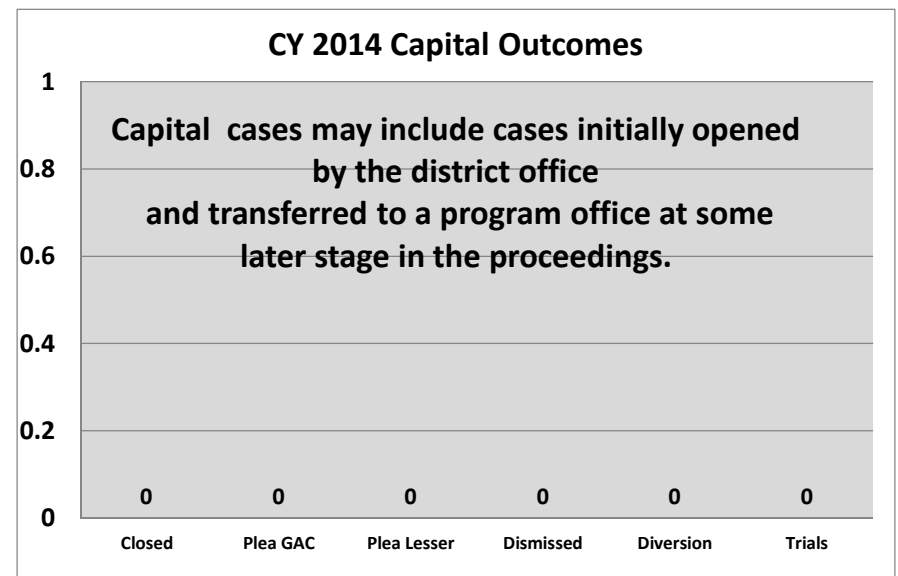
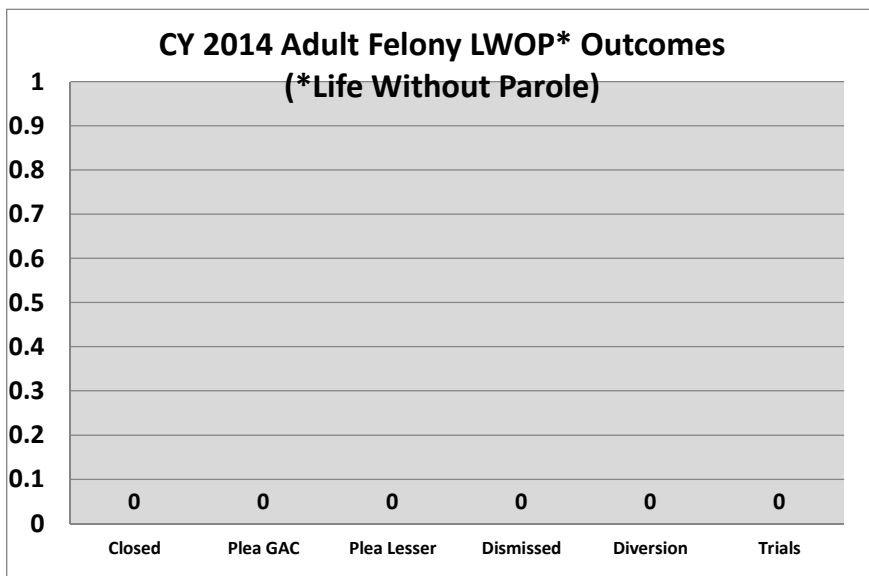
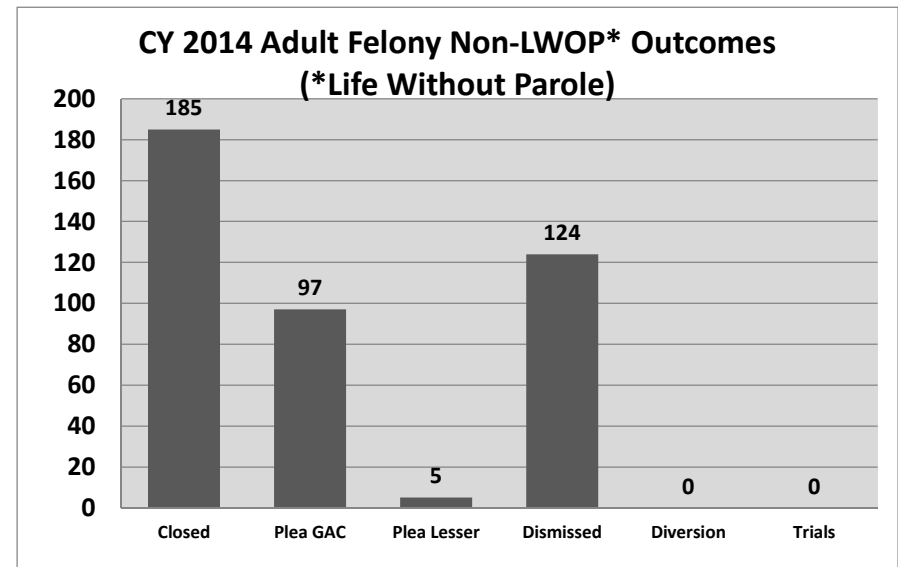
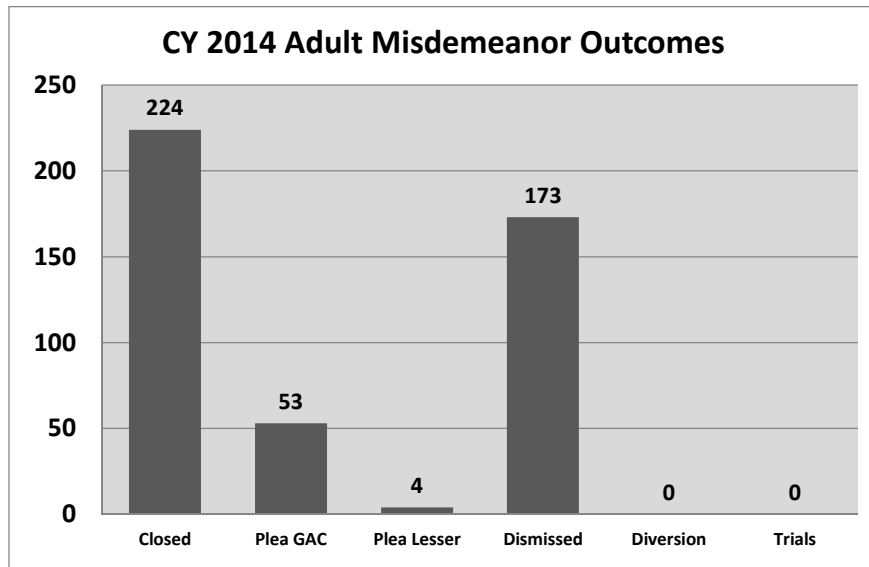


**CY 2014 Delinquency Felony-Grade Outcomes**



**CY 2014 Delinquency Life Outcomes**



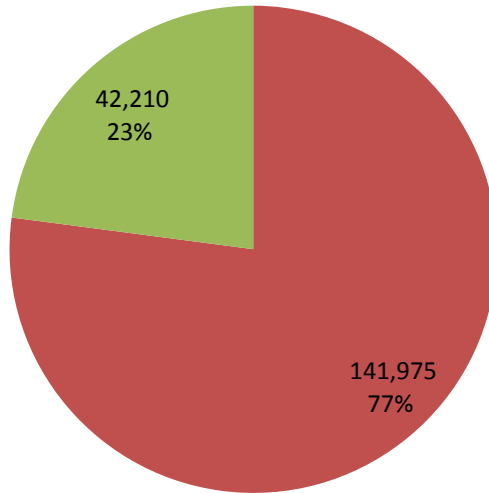


District 37 CY2014	Total CY2014
District Defender: Louis Champagne	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	-
District Assistance Fund (DAF)	130,898
Supplemental/Emergency Funds	11,077
Grants	-
Other State Income -List source(s)	-
Total for State Government	141,975
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	4,701
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	-
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	9,797
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	23,152
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	23,152
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	3,740
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	820
Total for Charges For Services	4,560
Total for Local Government	42,210
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	184,185

District 37 CY2014	Total CY2014
District Defender: Louis Champagne	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	56,072
Accrued Leave	-
Payroll Taxes	5,299
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	61,372
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	2,700
Total for Travel/Training	2,700
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	-
Dues and Seminars	-
Law Library/Journals/Subscriptions	-
Office Supplies	-
Total for Operating Services	
Professional Services	
Audit/Accounting Expense	4,151
Contract Clerical	-
Expert Witness	-
Investigators	18,000
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	112,053
IT/Technical Support	-
Total for Professional Services	134,204
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	-
Total for Other Charges	
Total for EXPENDITURES	198,276

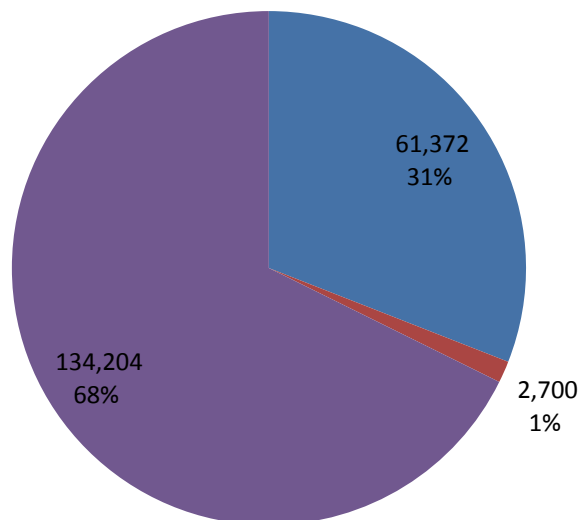
## Total CY14 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges







THE 38<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
CAMERON (CAMERON)

DISTRICT DEFENDER: HARRY FONTENOT  
CAMERON PARISH COURTHOUSE, 119 SMITH CIRCLE, 3RD FLOOR  
CAMERON, LA 70631  
(337) 775-8131

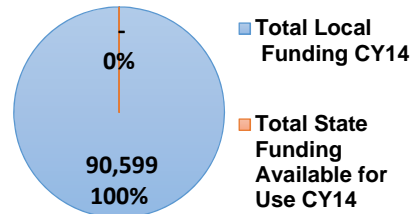
## 38TH JUDICIAL DISTRICT

During calendar year 2014, the 38th Judicial District Public Defenders Office handled 51 cases. The office received \$90,599 in total revenues to handle these cases, 100% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

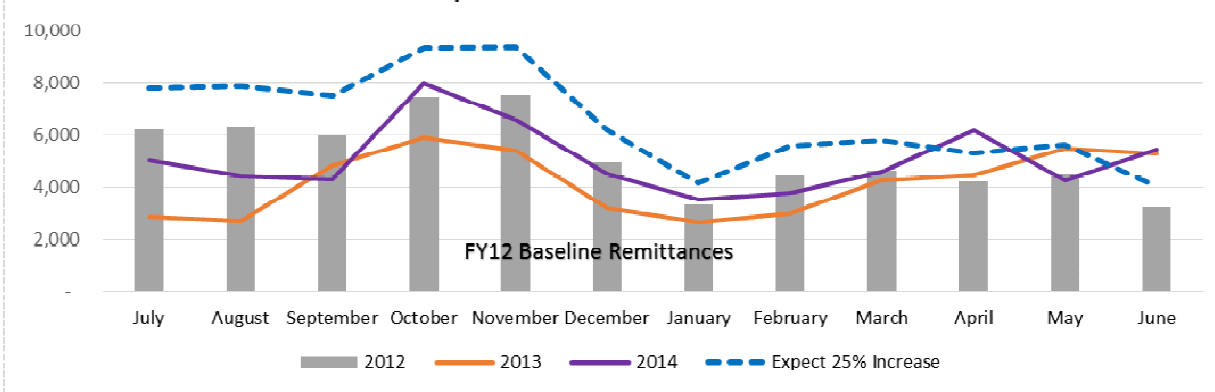
With the exception of a few anomalies, the 38th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 38th Judicial District office is not currently engaged in deficit spending. However, a recent spike in attorney caseloads may lead depletion of the district's fund balance.

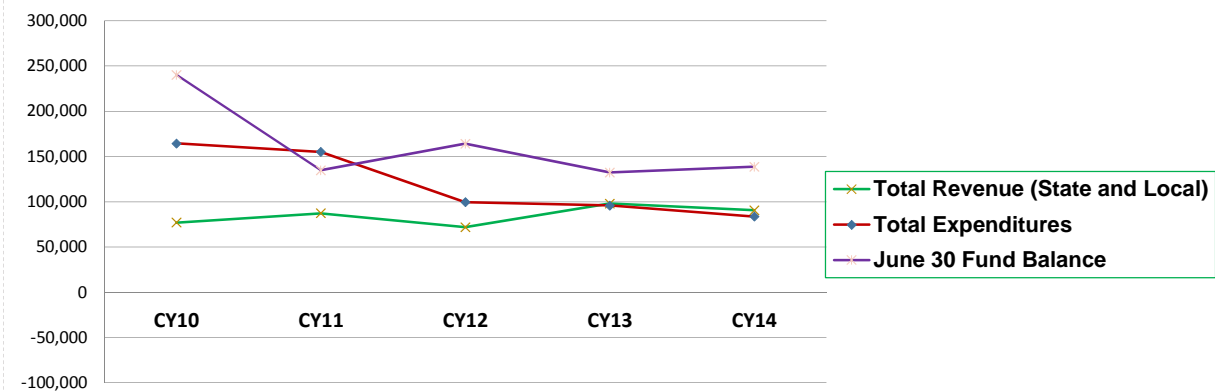
**District 38 PDO Revenue Sources CY14**



**Impact of Act 578 on District 38 PDO**



**District 38 PDO Finances CY10-14**

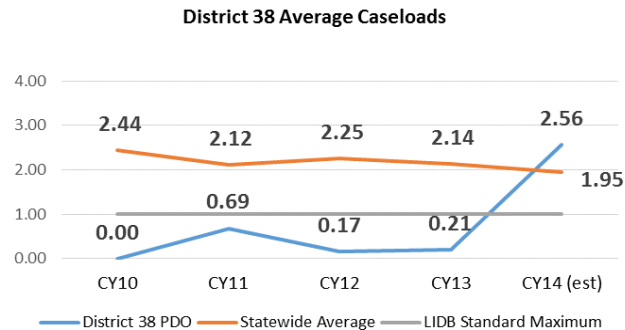


## CAMERON PARISH

Harry Fontenot  
District Defender  
119 Smith Circle, 3rd Floor  
Cameron, LA 70631  
337-775-8131

During calendar year 2014, attorney caseloads have increased in the 38th Judicial District. Public defense attorneys are currently maintaining caseloads more than two and one half times the recommended caseload limit for each attorney.

The 38th Judicial District is a rural district that handles only a small number of cases each year. However, public defense attorneys have benefited from the training and supervision offered by LPDB.



## CAPITAL REPRESENTATION

Since 2009, there have been no new capital prosecutions in the 38th Judicial District.

However the district has no local capacity for capital prosecutions and are completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 38th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 38TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Cameron - Cameron
<b>Population</b>	6,839
<b>Juvenile Population</b>	1,656
<b>District Defender</b>	Harry Fontenot
<b>Years as District Defender</b>	2
<b>Years in Public Defense</b>	16
<b>Office Manager</b>	Lance Thibodeaux
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Lance Thibodeaux, Office Manager; Contract attorneys are responsible for entering their own data.
<b>Primary Office Street Address</b>	Cameron Parish Courthouse, 3rd Floor, 119 Smith Circle
<b>City</b>	Cameron
<b>ZIP</b>	70631
<b>Primary Phone</b>	337-775-8131
<b>Primary Mailing Address</b>	Same
<b>Primary Fax Number</b>	337-775-8136
<b>Primary Emergency Contact</b>	Harry Fontenot
<b>Primary Emergency Phone</b>	337-405-9771
<b>Secondary Emergency Contact</b>	Lance Thibodeaux 337-309-0854
<b>Secondary Emergency Phone</b>	N/A
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	P.O. Box 3757, Lake Charles, LA 70602
<b>Other District Office Contact Personnel (Primary Only)</b>	Lance Thibodeaux, 337-309-0854
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Space provided in Parish Courthouse.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Space provided by parish at no cost.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Bonnie Connor, accountant for Cameron Parish.
<b>Courts and Locations</b>	38th JDC, Cameron, LA
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	One division with both adult and juvenile sections.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Chief Defender is assigned all cases. If conflict arises, conflict counsel appointed.
<b>Name of Adult Detention Facilities in This District</b>	Cameron Parish Jail

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	N/A
<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	N/A
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No. Juveniles are usually not held in detention and appear with their parents for court. They are not shackled since they are not in custody.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Cecil Sanner
<b>Chief Judge of Criminal District Court</b>	Penelope Richard
<b>Juvenile Court Judges (Specify District of City Court)</b>	Penelope Richard
<b>Drug Court Judges</b>	N/A
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	By the Judge upon application. Defendant submits written application and they are questioned by Judge.
<b>When is Assignment/Appointment of Counsel Made?</b>	During 72-hour court or Arraignment.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Chief Defender or Conflict Attorney Assigned.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes, same as last year.
<b>Brief Explanation of Intake Process</b>	Defendant completes application and pays \$40 application fee. Application is given to Judge at arraignment. If Judge makes appointments at 72 hour hearing then no application fee is taken.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	77
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	2,840
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Cameron Parish Sheriff's Office
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	78,075

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Fee is assessed as part of court costs.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Unknown
<b>Who Collects the Assessed Court Fees?</b>	Parish Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Unknown
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Department
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The Sheriff's department sends a list every month of the fees collected and the person's name who paid the fees.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	The judge makes an assessment upon reviewing the application for services.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	N/A
<b>Who Collects the Assessed Partial Payments?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	N/A
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted. Criminal practice permitted. No written private practice policy in place.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	No written contract.
<b>Primary Immediate Needs</b>	N/A
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	N/A
<b>Long-Term Critical Issue Areas</b>	Funding
<b>Please List All New Hires in 2014 (Name and Title)</b>	N/A
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	N/A

<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	I meet with new attorneys on conflict list to discuss procedures.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	The District Defender supervises all contract attorneys.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	None
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	Quarterly meetings are called for all contract attorneys.
<b>Number of NEW capital cases in CY14 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	None
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2014</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	N/A
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator Dan "Blade" Morrish; Rep. Bob Hensgens
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	The population in the parish is small and dispersed.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	Have established an office in Calcasieu which Cameron attorneys can use.

<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Harry Fontenot	337-405-9771
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Ben Cormier	337-564-6863
Claude Devall	337-439-5788
Bryan Gill	337-433-8116
Michael McHale	337-990-0093
Robert Sheffield	337-855-4887
Leslie Musso	337-433-1414
Brent Hawkins	337-502-5146
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Lance Thibodeaux	337-309-0854
Bonnie Conner	337-775-5718



## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Harry Fontenot
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	x
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	x
Microsoft Office 2010	
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Firefox	x
Google Chrome	
Other	

<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	None
DVD	None
VCR	None
Desktop PCs	2
Laptops	None
Video Cameras	None
Digital Cameras	None
Video Conferencing Systems	None
B&W Laser Printers	1
Color Printers	None
Wireless Cards	None
Smartphones (Funded by Office)	None
iPad/Tablets (Funded by Office)	None
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	256 kb
Provider Name:	Camtel
Email Provider:	gmail
Please list any software or computer equipment in which you need training:	

### 38th District Defender Office CY 2014 Caseloads & Outcomes

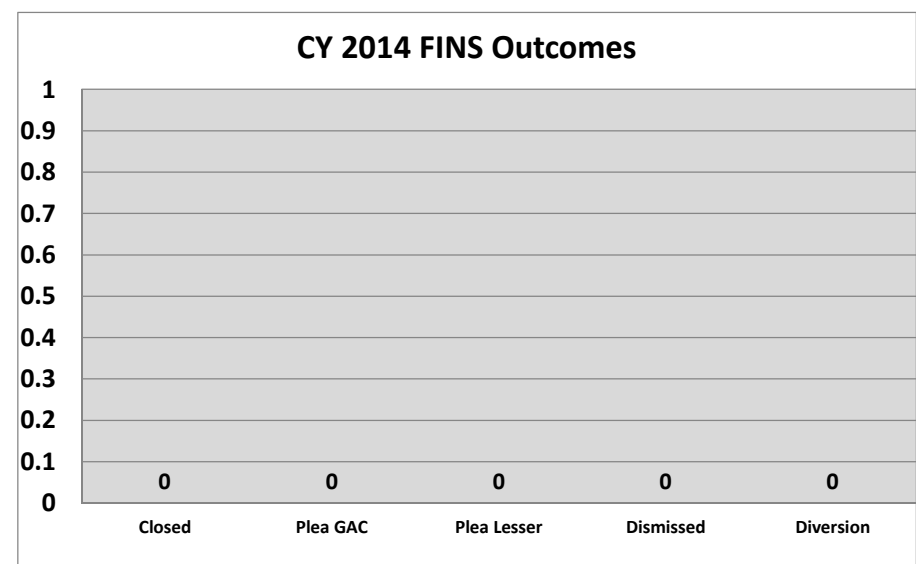
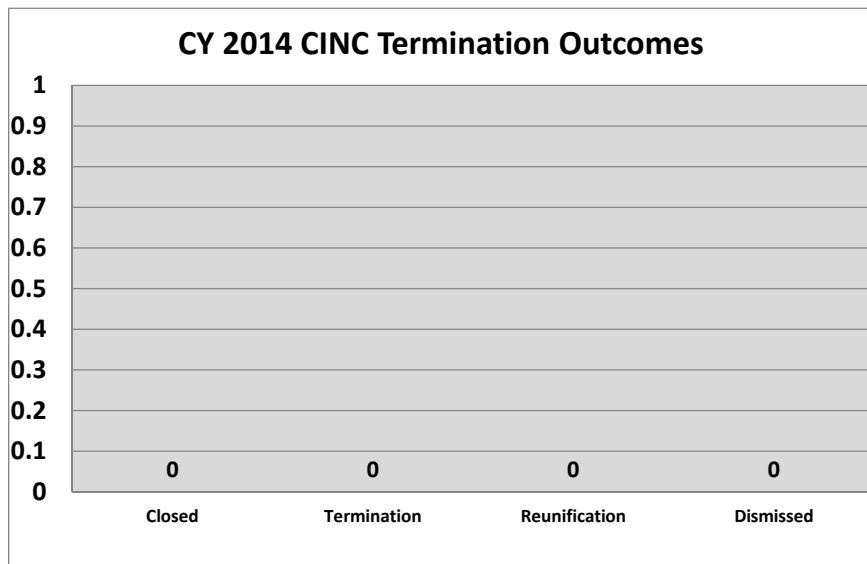
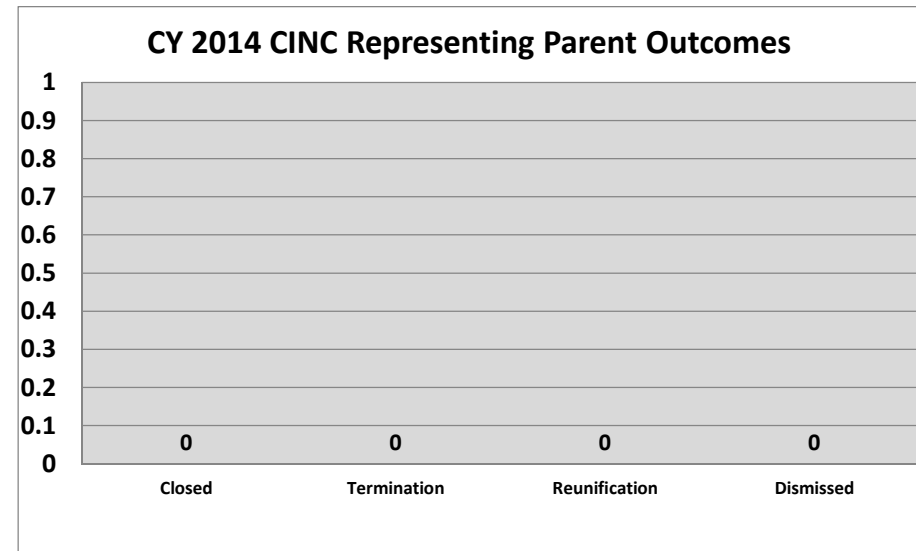
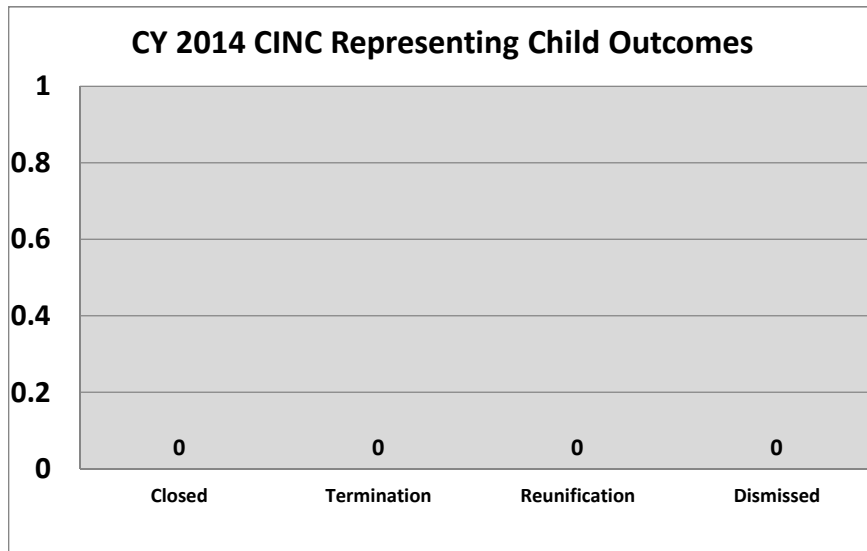
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	26	1	1	27	N/A	N/A	0	0	1	0	0	0	0	0	0
Adult Felony Non-LWOP**	20	8	3	23	N/A	N/A	3	1	5	0	0	0	0	0	0
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	1	1	0	1	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

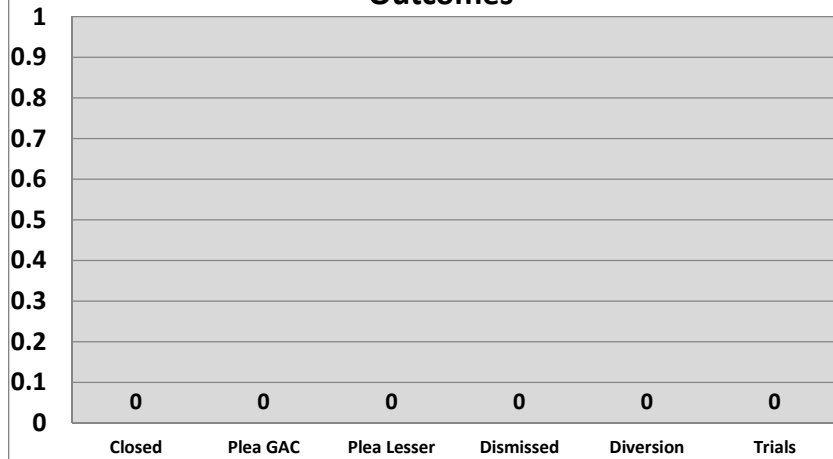
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

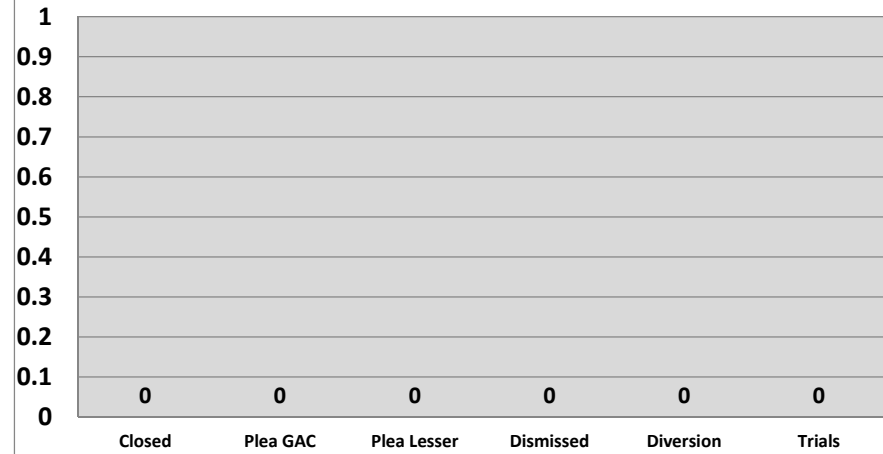
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



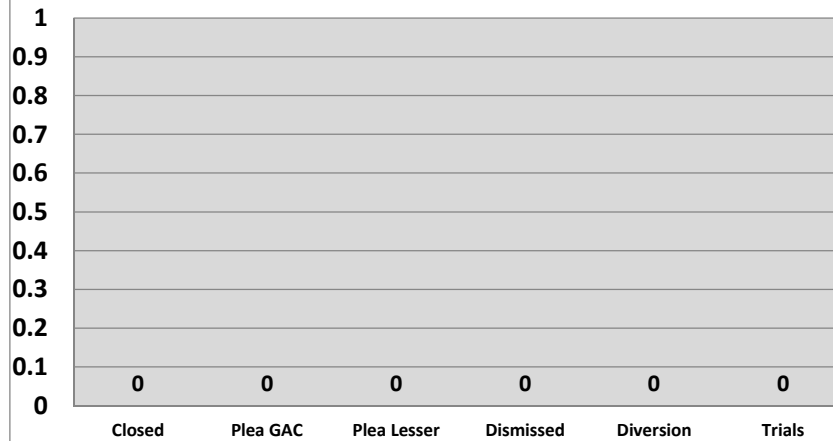
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**



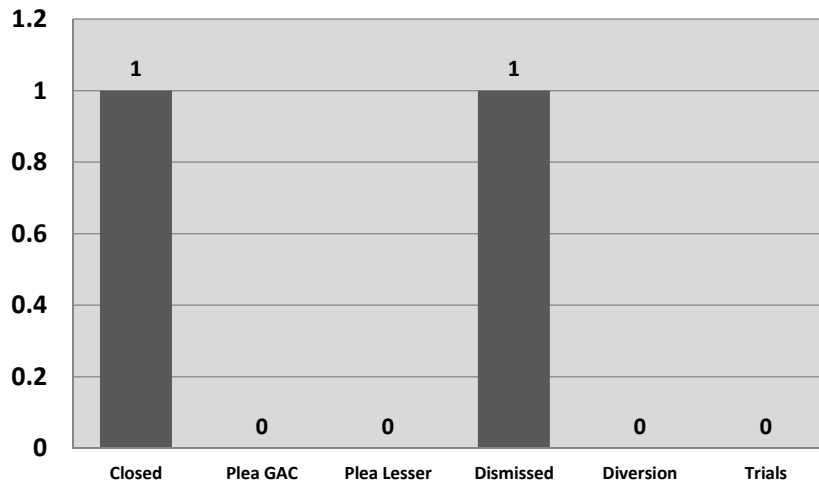
**CY 2014 Delinquency Felony-Grade Outcomes**



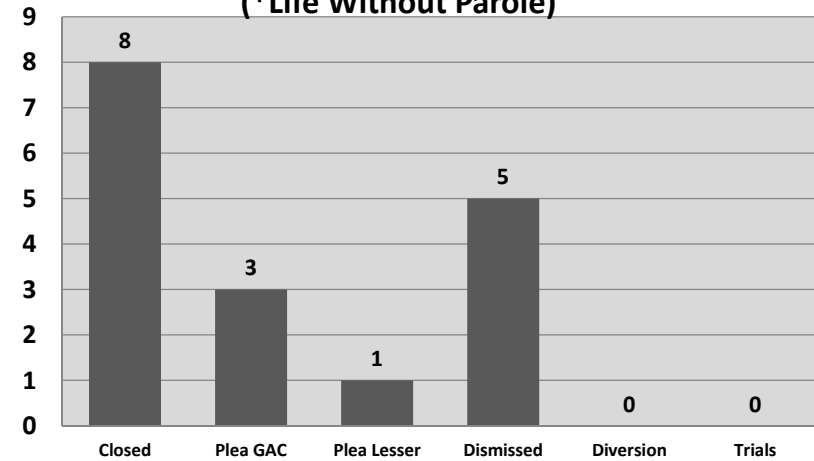
**CY 2014 Delinquency Life Outcomes**



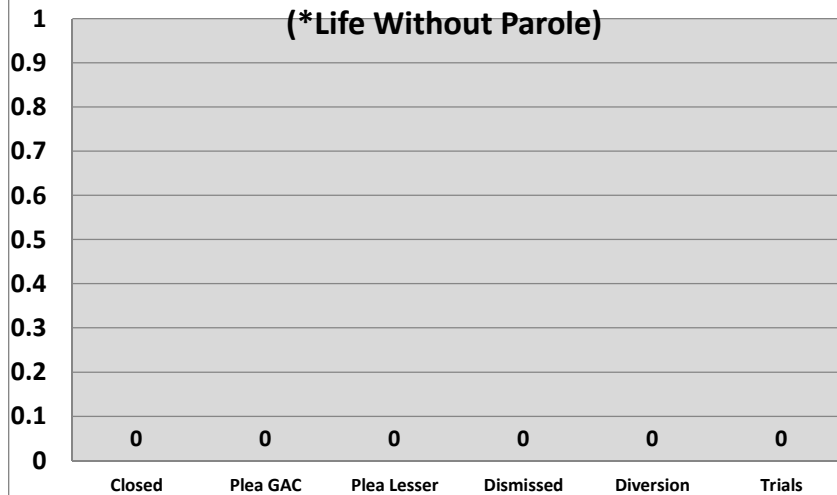
**CY 2014 Adult Misdemeanor Outcomes**



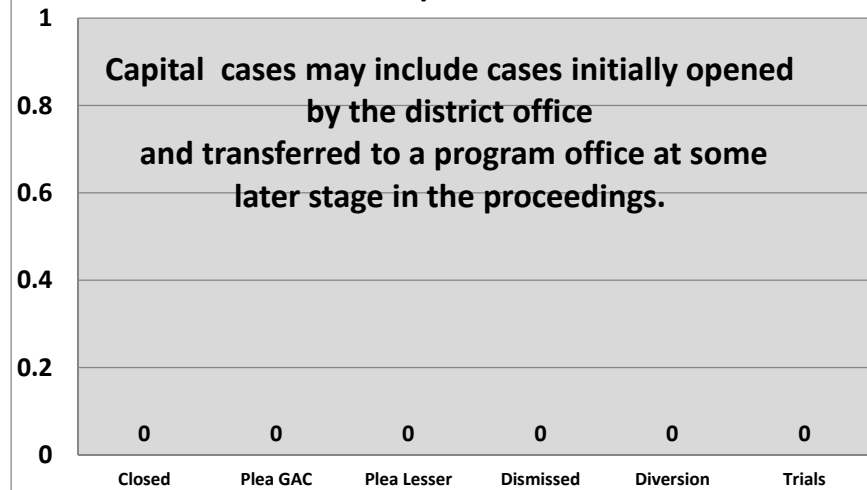
**CY 2014 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Capital Outcomes**



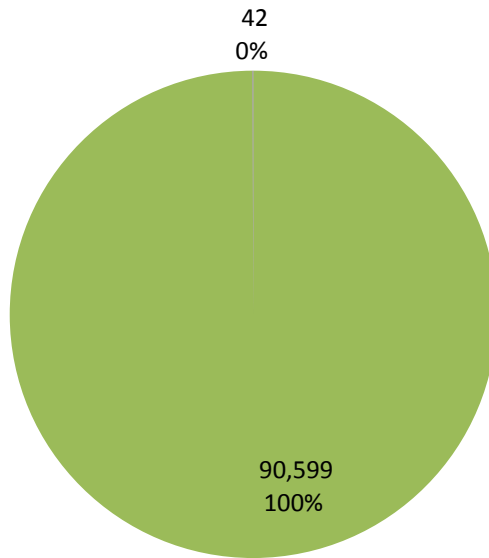
District 38 CY2014	Total CY2014
District Defender: Harry Fontenot	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	-
District Assistance Fund (DAF)	-
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	6,759
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	80,966
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	80,966
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	2,840
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	35
Other Local Income -List source(s)	-
Total for Charges For Services	2,875
Total for Local Government	90,599
Investment Earnings	
Interest Income	42
Other Investment Income - List source(s)	-
Total for Investment Earnings	42
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	90,642

District 38 CY2014	Total CY2014
District Defender: Harry Fontenot	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	37,077
Accrued Leave	-
Payroll Taxes	538
Hospitalization and Disability Insurance	435
Retirement	5,932
Other	-
Total for Personnel Services and Benefits	43,982
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	2,198
Total for Travel/Training	2,198
Operating Services	
Advertisements	-
Workers' Compensation	564
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	355
Lease - Other	-
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	2,534
Dues and Seminars	80
Law Library/Journals/Subscriptions	473
Office Supplies	712
Total for Operating Services	4,719
Professional Services	
Audit/Accounting Expense	11,000
Contract Clerical	19,200
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	2,607
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	-
IT/Technical Support	-
Total for Professional Services	32,807
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	35
Total for Other Charges	35
Total for EXPENDITURES	83,741



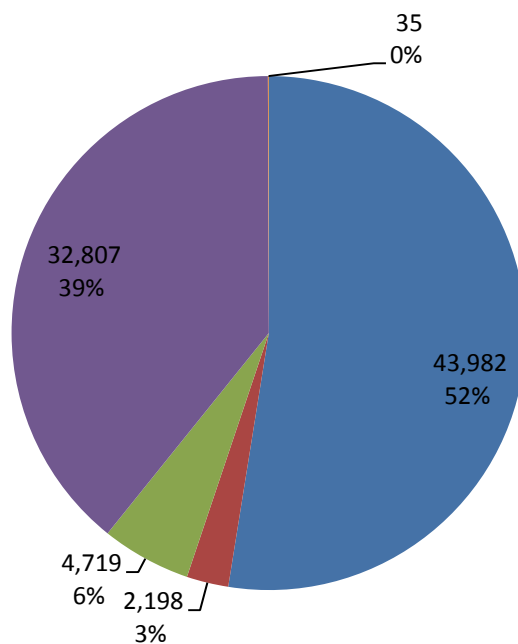
## Total CY14 Revenues

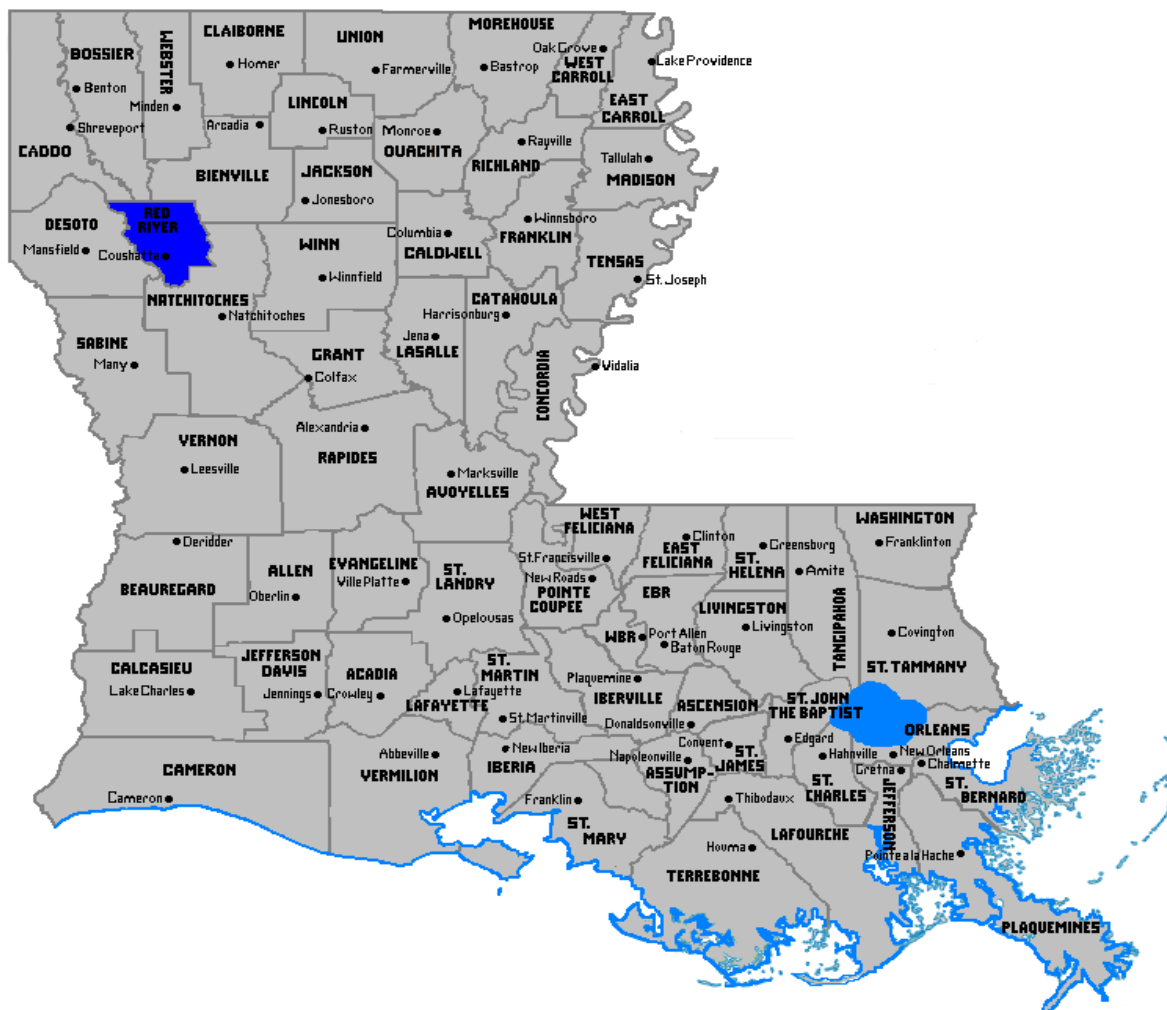
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





# THE 39<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE RED RIVER (COUSHATTA)

DISTRICT DEFENDER: BRIAN MCRAE  
111 N. WASHINGTON STREET  
MANSFIELD, LA 71052  
(318) 872-2973

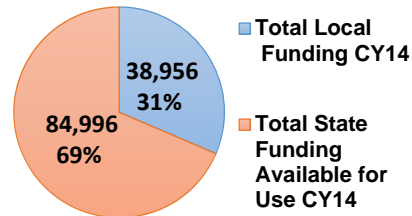
## 39TH JUDICIAL DISTRICT

During calendar year 2014, the 39th Judicial District Public Defenders Office handled 489 cases. The office received \$123,952 in total revenues to handle these cases, approximately 31% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

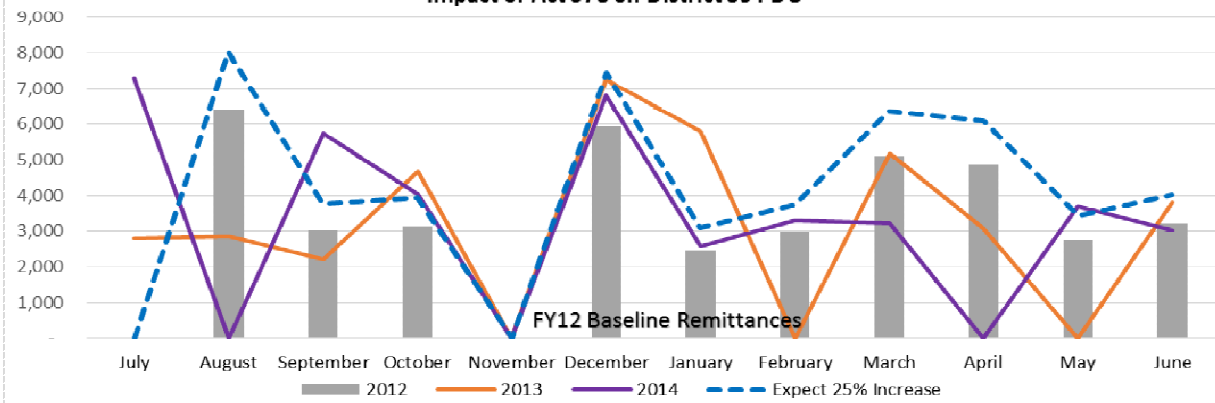
With the exception of a few anomalies, the 39th Judicial District has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 39th Judicial District office exhausted its fund balance. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent toward the end of FY15.

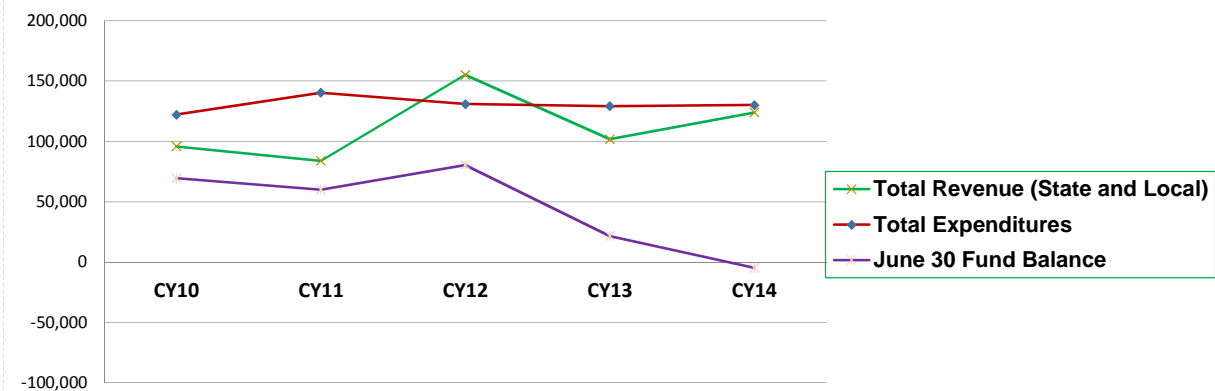
**District 39 PDO Revenue Sources CY14**



**Impact of Act 578 on District 39 PDO**



**District 39 PDO Finances CY10-14**

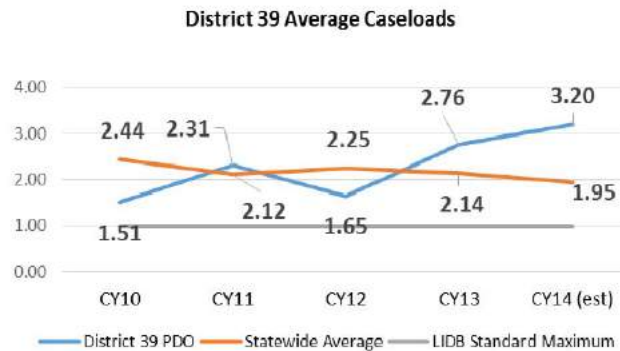


## RED RIVER PARISH

Brian McRae  
District Defender  
111 N. Washington Street  
Mansfield, LA 71052  
318-872-2973

In the 39th Judicial District, public defense attorneys maintain caseloads more than three times the recommended caseload limit for each attorney.

Reliance on insufficient revenues have resulted in caseloads that exceed established caseload limits. As shown in the outcome figures below, excessive caseloads limit each defender's ability to provide effect assistance of counsel to his/her clients.



## CAPITAL REPRESENTATION

Since 2009, there have been no new capital prosecutions in the 39th Judicial District.

However the district has no local capacity for capital prosecutions and is completely reliant on program offices for representation.

Without the contract programs, capital cases cannot be tried in the 39th Judicial District due to a lack of capitally certified attorneys and/or funding to support capital services in the District Office.





## THE 39TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Red River - Coushatta
<b>Population</b>	9,091
<b>Juvenile Population</b>	2,313
<b>District Defender</b>	Brian McRae
<b>Years as District Defender</b>	5
<b>Years in Public Defense</b>	20
<b>Office Manager</b>	Valerie Wells
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Valerie Wells, Data Base Supervisor
<b>Primary Office Street Address</b>	111 N. Washington St.
<b>City</b>	Mansfield
<b>ZIP</b>	71052
<b>Primary Phone</b>	318-872-2973
<b>Primary Mailing Address</b>	P.O. Box 612 Mansfield La. 71052
<b>Primary Fax Number</b>	318-872-6262
<b>Primary Emergency Contact</b>	Brian McRae
<b>Primary Emergency Phone</b>	cell 318-286-2486 Brian McRae
<b>Secondary Emergency Contact</b>	Valerie Wells
<b>Secondary Emergency Phone</b>	cell 318-455-1077
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	Valerie Wells
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Brian McRae
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Donated by Chief Public Defender Brian McRae
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Peggy McCoy
<b>Courts and Locations</b>	District, Coushatta
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	1
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	I have one contract attorney, Scott Kendrick. Cases are assigned once I receive a copy of the 72-hour, the client is interviewed via closed circuit TV and the interview sheet at 72 is forwarded to counsel.
<b>Name of Adult Detention Facilities in This District</b>	Red River Detention Center
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Women are taken to Bossier Max
<b>Name of Juvenile Detention Facilities In This District</b>	Ware Youth Center, Coushatta
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None

Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?	No
Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.	No
Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe	No
District Attorney	Julie Jones
Chief Judge of Criminal District Court	Lewis Sams
Juvenile Court Judges (Specify District of City Court)	Lewis Sams
Drug Court Judges	No
Mental Health Court Judges	No
Other Specialty Court	No
Name of Specialty and Brief Description:	None
Indigency Determined by Whom and How?	Judge Sams, at 72-hour interview, poverty level of client.
When is Assignment/Appointment of Counsel Made?	At 72 Hour
Initial Client Intake Conducted By Whom? (Name and Title)	Brian McRae, Chief Defender
Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)	Yes
Brief Explanation of Intake Process	Primarily by teleconference within 72 hours of notice of appointment.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
Does the Office Collect the \$40 Application Fee?	Yes
How Many Applications for Services Were Received?	118
How Many Application Fees Were Waived?	None
How Many Application Fees Were Reduced?	None
Total Application Fee Dollars Collected in 2014	1,160
Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
Total Revenue from \$45/\$35 Special Costs Received in 2014	32,292
Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.	Yes
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?	Form provided by Red River Sheriffs Department.
Who Collects the Assessed Court Fees?	Sheriff's Office
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	Sheriff's Office, per court minutes.
Who Remits the Court Fees Collected?	Sheriff's Office
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	Form provided by Red River Sheriffs Office.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	

<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	District Defender makes determination.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Provided by Probations Office/ form.
<b>Who Collects the Assessed Partial Payments?</b>	Peggy McCoy
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Report from Probation Office.
<b>Who Remits the Partial Payments Collected?</b>	Probation Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Report from Probation Office.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted - yes, Criminal Practice yes, Private Practice Policy - no. I have no policy prohibiting a contract attorney from private practice.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	None
<b>Primary Immediate Needs</b>	More Funding
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes, next years DAF will carry us threw September 2015, then our funds will be completely exhausted. Local revenue of \$2400 per month will not support ANY attorney.
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	More Funding
<b>Long-Term Critical Issue Areas</b>	More Funding
<b>Please List All New Hires in 2014 (Name and Title)</b>	None
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, I pay for seminars and require attendance at LPDB training. I also work individually with attorneys about strategies and approach on particular cases. We also train on the data base. We have quarterly training as well.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Brian McRae, Scott Kendrick, Valerie Wells and Peggy McCoy.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	Attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	N/A
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No

<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, monthly for defenders. Weekly for office staff.
<b>Number of NEW capital cases in CY14 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	0
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2014</b>	Unknown
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	N/A
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Richard Burford; Cherry Cheek
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Inability to hire lawyers within the district.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	Increased use of investigator services; More aggressive approach to addressing state's factual allegations.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Brian McRae	318-286-2486
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
D. Scott Kendrick	318-354-9146
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Valerie Wells	318-455-1077
Peggy McCoy	318-932-6206



2014 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Valerie Wells
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b>Operating Systems Used:</b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b>Case Management System(s): Check all that apply</b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b>Productivity Suites Used:</b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b>Accounting Software</b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Firefox	x
Google Chrome	x
Other	
<b>HARDWARE:</b>	
Please enter the number of devices in your inventory.	

Television	
DVD	1
VCR	
Desktop PCs	3
Laptops	1
Video Cameras	1
Digital Cameras	
Video Conferencing Systems	1
B&W Laser Printers	
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	High
Provider Name:	cp-tel
Email Provider:	Hotmail, AOL
Please list any software or computer equipment in which you need training:	

### 39th District Defender Office CY 2014 Caseloads & Outcomes

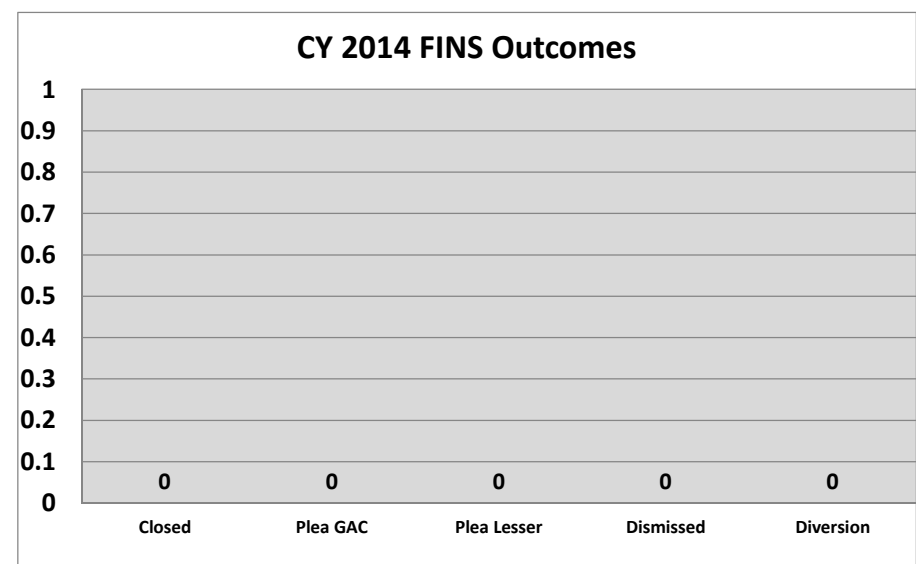
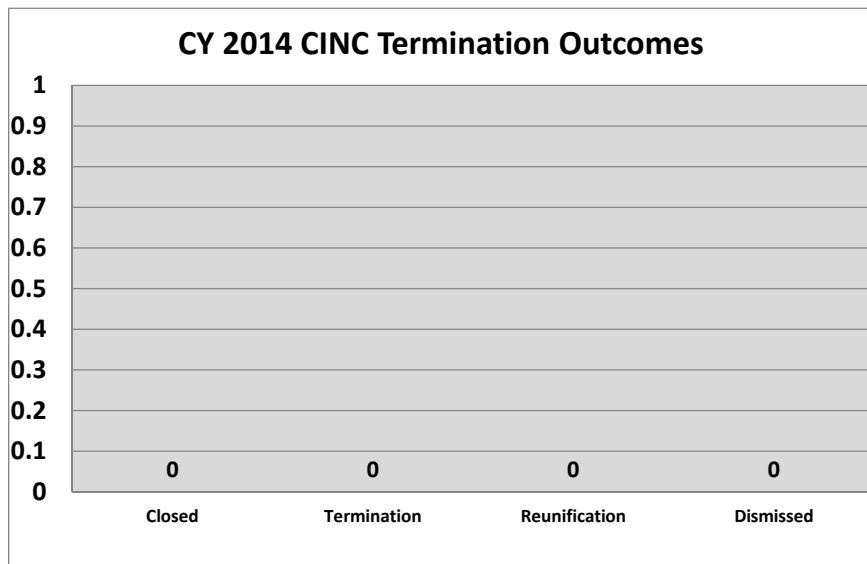
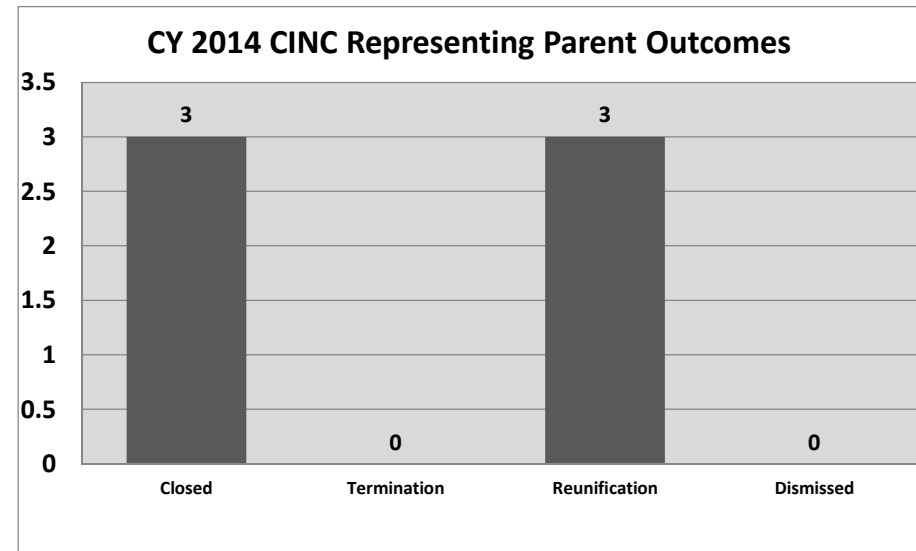
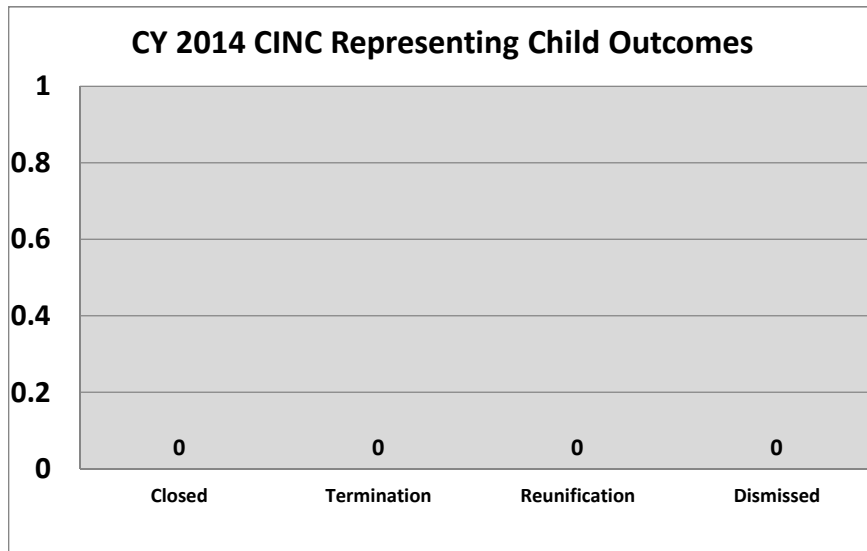
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	4	3	5	9	0	3	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	164	149	42	206	N/A	N/A	91	4	108	6	0	0	1	3	4
Adult Felony Non-LWOP**	139	129	45	184	N/A	N/A	67	19	69	0	0	0	0	1	1
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	46	76	43	89	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	1	0	0	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

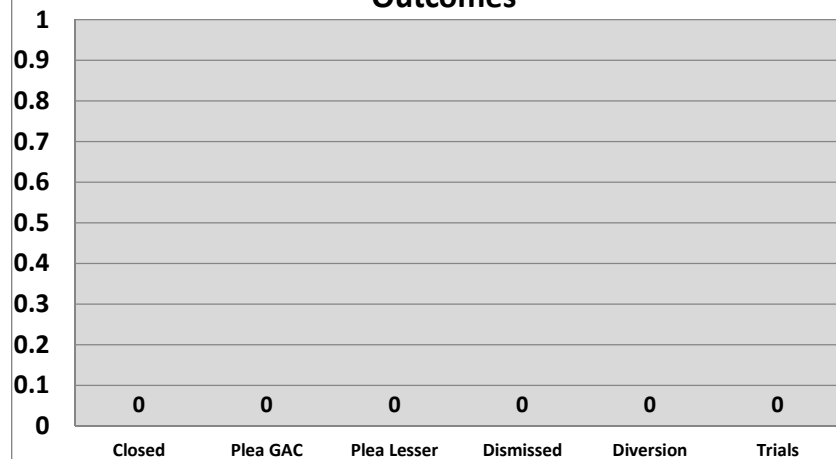
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

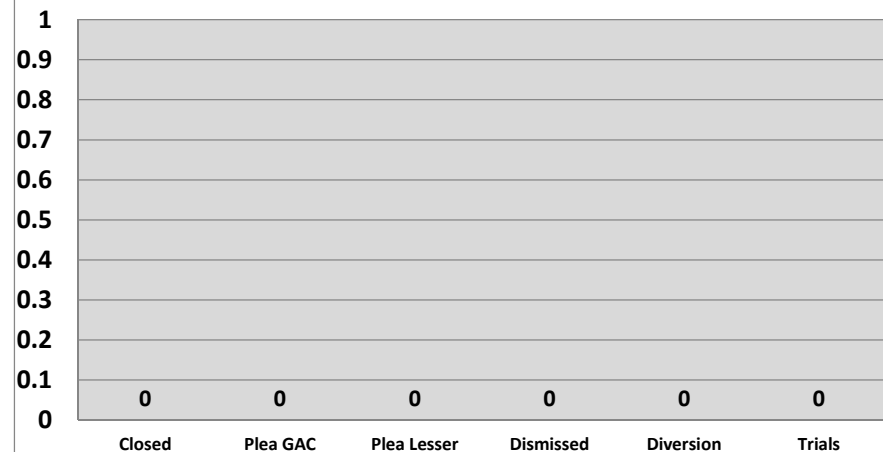
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



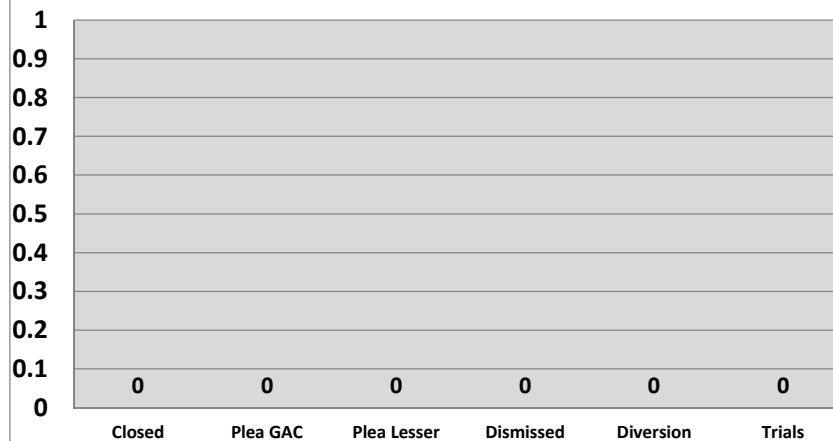
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**



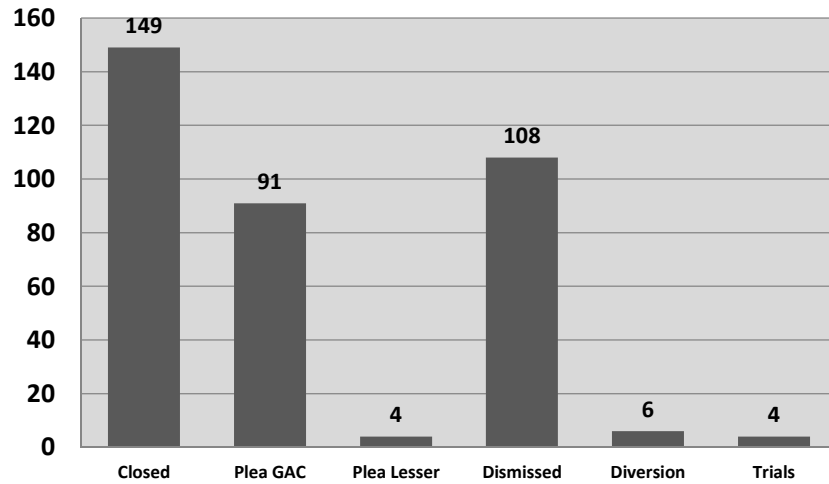
**CY 2014 Delinquency Felony-Grade Outcomes**



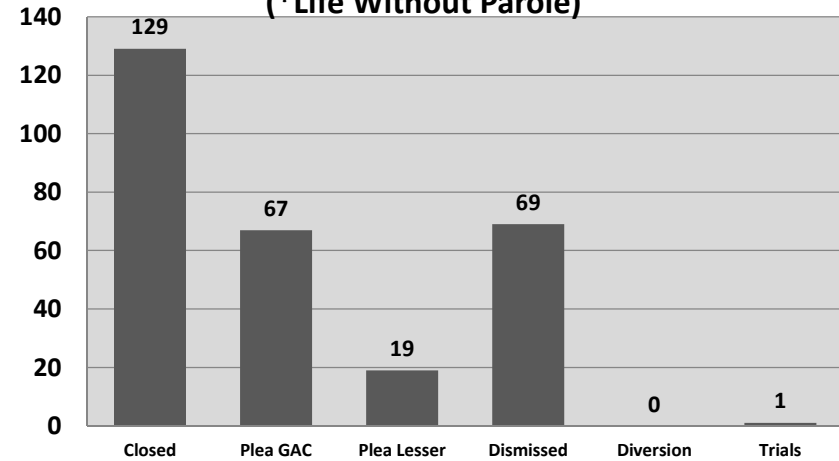
**CY 2014 Delinquency Life Outcomes**



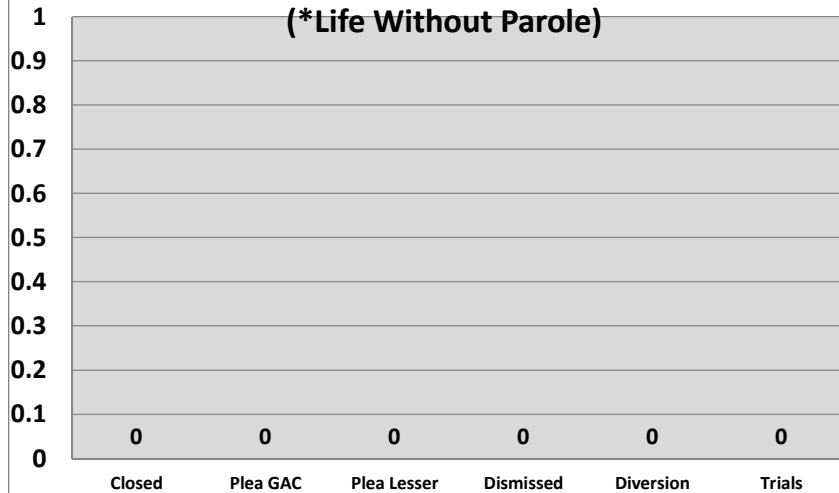
**CY 2014 Adult Misdemeanor Outcomes**



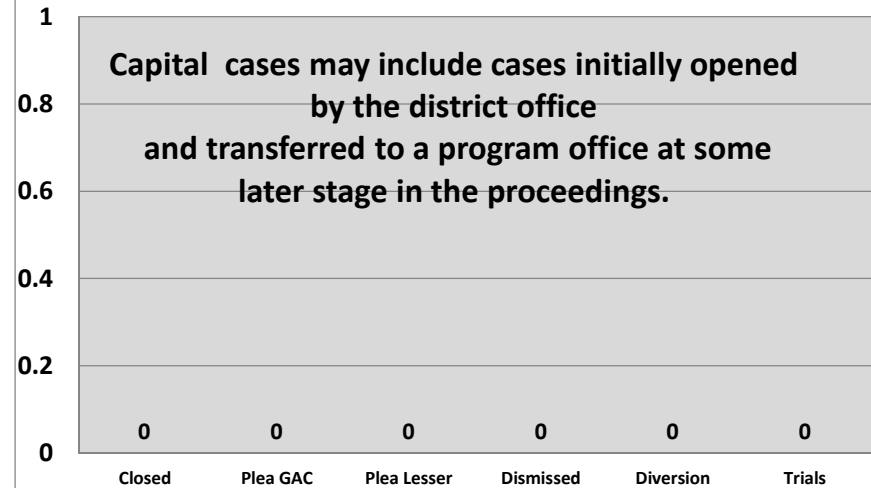
**CY 2014 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Capital Outcomes**



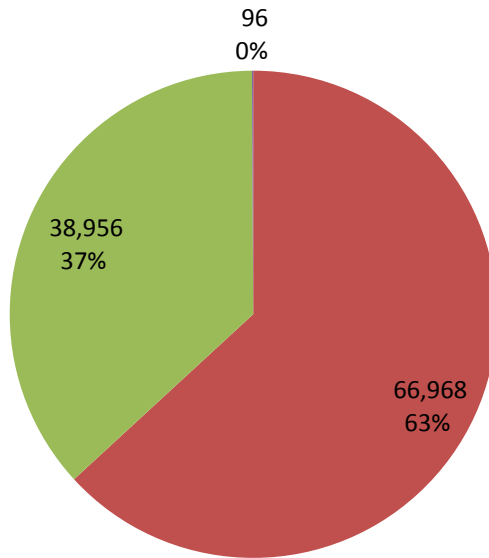
District 39 CY2014	Total CY2014
<b>District Defender: Brian McRae</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
<b>Total for Federal Government</b>	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	2,014
District Assistance Fund (DAF)	58,076
Supplemental/Emergency Funds	6,878
Grants	-
Other State Income -List source(s)	-
<b>Total for State Government</b>	<b>66,968</b>
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	5,504
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
<b>\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs</b>	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	32,292
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
<b>Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs</b>	<b>32,292</b>
<b>Charges For Services</b>	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	1,160
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
<b>Total for Charges For Services</b>	<b>1,160</b>
<b>Total for Local Government</b>	<b>38,956</b>
<b>Investment Earnings</b>	
Interest Income	96
Other Investment Income - List source(s)	-
<b>Total for Investment Earnings</b>	<b>96</b>
<b>Other Sources (Grants &amp; Contributions)</b>	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
<b>Total for Other Sources (Grants &amp; Contributions)</b>	
<b>Total for REVENUE</b>	<b>106,020</b>

District 39 CY2014	Total CY2014
<b>District Defender: Brian McRae</b>	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	109,997
Accrued Leave	-
Payroll Taxes	10,360
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	120,357
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	660
Total for Travel/Training	660
Operating Services	
Advertisements	-
Workers' Compensation	478
Insurance - Malpractice	1,966
Insurance - Auto/Physical Liability	511
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	-
Dues and Seminars	-
Law Library/Journals/Subscriptions	-
Office Supplies	-
Total for Operating Services	2,954
Professional Services	
Audit/Accounting Expense	1,000
Contract Clerical	-
Expert Witness	-
Investigators	632
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	3,013
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	-
IT/Technical Support	1,572
Total for Professional Services	6,216
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
<b>Total for EXPENDITURES</b>	<b>130,188</b>



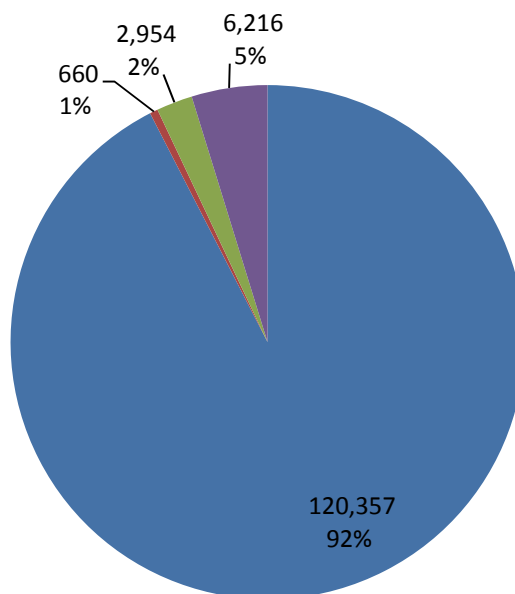
## Total CY14 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





THE 40<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
ST. JOHN THE BAPTIST (EDGARD)

DISTRICT DEFENDER: RICHARD B. STRICKS  
75 DOMINICAN DRIVE, SUITE 202  
LAPLACE, LA 70068-3400  
(985) 651-6677 x 200

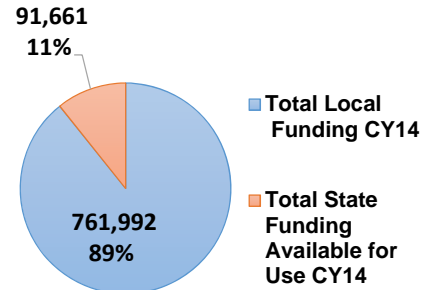
## 40TH JUDICIAL DISTRICT

During calendar year 2014, the 40th Judicial District Public Defenders Office handled 2,142 cases. The office has traditionally been self-reliant as 100% of its revenues were derived from local funding which came primarily from traffic tickets and special court costs.

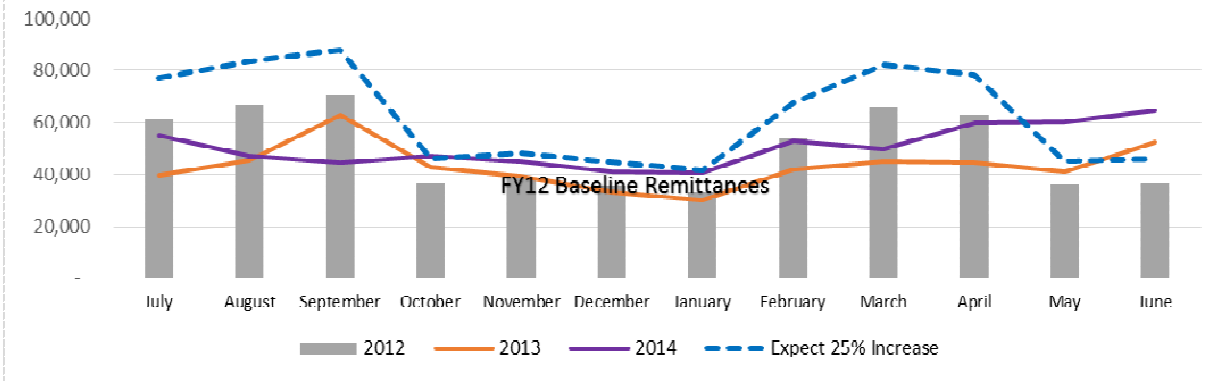
Since the passage of Act 578 (2012) in the 40th Judicial District, the expected 25% increase in local revenues has consistently failed to materialize.

Between FY11 and FY14, the Judicial District Office's local revenues have decreased while expenditures have remained relatively constant. Local revenues have decreased to the extent that in FY14, for the first time, the State began providing an appropriation to help cover the gap between the district's revenues and expenditures.

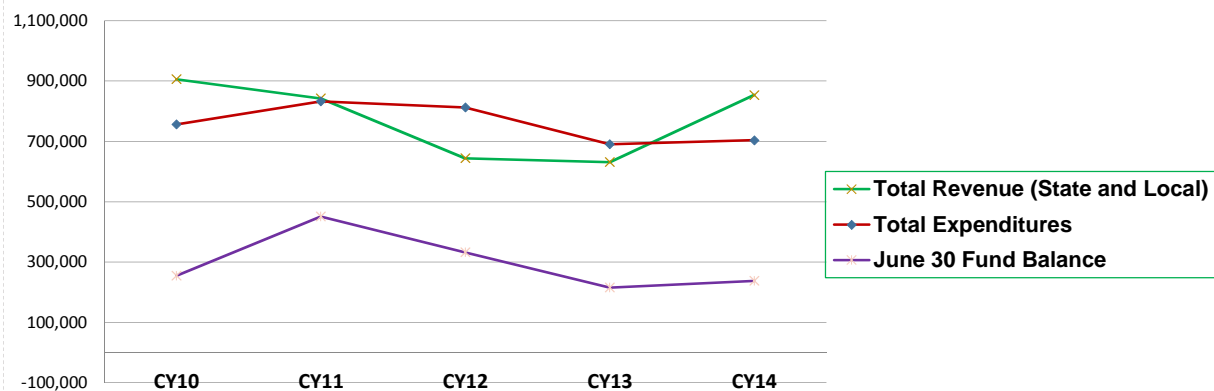
**District 40 PDO Revenue Sources CY14**



**Impact of Act 578 on District 40 PDO**



**District 40 PDO Finances CY10-14**

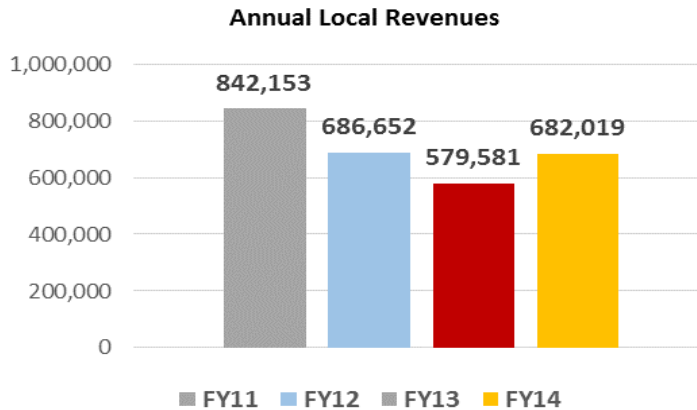


## ST. JOHN PARISH

Richard B. Stricks  
District Defender  
75 Dominican Drive, Suite 202  
LaPlace, LA 70068  
985-651-6677

Between FY11 and FY14, the Judicial District Office's local revenues have decreased while expenditures have remained relatively constant.

Local revenues have decreased to the extent that in FY14, for the first time, the State began providing an appropriation to help cover the gap between the district's revenues and expenditures. Recently, in FY14 local revenues are on the incline, but nowhere near the FY11 baseline.





## THE 40TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. John the Baptist - Edgard
<b>Population</b>	45,924
<b>Juvenile Population</b>	11,757
<b>District Defender</b>	Richard B. Stricks
<b>Years as District Defender</b>	19
<b>Years in Public Defense</b>	19
<b>Office Manager</b>	None
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Ashley A. Bogac, secretarial; Diana G. Tambunga, secretarial
<b>Primary Office Street Address</b>	75 Dominican Drive, Suite 202
<b>City</b>	La Place
<b>ZIP</b>	70068-3400
<b>Primary Phone</b>	985-651-6677 ext. 200
<b>Primary Mailing Address</b>	Same as primary office street address.
<b>Primary Fax Number</b>	985-651-5800
<b>Primary Emergency Contact</b>	Richard B. Stricks
<b>Primary Emergency Phone</b>	cell: 504-559-1434
<b>Secondary Emergency Contact</b>	Diana G. Tambunga or Ashley A. Bogac
<b>Secondary Emergency Phone</b>	cell: 504-462-8577 or cell: 504-982-4001
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Cypress Property Management, Henry W. Tatje III, Managing Partner (lessor).
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$1,200 rent and \$539 utilities, including phone, long distance, electricity, postage, and internet connections.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	District Court is located in Edgard (West Bank); Annex Courthouse is located in La Place (East Bank).
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Three Divisions of Court. Each Division holds court in both the District and Annex Courthouses.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	According to a pre-set grid or table, the cases are generally divided among the lawyers based on the division of court and the last digit of the case number. Example: In each division of court, the cases that end in an odd digit are normally assigned to one attorney and those ending in an even digit are assigned to another. When a defendant has more than one case in a division of court, the same lawyer is assigned to all such cases. When there are more than two clients in any case, the lawyers who handle cases in another division of court are assigned according to that grid. A copy of the grid has been attached to the electronic version of the district narrative.
<b>Name of Adult Detention Facilities in This District</b>	1. Sherman Walker Correctional Center; 2. St. John the Baptist Parish Jail ("old jail"); Both are located in La Place.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	For security reasons, some St. John inmates are housed in other parishes, typically Nelson Coleman Correctional Center in St. Charles parish.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Assumption Parish Youth Detention Center; Napoleonville, Louisiana.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes; to get to the Youth Detention Center from the Public Defenders Office requires approximately 2 hours and is a 85.2 miles round trip.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes; each juvenile is transported in shackles and remains shackled during the hearing. Only once the judge orders the juvenile's release from custody are the shackles removed.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Yes; each local jail has only one attorney booth. Thus, only one attorney at a time can visit clients in jail, unless the public visitation area is used. Also, the hours for attorney visitation are restricted, limited to only 6 hours per day, 3 hours in the morning and 3 hours in the afternoon, with a 2 hour break in between. Attorney visitation during weekends and holidays is also restricted and requires advanced permission from the warden.
<b>District Attorney</b>	Thomas Daley; Bridgette Dinvaut will be sworn in as District Attorney on January 12, 2015.
<b>Chief Judge of Criminal District Court</b>	Rotates annually; 2014 = Judge Madeline Jasmine; 2015 = Judge Mary Hotard Becnel.
<b>Juvenile Court Judges (Specify District of City Court)</b>	Division A- Judge Madeline Jasmine; Division B= Judge Mary Hotard Becnel; Division C= Judge Sterling J. Snowdy; All are District Court Judges
<b>Drug Court Judges</b>	Judge Madeline Jasmine
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	Yes

<b>Name of Specialty and Brief Description:</b>	<p>Truancy Court. The judge reviews the attendance of juveniles registered in schools of St. John the Baptist Parish, including absences and tardiness. Nearly 80% of cases are resolved during the initial stage, where the judge orders that both the juvenile and the parent comply with the attendance policy of the school. At a subsequent date, if the juvenile is not in compliance, the FINS coordinator files a truancy petition alleging that the juvenile is either not attending school or has a substantial amount of tardiness. If the District Attorney determines that the parent is at fault, a misdemeanor charge of improper supervision may be filed against him/her and a trial may be held in truancy or misdemeanor court. Judge Mary Hotard Becnel presides over Truancy Court.</p>
<b>Indigency Determined by Whom and How?</b>	<p>Every Thursday, during office hours, the Public Defender Office takes applications from persons who are not incarcerated and who are seeking a public defender. The applicant is questioned using a standardized application form, which may be longer depending on the financial circumstances. The sworn application is reviewed by the District Defender who then either assigns counsel or files a certification of ineligibility. Both the "Affidavit of Poverty and Application for Public Defender Services" (short form) and the "Application for Public Defender Services" (long form) have been attached to the electronic version of the district narrative. Also the "Notice of Assignment of Counsel" and the "Certification Regarding Eligibility for the Services of a Public Defender" have been attached to the electronic version of the district narrative.</p>
<b>When is Assignment/Appointment of Counsel Made?</b>	<p>Within 72 hours after arrest, the duty judge speaks to the inmates by telephone or by video. An order appointing counsel is faxed to the PDO. The District Public Defender is appointed by name to all cases. He or an investigator does the initial jail visit to assign a line defender, generally within 3 judicial days. The client is given a paper with information about applying for services upon release on bail and the name and phone number (free, not collect, calls) of the defender who is assigned. That information is also filed into the court record. For those who post bail, counsel is assigned after a formal application is made (see previous answer).</p>
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	<p>When the order appointing counsel is received at the PDO, or after formal application, the information is entered into the database by either Diana G. Tambunga, secretary, or Ashley A. Bogac, secretary.</p>

<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	The lawyers have been provided with an interview sheet to use when conducting client interviews at the jail. The first jail visit or video conference is done by the District Defender, during which data is entered into the database and notes are made. In most misdemeanor cases, no formal interview sheet is used for initial interviews. Copies of the interview sheets are attached, labeled Exhibit A.
<b>Brief Explanation of Intake Process</b>	The lawyers have been provided with an interview sheet to use when conducting client interviews at the jail. The first jail visit or video conference is done by the District Defender, during which data is entered into the database and notes are made. A line defender is assigned by the District Defender. In most misdemeanor cases, no formal interview sheet is used for initial interviews. Copies of the interview sheets are attached, labeled Exhibit A.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	Approximately 202
<b>How Many Application Fees Were Waived?</b>	Unknown; The application fee is waived while the defendant is incarcerated and only when a defendant has applied and been approved in an open pending case, and is subsequently charged in a new case. Only then is the fee waived in the second case.
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	8,073. Previous reported amount (reported for CY2013) was inaccurate since other income was erroneously included.
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	679,819
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes; except in some cases, where a term of incarceration, without suspension, is actually imposed. Additionally, if a client is arrested for failing to appear in court to prove that they have paid the court costs, the appointed lawyer may request credit for time served, in lieu of payment, in which case the money is not collected.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	In those cases handled by a Public Defender, information is received from the trial lawyer. Ordered fees, over and above the mandatory \$45 court fee, are entered into the database from information received from the trial lawyer. A collection letter is then sent out to the client and followed up by a report to the Louisiana Department of Revenue's "Refund Offset Program" if said fees are not paid in a timely manner.



<b>Who Collects the Assessed Court Fees?</b>	As to the mandatory \$45 court fee, the sheriff collects the funds and distributes them monthly. Other court ordered fees are collected directly from the clients at the Public Defender Office or by a probation officer.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	As to the mandatory \$45 court fee, a monthly statement is received from the sheriff specifying the amount collected. The District Attorney provides a monthly print out of costs collected. The Sheriff provides a form similar to that created by the LPDB.
<b>Who Remits the Court Fees Collected?</b>	Court Costs, including the mandatory \$45 court fee, are distributed by the sheriff.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	As to the mandatory \$45 court fee, a monthly statement is received from the sheriff specifying the amount distributed. Ordered fees, over and above the mandatory \$45 court fee, are entered into the database when received.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	At the time of application, if the answers to the financial inquiries indicate that the defendant is partially indigent, he/she is requested by the District Defender to set a reasonable weekly or monthly amount to pay until the disposition of the case, without creating a substantial financial hardship to him/herself or to his/her dependent(s).
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	A record is made at the time of the application and certification is submitted to the judge. If the judge orders the payment, it is entered into the database as an ordered fee by either Diana G. Tambunga or Ashley A. Bogac.
<b>Who Collects the Assessed Partial Payments?</b>	The PDO staff collects the assessed partial payments.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	A receipt is given and the payment is entered into the database by PDO staff.
<b>Who Remits the Partial Payments Collected?</b>	The clients, either in person or by mail, remit the payments.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	See above.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	36,623
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Yes; Yes.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes. Copies of the "Independent Contractor Agreement" effective July 1, 2014 and the "Guidelines for District Personnel Associated with the 40th Judicial District Public Defender Office" effective July 1, 2014 have been attached to the electronic version of the district narrative, both labeled Exhibit B.
<b>Primary Immediate Needs</b>	Reinstatement of expert testing funds for all felonies, warehousing facility for closed files, and increase in traffic ticket issuance to 2010 level.

<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Monthly fluctuation of locally generated funds, particularly court cost (special assessments) and the capital and non-capital cases involving Brian Smith, Kyle Joekel, and Charles McQuarter III.
<b>Long-Term Critical Issue Areas</b>	Monthly fluctuation of locally generated funds, particularly court cost (special assessments) and capital cases.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Annika Mengisen - contract attorney; Matthew Whitworth - contract attorney; Lisa M. Parker - employed staff attorney.
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	Roth, Monique. "Fund balance for Public Defenders Office jumps [to] \$356,000." L'Observateur 13 Dec. 2014: 3A. Print.
<b>Number of Expected New Attorney Hires in 2015</b>	1
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, principally on a case by case basis and at monthly meetings of the District Personnel.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	The District Defender is the only supervisor for both attorneys and non-attorneys in this District.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	In development.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	N/A. There are no supervisors other than the District Defender.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None; all dental and medical insurance benefits have been eliminated. There is no employer contribution for health insurance.
<b>Regular Meetings for Any Staff, Please Describe</b>	There is a meeting of the District Personnel usually on the last Wednesday of each month, ten months of the year (excluding November and December).
<b>Number of NEW capital cases in CY14 handled by your office</b>	2 capital cases were received CY14; however, only 1 case, Charles McQuarter III, is still being prosecuted as a capital case.
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	2 - Brian Smith and Kyle Joekel
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	2
<b>Number of Writs Your District Handled in 2014</b>	2
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	2

<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Initially juvenile defenders are assigned; they coordinate with the adult defenders.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	State Representatives: Clay Schexnayder, District 81, Gregory A. Miller, District 56, Randal L. Gaines, District 57; State Senators: Troy Brown, District 2, Gary Smith, District 19
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	With only one closed attorney booth at the jail, there is a lack of private facilities for more than one attorney to interview clients at the jail. Also, there are restrictive time limitations at the jail for the attorneys to meet with their clients. Elimination of the Reserve/Edgard Ferry now requires a 48 mile round trip to the Edgard court house from the office.
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	Monthly monitoring of Sheriff's Office activity regarding traffic ticket issuance and jail visitation conditions; meeting monthly with the District Attorney regarding a broad range of issues including finances and individual cases.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Richard B. Stricks	985-651-6677 ext 201
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Ambres, Kevin L.	985-651-3838
Fontella D. Baker	504-628-7538
Carter, Eric M.	504-733-3538
Eric R. Goza	225-926-6384
Leigh Ann Rood	504-451-6830
Savoie, Newton T.	504-822-4010
Victor M. Ortiz	985-651-6677 ext 202
Janette Juarado	985-651-6677
Jurado, Janette L.	504-656-6685
Mengisen, Annika K.	504-913-5234
Whitworth, Matthew J.	504-491-0225
Parker, Lisa M.	985-651-6677 ext 204
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Ashley A. Bogac	985-651-6677 ext 203
Don Carter	504-559-5871
Diana G. Tambunga	985-651-6677 ext 200
Cheryl R. Taylor	985-359-8947
Gregory Scott	985-487-3383

## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Richard B. Stricks
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	x
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	x
Internet Explorer 9	
Firefox	x
Google Chrome	x
Other	Internet Explorer 11

<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	0
DVD	0
VCR	0
Desktop PCs	6
Laptops	10
Video Cameras	0
Digital Cameras	0
Video Conferencing Systems	3
B&W Laser Printers	2
Color Printers	2
Wireless Cards	0
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	1
	1 B&W InkJet Printer
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	100 Mbps
Provider Name:	Reserve Telecommunications (RTC)
Email Provider:	GoDaddy.com
Please list any software or computer equipment in which you need training:	Excel & Database training

## 40th District Defender Office CY 2014 Caseloads & Outcomes

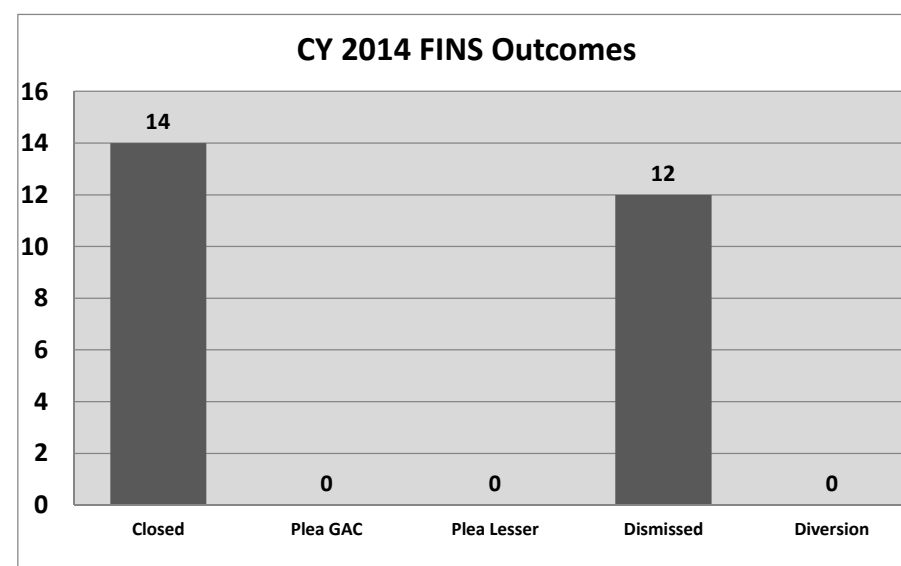
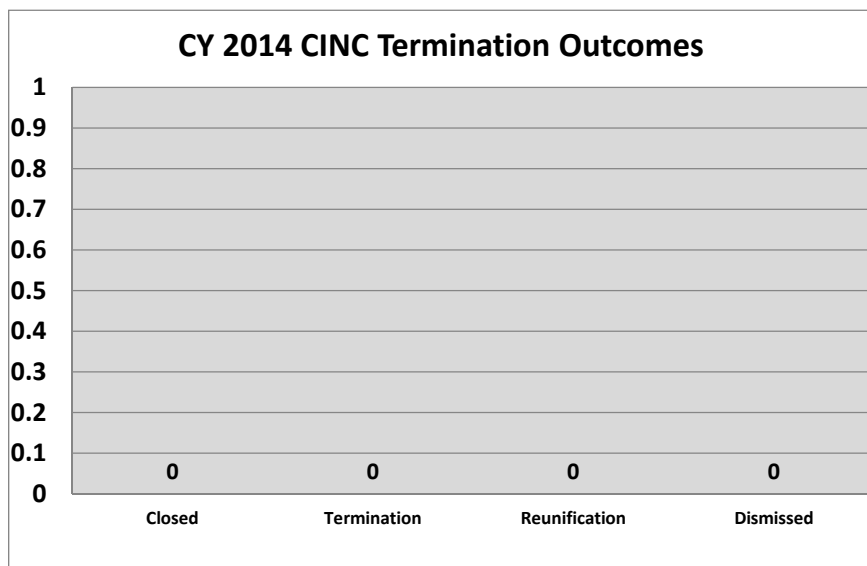
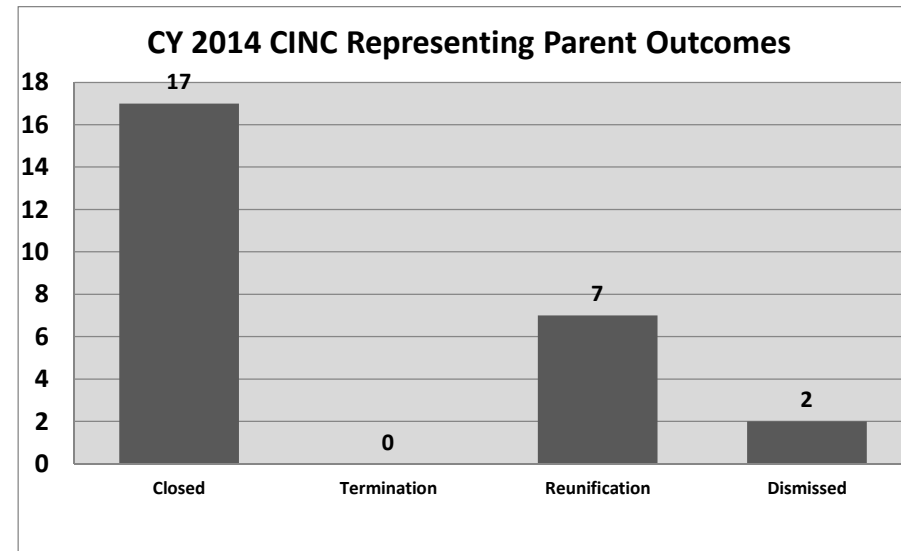
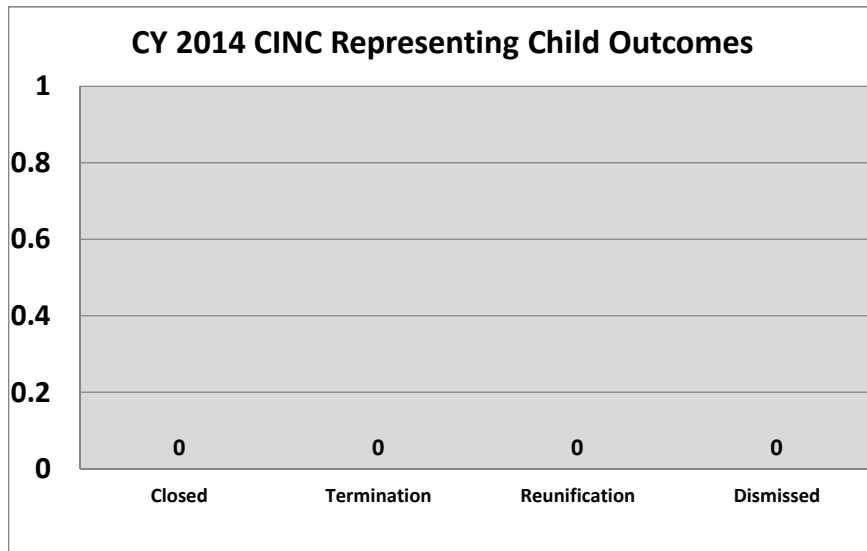
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	27	25	10	37	N/A	N/A	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	47	17	20	67	0	7	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	9	9	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	14	14	15	29	N/A	N/A	0	0	12	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	51	31	22	73	N/A	N/A	4	2	34	6	N/A	N/A	0	0	0
Delinquency Felony	23	22	16	39	N/A	N/A	2	2	41	0	N/A	N/A	0	1	1
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	846	673	324	1170	N/A	N/A	240	14	660	0	0	0	6	1	7
Adult Felony Non-LWOP**	455	318	237	692	N/A	N/A	70	55	177	0	0	0	0	1	1
Adult LWOP	4	3	5	9	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	3	1	1	4	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	3	8	6	9	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	1	1	3	4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

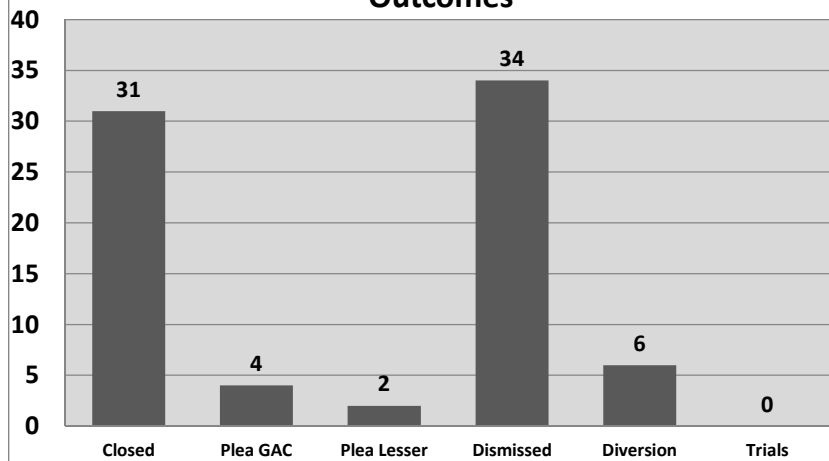
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

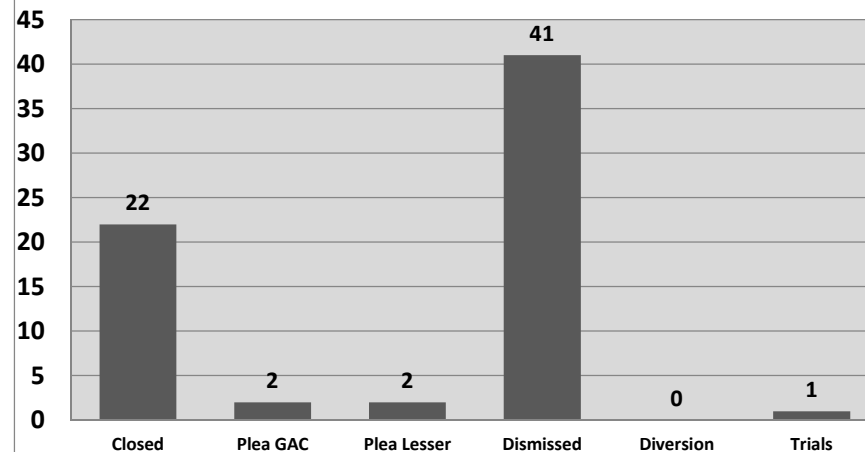
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



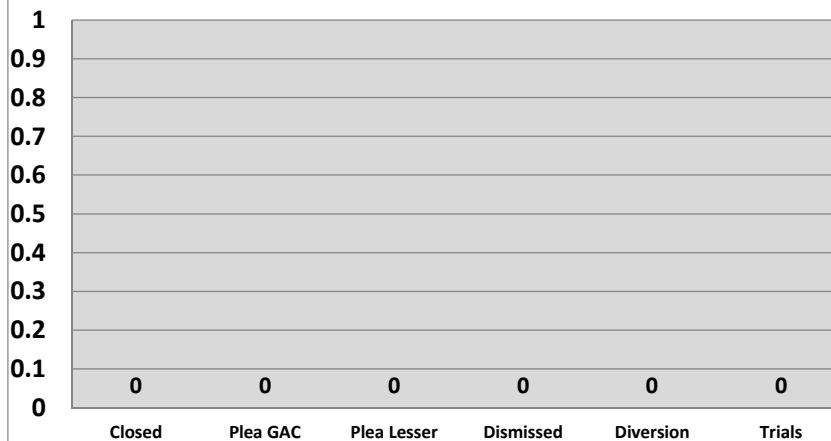
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**



**CY 2014 Delinquency Felony-Grade Outcomes**

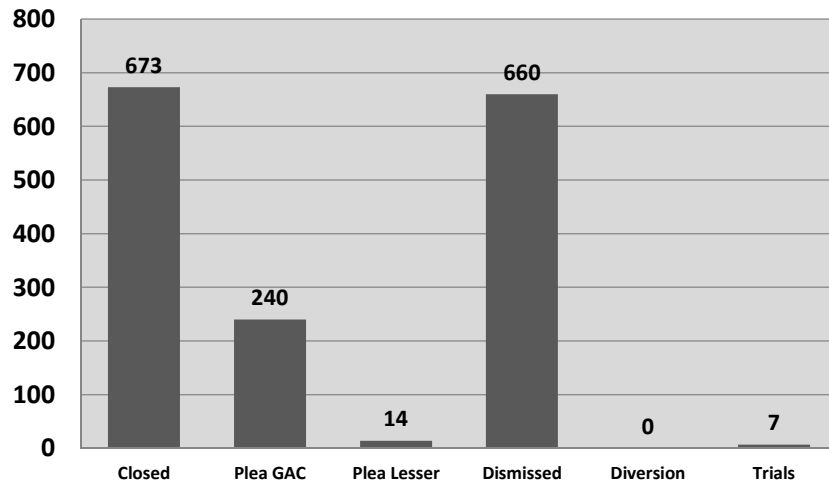


**CY 2014 Delinquency Life Outcomes**

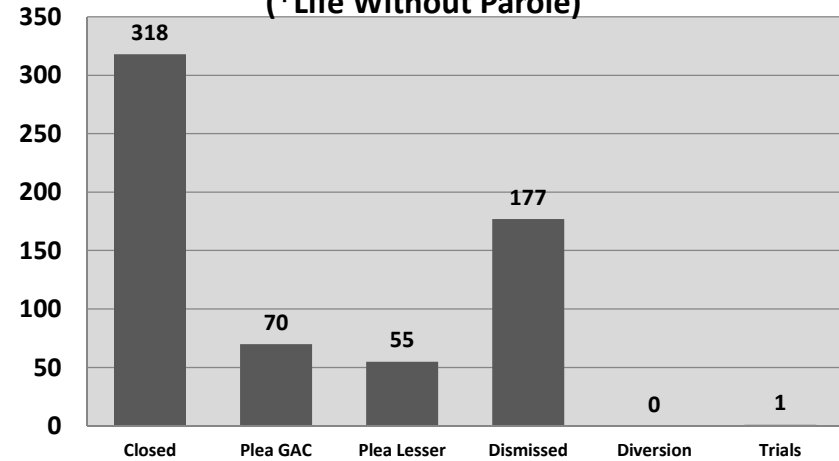




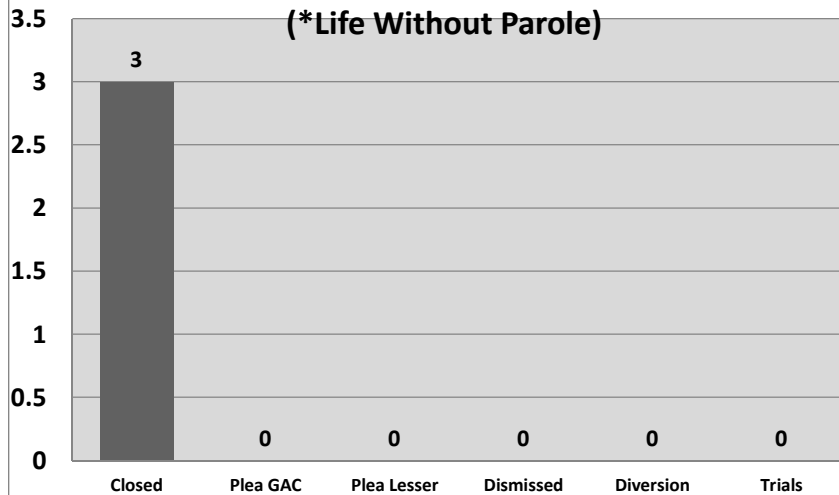
**CY 2014 Adult Misdemeanor Outcomes**



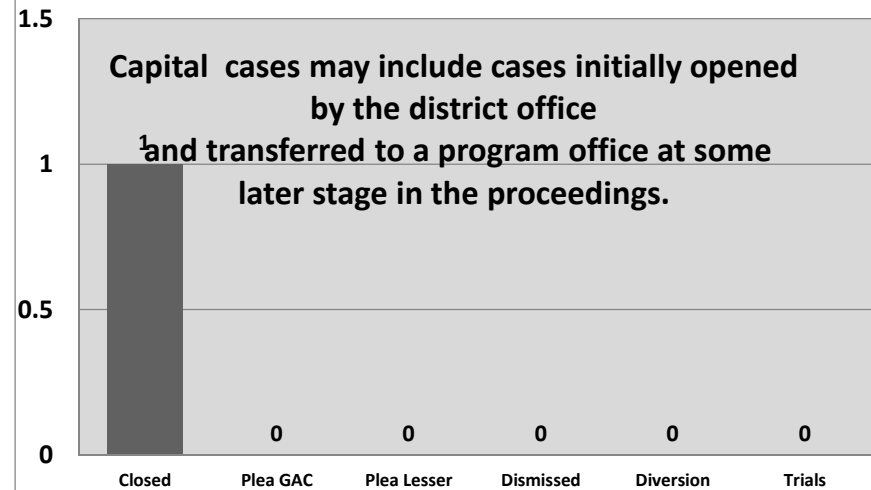
**CY 2014 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Capital Outcomes**

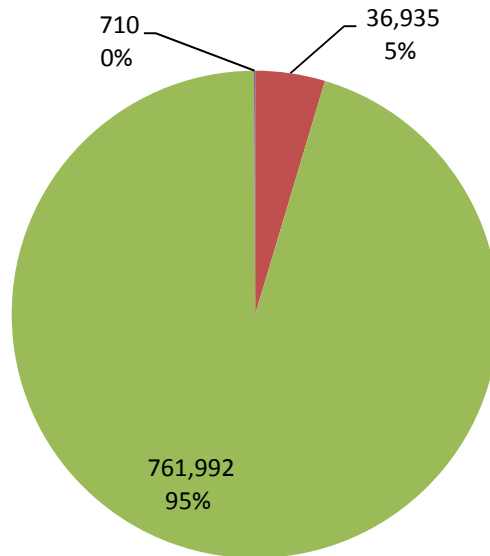


District 40 CY2014	Total CY2014
District Defender: Richard Stricks	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	10,027
District Assistance Fund (DAF)	26,908
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	36,935
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	32,376
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	29,968
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	5,280
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	315
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	680,674
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	680,989
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	7,953
Partial Attorney Fees	
Reimbursements [as per 15:176]	885
Other Reimbursements	3,511
Other Local Income -List source(s)	1,030
Total for Charges For Services	13,379
Total for Local Government	761,992
Investment Earnings	
Interest Income	20
Other Investment Income - List source(s)	691
Total for Investment Earnings	710
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	799,637

District 40 CY2014	Total CY2014
District Defender: Richard Stricks	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	260,751
Accrued Leave	-
Payroll Taxes	21,095
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	281,846
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	3,211
Total for Travel/Training	3,211
Operating Services	
Advertisements	43
Workers' Compensation	1,541
Insurance - Malpractice	9,309
Insurance - Auto/Physical Liability	2,079
Insurance - Other	-
Lease - Office	14,400
Lease - Auto/Equipment	2,902
Lease - Other	-
Office Repair and Maintenance	1,747
Office - Telephone/Utilities/Postage/Internet	6,469
Dues and Seminars	3,253
Law Library/Journals/Subscriptions	3,447
Office Supplies	2,727
Total for Operating Services	47,916
Professional Services	
Audit/Accounting Expense	6,800
Contract Clerical	-
Expert Witness	500
Investigators	37,700
Interpreters	330
Social Workers	143
Capital Representation	623
Conflict	-
Contract - Juvenile Attorneys or CINC	98,100
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	219,780
IT/Technical Support	2,280
Total for Professional Services	366,255
Capital Outlay	
Major Acquisitions	2,148
Total for Capital Outlay	2,148
Other Charges	
Other Operating Expenses	2,725
Total for Other Charges	2,725
Total for EXPENDITURES	704,101

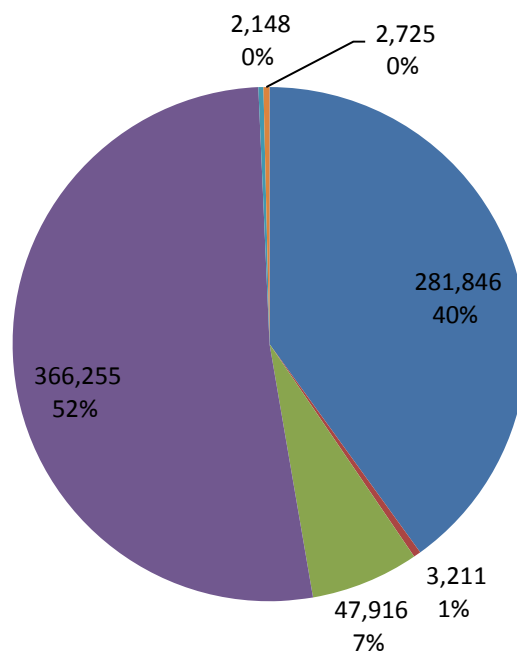
## Total CY14 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





# THE 41<sup>ST</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE ORLEANS (NEW ORLEANS)

DISTRICT DEFENDER: DERWYN D. BUNTON  
2601 TULANE AVENUE, STE. 700  
NEW ORLEANS, LA 70119  
(504) 821-8101

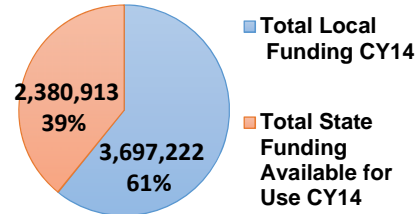
## 41ST JUDICIAL DISTRICT

During calendar year 2014, the 41st Judicial District Public Defenders Office handled 22,011 cases. The office received \$6,078,135 in total revenues to handle these cases, approximately 61% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

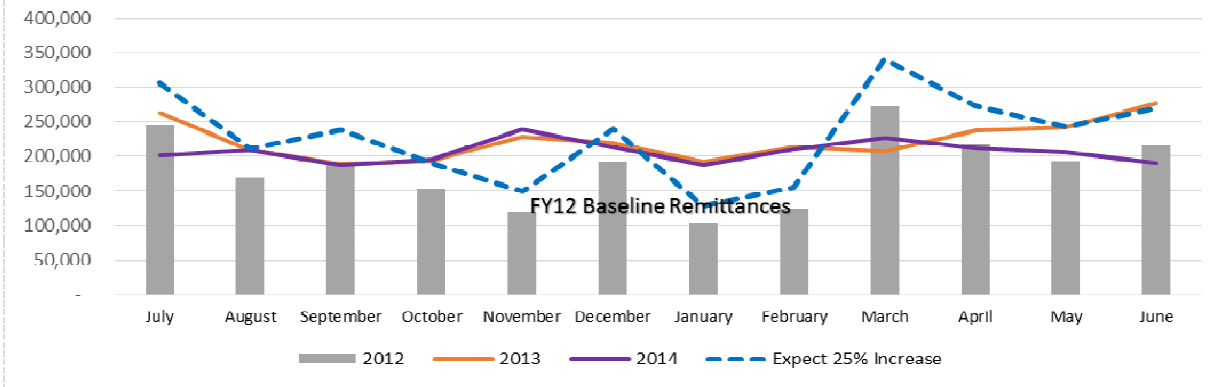
With the exception of a few anomalies, the 41st Judicial District has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 41st Judicial District office has exhausted its fund balance, however due to significant investments made by the City of New Orleans, the office is expected to remain solvent.

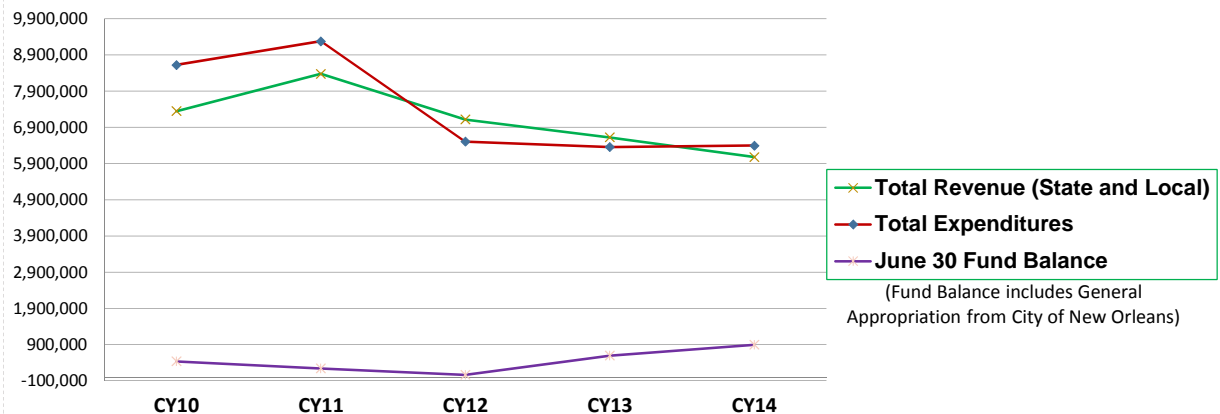
**District 41 PDO Revenue Sources CY14**



**Impact of Act 578 on District 41 OPD**



**District 41 PDO Finances CY10-14**

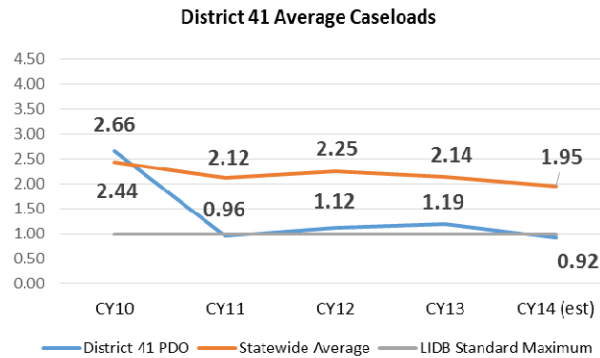


## ORLEANS PUBLIC DEFENDERS

Derwyn D. Bunton  
District Defender  
2601 Tulane Avenue, Suite 700  
New Orleans, LA 70119  
504-821-8101

In the 41st Judicial District, public defense attorneys make an average annual salary of \$51,570 while maintaining caseloads near the recommended caseload limit for each attorney.

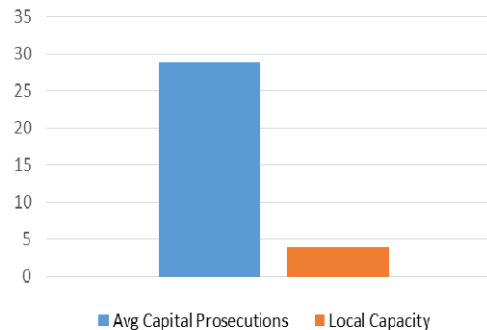
Through increased training and supervision, client outcomes have significantly improved over the last five years.



## CAPITAL REPRESENTATION

Since 2009, the 41st Judicial District has averaged 29 new capital prosecutions each year. However, the district only has the local capacity to handle four capital prosecutions and is almost completely reliant on program offices for representation.

Without the contract programs, the ability to prosecute capital cases will be greatly reduced in the 41st Judicial District due to a lack of capital certified attorneys and/or funding to support capital services in the District Office.





## THE 41<sup>ST</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Orleans - New Orleans
<b>Population</b>	378,715
<b>Juvenile Population</b>	91,270
<b>District Defender</b>	Derwyn D. Bunton
<b>Years as District Defender</b>	6
<b>Years in Public Defense</b>	9
<b>Office Manager</b>	Dannielle Berger, Director of Administration
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	DeMouy, Ashley; Diemer, Kim; Earl, Marya; Flemming, John; Klaila, Cody; LeBlanc April; McCarty, Jacob; Redman, Chasity.
<b>Primary Office Street Address</b>	2601 Tulane Avenue; Suite 700
<b>City</b>	New Orleans
<b>ZIP</b>	70119
<b>Primary Phone</b>	504-821-8101
<b>Primary Mailing Address</b>	2601 Tulane Avenue; Suite 700;; New Orleans, LA 70119
<b>Primary Fax Number</b>	504-821-5285
<b>Primary Emergency Contact</b>	Derwyn D. Bunton
<b>Primary Emergency Phone</b>	504-224-0958
<b>Secondary Emergency Contact</b>	Jee Park, Deputy District Defender
<b>Secondary Emergency Phone</b>	504-224-0963
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Karen Glaser (Tulane Towers)
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$22,000/month
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Accounting Services are handled in house. Annual financial and compliance audit provided by Bruno & Tervalon CPA's. Semi-monthly payroll provided by ADP, Inc.
<b>Courts and Locations</b>	Criminal District Court - 2700 Tulane Avenue, New Orleans, 70119; Juvenile Court, 421 Loyola Avenue, New Orleans, LA, 70112; Municipal Court, 727 South Broad, New Orleans, 70119; Traffic Court, 727 South Broad, New Orleans, 70119; Magistrate Court, 2700 Tulane Avenue, New Orleans, 70119
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Criminal District Court (12); Juvenile Court (6); Municipal Court (4); Traffic Court (4); Criminal Magistrate Court (1); Criminal Commissioners (4).



<p><b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b></p>	<p>Once appointed to the case by a judicial officer, after an initial conflict analysis, OPD assigns the case to either the OPD trial division, the OPD conflict division, or the OPD conflict panel. Within each of these, a case is assigned to an individual attorney based on the type of case/charge and the practice level of the attorney. OPD does continuous representation of all clients from appointment through the final disposition of the case. In the OPD Trial Division, case assignments are also made based on the initial allotment of the section of court for the case. In Municipal Court, all cases are misdemeanors and are at the same practice level. There, four full-time lawyers are permanently assigned to sections of court and cases are assigned after appointment based on the section of court for the case. Another full-time lawyer is also assigned to Municipal Court to handle cases in all sections of court. OPD employs one part-time attorney for Traffic Court and all traffic cases go to that attorney. Juvenile Court work is mostly handled independently by the Louisiana Center for Children's Rights (formally Juvenile Regional Services) through a contract between LCCR and the Louisiana Public Defender Board. Both the OPD Trial Division and the OPD Conflict Division represent juvenile clients who face the possibility of either discretionary or mandatory transfer from Juvenile Court to Criminal District Court. There is continuous representation of juvenile transfer clients by OPD Trial Division and OPD Conflict Division -- starting from the clients initial continued custody through disposition of the case in either Juvenile or Criminal District Court.</p>
<p><b>Name of Adult Detention Facilities in This District</b></p>	<p>Orleans Parish Prison, Templeman Phase V, Conchetta, Tents, Temporary Detention Center, and Central Lockup.</p>
<p><b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b></p>	<p>Orleans Parish may house pre-trial clients outside the parish due to a lack of appropriate capacity in Orleans Parish Prison facilities, which is undergoing construction. For instance, OPD clients with acute mental illness are housed at the Hunt Correctional Facility. Other OPD clients are housed in St. Charles Parish. Additionally, OPD is called upon to represent clients held in Louisiana Department of Public Safety and Corrections (State) facilities. This usually occurs because clients are serving a sentence for one charge (or set of charges) while awaiting trial on another charge or charges.</p>
<p><b>Name of Juvenile Detention Facilities In This District</b></p>	<p>Youth Study Center; 1100 Milton Street, New Orleans, LA 70122</p>
<p><b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b></p>	<p>N/A</p>
<p><b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b></p>	<p>OPD is not able to adequately represent clients held at facilities distant from Orleans Parish. With regard to clients with mental health issues held at Feliciana, we are attempting to institute a programmatic response, tasking a small unit of attorneys with handling mental health cases. This is a significant outlay of limited budget resources, but is necessary for the <u>adequate representation of all clients.</u></p>
<p><b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b></p>	<p>Yes</p>

<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Due to difficulties seeing our detained clients in Orleans Parish Prison - long wait-times, lack of confidential and private meeting areas, irregular visitation hours - OPD sued Sheriff Marlin Gusman in Orleans Parish Civil District Court. OPD entered into a stipulated judgment and conditions are improving under the watchful eye of the court. Also, clients detained in facilities outside Orleans Parish hinder access to clients and costs OPD additional expenses for its staff to visit clients.
<b>District Attorney</b>	Hon. Leon Cannizzaro
<b>Chief Judge of Criminal District Court</b>	Hon. Benedict Willard
<b>Juvenile Court Judges (Specify District of City Court)</b>	Judges: Ernestine Gray (Chief Judge), Candice Bates-Anderson, Lawrence Lagarde, Mark Doherty, Tammy Stewart, Yolanda King.
<b>Drug Court Judges</b>	Judges: Tracey Flemmings-Daviller "B"; Benedict Willard "C"; Camille Buras "H"; Karen Herman "I"; Darryl Derbigny "J"; Franz Zibilich "L"; and Harry Cantrell "Magistrate". Julian Parker "G" discontinued its drug court during in 2014.
<b>Mental Health Court Judges</b>	Judge Karen Herman "I", Judge Desiree Charbonnet "C" Municipal Court.
<b>Other Specialty Court</b>	Re-entry Court, Judge Laurie White "A"; Veteran's Court, Judge Authur Hunter "K"; and Domestic Violence Court, Judge Harry Cantrell "Magistrate"; Homeless Court, Judge Paul Sens "A" Municipal Court.
<b>Name of Specialty and Brief Description:</b>	The Re-entry Court is designed to assist clients returning to the community after longer term incarceration in State correctional facilities. Veterans Court is designed to assist military veterans gain access to programming and support designed to assist them and prevent criminal involvement. Domestic Violence Court is an intensive probation. Homeless Court is designed to assist the homeless receive much needed treatment and services.
<b>Indigency Determined by Whom and How?</b>	In Criminal District Court, the judicial officer at first appearance determines indigency for arrestees - often with the assistance of information gathered by interviews of the arrestee by New Orleans Pretrial Services. Sometimes, there is also a colloquy between the arrestee and the judicial officer before the determination is made. If an arrestee has not been deemed indigent at first appearances, the arrestee is then set for a hearing to determine counsel (HTDC) within a week. If the arrestee is still incarcerated at the HTDC, and has not secured private counsel, the arrestee is deemed indigent and appointed to OPD. In Criminal District Court, judges routinely revisit indigency determinations at arraignment. In Municipal Court, first appearance and arraignment occur simultaneously. Incarcerated arrestees are presumed indigent by the court. Those not in custody who cannot afford to hire attorneys are referred to OPD staff, who interview the defendant and makes a recommendation to the Court. The Municipal Court judge then makes a decision regarding indigency.
<b>When is Assignment/Appointment of Counsel Made?</b>	OPD assigns counsel after an indigency and appointment determination is made by the Court. For the majority of assignments, OPD assigns an attorney to the case on the same day OPD is assigned to the case. When appointment is made at night or weekends, OPD assigns the case to an attorney within 24 hours.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	At First Appearances, initial client intake is conducted either by the magistrate attorney or by a client advocate from OPD's Client Services Division. After appointment, the attorney assigned does the initial interview. If the OPD client is incarcerated, the initial interview is conducted by the assigned attorney within 72 hours of appointment.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes

<b>Brief Explanation of Intake Process</b>	OPD and the judges of the Orleans Parish Criminal District Court entered into an agreement to work cooperatively to carry out the mandates of La. R.S. 15:1758. On June 3, 2011, the judges met en banc and approved a plan to assist OPD in the collection of the \$40.00 application fee. If a defendant is deemed to be indigent at arraignment, the judge will order the defendant to pay the application fee of \$40 to the cashier on the first floor of Criminal District Court. In Municipal Court, any application fee is paid to OPD staff.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes, the OPD collects the application fee in Municipal Court. No, the OPD does not collect the application fee in Criminal District Court. The fee is paid to the CDC's cashier.
<b>How Many Applications for Services Were Received?</b>	Once the court determines a defendant to be indigent and appoints OPD to represent the defendant, there is no additional application that the defendant must complete in order to receive representation. The defendant may complete a brief client questionnaire with contact information, medical issues, and other issues the defendant may want to bring to the attention of the assigned attorney.
<b>How Many Application Fees Were Waived?</b>	Pursuant to an agreement entered into with the Criminal District Court, the court will not order pretrial detained, indigent defendants to pay the \$40 application fee. In other words, the fee is practically waived for incarcerated, indigent defendants.
<b>How Many Application Fees Were Reduced?</b>	Pursuant to an agreement entered into with the Criminal District Court, the application fee is not reduced. The defendant must pay the full \$40.
<b>Total Application Fee Dollars Collected in 2014</b>	\$8,771 (\$3,761 from Criminal District Court (CDC), collected by CDC cashiers and \$5,010 from Municipal Court, collected by OPD).
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	OPD does not physically collect the \$40 fee from the indigent defendant in Criminal District Court. The defendants are ordered by the court to pay the fee to the Cashier's Office in the Criminal District Court. The defendants are provided with a payment slip which they are to bring to the Cashier's Office. The Criminal District Court charges a 25% collection fee.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	1,642,933 (Revenue was down in 2014. However, in 2013, \$200,180 in safety belt revenue was included in the \$2,120,118 total that should not have been).
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Every time there is a conviction, judges assess court costs. Included in the court costs is the mandatory special cost. Many judges do not specify on the record that they are assessing the mandatory special cost. Thus, the understanding is the special cost is included in the total court costs that is assessed to each convicted defendant.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	In a monthly remittance from Traffic, Municipal and Criminal District Court, a payment summary is included with the payment. The payment summary includes: the defendants name, section and case number, date the costs are assessed and collected, amount of assessment and actual collection.
<b>Who Collects the Assessed Court Fees?</b>	The Cashier's Offices in the courts collect all court fines, fees and costs.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	The Judicial Administrators are responsible for providing documentation to OPD on a monthly basis.
<b>Who Remits the Court Fees Collected?</b>	The Judicial Administrator's Office under the direction of the judges en banc.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	In a monthly remittance from Traffic Court, Municipal Court, the Sheriff's office (quarterly) and Criminal District Court, a payment summary is included with the payment. The payment summary includes: the defendants name, section and case number, date the costs are assessed and collected, amount of assessment and actual collection.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	

<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	The judges will determine whether a defendant is indigent or partially indigent. If the defendant is partially indigent, the judges will assess a representation fee to the defendant. The judges do not provide any documentation to the defendant but orders the defendant to pay the Indigent Defender Fund either by the next court date or by the end of the case.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	N/A
<b>Who Collects the Assessed Partial Payments?</b>	The defendant is ordered to pay the Indigent Defender Fund directly. The defendant then comes to OPD and makes a payment or a payment arrangement with the administrative staff.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Since this fee is collected by OPD directly, OPD is responsible for accounting this money.
<b>Who Remits the Partial Payments Collected?</b>	Again, since this fee is collected by OPD directly, OPD is responsible for accounting this money from collection to remittance.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Again, since this fee is collected by OPD directly, OPD is responsible for accounting this money from collection to remittance.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	0
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	OPD doesn't allow private practice for its full-time staff attorneys.
<b>There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the</b>	Yes. The contract is attached.
<b>Primary Immediate Needs</b>	Increased funding to provide effective representation to the indigent and experienced legal staff.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Data management, training, funding technology (hardware and software) and staff.
<b>Long-Term Critical Issue Areas</b>	Stable adequate funding, training and staff.
<b>Please List All New Hires in 2014 (Name and Title)</b>	Ackerman, John: Staff Investigator; Barbery, Marcos: Juvenile Mitigation Specialist; Brockway, James: Staff Attorney CDC; Chernow, Alexis: Staff Attorney CDC; Frampton, Thomas: Staff Attorney CDC; Jeffrey, Lindsay: Staff Attorney CDC; Jones, Sara: Investigator Fellow; Kennedy, Kareem: Client Advocate; Lommers-Johnson, Hannah: Staff Attorney Municipal Court; McCarty, Jacob: Client and Court Support Administrator Municipal Court; Miller, Jared: Staff Attorney CDC; Moroz, Stanislav: Staff Attorney CDC; Muse, Jack: Paralegal; Orzechowski, Karen: Paralegal; Rabinovitz, Chana Rose: Staff Investigator; Reeds, Laura: Staff Attorney CDC; Sickle, Allison: Administrative Assistant Conflicts Division; VanCleave, Anna: Capital Division Chief; Whittler, Chelsea: Staff Investigator; Woods, Brian: Staff Attorney CDC. FULL-TIME VOLUNTEERS: Joseph, Samuel: Client Services (Jesuit Volunteer Corps); Holland, Brenna: Client Services Municipal Court (Jesuit Volunteer Corps); Eversley, Mariama: Technology and Social Media Coordinator (LA Delta Service Corps); Benusa, Elise: Program Outreach and Community Awareness Coordinator Municipal Court (LA Delta Service Corps); Chrisinger, Laura: Program Outreach and Community Awareness Coordinator CDC (LA Delta Service Corps)

<b>Please List All Promotions in 2014 (Name and Title)</b>	Earl, Marya: Supervising Client and Court Support Administrator; Ellis, Carrie: Training Director/Leadership; Engelberg, Daniel: Deputy Chief of Trials/Leadership; Pasquarella, Jill: Supervising Attorney CDC; Reingold, Colin: Supervising Attorney Special Litigation; Thompson, Sierra: Supervising Attorney Conflicts Division; Weidenhaft, Donna: Training Supervisor.
<b>2014 Media Coverage and/or Major Accomplishments</b>	<p>OPD and New Orleans featured in national multi-part NPR story, "Guilty and Charged"; In relation to National Bernard Noble Sentencing Advocacy – working with the Drug Policy Alliance, Orleans Public Defenders was featured in Rolling Stone, "The Great Marijuana Experiment", The Lens, Al Jazeera America, and Huffington Post; Derwyn Bunton was featured on the local "Health Issues" broadcast; Derwyn Bunton's Letter to the Editor regarding the Sheriff's inmate move, "Letter: Moving New Orleans Inmates Untenable" in the New Orleans Advocate; Derwyn Bunton featured on WBOK 1230AM, The Good Morning Show; Orleans Public Defenders featured in story on justice in New Orleans "For Public Defenders in New Orleans, Getting Justice Means Waiting... and Waiting"; Derwyn Bunton featured on National Association for Public Defense's blog/newsletter, "Gideon is Rising"; Derwyn Bunton featured as continued legal expert for WWL's coverage of Darren Sharper case; Derwyn Bunton Op-Ed on New Orleans Judicial Elections, "Vote Tomorrow for Judges Willing to Back Sentencing Reform"; Marcos Barbary Op-Ed on Juveniles Sentenced to Life, "Children Condemned to Life: In Film", The Investigative Fund; Derwyn Bunton on WBOK 1230AM to discuss public defense and current criminal justice issues on the Good Morning Show and Good Life Show with Chris Sylvain; Derwyn Bunton featured on National Association for Public Defense blog/newsletter, "Ferguson, New York, New Orleans and the Presumption of Guilt"; Derwyn Bunton Letter in Response to Craig Mordock Op-Ed on GVRs Payments, "Public Defenders Are Doing Their Part, But Need More Resources"; Extensive continued coverage of daily court proceedings, criminal justice and public defense happenings.</p> <p>COMMUNITY OUTREACH/AWARDS/RECOGNITION:</p> <p>Orleans Public Defenders featured by LSBA in Diversity Spotlight; Kenny Green, OPD's Chief of Trials, named CityBusiness 2014 Leader in Law in February; Continued publication of quarterly newsletter, Defense Matters; Expansion of social media outreach with launch of OPD Twitter account, @OrleansDefender; 2013 Annual Report published on March 15, 2014; Ben Sullivan Fellowship Launch Party; Orleans Public Defenders honors 2nd annual "Clyde Merritt Award" Recipients; LA Bar Journal features awards ceremony; Orleans Public Defenders hosts high school students for the US District Court Boss for a Day Program; Orleans Public Defenders honored by the Innocence Project of New Orleans as a Criminal Justice Hero; Derwyn Bunton was the Keynote Speaker at the Iowa Public Defender Association Criminal Law Seminar; Orleans Public Defenders hosted several high school students for LSBA Suit Up Program; Orleans Public Defenders' staff join local organization Puentes for the Latino Heritage Festival; Orleans Public Defenders co-hosted a career diversity panel with Tulane Law School's Black Law Students Association where Derwyn Bunton was a featured panelists in September;</p>
<b>2014 Media Coverage and/or Major Accomplishments (continued)</b>	Derwyn Bunton hosted a webinar for the National Association of Public Defenders, "And Then That Happened"; Derwyn Bunton is Career Speaker at St. Augustine High School; Derwyn Bunton is a featured panelist at Harvard Law School's Criminal Law Panel in; Derwyn Bunton is featured at the New Orleans Film Festival Gideon's Army Screening Panel; Hosted Sub-Saharan African Criminal Justice Delegation; Criminal Justice Demonstration; Vast pre- and post-demonstration media coverage in both print, broadcast and radio; Derwyn Bunton moderated YEP Gun Violence Panel
<b>Number of Expected New Attorney Hires in 2015</b>	OPD expects to hire approximately six attorneys in 2015. All new attorney hires will be based on budget considerations, grant funding, caseload analysis, office needs and attrition.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	<p>Yes. OPD provides training designed by our Training Director. Newly admitted attorney hires receive approximately 6 weeks of training prior to representing clients autonomously and then weekly training during their first year of practice. Additionally, the Training Director and Training Supervisor provide intensive supervision, including review of written preparation, courtroom observation, and regular meetings to discuss the new attorneys' development.</p> <p>Yes</p>
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	OPD is divided into supervisory groups, led by supervising attorneys and leadership staff. A copy of OPD's supervisory tree is included with this narrative.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	Yes. Barbary, Marcos: Juvenile Mitigation Specialist (grant funded); VanCleave, Anna: Capital Division Chief

<b>Please Attach Your Office Organizational Chart</b>	Attached.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	When staff attorneys reach a certain level, they are taken out of the normal case pick up schedule and given time to work down their existing workload. Supervisors have a half case-load to enable them to better carry out their supervisor duties.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	OPD offers Blue Cross Medical and Dental Insurance. OPD pays 100% percent of the monthly health premium. The employee pays 100% of the monthly dental premium.
<b>Regular Meetings for Any Staff, Please Describe</b>	Quarterly All-Staff Meetings; Monthly Management Meeting; Weekly Leadership Meetings.
<b>Number of NEW capital cases in CY14 handled by your office</b>	7
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	3
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	OPD handled 8 direct appeals in 2014 and numerous responses to State appeals regarding Motions to Quash granted by the trial court.
<b>Number of Writs Your District Handled in 2014</b>	OPD's Special Litigation Division handled 83 writs. Many more were handled by individual staff attorneys.
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	For 2014, based on OPD Defender Data, there were 30 cases in the district with children under 17 that were transferred of directly filed in Adult Court.
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	There were no cases that OPD is aware of where a transfer was denied by the Juvenile Court. There were, however, based on OPD Defender Data, five cases where a "transferrable" offense was, in fact, not transferred to Adult Court.
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	OPD has a "Juvenile Transfer Squad", composed of approximately 3 attorneys with at least 3 years of experience who expressed particular interest working with juvenile clients. When a transferable charge enters juvenile court, our office is notified and we send one of our members from the Juvenile Transfer Squad to juvenile court to do the continued custody/transfer hearing. The assigned OPD attorney then stays on the case through disposition.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	See: <a href="http://house.louisiana.gov/H_Reps/By_Deleg/H_Reps_Deleg_Orleans.asp">http://house.louisiana.gov/H_Reps/By_Deleg/H_Reps_Deleg_Orleans.asp</a>
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	The ongoing issue regarding jail visitation and contact/confidential visits, which is currently under a stipulated judgment from a lawsuit filed on behalf of OPD, affects delivery of services. Hostile and unprofessional reaction to zealous advocacy for our clients, especially in the presence of our clients, affects our delivery of services. The inability to meaningfully consult with and interview clients after appointment and before first appearances, affects our advocacy for our clients at First Appearances.

<p><b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b></p>	<p>OPD increased its training capacity in 2014 - holding numerous CLE sessions, monthly investigator trainings, weekly trainings for new attorneys, and weekly caserounds by practice level. OPD improved and grew both the Capital Division (started in late 2012) and the Conflict Division (re-started in late 2012). 2014 also involved continued implementation of planned changes to the OPD conflict panel. The quality of panel attorneys has improved and the billing process was simplified and streamlined for increased savings. In addition, in 2014 OPD sought outside funding sources to improve delivery of Public Defender Services -- including the Ben Levick-Sullivan investigative fellowship and City funding for an additional social worker for Client Service Division. 2014 was the second full year of our reorganized, consolidated Client Services Division, which assists OPD in fulfilling its mission to advocate for our clients in a more holistic and comprehensive manner. 958 new direct services were initiated to 574 different OPD clients (with new 2014 cases) by OPD's Client Services Division -- including alternatives to incarceration, assisting with substance abuse and mental health treatment for clients, social service referrals and mitigation.</p>
<b>Staff Directory:</b>	
<u><b>Staff Name</b></u>	<u><b>Contact Information</b></u>
Ackerman, John	504-827-8221
Anderson, Lauren	504-827-8190
Barbery, Marcos	504-827-8181
Barksdale, Russell	504-827-7049
Barksdale, Chasity	504-827-8179
Berger, Dannielle	504-827-8200
Blume, Taryn	504-827-8219
Boudreaux, Lauren	504-827-8173
Brockway, James	504-571-8919
Bunton, Derwyn	504-827-8204
Burkhart, John	504-827-8167
Carpenter, Zachary	504-827-8236
Carrington, James	504-827-8237
Chang, Melody	504-827-7045
Chapman, Chapman	504-827-7056
Chernow, Alexis	504-571-8920
Chervinsky, Sarah	504-827-7050
Corley, Jاليا	504-571-8912
Cousins, Adrienne	504-827-8177
Cziment, Stella	504-827-8250
Deltufo, Noelle	504-827-8202
DeMouy, Ashley	504-827-8233
Derrick, Elizabeth	504-827-8212
Diemer, Kim	504-827-8199
Earl, Marya	504-827-7023
Ellis, Carrie	504-827-8222
Engberg, Zoe	504-827-8179
Engelberg, Daniel	504-827-8186
Fecker, Anna	504-827-8218
Fennell, Nathan	504-827-7047
Flanagan, Anne	504-827-8171
Frampton, Thomas	504-827-8165
Fraser, Amanda	504-827-8205

Green, Kendall	504-827-8172
Gumina, Max	504-827-8168
Hardin, Kenneth	504-827-8227
Harshaw, D Omavi	504-827-8180
Heisser, Nicole	504-827-8175
Hill, Nzinga	504-827-8215
Holladay, Ashley	504-827-8176
Horn, Christine	504-827-8247
Hortenstine, Barksdale	504-827-8207
Hortenstine, Lindsay	504-827-8169
Howard, Kiah	504-827-8163
Hull, Jennifer	504-827-8249
Jeffrey, Lindsay	504-827-8170
Jobe, Phillip	504-827-8208
Jones, Sara	504-827-8174
Kennedy, Kareem	504-571-8915
Kim, David	504-827-8226
Klaila, Cody	504-827-8253
Lampkin, Keith	504-827-8211
LeBlanc, April	504-827-8254
Lee, Andrew	504-827-8191
Lommers-Johnson, Hannah	504-827-8244
Long, Chanel	504-827-8256
McCarty, Jacob	504-658-9765
Miller, Jared	504-571-8921
Moroz, Stanislav	504-571-8918
Murell, Christopher	504-827-8232
Muse, Muse	504-571-8922
Orjuela, Zachary	504-827-8257
Orzechowski, Karen	504-821-8103
Occhiogrosso-Schwartz, Joshua	504-827-8230
Park, Jee	504-827-8187
Parsons, Ginger	504-827-8182
Pasquarella, Jill	504-827-8161
Peng, Tina	504-827-8251
Pettingill, Norman	504-821-8101
Pichon, Joshua	504-827-8239
Rabinovitz, Chana Rose	504-827-8183
Redman, Chasity	504-827-8224
Reeds, Laura	504-827-8240
Reingold, Colin	504-827-8220
Roche', Leon	504-827-8209
Rowe, Arthur	504-827-8188
Ryan, Virginia	504-827-8206
Sallah, Joyce	504-827-8210
Samuel, Lindsay	504-827-8229
Sherman, Scott	504-827-8189
Sickle, Allison	504-827-8231
Snowden, William	504-827-8225
Thomas, Kimberly	504-827-7051
Thompson, Sierra	504-827-8196
Valdez, Eladio	504-827-8214



VanCleave, Anna	504-827-8185
Vogel, Matthew	504-571-8923
Wayne, Seth	504-827-7059
Weeks, Nia	504-827-8216
Weidenhaft, Donna	504-827-8203
Whittler, Chelsea	504-827-8178
Woods, Brian	504-827-7058
Zacharias, Richard	504-827-8184

## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.

**Survey Completer's Name**

Dannielle Berger

**SOFTWARE:**

Mark an X in all that apply

**Operating Systems Used:**

Windows 8

Windows 7

x

Windows Vista

x

Windows Server 2000/2003/2008

x

Windows XP

Mac OSX

**Case Management System(s): Check all that apply**

defenderData (LPDB statewide system)

x

Other System (please name)

**Productivity Suites Used:**

Microsoft Office 2013 (Word, Excel, etc.)

Microsoft Office 2010

x

Microsoft Office 2007

x

Microsoft Office 2003

Previous Microsoft Office version

Corel Word Perfect

Other

**Accounting Software**

QuickBooks

x

Quicken

Intuit

Other (list here):

**Internet Browsers Used:**

Internet Explorer 6

Internet Explorer 7

Internet Explorer 8

x

Internet Explorer 9

x

Firefox

x

Google Chrome

x

Other

**HARDWARE:**

Please enter the number of devices in your inventory.

Television

1

DVD

1

VCR

1

Desktop PCs	12
Laptops	101
Video Cameras	1
Digital Cameras	13
Video Conferencing Systems	0
B&W Laser Printers	14
Color Printers	5
Wireless Cards	0
Smartphones (Funded by Office)	15
iPad/Tablets (Funded by Office)	0
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	15 mbs down
Provider Name:	Cox Communications
Email Provider:	Microsoft Hosted
Please list any software or computer equipment in which you need training:	

## 41st District Defender Office CY 2014 Caseloads & Outcomes

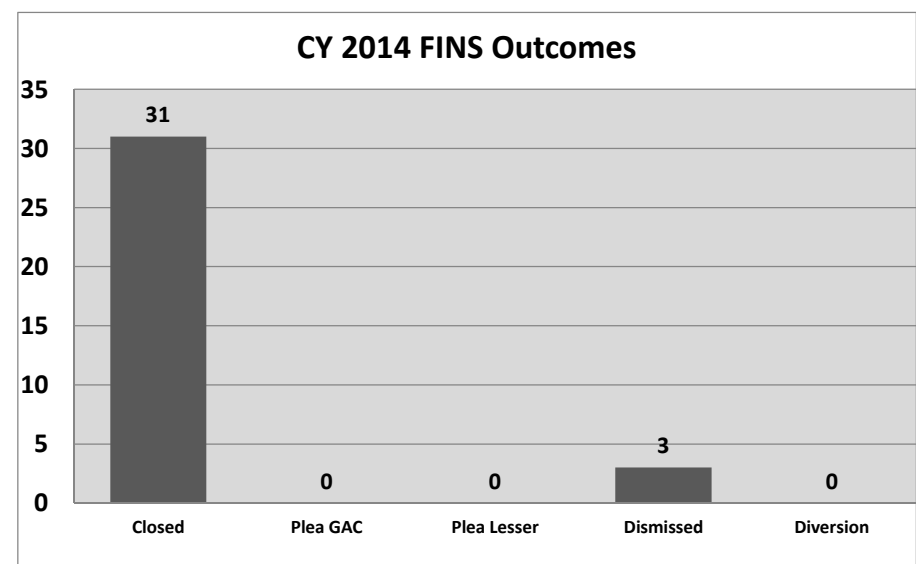
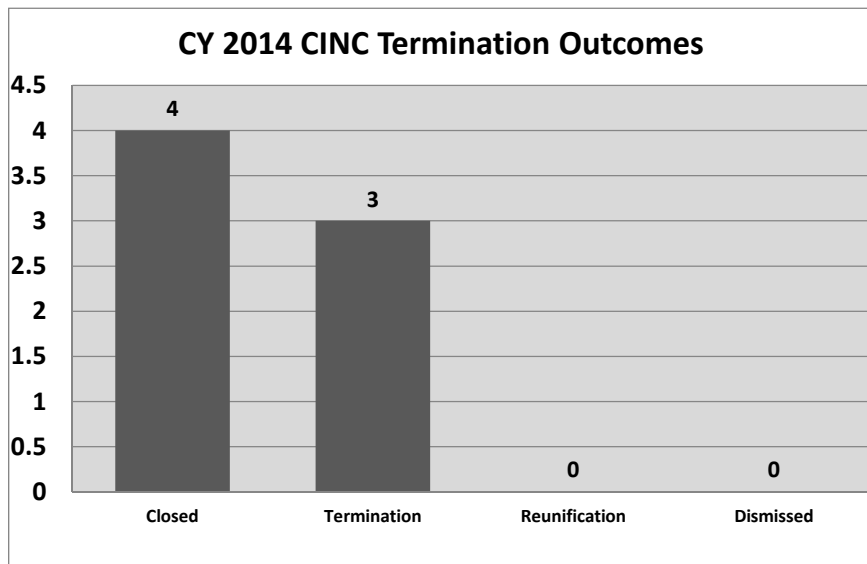
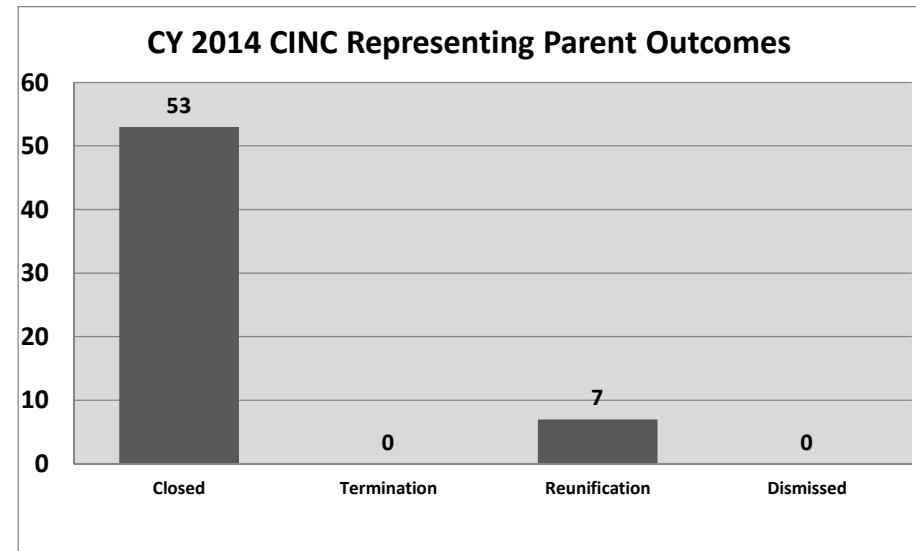
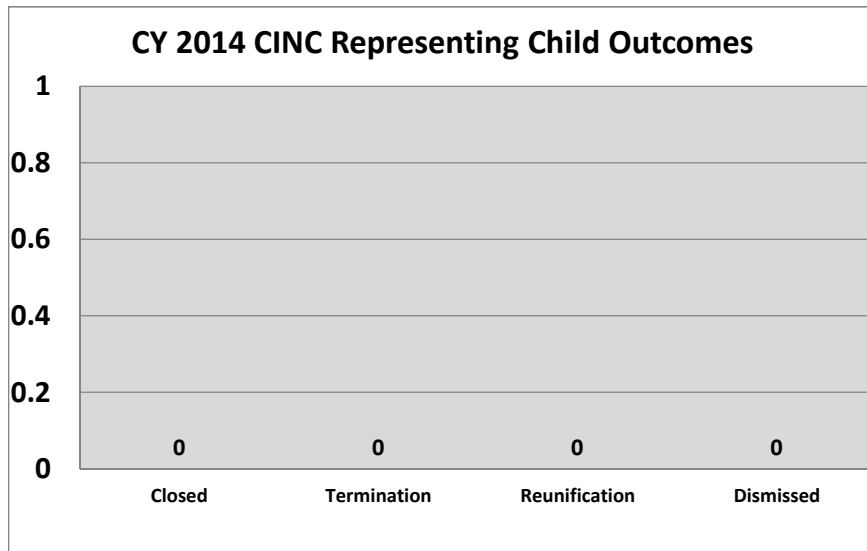
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	64	53	14	78	0	7	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	4	4	0	4	3	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	27	31	19	46	N/A	N/A	0	0	3	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	238	248	137	375	N/A	N/A	134	6	50	0	N/A	N/A	3	2	5
Delinquency Felony	283	246	169	452	N/A	N/A	131	36	64	0	N/A	N/A	1	3	4
Delinquency-Life	38	11	6	44	N/A	N/A	0	3	2	0	N/A	N/A	0	0	0
Juvenile Revocations	5	40	0	5	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor	9100	7092	886	9986	N/A	N/A	3416	164	2428	2	0	0	10	4	14
Adult Felony Non-LWOP	5926	4665	1786	7712	N/A	N/A	2686	1203	479	0	3	12	7	23	45
Adult LWOP	97	75	113	210	N/A	N/A	0	89	27	0	0	2	0	1	3
Capital	3	5	6	9	N/A	N/A	4	0	0	0	0	0	0	0	0
Revocations	2893	2595	197	3090	N/A	N/A	2	0	26	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

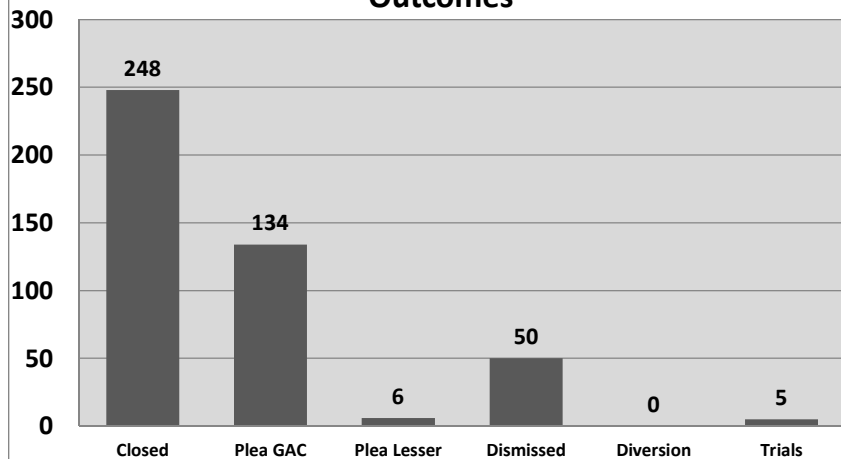
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

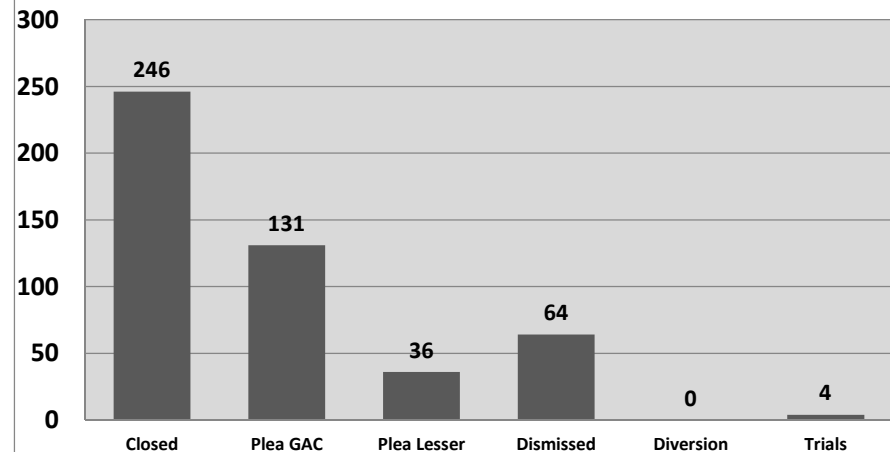
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



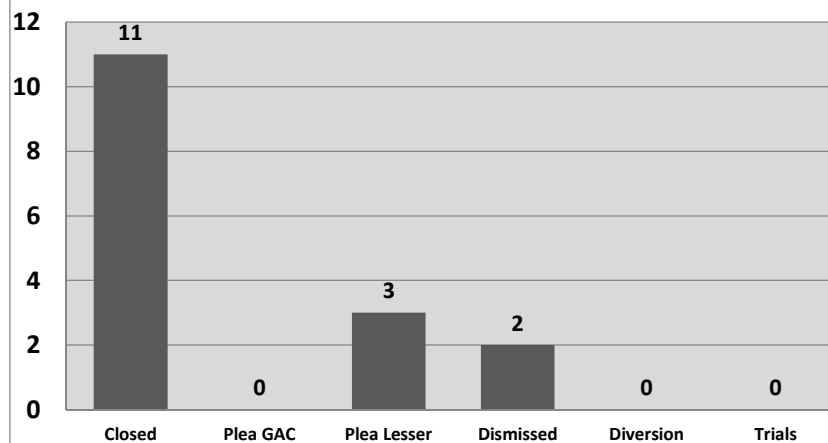
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**

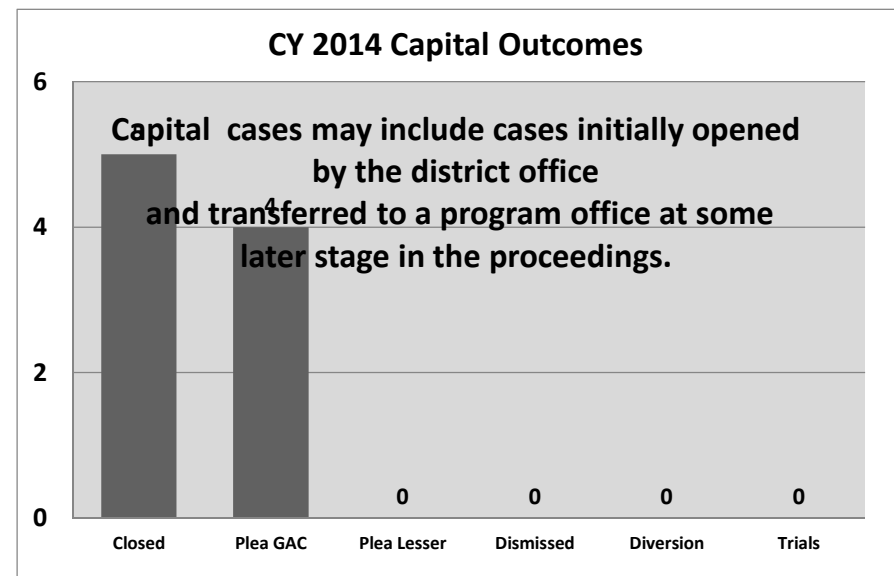
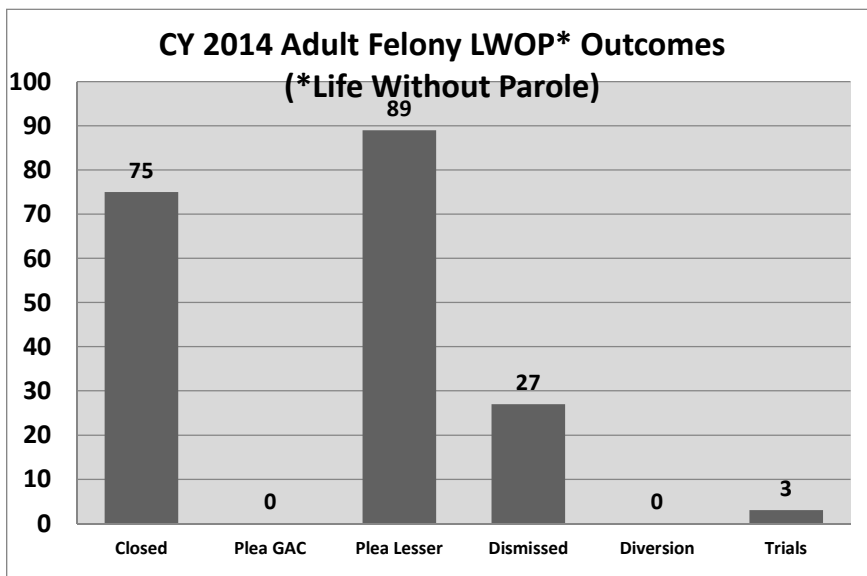
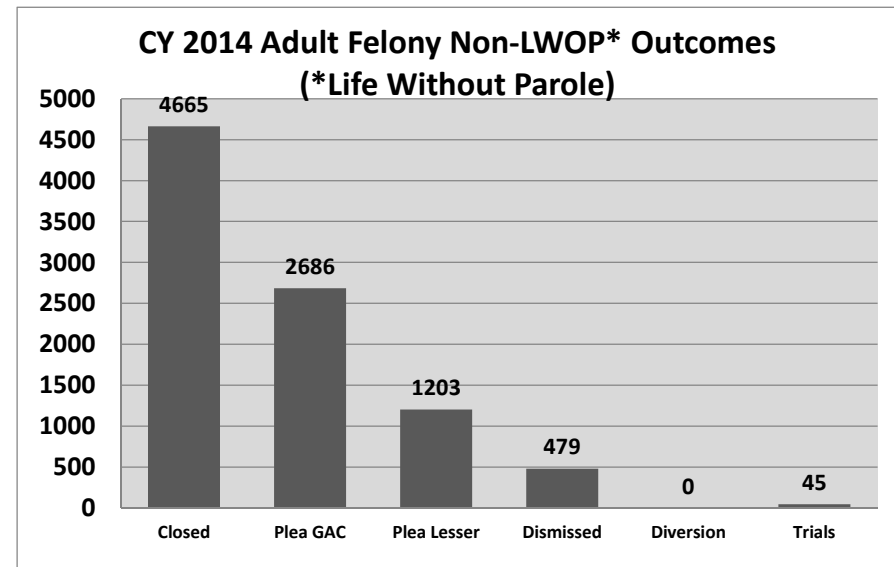
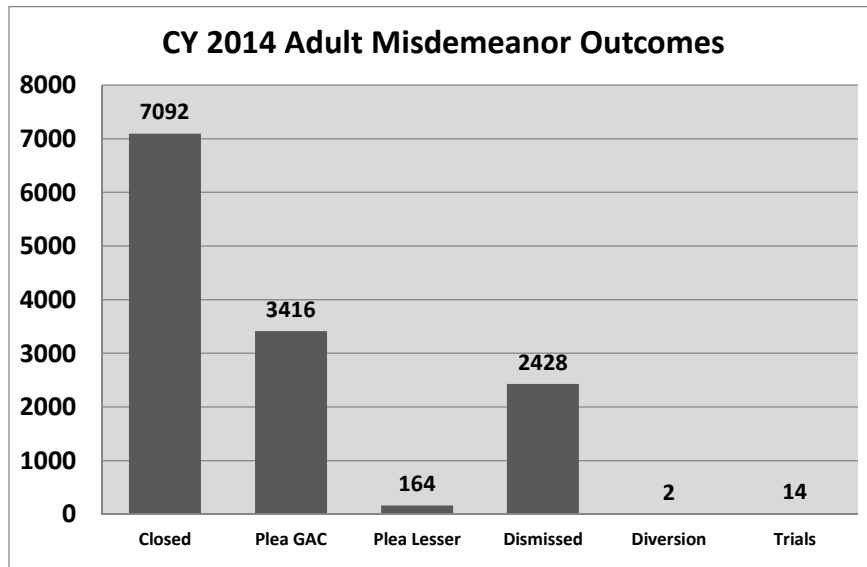


**CY 2014 Delinquency Felony-Grade Outcomes**



**CY 2014 Delinquency Life Outcomes**





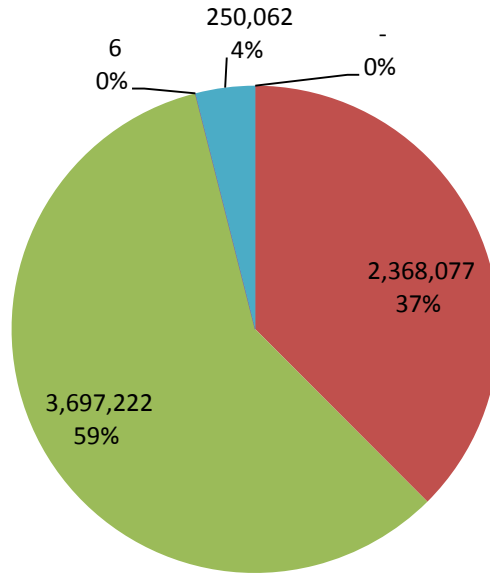
District 41 CY2014	Total CY2014
District Defender: Derwyn Bunton	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	12,842
District Assistance Fund (DAF)	2,341,692
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	13,543
Total for State Government	2,368,077
Local Government	
Appropriations - General	931,007
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	3,771
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	224,924
Traffic Camera	666,935
Grants	39,721
Other Local Income -List source(s)	153,355
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	61,588
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	53
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	190,554
Parish Courts	-
Traffic Court	1,390,738
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	1,642,933
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	9,089
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	25,488
Other Local Income -List source(s)	-
Total for Charges For Services	34,577
Total for Local Government	3,697,222
Investment Earnings	
Interest Income	6
Other Investment Income - List source(s)	-
Total for Investment Earnings	6
Other Sources (Grants & Contributions)	
Non-Profit Organizations	24,168
Private Organizations	207,000
Corporate	-
Other - List source(s)	18,895
Total for Other Sources (Grants & Contributions)	250,062
Total for REVENUE	6,315,368



District 41 CY2014	Total CY2014
District Defender: Derwyn Bunton	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	4,411,323
Accrued Leave	15,181
Payroll Taxes	350,592
Hospitalization and Disability Insurance	520,159
Retirement	-
Other	-
Total for Personnel Services and Benefits	5,297,255
Travel/Training	
Parking/Auto Tolls	2,215
Travel/Lodging/Per Diem/Mileage	51,843
Total for Travel/Training	54,058
Operating Services	
Advertisements	-
Workers' Compensation	9,061
Insurance - Malpractice	49,298
Insurance - Auto/Physical Liability	8,896
Insurance - Other	-
Lease - Office	264,000
Lease - Auto/Equipment	5,193
Lease - Other	-
Office Repair and Maintenance	11,038
Office -	
Telephone/Utilities/Postage/Internet	59,474
Dues and Seminars	28,567
Law Library/Journals/Subscriptions	33,092
Office Supplies	52,929
Total for Operating Services	521,547
Professional Services	
Audit/Accounting Expense	26,819
Contract Clerical	-
Expert Witness	38,317
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	42,779
Conflict	214,542
Contract - Juvenile Attorneys or CINC	22,000
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	-
IT/Technical Support	71,100
Total for Professional Services	415,557
Capital Outlay	
Major Acquisitions	20,366
Total for Capital Outlay	20,366
Other Charges	
Other Operating Expenses	89,141
Total for Other Charges	89,141
Total for EXPENDITURES	6,397,924

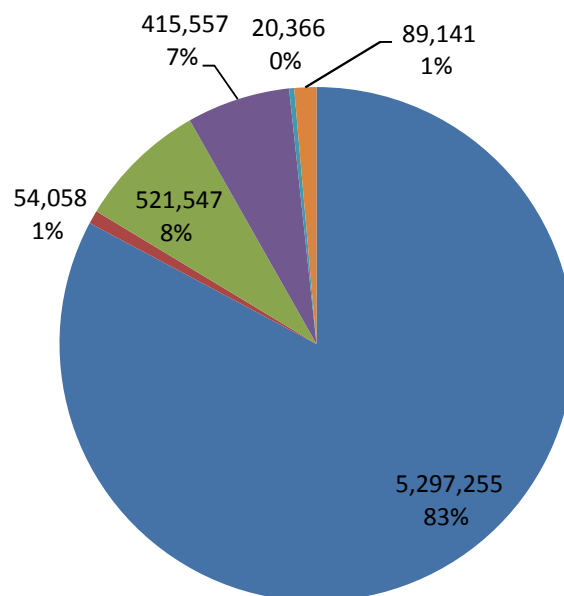
## Total CY14 Revenues

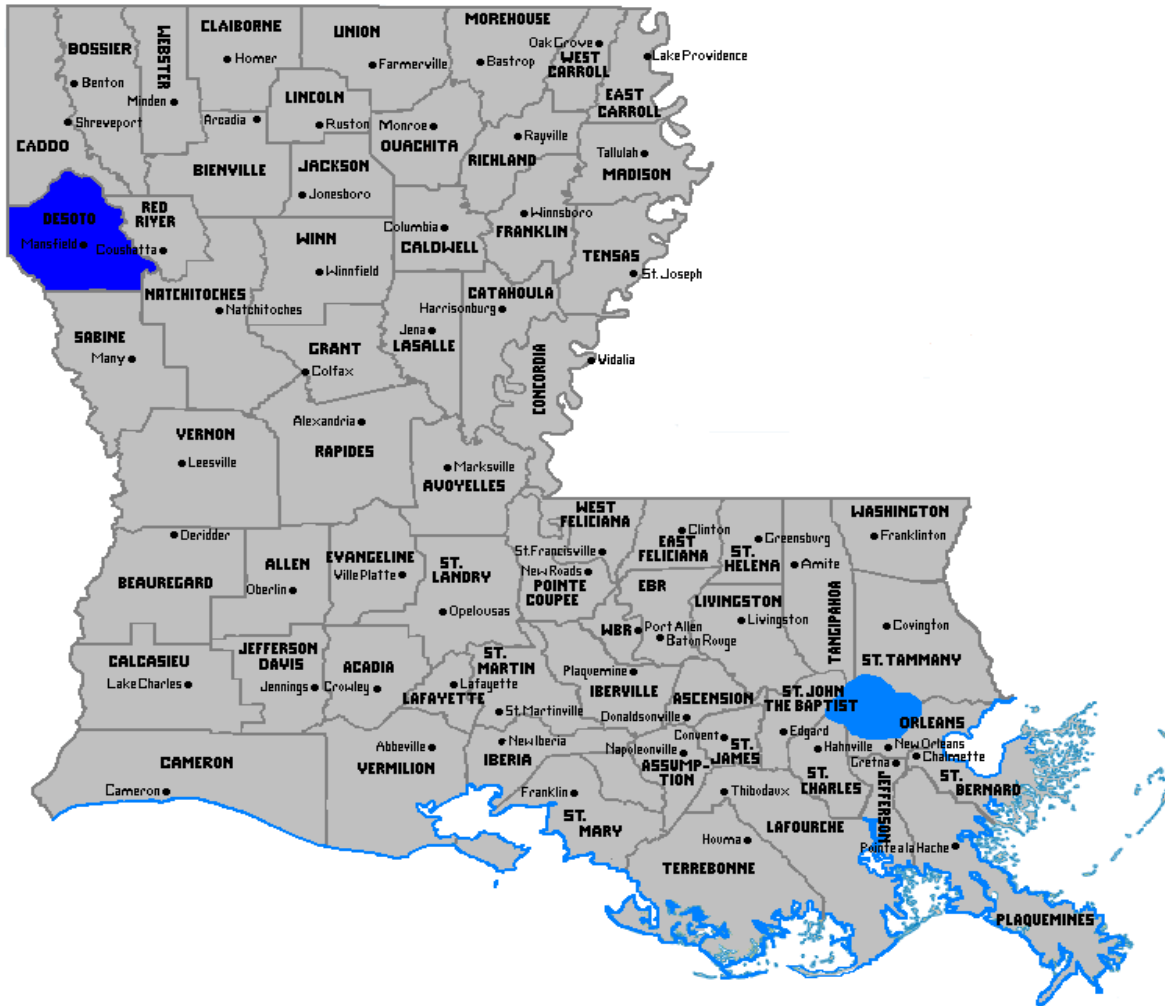
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





THE 42<sup>ND</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
DE SOTO (MANSFIELD)

DISTRICT DEFENDER: STEVEN R. THOMAS  
111 NORTH WASHINGTON AVENUE  
MANSFIELD, LA 71052  
(318) 872-6250

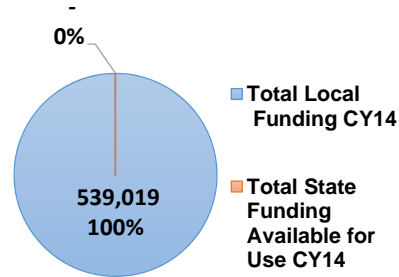
## 42ND JUDICIAL DISTRICT DESOTO PARISH

During calendar year 2014, the 42nd Judicial District Public Defenders Office handled 1,538 cases. Traditionally self-reliant, the 42nd PDO's local revenues have slowly increased since FY11, primarily from traffic tickets and special court costs, with a notable FY13 increase during the Haynesville Shale Natural Gas Boom.

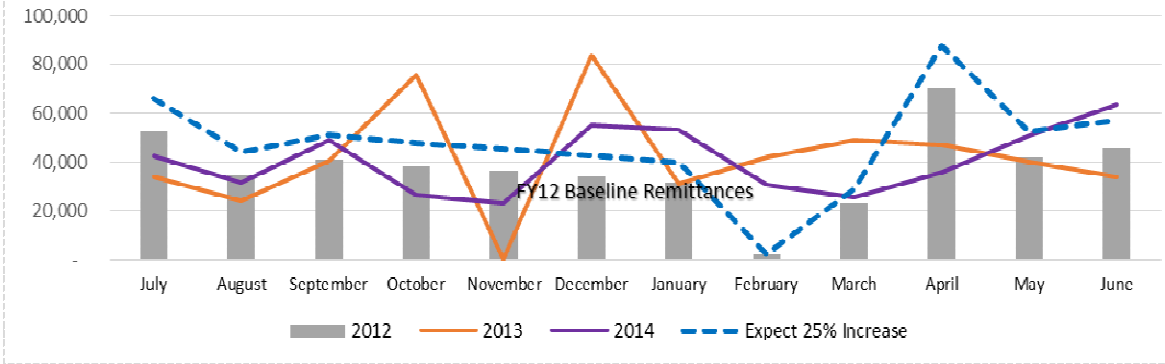
From FY11 to FY14 expenditures have remained relatively constant resulting in Fund Balance accruals. By virtue of a Cooperative Endeavor Agreement with the 11th PDO following the creation of the 42nd, the fund balance of both districts are shared. The shortfalls in the 11th are slowly depleting gains in the 42nd.

Since the passage of Act 578 (2012) in the 42nd PDO, the expected 25% increase in local revenues has frequently failed to materialize. Act 578 revenue expectations were met or exceeded in only 8 out of 24 months during FY13 and FY14, as shown in the graph below.

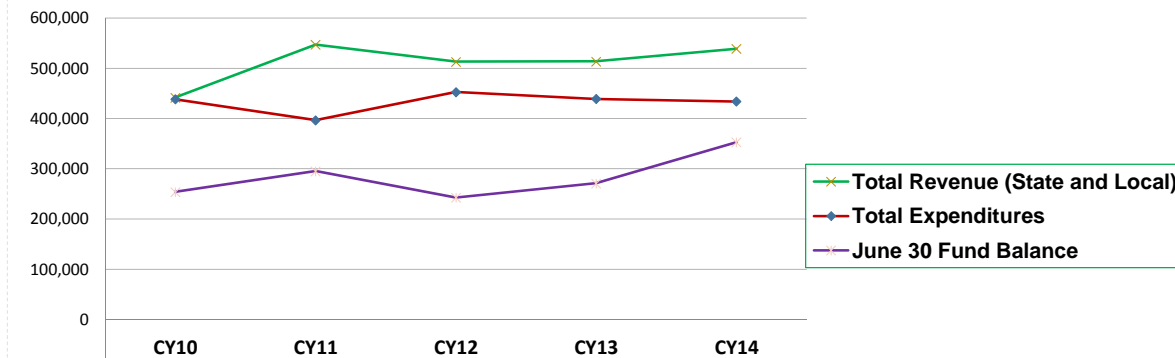
**District 42 PDO Revenue  
Sources CY14**



**Impact of Act 578 on District 42 PDO**



**District 42 PDO Finances CY10-14**





## THE 42ND JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	DeSoto-Mansfield
<b>Population</b>	26,656
<b>Juvenile Population</b>	6,650
<b>District Defender</b>	Steven R. Thomas
<b>Years as District Defender</b>	15
<b>Years in Public Defense</b>	34
<b>Office Manager</b>	Cheri Sewell
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Cheri Sewell, Valerie Wells & Pam Mathis
<b>Primary Office Street Address</b>	111 North Washington
<b>City</b>	Mansfield
<b>ZIP</b>	71052
<b>Primary Phone</b>	318-872-6250
<b>Primary Mailing Address</b>	P.O. Box 1004 Mansfield La. 71052
<b>Primary Fax Number</b>	318-872-6262
<b>Primary Emergency Contact</b>	Steven R. Thomas
<b>Primary Emergency Phone</b>	Cell 318-465-7001
<b>Secondary Emergency Contact</b>	Brian McRae
<b>Secondary Emergency Phone</b>	cell 318-286-2486
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	Brian McRae cell 318-286-2486
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Steven R. Thomas
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Donated by Steven R. Thomas
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Deborah Dees CPA
<b>Courts and Locations</b>	42nd JDC Desoto Parish, Mansfield, Juvenile and Mayor's court in Mansfield, Stonewall and Logansport, La.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Two CDC Divisions; Three Mayor's Court- Mansfield, Logansport, Stonewall
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	All 72 hour hearing forms are sent to District Defender who assigns attorneys.
<b>Name of Adult Detention Facilities in This District</b>	DeSoto Parish Detention Center, 205 Franklin Mansfield La. 71052
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	N/A

<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center, Coushatta La.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, distance from clients impacts access and greatly increases costs for attorneys, mileage, etc.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Gary Evans takes office 1/12/15
<b>Chief Judge of Criminal District Court</b>	Robert Burgess
<b>Juvenile Court Judges (Specify District of City Court)</b>	Robert Burgess
<b>Drug Court Judges</b>	N/A
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Subsequently, after questionnaire by district defender.
<b>When is Assignment/Appointment of Counsel Made?</b>	Within 72 hours of Notice to PD office.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Brian C. McRae, Intake Attorney.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Primarily by teleconference within 72 hours of Notice of appointment.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	405
<b>How Many Application Fees Were Waived?</b>	190
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2014</b>	8,960
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2014</b>	516,394
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Form provided by Desoto Sheriffs Department.
<b>Who Collects the Assessed Court Fees?</b>	Desoto Sheriffs Office

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Check stub from Desoto Sheriffs Department and copy of disbursement form.
<b>Who Remits the Court Fees Collected?</b>	Desoto Parish Sheriff
<b>to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Check stub from Desoto Parish Sheriff and disbursement form.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	District Defender makes determination.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Provided by probation office/form.
<b>Who Collects the Assessed Partial Payments?</b>	Probation Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Report from Probation Office
<b>Who Remits the Partial Payments Collected?</b>	Probation Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Report from probation office.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY14</b>	10,270
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private practice is permitted for contract attorneys. No it is not in writing.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes (see attached)
<b>Primary Immediate Needs</b>	More funding.
<b>Do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY14, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Uncertainty in revenue source makes it difficult to plan and impossible to grow/improve my program. Poor revenue from Sabine is getting progressively worse and any reduction in DAF would force us to reconsider the fairness of the agreement and the practical/moral basis for continuing it.
<b>Long-Term Critical Issue Areas</b>	More funding.
<b>Please List All New Hires in 2014 (Name and Title)</b>	None
<b>Please List All Promotions in 2014 (Name and Title)</b>	None
<b>2014 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2015</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	We have quarterly training.

<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chief Defender- Steven R. Thomas, Assistant District Defender- Brian C. McRae, and staff contract attorneys.
<b>Have Any New Job Titles Been Added to Your District Office in 2014? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	See attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Supervisory staff has reduced caseload.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, quarterly training, staff meetings for attorneys, bi-monthly staff meetings for support staff.
<b>Number of NEW capital cases in CY14 handled by your office</b>	Two "capital" cases are being handled by staff (non-certified).
<b>Number of pending capital cases (received prior to CY14) handled by your office during CY14?</b>	None
<b>Number of Appeals Your District Handled in 2014 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2014</b>	2
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2014</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Both attorneys responsible for representation in juvenile delinquency cases also handle adult felonies. The case stays with them.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Cherri Cheek, Senator; Richard Burford, State Representative
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Attorney dissatisfaction due to changes in the 307 board
<b>What Changes Have You Implemented in Your District Office in 2014 That Have Improved the Delivery of Public Defender Services?</b>	Improved in house training for attorney's and staff.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Steven R. Thomas	318-465-7001
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Brooks Greer	318-671-4360
Charles H. Kammer, III	318-222-0293
Pugh H. Huckaby, III	318-222-0293
Shante' Wells	318-841-1233
Angela Waltman	318-865-3899



<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Kem Jones	318-872-2988
Maura Dees	318-872-3007
Cheri Sewell	318-872-6250
Pam Mathis	318-872-6250
Valerie Wells	318-872-2973

## 2014 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Valerie Wells
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2013 (Word, Excel, etc.)	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Firefox	x
Google Chrome	
Other	

<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	0
DVD	1
VCR	0
Desktop PCs	5
Laptops	3
Video Cameras	0
Digital Cameras	0
Video Conferencing Systems	2
B&W Laser Printers	0
Color Printers	0
Wireless Cards	0
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	0
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	
No Internet Connection	
Connection Speed:	High
Provider Name:	cp-tel
Email Provider:	cp-tel
Please list any software or computer equipment in which you need training:	

## 42nd District Defender Office CY 2014 Caseloads & Outcomes

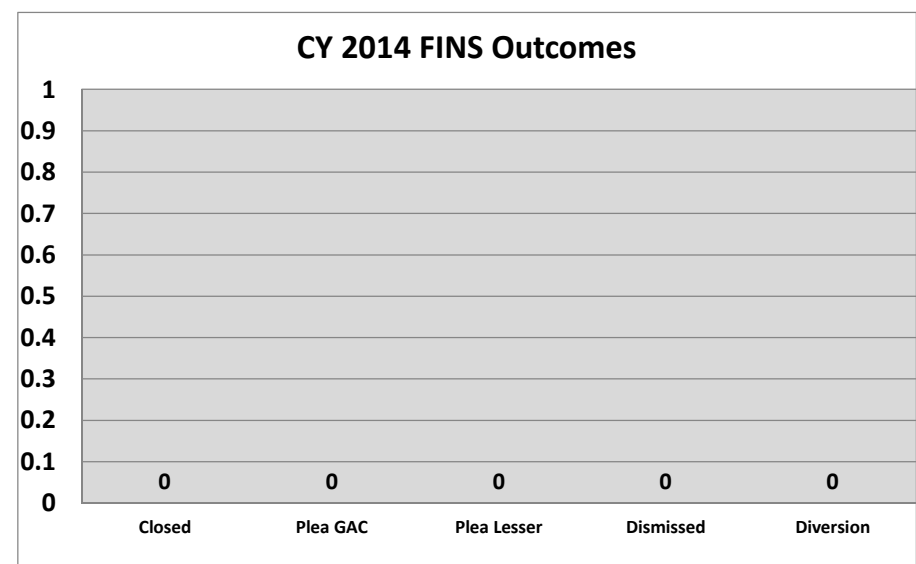
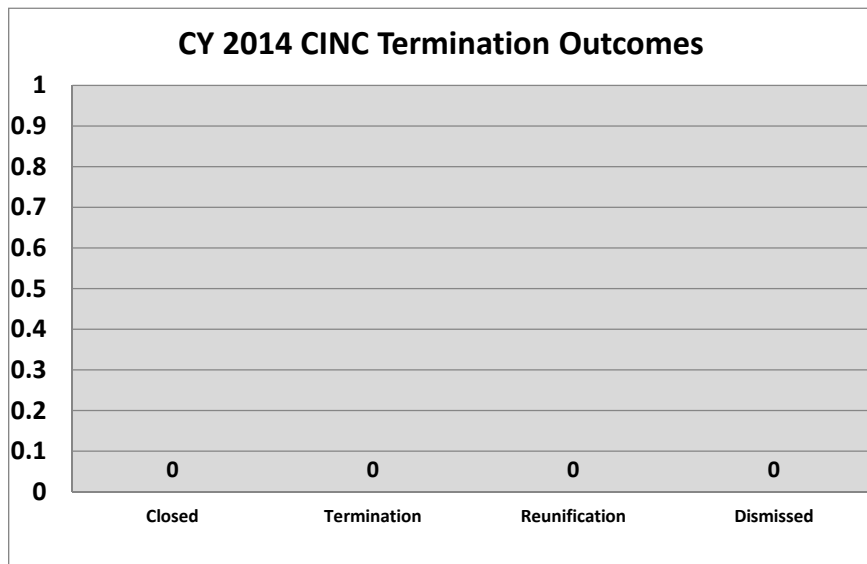
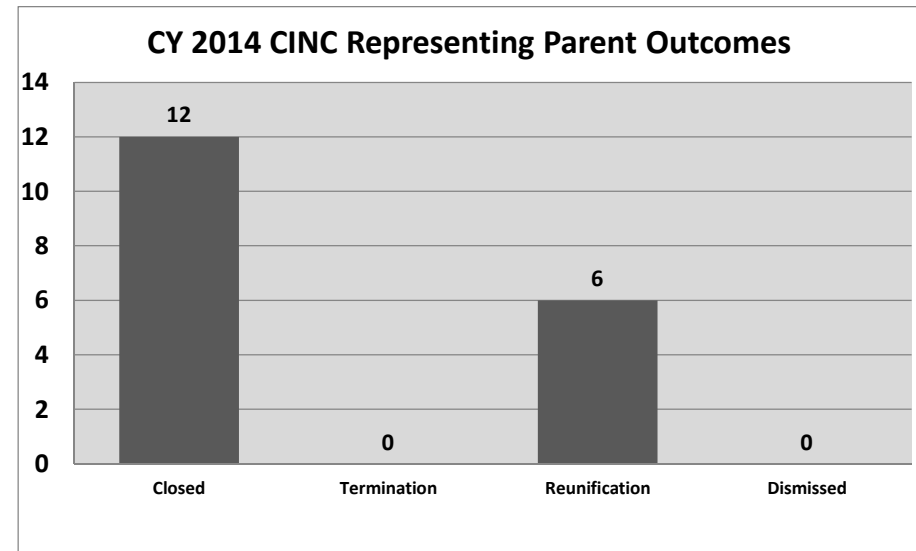
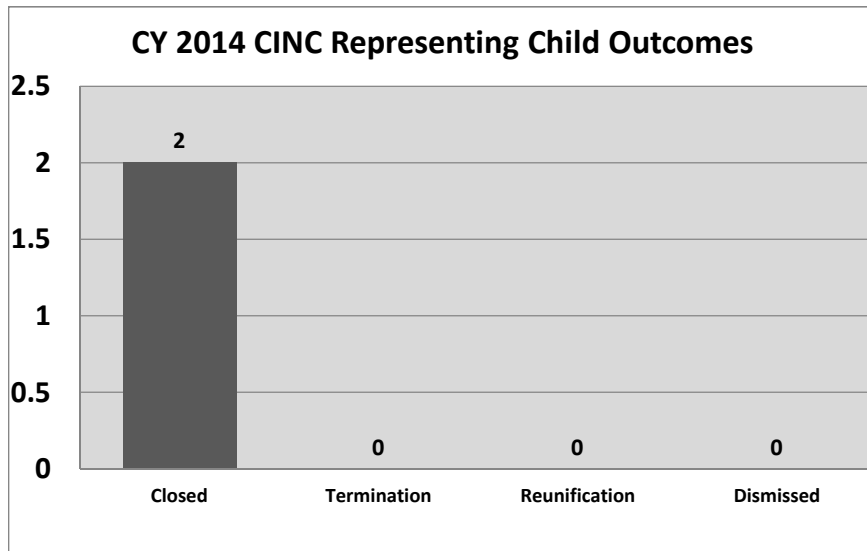
Case Type	New Cases 01/1/2014- 12/31/2014	Closed Cases 01/1/2014- 12/31/2014	Pending Cases* (# of Cases pending on 12/31/2013)	# of Cases pending on 12/31/2013 plus New Cases Received 01/1/2014- 12/31/2014	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	2	4	4	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	12	12	18	30	0	6	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	35	46	18	53	N/A	N/A	25	1	7	9	N/A	N/A	0	0	0
Delinquency Felony	21	25	7	28	N/A	N/A	18	2	1	0	N/A	N/A	0	1	1
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	546	367	138	684	N/A	N/A	124	15	300	1	0	0	2	2	4
Adult Felony Non-LWOP**	409	414	188	597	N/A	N/A	91	114	269	6	1	7	0	9	17
Adult LWOP	0	2	2	2	N/A	N/A	0	2	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	115	100	24	139	N/A	N/A	0	0	10	0	N/A	N/A	N/A	N/A	0
PCR	0	1	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	0	1
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

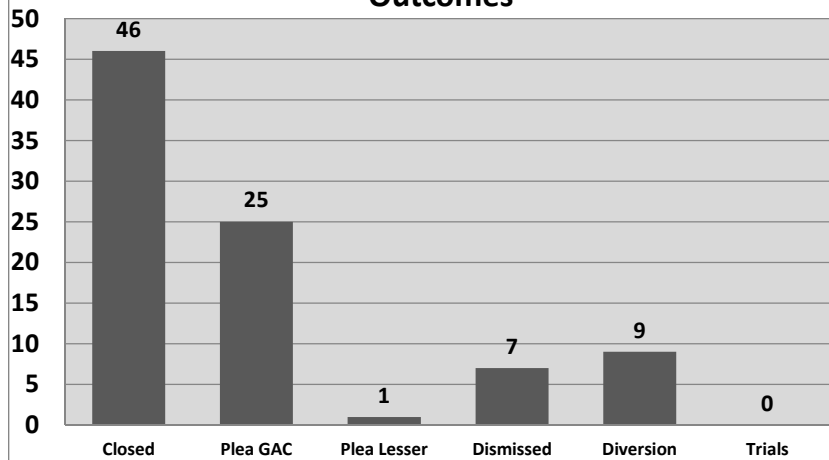
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

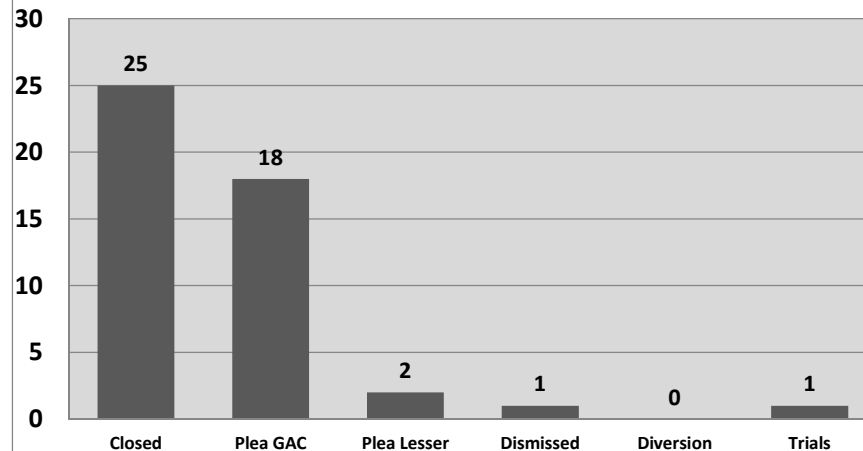
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



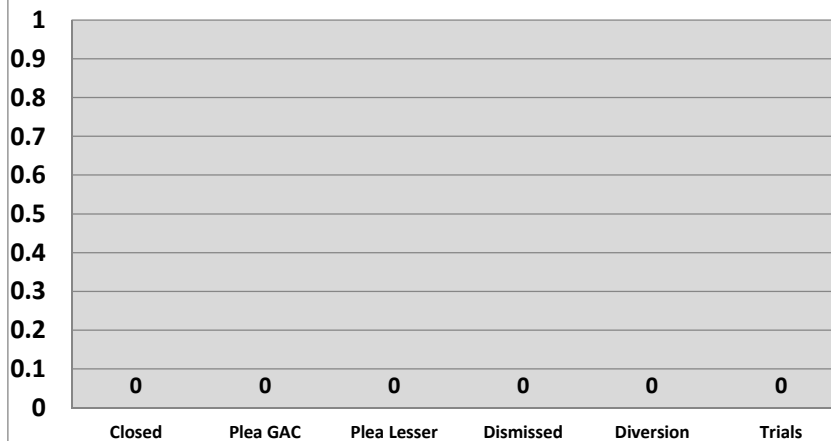
**CY 2014 Delinquency Misdemeanor-Grade Outcomes**



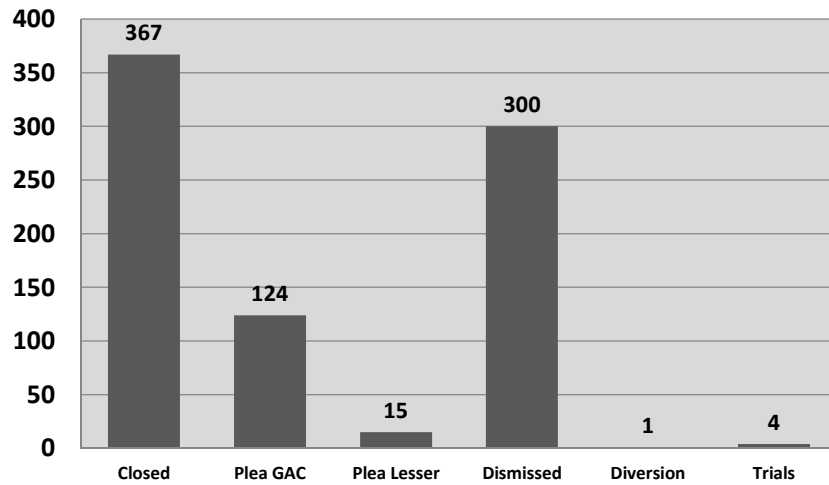
**CY 2014 Delinquency Felony-Grade Outcomes**



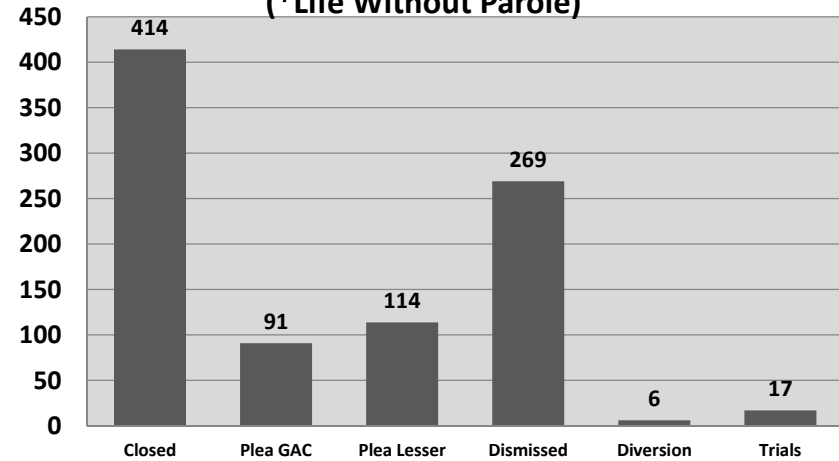
**CY 2014 Delinquency Life Outcomes**



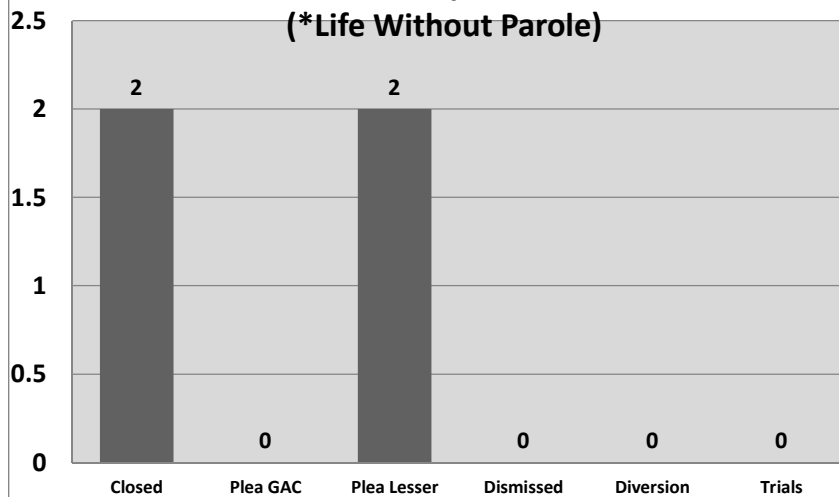
**CY 2014 Adult Misdemeanor Outcomes**



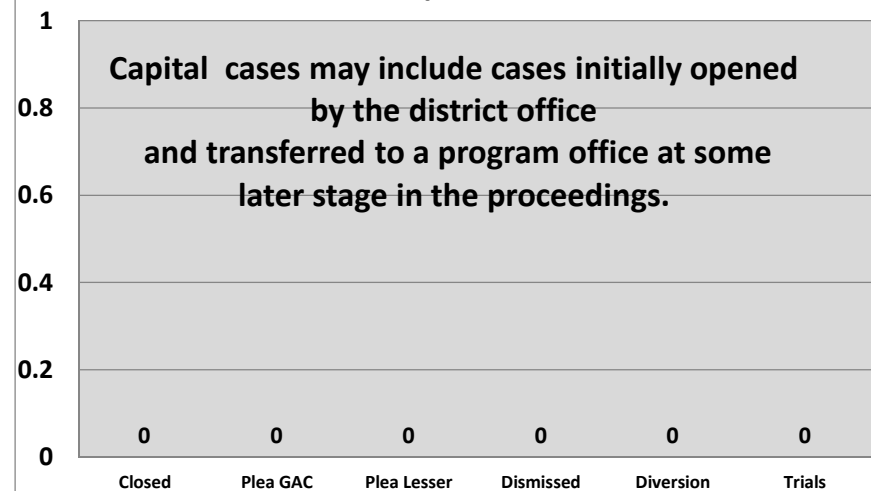
**CY 2014 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2014 Capital Outcomes**



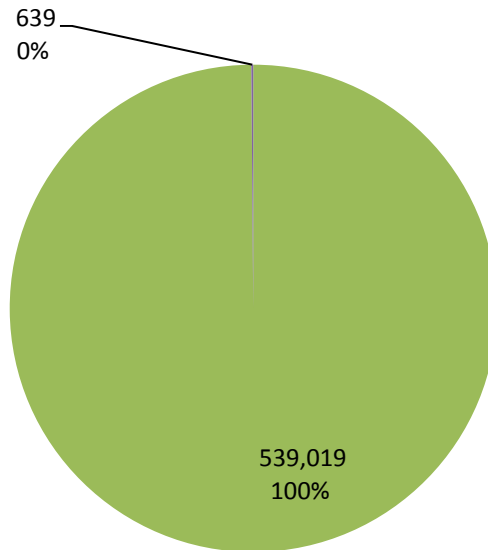
District 42 CY2014	Total CY2014
District Defender: Steven Thomas	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	-
District Assistance Fund (DAF)	-
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	8,500
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	18,320
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	500,652
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	500,652
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	9,680
Partial Attorney Fees	
Reimbursements [as per 15:176]	1,641
Other Reimbursements	226
Other Local Income -List source(s)	-
Total for Charges For Services	11,548
Total for Local Government	539,019
Investment Earnings	
Interest Income	639
Other Investment Income - List source(s)	-
Total for Investment Earnings	639
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	539,658



District 42 CY2014	Total CY2014
District Defender: Steven Thomas	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	46,500
Accrued Leave	-
Payroll Taxes	3,557
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	50,057
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	7,706
Total for Travel/Training	7,706
Operating Services	
Advertisements	351
Workers' Compensation	239
Insurance - Malpractice	2,255
Insurance - Auto/Physical Liability	-
Insurance - Other	1,260
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	4,283
Dues and Seminars	1,188
Law Library/Journals/Subscriptions	1,364
Office Supplies	1,502
Total for Operating Services	12,441
Professional Services	
Audit/Accounting Expense	5,025
Contract Clerical	-
Expert Witness	850
Investigators	15,000
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	1,500
Contract - Juvenile Attorneys or CINC	30,000
Misdemeanor Attorney Contracts	36,000
Contract Attorneys - all other	272,781
IT/Technical Support	849
Total for Professional Services	362,005
Capital Outlay	
Major Acquisitions	1,614
Total for Capital Outlay	1,614
Other Charges	
Other Operating Expenses	-
Total for Other Charges	
Total for EXPENDITURES	433,824

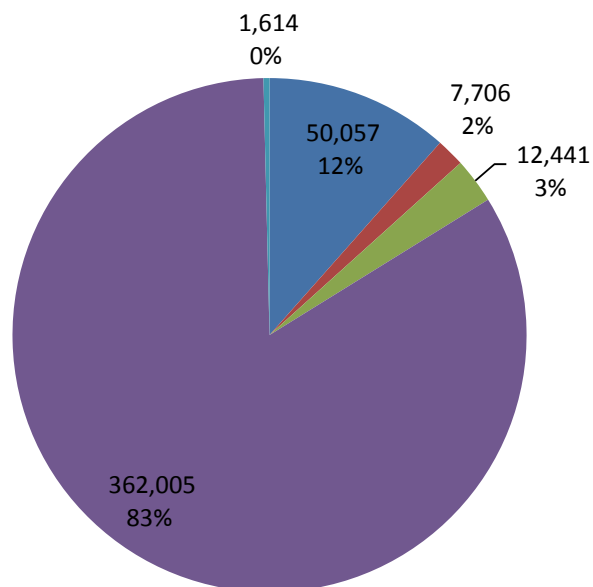
## Total CY14 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY14 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





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# LOUISIANA PUBLIC DEFENDER BOARD



EQUAL JUSTICE FOR ALL

John Bel Edwards  
Governor

Judge Robert J. Burns (Ret.)  
Chairman

James T. Dixon, Jr.  
State Public Defender

January 28, 2016

The public defense system in Louisiana has been persistently underfunded since its inception. In 2012, the Louisiana Public Defender Board (LPDB) sought additional funding from the legislature. It was known, even then, that the present funding mechanism for the individual districts was inadequate, unstable, and unreliable. At that time, we forecasted a financial crisis should additional funding not be forthcoming. The Louisiana legislature responded to this notice of crisis by increasing funds due to the local districts from \$35 to \$45 pursuant to R.S. 15:168. It should be noted that, on average, 66% of a district's funding is raised locally and stays in the district with a majority of local funding being raised through fees received from traffic tickets. The LPDB merely supplements these locally raised fees and fines. It was anticipated that locally generated revenues would increase by 25%. The expected end result was an increase of approximately \$8,000,000 in local funding, annually, which would have resolved the matter and avoided the crisis foretold. Unfortunately, this increase has been offset, and often surpassed, by the decrease in court filings in the individual district throughout the state. As a result, the financial crisis we anticipated in 2012 has not been averted, as intended by the legislature. Instead, we are experiencing financial crises in more than 10 districts and we expect that number to increase as we go forward.

The reformation of public defense in Louisiana is an on-going process. It began with the passage of the Louisiana Public Defender Act in 2007, re-organizing an antiquated delivery system for indigent defense. The previous delivery system all too often culminated in a "meet, greet and plea" system whereby defense counsel was reduced to the role of a mere presence during a plea, rather than an advocate for the client. The Act also established the independence of the defense function from its historical control by the judiciary, prosecutors, and local offices. These shortcomings in the indigent defense system contributed to Louisiana's dubious status of having the highest incarceration rate in the entire world and one of the highest per capita exoneration rates in the country.

With the Louisiana Public Defender Act, we have been able to pass new standards for the delivery of public defense. The quality of public defense has risen statewide; however, public defense remains severely underfunded. The map below indicates each district (in red) that has received one of various forms of emergency assistance from the LPDB since 2010 to avoid financial crisis.

## LPDB's Results

- As of August 2015, policies and procedures implemented by LPDB have prevented financial crisis in 31 of the state's 42 Public Defender Offices (districts in red) at least once between 2010 and 2015.



The primary problem facing funding for the districts is a local one. A majority of local funds are derived from traffic tickets. LPDB has no control over traffic enforcement or prosecution. Law enforcement can unilaterally reduce traffic enforcement. Traffic cases can be diverted so that no proceeds reach the public defender in the district. These funds can be reduced by severe weather, elections and other political vagaries, judicial action, reductions in road traffic, and the lack of interstate or major highways in a particular jurisdiction. Further, district offices are entirely reliant upon their counterparts in the criminal justice system to collect and remit the fines and fees needed to operate their respective offices.

For the district defender offices to receive any funds from traffic tickets, there must be a filing of the case in court. We now have data from the Louisiana Supreme Court that establishes a marked decrease in the filing of ticket cases in both city and district courts. This has been a steady decrease from 2009 to 2014. During that period, there was a 24% decrease in ticket filings in district courts throughout the state, for an aggregate total of 117,691 fewer filings. There has been a 31% decrease in ticket filings in city courts, statewide, for a decrease of 237,808 filings. In total, there has been a decrease of 29% in ticket filings with an aggregate decrease in filings of 355,499. Pursuant to R.S. 15:176, the districts are to receive \$45 per conviction in traffic cases. If tickets are not filed, revenue cannot be generated. In 2014, we know that the local districts collected on about 47% of the tickets filed. When we compare the ticket filings in 2009 to those in 2014, we are able to determine that the districts lost approximately **\$7,518,803** in revenues due to the decrease in ticket filings, in 2014 alone. This loss in revenues would be sufficient to avoid restrict of services in the districts.

Individual districts have been hit particularly hard. The 20<sup>th</sup> district as seen a 79% decrease in ticket case filings. This is a district that was required to enter restriction of services. The 19<sup>th</sup> district has seen a 39% decrease in city court traffic filings. The 26<sup>th</sup> district has seen a 38% decrease in traffic filings in district court and a 67% decrease in city courts. The 23<sup>rd</sup> district has seen a 60% decrease in district court and a 25% decrease in city courts. The 39<sup>th</sup> district has seen a 55% decrease in traffic filings. These are all districts in restriction of services. The 18<sup>th</sup>, 22<sup>nd</sup>, 34<sup>th</sup> and 37<sup>th</sup> districts have seen decreases between 36 and 53% in traffic filings in their courts.

As we did last year, we have been monitoring the district closely to determine who might be threatened with fiscal shortfalls during the course of the year. With adequate notice, many districts were able to avoid restriction of services in the past. It is becoming increasingly difficult for districts to avoid this crisis.

The Board has been actively seeking solutions to this crisis. We sought legislation to increase special court costs dedicated to public defense from \$35 to \$55. The legislature responded and approved an increase, but only to \$45. It was anticipated this would result in a 25% increase in local funding and solve the financial shortfall for most, but not all districts. Due to the volatility of this funding stream, as mentioned above, the 25% expected increase in revenues did not materialize and we remained underfunded. The Board has adopted policies requiring districts to spend down fund balances to a percentage of annual expenditures. This allowed for the distribution of available funds to districts in trouble and lacking a fund balance in order to avoid financial failure. It also developed a District Assistance Fund Adjustment Formula which withheld a portion of state funds from districts accruing funds, allowing for the re-allocating of those funds to districts in need. The Board has initiated policies that allow districts to keep any specially appropriated money obtained from local governments in a manner that will not affect the funding received from the state. When necessary, we have initiated litigation in districts where funding was unlawfully diverted from public defense. The staff has been actively pursuing an outreach program whereby we have conducted strategic meetings to educate and discuss possible solutions with stakeholders, including but not limited to the Governor's Office, the Louisiana Supreme Court, State Senators and Representatives, Louisiana District Attorney Association, local government and judges.


Despite our best efforts, the crisis in Louisiana Public Defense worsens. More districts are entering a restriction of services. These districts do not have sufficient funding to provide all of the services they have provided in the past and must, therefore, limit or eliminate some of those services. This has taken a number of forms. Many district have had to limit the number of cases they accept. To do otherwise would result in caseloads so high as to render their lawyers' representation ineffective, in violation of state statutes, the state and federal constitutions, and the Louisiana Rules of Professional Conduct. Placing a limit on the cases accepted by a Public Defender Office, in some instances, has resulted in waiting lists, leaving criminal defendants unrepresented until defenders are available to represent them. This also leaves the State open to legal attack and litigation regarding the right to counsel. In some larger districts, the local bar has been called upon to handle cases, *pro bono*. This has led to litigation by attorneys being asked to provide legal services without pay. All of these restriction of services plans could result in the widespread release of those incarcerated on charges for which they do not have an attorney pursuant to *State v. Citizen*, 2004-1841, (La.4/1/05), 898 So.2d 325. This has become a public safety issue. We are also concerned that the lack of funding for public defense could result in federal litigation, resulting in the creation of a federal remedy imposed and overseen by the federal courts.

Our agency has established an outreach program whereby we actively seek out our partners in the criminal justice system and in state government to inform them of the upcoming crisis and to discuss possible solutions to the situation. We have contacted the Governor's Office, the Louisiana Supreme Court, State Senators and Representatives, District Attorneys, Judges, local



government officials, and civic groups in an attempt to avoid this calamity. We will continue to work with all interested parties in finding a solution to protect our clients and our community.

Thank you.



James T. Dixon, Jr.  
State Public Defender  
Louisiana Public Defender Board

## **LPDB CY 2015 RECOMMENDATIONS FOR NEEDED CHANGES IN THE LAW**

- 1) Creation of a Stable, Sufficient Funding Source for Public Defense
- 2) Reauthorization of \$10 Increase in court costs in La. R.S. 15:168

In 2012, the legislature authorized an increase in court costs from \$35 to \$45 payable to the local indigent defender funds for all convictions in courts of the state. That increase is scheduled to expire and the assessment will revert back to \$35 per conviction. With a historic drop in traffic ticket filings, the primary engine for local funding for public defense around the state, a decrease in court costs will do great harm to local public defender capacity.

- 3) Explicitly provide that case-specific information and case-specific records obtained by executive staff are privileged, confidential, and protected from disclosure or discovery
- 4) Reclassification of Misdemeanors

In conjunction with the Louisiana State Bar Association's 2015 Mid-Year Meeting of the House of Delegates and the passage of Resolution 8 and the 2010 LSBA resolution, the Louisiana Public Defender Board urges the legislature to refer the study of reclassification of certain misdemeanors to the Louisiana Law Institute. In light of the cost of representation, the extensive collateral consequences of misdemeanor convictions and their impact on citizens' ability to join or remain in the workforce, reclassification of selected misdemeanors potentially could save the state millions of dollars.

- 5) Redefinition of "Child"/Raise the Age

In keeping with modern neuroscience and child and adolescent development theory, the LPDB staff recommends the legislature amend Children's Code Art. 804(1) to change the definition of a child to "any person under the age of twenty-one, including an emancipated minor, who commits a delinquent act before attaining eighteen years of age." This will raise the maximum age of juvenile court jurisdiction to eighteen years of age which is more consistent with principles of academic development. Provisions for transfer of serious offenses to adult court would be unaffected.

- 6) Hold children in juvenile detention instead of adult jail

In keeping with modern neuroscience and child and adolescent development theory, the LPDB staff recommends the legislature amend Children's Code Art. 305 and 306, as well as any other changes necessary, to allow children under the age of 18 who are being prosecuted in adult court and are being held in pre-trial detention to be housed in facilities for juveniles.

## **LPDB CY 2015 RECOMMENDATIONS FOR NEEDED CHANGES IN THE LAW**

### **7) Eliminate indiscriminate shackling of children in delinquency cases**

In keeping with modern neuroscience and adolescent development theory, and with applicable principles of Due Process, the LPDB staff recommends the legislature add the following language to an appropriate article in the Children's Code:

1. Instruments of restraint, such as handcuffs, chains, irons, or straitjackets, cloth and leather restraints, and other similar items, may not be used on a child during a court proceeding and must be removed prior to the child being brought into the courtroom and appearing before the court unless the court finds that:

(A) The use of restraints is necessary due to one of the following factors:

- (i) Instruments of restraint are necessary to prevent physical harm to the child or another person;
- (ii) The child has a history of disruptive courtroom behavior that has placed others in potentially harmful situations or presents a substantial risk of inflicting physical harm on himself or herself or others as evidenced by recent behavior; or
- (iii) There is a founded belief that the child presents a substantial risk of flight from the courtroom; and

(B) There are no less restrictive alternatives to restraints that will prevent flight or physical harm to the child or another person, including, but not limited to, the presence of court personnel, law enforcement officers, or bailiffs.

2. The court shall provide the juvenile's attorney an opportunity to be heard before the court orders the use of restraints. If restraints are ordered, the court shall make written findings of fact in support of the order.
3. Any restraints shall allow the child limited movement of the hands to read and handle documents and writings necessary to the hearing. Under no circumstances should a child be restrained using fixed restraints to a wall, floor or furniture.

### **8) Convert Life Without Parole Sentences for Offenders Who Were Under 18 Years Old at the Time of Offense**

Automatically converting all Juvenile LWOP sentences to provide the parole eligibility provided to some such offenders will save the state multiple millions of dollars in litigation costs in the eventuality that the United States Supreme Court applies the rule of *Miller v.*

## **LPDB CY 2015 RECOMMENDATIONS FOR NEEDED CHANGES IN THE LAW**

*Alabama*, 576 U.S. \_\_\_\_ (2012) retroactively. This can be accomplished by amending R.S. 15:574.4(E)(1) as follows:

(E)(1) Notwithstanding any provision of law to the contrary, any person serving a sentence of life imprisonment for a conviction of first degree murder or second degree murder who was under the age of eighteen years at the time of the commission of the offense shall be eligible for parole consideration pursuant to the provisions of this Subsection if all of the following conditions have been met:

(a) The offender has served thirty-five years of the sentence imposed.

(b) through (g): [a number of other provisions limiting parole eligibility]

This would be coupled with a repeal of Code of Criminal Procedure Article 878.1, which would no longer be necessary.

Providing new sentencing hearings to these inmates will be extremely costly, and success in those hearings means only that the inmates are eligible for parole consideration. There is no guarantee that parole will be granted. If the parole authority determines that certain offenders may be released without compromising public safety, this will provide the state with further savings of incarceration costs.

## **2015 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION (as required by La. R.S. 39:31)**

*The mission of the Louisiana Public Defender Board is:*

In pursuit of equal justice, the Louisiana Public Defender Board (LPDB) advocates for clients, supports practitioners and protects the public by continually improving the services guaranteed by the constitutional right to counsel. Through its commitment to performance standards, ethical excellence, data-driven practices and client-centered advocacy, LPDB oversees the delivery of high quality legal services affecting adults, children and families, and supports community well-being across Louisiana.

*The vision statement of the Louisiana Public Defender Board is:*

The Louisiana Public Defender Board (LPDB), a recognized leader in the delivery of client-centered legal representation services, is a dynamic and engaged partner in local, state and national criminal and juvenile justice systems. LPDB and its public defender offices prevent wrongful conviction, protect due process and constitutional rights, increase public safety, promote fiscal responsibility, and support economic growth throughout Louisiana.

**Goal 1/4) LPDB will attain adequate budgetary and other resources that are essential for the delivery and supervision of the high quality, ethical legal defense representation services on behalf of LPDB's indigent adult and juvenile clients throughout the state of Louisiana.**

- Submitted FY 16 budget request to the Division of Administration for Legislative consideration (\$33,383,626 appropriation).
- Awarded nearly \$120,000 from the Laura and John Arnold Foundation to conduct an empirical case weighting study which will implement timekeeping among public defenders and update Louisiana's caseload standards.
- Procured and successfully completed all deliverables for the Louisiana Commission on Law Enforcement and the Administration of Justice (LCLE) Grant (\$126,309).
- Procured a grant to contract with an auditor to conduct audits of multiple public defender offices, which included corrective action plans, as appropriate.
- Supported a grant application (approval pending) for the 32<sup>nd</sup> District PDO from the National Juvenile Defender Center to fund a post-dispositional fellowship in the juvenile division.
- Conducted 16 full-scale compliance site visits in the 1<sup>st</sup>, 5<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 15<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup>, 22<sup>nd</sup>, 23<sup>rd</sup>, 25<sup>th</sup>, 26<sup>th</sup>, 34<sup>th</sup>, 37<sup>th</sup>, 39<sup>th</sup>, and 41<sup>st</sup> Judicial Districts to verify and improve accuracy in reporting, assess the quality of representation, and evaluate the office's internal practices and standing in the criminal justice and juvenile justice communities.
- Observed court proceedings in 5 districts in addition to those as part of site visits, including the 17<sup>th</sup>, 21<sup>st</sup>, 24<sup>th</sup>, 27<sup>th</sup>, and 40<sup>th</sup> districts.
- Maintained online financial and personnel compensation reporting tools.
- Continued monthly financial reporting of all Monthly Financial Reports submitted by the districts.

## **2015 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION (as required by La. R.S. 39:31)**

- Continued to use a “needs-based” budget request process to identify a statewide public defense budget that incorporates national workload standards and other identified essential expenses.
- Printed (with LCLE grant funds) the *Trial Court Performance Standards*.

### **Goal 2/4) LPDB will cultivate a technologically proficient defender community that utilizes up-to-date data-driven practices in its case management and systemic advocacy.**

- Maintained district online monthly financial and personnel compensation reporting and district budget request tools, which integrate with the case management system and the district-level dashboard reports (developed in 2013), and offered technical support as needed.
- Maintained an online SOAP invoicing tool for SOAP line attorneys statewide which improved the efficiency and oversight of SOAP representation expenses with support from the Budget Division.
- Maintained a fully web-based Continuity of Operations Plan (COOP) communications system which allows displaced and mobile district management to e-message with state-level officers, board members, and with each other from any computer or handheld device with internet access (permitting them to communicate and update contact information in an online database in real-time as often as needed), and conducted a successful training-drill with the district offices and program offices.
- Continued to develop a prototype for a revision of capital case data collection on the database to better follow the unique flow of capital criminal procedure and presented to key users.
- Continued the grant-funded project of developing step-wise mandatory data collection fields.
- Developed an Information Technology Strategic Plan, through grant funding.
- Began the process of creating an Information Technology Advisory Council of data entry specialists from the districts.
- Developed, through consultation with the American Bar Association’s Children’s Law Division, a series of data points to capture in Child in Need of Care cases to measure quality of representation and the courts’ responses to children’s needs.
- Supported the Institute for Public Health and Justice’s data-driven study of the potential impact of raising the age of jurisdiction of adult criminal court from 17 years of age to 18 years of age.
- Supported the 32<sup>nd</sup> District PDO’s application for a grant from the National Juvenile Defender Center for a post-dispositional fellowship using data gathered from the field and housed in LPDB’s data collection system.

### **Goal 3/4) LPDB will create and offer a statewide training and learning program for attorneys and non-attorney professionals that develops, promotes and supports their delivery across the state of effective, high quality legal representation services for all adult and juvenile clients.**

## 2015 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION (as required by La. R.S. 39:31)

- Conducted the annual Juvenile Defender Training in January 2015 in Baton Rouge, Louisiana; Fifty-four (54) juvenile defenders took part in the three-day training that provided separate sessions for attorneys representing children in delinquency cases and attorneys representing parents in Child in Need of Care (CINC) cases. Trainers in the delinquency program conducted sessions on Managing the Juvenile Caseload, Developing a Theory of the Case, Cross Examination, FINS Advocacy, Challenging Detention, Challenging Transfer, Challenging Confessions, and Defending Sex Cases. The delinquency program emphasized small group sessions with trainee participation. Trainers in the CINC program conducted sessions on Trauma-Informed Practice & Client-Centeredness, *Daubert* in the CINC Courtroom, Alternative Medical Explanations for Abuse, and a full-day institute on Safety Decision Making. In addition, there was one session for small groups where trainees could choose between sessions on The Challenge of *Miller*, Drug Testing Science, Supporting Best Practices, Challenging Probable Cause, and Navigating the Interstate Compact for the Placement of Children.
- Conducted the Non-Profit Leadership and Management Training on March 13, 2015. This event focused on leadership training for program offices. Eleven office leaders participated in the program.
- Hosted the Southern Juvenile Defender Center regional summit in New Orleans on June 5-6, 2015, where defenders from Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, and North Carolina came together to discuss best practices in juvenile defense. Attendance was free to all juvenile defenders, and 60 defenders from around the region participated. The focus of the summit was on promoting incorporating race into juvenile advocacy.
- Collaborated with the Louisiana Center for Children's Rights to conduct a training in Juvenile Life Without Parole Sentencing and Resentencing on June 25-26, 2015. Forty-six (46) defenders took part in the program, which focused on mitigation in JLWOP (a.k.a. *Miller*) cases.
- Procured funding through the Pelican Center for Children & Families, Inc., for SPD James Dixon, DPD-DJDS Richard Pittman, and five line defenders from different parts of the state to attend the 4<sup>th</sup> American Bar Association Parent Attorney Conference in Washington, D.C., on July 21-23, 2015.
- The 2015 Capital Defender Training was held in Kenner on October 21-23, 2015. Seventy-four (74) participants, including public defenders, investigators, and mitigation specialists attended the specialized training.
- Collaborated with the National Association of Criminal Defense Lawyers to conduct the LA Trial Skills Re-Boot Camp in Alexandria on November 12-13, 2015. This training was funded by a grant from Koch Industries targeted to organizations that have demonstrated a strong commitment to ensuring that every poor criminal defendant is provided with competent, zealous representation.
- The Legislative Update was held on December 17, 2015, providing 15 defenders and 1 paralegal with an update of all bills passed in 2015 that affect criminal law and procedure.
- Engaged in ongoing efforts to develop and implement LPDB's 5-year Strategic Plan and continue building a library of LPDB training materials.

## **2015 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION (as required by La. R.S. 39:31)**

- Conducted two webinars on juvenile representation through the National Association for Public Defense, available to public defenders around the state and the nation.
- Thirty-four (34) of the 42 districts in the State sent at least one defender to at least one training.

### **Goal 4/4) LPDB will develop, cultivate and support leaders in each district office that share and promote LPDB's vision of standards-based, community oriented, data driven and client-centered legal representation, while respecting local variances in defense delivery mechanisms**

- Conducted site visits to the following 16 district offices/programs, with outreach to District Defenders, front-line defenders, judges, clerks, and prosecutors to develop an accurate appreciation of systemic issues related to local public defense delivery:
  - 1<sup>st</sup> (Caddo)
  - 5<sup>th</sup> (Franklin, Richland, West Carroll)
  - 7<sup>th</sup> (Catahoula, Concordia)
  - 8<sup>th</sup> (Winn)
  - 15<sup>th</sup> (Acadia, Lafayette, Vermillion)
  - 19<sup>th</sup> (East Baton Rouge)
  - 20<sup>th</sup> (E. Feliciana, W. Feliciana)
  - 22<sup>nd</sup> (St. Tammany, Washington)
  - 23<sup>rd</sup> (Ascension, Assumption, St. James)
  - 25<sup>th</sup> (Plaquemines)
  - 26<sup>th</sup> (Bossier, Webster)
  - 34<sup>th</sup> (St. Bernard)
  - 35<sup>th</sup> (Grant)
  - 37<sup>th</sup> (Caldwell)
  - 39<sup>th</sup> (Red River)
  - 41<sup>st</sup> (Orleans)
- Supported and hosted the Southern Juvenile Defender Annual Regional Conference for Louisiana participants.
- DPD-DJDS Pittman and SPD Dixon attended the 4<sup>th</sup> ABA Parent Attorney Conference in Washington, D.C., on July 21-23, 2015.
- SPD James Dixon and CCC Jean Faria attended, with a partial scholarship and personal funds, the National Association for Public Defense Leadership Training in Lexington, KY, August 18-22, 2015.
- Commenced development of the Juvenile Defender Training (February 2016)
- Convened the District Defender Advisory Council 2 times -- May 12 and August 18, 2015.
- Held 1 District Defender Meeting on August 27, 2015.
- Conducted outreach meetings to discuss Louisiana's inadequate, unreliable, and unstable funding stream:
  - Governor's Office
    - Criminal Justice Policy Advisor



## 2015 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION (as required by La. R.S. 39:31)

- Executive Counsel
  - Division of Administration
  - Department of Children & Family Services
  - Louisiana Supreme Court
  - Louisiana District Judges Association
  - Louisiana District Attorneys Association
  - Legislators
    - Representative Berthelot, Gonzales
    - Representative Brown, Colfax
    - Representative Cox, Natchitoches
    - Representative Danahay, Sulphur
    - Representative Fannin, Jonesboro
    - Representative Gaines, LaPlace
    - Representative Kleckley, Lake Charles
    - Representative Terry Landry, New Iberia
    - Representative Leger, New Orleans
    - Representative Lopinto, Metairie
    - Representative Price, Gonzales
    - Representative Robideaux, Lafayette
    - Representative Shadoin, Ruston
    - Representative Patrick Williams, Shreveport
    - Senator Guillory, Opelousas
    - Senator Johns, Lake Charles
    - Senator Kostelka, Monroe
    - Senator Martiny, Metairie
    - Senator Morrell, New Orleans
    - Senator Riser, Columbia
    - Senator John Smith, Leesville
    - Senator Walsworth, West Monroe
  - St. Tammany Bar Association
  - Lafayette Bar Association
  - Rotary Club of Gonzales
  - Natchitoches Rotary Club
- Continued drafting Standards of Representation in Family in Need of Services (FINS) cases.
- Completed promulgation process for *LPDB Performance Standards for Representation of Clients in Capital Cases*.
- Worked in collaboration with various task forces and committees to improve the administration of criminal and juvenile justice throughout Louisiana.
- Participated on many worthy projects that required collaboration with other Criminal Justice System agency partners and stakeholders, including:
  - LSBA Criminal Justice Committee
  - Louisiana Supreme Court Rules Committee
  - Louisiana Sentencing Commission (commission member)

## **2015 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION (as required by La. R.S. 39:31)**

- Louisiana Sentencing Commission Release/Re-Entry Committee (member)
- Community Oriented Defender Network
- Louisiana Commission on Law Enforcement and the Administration of Justice (commission member)
- *Graham v. Florida* Task Force
- Louisiana State Law Institute
- National Juvenile Justice Network
- Louisiana's Together We Can Conference
- Louisiana State Law Institute Children's Code Committee (member)
- Louisiana State Bar Association Children's Law Committee
- Language Access Coalition
- Louisiana Drug Policy Board (member)
- Juvenile Justice Implementation Commission (member)
- ABA Task Force on Comprehensive Representation
- Southern Juvenile Defender Center Advisory Committee
- Center for Excellence/ Pelican State Center for Children and Families
- Capital Punishment Impact Commission (member)
- Pretrial Services Commission (member)
- Code of Criminal Procedure Revision Committee (member)
- Pelican Center Training Committee (member)
- Court Improvement Program Advisory Committee (member)
- NAPD Workload Committee (member)
- NAPD Juvenile Committee (member)
- ABA Indigent Defense Advisory Group
- ABA Parent Representation Project Steering Committee (member)
- Child Protection Representation Commission (member)

**LOUISIANA PUBLIC DEFENDER BOARD  
BOARD OF DIRECTORS  
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**Judge Robert J. Burns** (Retired)

6046 General Haig Street  
New Orleans, LA 70124

Phone: (504) 779-5703

Email: [rjbjudge@cox.net](mailto:rjbjudge@cox.net)

Appointed by: Chief Justice

Louisiana Supreme Court

*Term: 08/19/2008 – 12/31/2010*

*Term: 01/01/2011 – 12/31/2014*

*Term: 01/01/2015 – 12/31/2018*

Designated Chairman by the Governor, March 23, 2014

**Leo Hamilton**

Post Office Box 3197

Baton Rouge, LA 70821

Phone: (225) 387-4000

Email: [leo.hamilton@bswllp.com](mailto:leo.hamilton@bswllp.com)

Appointed by Governor

*Term: 02/01/2010 – 01/31/2013*

*Term: 4/5/2013 - 01/31/2017*

**Franz Borghardt**

6513 Perkins Road

Baton Rouge, LA 70808

Phone: (225) 767-7778

Email: [franz@stevenmoorelaw.com](mailto:franz@stevenmoorelaw.com)

Appointed by: Governor

*Term: 02/13/2015 – 02/12/2019*

**Flozell Daniels, Jr.**

4750 Schindler Drive

New Orleans, LA 70127

Phone: (225) 383-1672

Email: [fdaniels@foundationforlouisiana.org](mailto:fdaniels@foundationforlouisiana.org)

Appointed by: Chief Justice

Louisiana Supreme Court

*Term: 06/01/2015 – 05/31/2019*

**Vacant**

Appointed by: Speaker of the House of  
Representatives

*Term:*

**C. Frank Holthaus**

619 Main Street

Baton Rouge, LA 70801-1910

Phone: (225) 344-3735

Email: [fholthaus@dphf-law.com](mailto:fholthaus@dphf-law.com)

Appointed by: President of the Senate

*Term: 02/02/2010 – 02/01/2013*

*Term: 02/2/2013-02/01/2017*

**Jacqueline Nash Grant**

Southern University Law Center

Post Office Box 9294

Baton Rouge, LA 70813

Phone: (225) 771-3333

Email: [jnash@sulc.edu](mailto:jnash@sulc.edu)

Appointed by: Governor

Representing Southern Univ. Law Center

*Term: 02/14/2012 – 02/13/2016*

**Mr. M. Hampton Carver**

Carver, Darden, Koretzky, Tessier, Finn,

Blossman & Areaux, LLC

1100 Poydras St., Ste. 3100

New Orleans, LA 70163

Phone: (504) 585-3800

Fax: (504) 585-3801

Email: [carver@carverdarden.com](mailto:carver@carverdarden.com)

Appointed by: Louisiana Interchurch  
Conference

*Term: 01/01/2014 – 12/31/2017*

**Robert E. Lancaster**

Paul M. Hebert School of Law

E. Campus Drive, w151

Baton Rouge, LA 70803

Phone: (225) 578-8262

Email: [Robert.lancaster@law.lsu.edu](mailto:Robert.lancaster@law.lsu.edu)

Appointed by: Governor

Representing: Paul M. Hebert Law Center

*Term: 06/07/2013-06/06/2017*

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**Herbert V. Larson, Jr.**

Professor of Practice and  
Executive Director, International and Graduate  
Programs  
Tulane Law School  
6329 Freret Street, Suite 259D  
New Orleans, Louisiana 70118  
(504) 865-5839  
(504) 862-8853 (fax)  
Appointed by: Governor  
Representing Tulane University School of Law  
*Term: 02/13/2015 - 02/12/2019*

**Herschel E. Richard, Jr.**

Cook, Yancey, King & Galloway, APLC  
333 Texas Street, Suite 1700  
Shreveport, LA 71101-3675  
Phone: (318) 227-7738  
Email: [herschel.richard@cookyancey.com](mailto:herschel.richard@cookyancey.com)  
Appointed by: President, Louisiana  
State Bar Association  
*Term: 07/21/2011 – 01/21/2015*  
*Reappointment: 01/22/2015 – 01/21/2019*

**Thomas L. Lorenzi**

Lorenzi & Barnatt, LLP  
518 Pujo Street  
Lake Charles, LA 70601  
Phone: (337) 436-8401  
Email: [tlorenzi@lblegal.com](mailto:tlorenzi@lblegal.com)  
Appointed by: President, Louisiana  
State Bar Association  
*Term: 12/03/2010 – 12/02/2014*  
*Reappointment: 12/03/2014 – 12/02/2018*

**Gina Womack**

1600 Oretha Castle Haley Blvd.  
New Orleans, LA 70113  
Phone: (504) 522-5437 Ext. 242  
Email: [gwomack@fflic.org](mailto:gwomack@fflic.org)  
Appointed by: Louis A. Martinet Society  
*Term: 06/19/2012 – 06/20/2016*

**Hector Linares**

LSU Law Center, LSU Box 25080  
Baton Rouge, LA 70803  
Phone: (225) 578-1885  
Email: [hector.linares@law.lsu.edu](mailto:hector.linares@law.lsu.edu)  
Appointed by: Children Code Committee  
Louisiana State Law Institute  
*Term: 04/09/2013 – 04/08/2017*

**Stephen Singer**

Assistant Clinical Professor  
309 College of Law  
540 Broadway Building  
New Orleans, LA 70118  
(504) 861-5681  
Appointed by: Governor  
Representing Loyola University  
School of Law  
*Term: 02/13/2015 – 02/12/2019*

*Ex-Officio*

**Rebecca Hudsmith**

102 Versailles Blvd., Suite 816  
Lafayette, LA 70501  
Phone: (337) 262-6336  
Email: [Rebecca\\_hudsmith@fd.com](mailto:Rebecca_hudsmith@fd.com)  
Appointed by Louisiana Association of Criminal Defense Lawyers  
*Non-Voting, No term*

**LOUISIANA PUBLIC DEFENDER BOARD  
CHAIRMAN OF THE BOARD  
2015**

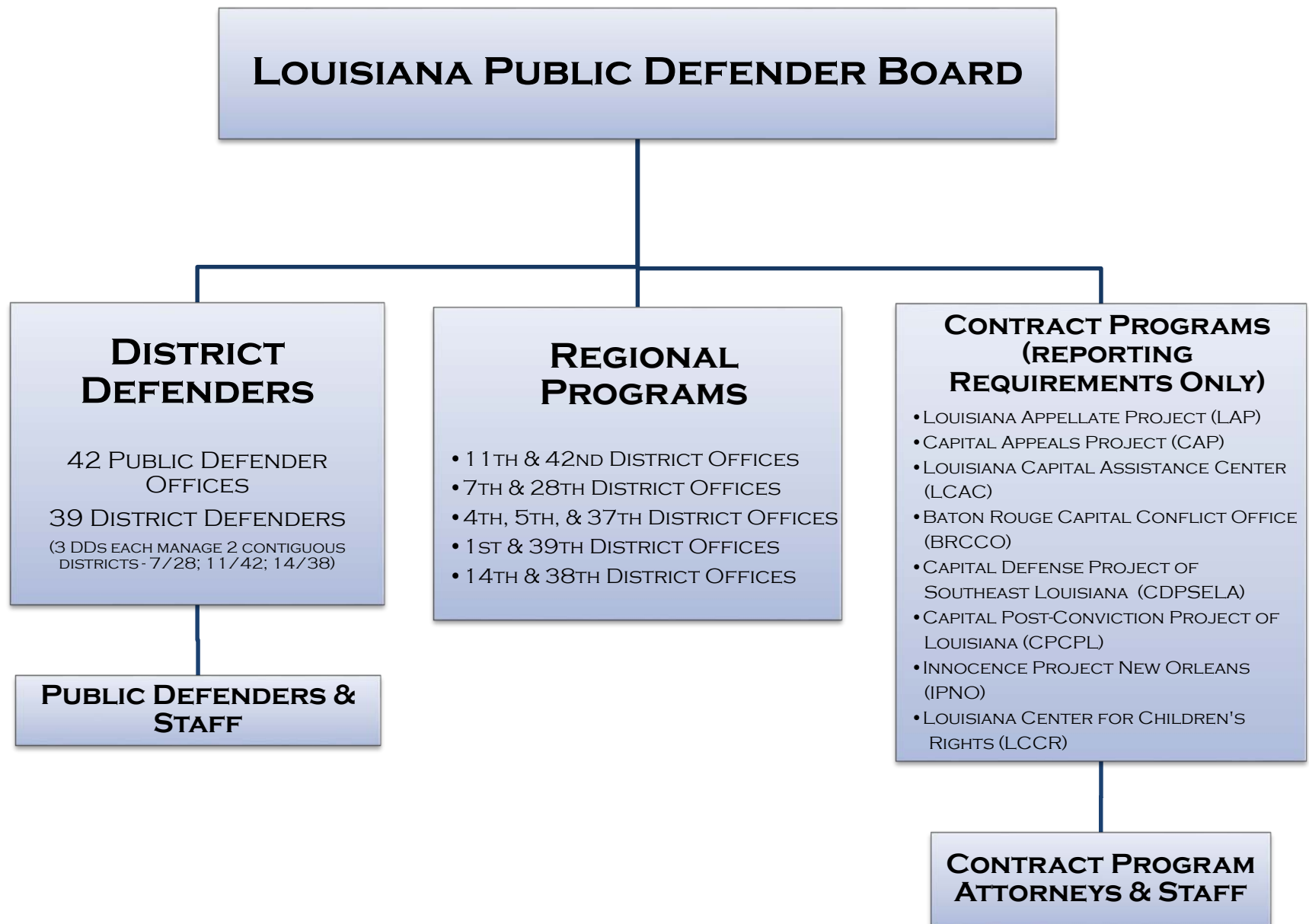
**Robert J. Burns, Retired Judge  
New Orleans, Louisiana**

Robert J. Burns was elected a State District Judge in 1978 for the 24th Judicial District Court for the Parish of Jefferson. He was re-elected parish wide without opposition in 1984 and 1990. He did not seek re-election in 1996. Judge Burns served many years on the Board of Governors of the Louisiana Judicial College by appointment of the Louisiana Supreme Court. He is a 1969 graduate of the Loyola Law School in New Orleans, Louisiana and practiced civil law before being elected a judge.

Since retirement, Judge Burns has accepted assignments from the Louisiana Supreme Court in high profile cases, both criminal and civil. Judge Burns was named to the Constitution Project's death penalty initiative, Washington D.C. in 2001. The committee published *Mandatory Justice, Eighteen Reforms to the Death Penalty*. He is currently a panel member of Perry Dampf Dispute Solutions, a Louisiana mediation and arbitration company.

In 2008, Judge Burns accepted then Louisiana Supreme Court Chief Judge Pascal Calogero's appointment to the Louisiana Public Defender Board meeting the statutory requirement of being a retired judge with extensive criminal law experience. In March of 2014, Judge Burns was designated by the Governor to serve as the LPDB Chairman.

Judge Burns is a former Kiwanis Club president and is also currently Chairman of the Board of Brother Martin High School, New Orleans, Louisiana. In December of 2014, Judge Burns accepted the Louisiana Association of Criminal Defense Attorneys' Trustee of Freedom Gideon Award.



# **LOUISIANA PUBLIC DEFENDER BOARD STAFF**

## **2015**

### **James T. Dixon, Jr., State Public Defender**

James “Jay” Dixon was born at the United States Military Academy in West Point, NY into an army family. He moved throughout his childhood and graduated from high school in Madrid, Spain. After graduating from Bucknell University, he enrolled at Loyola Law School in New Orleans to pursue a law degree. Since graduating, his legal experience has been diverse. Mr. Dixon served as a law clerk at the Louisiana Supreme Court for former Justice Pike Hall. He had a private practice in New Orleans, while serving with the Jefferson Parish Public Defender's Office as contract counsel and later joined the St. John Parish Public Defender Office as a full-time line defender. He then served as the Attorney General for the Republic of Palau, a small island nation in the Pacific Ocean. Upon his return to the United States, Mr. Dixon was the Judicial Administrator for the 12th Circuit Court for the State of Virginia. After Hurricanes Katrina and Rita, he and his wife felt compelled to return to Louisiana. He accepted a position as a contract defender for the Lafayette Parish Public Defender’s Office. He was later selected and accepted the position of District Defender for the Parishes of Calcasieu and Cameron where he served from January 2011 through November 2013. He is the recipient of the Louisiana State Bar Association’s Catherine D. Kimball Award (2013) and the Louisiana Association of Criminal Defense Lawyers’ Public Defender Gideon Award (2014). Mr. Dixon is married and has two beautiful children.

### **Barbara G. Baier, General Counsel**

Barbara Gelpi Baier became General Counsel for the LPDB on July 21, 2014. Her career with the court system began as a Probation Officer for Baton Rouge City Court Probation with a focus on counseling and rehabilitation of substance abuse offenders. Later, she attended Southern University Law Center and started her legal career in private practice in the field of insurance defense. During this time, Ms. Baier served as an ad hoc judge for Baton Rouge City Court and was an active member of the Baton Rouge Bar Association, particularly with the Pro Bono Project. From 1997 through 2006 she was a member of the BRBA’s Board of Directors and in 2007 served as its President. Prior to joining the staff at LPDB, Ms. Baier was an attorney for the Louisiana Department of the Treasury where she advised the agency on issues of contracts, legislation, policy and procedures, and various aspects of funding for the state.

### **Gina M. Carley, Administrative Coordinator/ITM Division**

Gina Carley joined the LPDB in August of 2010 as Administrative Coordinator and works as assistant to the ITM Division. Ms. Carley has over twenty years of administrative experience. She worked for six years in various offices of State government, as well as six years for Shaw Environmental. Ms. Carley is a graduate of Excelsior College with an Associate of Science Degree in Liberal Arts.

### **Natashia M. Carter, Budget Officer**

Natashia M. Carter joined LPDB in July 2009. Prior to joining LPDB, Ms. Carter was an Accountant with the Department of Economic Development in the Fiscal Division of the Office of the Secretary for over five years. In her position with Economic Development, Ms. Carter was responsible for all payables, auditing and reimbursing employee travel along with many other duties. Ms. Carter holds a Bachelor of Science in Business/Accounting. In May of 2014, Ms.

## **LOUISIANA PUBLIC DEFENDER BOARD STAFF 2015**

Carter assumed the position of Budget Administrator, having managed the agency's accounts for over five years.

### **Jean M. Faria, Capital Case Coordinator**

Jean M. Faria currently serves as the Capital Case Coordinator for the Louisiana Public Defender Board. She served as the first State Public Defender from June 2008 through February 2013. For the previous 11 years, Ms. Faria served as the Assistant Federal Defender for the Middle and Western Districts of Louisiana, in Baton Rouge, Louisiana. From 1995-1997 she was the Chief Executive Officer of the Louisiana Indigent Defender Board in New Orleans. Prior to that, Ms. Faria worked as a public defender in the 19th Judicial District Public Defenders' Office in Baton Rouge.

Ms. Faria has been active in the public defense reform movement, both locally and nationally, for many years. She is a charter member of the Louisiana Association of Criminal Defense Lawyers and long-standing member of the National Association of Criminal Defense Lawyers. For more than 10 years she served on the Board of Directors of the National Legal Aid and Defender Association, serving as Chair of the Board for two years, and spent significant time as the Chair of the Defender Policy Group within that organization. She is a former Chair of the Indigent Defense Advisory Group (IDAG) to the Standing Committee on Legal Aid and Indigent Defendants (SCLAID) and remains an active member of IDAG and the Louisiana and American Bar Associations. Ms. Faria regularly lectures at criminal defense trainings and participates in policy research of state public defender systems around the country. In December 2009, she was awarded the Justice Albert Tate Jr. Award.

Ms. Faria received a Bachelor of Arts in English from the University of Massachusetts, at Amherst and received her J.D. from the Paul M. Hebert Law Center at Louisiana State University.

### **Julie Gregory, Administrative Program Specialist/Training Assistant**

Julie Gregory joined LPDB in August 2010. Prior to joining LPDB, Ms. Gregory worked at a firm as a paralegal for five years, primarily in the insurance defense field. In 2001, Ms. Gregory earned her Bachelor of Arts in Sociology with a concentration in Criminology from Louisiana State University and received her paralegal certification from LSU's continuing education program in 2003. In November, 2014, after four years of providing specialized administrative services to the Director of Training, Ms. Gregory assumed the title of Administrative Program Specialist/Training Assistant.

### **Anne Gwin, Paralegal/Executive Assistant to the State Public Defender**

Anne Gwin graduated from Louisiana State University in 1982 with a Bachelor of Science in Liberal Arts. She was employed at that time with the Department of Culture, Recreation and Tourism and for ten years worked as a project manager and an executive assistant. In 1992, she took an office manager/legal secretary position with prominent Baton Rouge criminal defense attorney John Di Giulio. In 1999, Ms. Gwin received her paralegal certification from LSU's continuing education program. After 17 years of private sector criminal defense associated work in city, district and federal courts, she joined the staff of the Louisiana Public Defender Board in



# **LOUISIANA PUBLIC DEFENDER BOARD STAFF**

## **2015**

October 2008 as assistant to the Trial Level Compliance Officer. In November of 2009, Ms. Gwin accepted the position of Executive Assistant to the State Public Defender.

### **Caressa Hall, Accountant**

Caressa Hall accepted the accountant position with LPDB in September, 2014. Ms. Hall obtained her Bachelor's degree in Accounting from Southern University in 2007. She brings with her state accounting systems experience, having worked as an Accountant for the Division of Administration, Office of Financial Support and Services and the Louisiana Department of Insurance for six years prior to joining LPDB.

### **Tierre Hazlewood, Administrative Coordinator/Capital Division**

Tierre E. Hazlewood was born into an army family. She grew up on military installations and joined the Air Force at age 18. She served five years active duty and six years in the Louisiana Air National Guard for a total of 11 years military service. Ms. Hazlewood also served a six-month deployment to Afghanistan as a vehicle fleet manger, as well as a 12-month tour at Osan Air Base, Korea. She assisted in the Hurricane Gustav relief efforts in 2008 in which she worked at Homeland Security as part of her National Guard activation. Ms. Hazlewood has a Bachelor's Degree in Criminal Justice and a Master's degree in Applied Sociology from Southeastern Louisiana University. She joined LPDB after leaving the Louisiana State Police where she worked as an Administrative Assistant in the Assistant Superintendent's office. She currently serves as Administrative Coordinator to the Capital Division.

### **Chase May, Tech Support Specialist**

Chase May graduated from LSU with a Bachelor of Arts degree in Economics in 2007. After graduating, he began his career in Information Technology in 2008 as a Support Technician with Innovative Computers, an I.T. consulting company serving local businesses in Gonzales and Baton Rouge. Mr. May rejoined the LPDB staff in August 2012 after having been employed previously by the agency for 2½ years.

### **Elizabeth Perry, Paralegal - Compliance/Legal Divisions**

Beth Perry joined LPDB in October, 2012 where she provided paralegal services to the Compliance and Legal Divisions. Prior to joining LPDB, Ms. Perry was a Case Administrator for the Clerk of Court for the Middle District of Louisiana for over 16 years. In her position with the Clerk, Ms. Perry was primarily responsible for automated case management for U. S. District and Magistrate Judges. In addition, Ms. Perry also performed Quality Control and Management support and provided extensive training for attorneys and staff in electronic case filing. Ms. Perry received her paralegal certification from LSU's continuing education program in 2001. She left LPDB in September of 2015 to pursue a career with Southeastern Louisiana University in Hammond.

### **Richard Pittman, Deputy Public Defender/Director of Juvenile Defender Services**

Richard Pittman was hired by the Louisiana Public Defender Board on May 28, 2013, to be the Deputy Public Defender - Director of Juvenile Defender Services. He began his career in public defense in Juvenile Court and in criminal courts in 2006, and continued in the practice until his appointment as Deputy Public Defender. From 2006-2013, he represented juveniles accused of

# **LOUISIANA PUBLIC DEFENDER BOARD STAFF**

## **2015**

delinquency, parents and children in abuse and neglect cases, adults accused of misdemeanors and felonies up to and including capital murder. He had guardian ad litem certification which he maintained from 2006 until 2013. Prior to his public defense practice, Mr. Pittman worked in the field of personal injury litigation.

Mr. Pittman is originally from Ascension Parish, Louisiana. He attended Louisiana State University and obtained a Bachelor of Science degree in Chemical Engineering in 1996. He then obtained a Masters of Chemical Engineering from the University of Delaware in 1999. By then he was working as a consultant for C.F. Picou Associates, a Baton Rouge firm specializing in process control with business worldwide. In 2001, Mr. Pittman decided to go to law school and was admitted to the University of Alabama School of Law in 2002, graduating with honors in 2005. While at the University of Alabama School of Law, he was awarded the Order of Samaritan for public service and volunteerism.

### **Cristine Roussel, Case Management Systems Analyst**

Cristine Roussel joined the LPDB staff as CMS Report Analyst in February 2012. Prior to joining LPDB, Ms. Roussel worked in private sector as a business analyst. Ms. Roussel earned her Bachelor's Degree in Psychology from LSU, in 2003. From 2003 to 2008 she was a Doctoral student in Cognitive/Experimental Psychology with a concentration in Statistics. She earned her Master's in Cognitive Psychology in 2005.

### **Rachel Smith, Administrative Coordinator/Purchasing and Procurement**

Rachel Smith joined LPDB in November 2014 as an Administrative Assistant in the Purchasing and Procurement Division and also serves as the Fleet, Property Control and Travel Manager. Ms. Smith has over 22 years of experience with state government in administrative support roles having worked with Office of Public Health, Louisiana Workforce Commission, and Office of the Secretary. She is a native of New Orleans and moved to Baton Rouge in 2005 as a result of Hurricane Katrina. Ms. Smith left LPDB in November 2015, to return to the Office of Public Health.

### **Tiffany Simpson, Ph.D., Juvenile Justice Compliance Officer/Director of Legislative Affairs**

Tiffany Simpson became the Juvenile Justice Compliance Officer on August 5, 2013 and assumed a dual role as the agency's Director of Legislative Affairs in September, 2014. Prior to joining LPDB, Dr. Simpson was appointed to serve as the Executive Director of the Children's Cabinet in the Office of the Governor. As the Executive Director of the Children's Cabinet, Dr. Simpson ensured the coordination of policy, planning, and budgeting among state services for children and families and also served as a policy advisor to the Governor on child-related issues. Dr. Simpson earned Bachelor's degrees in Psychology and Sociology with a concentration in Criminology from Louisiana State University and was awarded her Doctorate in Applied Developmental Psychology from the University of New Orleans.

### **Erik Stilling, Ph.D., Program Development and Resource Management Officer**

Dr. Erik Stilling started with LPDB on September 24, 2008. Dr. Stilling began his career in the engineering department of WLAE-TV in New Orleans. After earning a doctorate, he taught Mass Communication Technology and Journalism at Nicholls State and served as the first Director of

## **LOUISIANA PUBLIC DEFENDER BOARD STAFF 2015**

the Office of Distance Education, implementing compressed video and web-based technologies and applications for adult learners. From 2000-2005, Dr. Stilling worked in California at Holy Names University and as Dean at Expressions College for the Digital Arts, both in the Silicon Valley.

Dr. Stilling returned to New Orleans after Hurricane Katrina to develop a data collection and analysis system as part of the MacArthur Models for Change program in the Jefferson Parish Department of Juvenile Services. This system was used to determine evidence-based alternatives to formal processing of juveniles facing detention and adjudication. Dr. Stilling started as a member of the founding team at LPDB in September of 2008 and since has helped LPDB to implement a new statewide database reporting and data analysis system encompassing legal, financial and personnel data collection and analyses to improve district- and state-level management as well as inter-district and emergency communication systems and online reporting and monitoring of field offices across the state. He earned his Bachelor's Degree in Communications from Loyola University in New Orleans in 1987 and was awarded his Doctorate in Mass Communication from the University of Tennessee-Knoxville in 1992.

### **Aliseia Williams, Administrative Coordinator/Purchasing-Payroll-Fleet & Property Mgmt**

Aliseia Williams joined LPDB in June of 2014. Prior to joining LPDB, Ms. Williams worked as an Administrative Coordinator and a Contracts/Grants Reviewer for the state of Louisiana. She has over ten years of administrative experience. Ms. Williams began at LPDB serving as the payroll administrator and receptionist. In November 2015, she was promoted to an upper level administrative coordinator position and assumed the agency's purchasing, property and fleet management duties in addition to payroll responsibilities.

## **LOUISIANA PUBLIC DEFENDER BOARD CONTRACT PROGRAMS (CY15)**

Although the Louisiana Public Defender Board has a legislative mandate to provide representation in a number of areas, it does not have authority to provide direct client representation or to hire public defender staff. In order to meet the state's constitutional duty to provide legal representation to indigent clients, the Board has contracted with a number of 501(c)(3) organizations, as permitted by La. R.S. 15:147 (C)(1), to represent indigent defendants in delinquency, capital, and appellate cases where conflicts or caseload limits prevent the local district defender office from handling the case. In addition, the Board is required by La. R.S. 15:169 and 15:178 to appoint counsel for appellate and post-conviction cases in which a death sentence has been imposed at the trial level. It should be noted that each of the directors of these programs handles a caseload as well as the administrative responsibilities.

The LPDB's contracts with each program office contain provisions for monthly reporting to the LPDB and for audits by the Legislative Auditor. They also provide for compliance with performance standards enforceable by the Board, and for termination of the contracts for failure to meet Board requirements. These requirements include adhering to the ethical rules of the Louisiana Supreme Court, violations of which may result in termination of the contracts.

The programs are as follows:

### **Louisiana Center for Children's Rights**

Formerly known as Juvenile Regional Services (JRS), the Louisiana Center for Children's Rights (LCCR) is a nonprofit law office whose mission is to "defend the right of every Louisiana child to fairness, dignity, and opportunity." LCCR is the juvenile public defender in New Orleans, providing holistic, client-driven advocacy for more than 1,000 indigent young people in the city's juvenile justice system every year.

Statewide, LCCR works to protect and expand the right of every Louisiana child to high-quality legal representation and advocates for a fairer, more compassionate, and genuinely rehabilitative, juvenile justice system. LCCR's strategies include legislative advocacy, litigation, and training and technical assistance for Louisiana's juvenile defender community. LCCR'S Executive Director is Josh Perry.

### **Louisiana Appellate Project (LAP)**

The Louisiana Appellate Project provides appellate representation for indigents in all non-capital felony appeals arising in all of the districts. This includes felony-grade adjudications for juveniles. All district public defender offices have contracted with LAP to provide these appellate services. There is no cost to the district public defender for these services as it is a form of supplemental assistance provided by the Board. Jim Looney is the director who supervises and contracts with appellate attorneys around the state to handle the appeals.

## **LOUISIANA PUBLIC DEFENDER BOARD CONTRACT PROGRAMS (CY15)**

Handling the appeals in non-capital cases includes work in the appellate courts and, when appropriate, filing for writs to the Louisiana Supreme Court. It also includes specifically those cases appealed by the state, such as when a statute is declared unconstitutional.

### **Baton Rouge Capital Conflict Office (BRCCO)**

Under the leadership of David Price, BRCCO employs the team approach to capital defense as required by the Capital Guidelines. The office includes a staff of attorneys, mitigation specialists, and investigators, thereby promoting cost-efficiency.

The office is currently handling cases throughout the state, in an effort to ensure that all defendants facing the death penalty are represented by counsel.

### **Louisiana Capital Assistance Center (LCAC)**

Richard Bourke serves as director of LCAC and employs a staff of lawyers, mitigation specialists and investigators. Founded 22 years ago in its current form, this program provides leadership, mentoring, and guidance to the capital defense community. With its adherence to high quality representation, LCAC has influenced capital representation after the restoration of the death penalty in the South. Based on its reputation, LCAC attracts interns, law students and lawyers from around the world to volunteer their services to LCAC and its clients.

LCAC provides direct services statewide and also provides representation in motion for new trial proceedings. Pursuant to its contract, LCAC serves as resource counsel to provisionally certified defense lawyers pursuant to Capital Defense Guideline 915(G)(2). This involves providing intensive services to lawyers across the state in over a dozen pending capital cases. This service is essential to educating, mentoring and overseeing the work of provisionally certified counsel to ensure the delivery of quality legal representation.

LCAC has also been active in East Baton Rouge Parish serving as counsel for the limited purpose of protecting the rights of persons facing the death penalty who are not otherwise represented by counsel. In addition to direct services, LCAC provides general support services to other organizations and often is able to ameliorate crises faced by counsel.

### **Capital Defense Project of Southeast Louisiana (CDPSELA)**

Kerry Cuccia is the director of the Capital Defense Project of Southeast Louisiana. The primary responsibility of CDPSELA is to handle capital cases in Orleans Parish. Although the program was originally created to handle cases in which the Orleans Public Defender Office (OPD) was excluded because of conflicts, CDPSELA now is the first-call provider for indigent defense in capital cases in Orleans Parish.

## **LOUISIANA PUBLIC DEFENDER BOARD CONTRACT PROGRAMS (CY15)**

CDPSELA's FY15 contract was amended to make them primary provider for indigent capital defense in the 22<sup>nd</sup> Judicial District. CDPSELA also accepts cases in other jurisdictions when necessary due to conflicts or caseload limits. CDPSELA and its staff are recognized as providing representation at the highest levels of competence. Its concentration on preliminary examination practice appears to be a primary factor in a decline in the number of first degree murder indictments in Orleans Parish. The result is that many of the cases are formally charged as lesser offenses, often second degree murder. Second degree murder cases are generally then referred to the Orleans Public Defender Office.

### **Capital Post Conviction Project of Louisiana (CPCPL)**

This organization handles capital post-conviction representation of indigent defendants whose cases have progressed through the trial and appellate levels. The staff lawyers who handle cases as they become eligible have successfully represented a number of defendants whose cases were overturned for such reasons as ineffective assistance of counsel at the trial or appellate level, failure by prosecutors to disclose important evidence, newly discovered evidence of innocence, and evidence adduced as a result of junk science.

CPCPL also handles direct capital appeals when the Capital Appeals Project has a conflict of interest or there are co-defendants in a single case.

Gary Clements is the director of CPCPL and has his staff working on as many cases as they can ethically handle at any particular time. The program also monitors cases in the pipeline in order to keep track of future needs and caseloads.

### **Capital Appeals Project (CAP)**

Sarah Ottinger was the director of the Capital Appeals Project which handles all capital appeals for indigents who have been sentenced to death. The staff includes additional attorneys who work out of their New Orleans office, as their cases automatically go to the Louisiana Supreme Court as a matter of law. This non-profit organization has had several cases with national impact because of favorable decisions by the U. S. Supreme Court. Some of the cases which have been overturned were handled or are being handled in the trial court by the CAP lawyers. CAP has also agreed to handle post-conviction cases wherein CPCPL is ineligible due to conflicts. CAP acts as resource counsel to public defenders across the state.

### **Innocence Project New Orleans (IPNO)**

The Louisiana Public Defender Board has a contract for partial funding of the Innocence Project New Orleans which, since its inception, has won the freedom or exoneration of 43 wrongfully convicted Louisiana prisoners who have served a total of nearly 709 years in prison. All except two of IPNO's freed clients were sentenced to life without parole and eight were teenagers when they were wrongly arrested. IPNO has also investigated and

## **LOUISIANA PUBLIC DEFENDER BOARD CONTRACT PROGRAMS (CY15)**

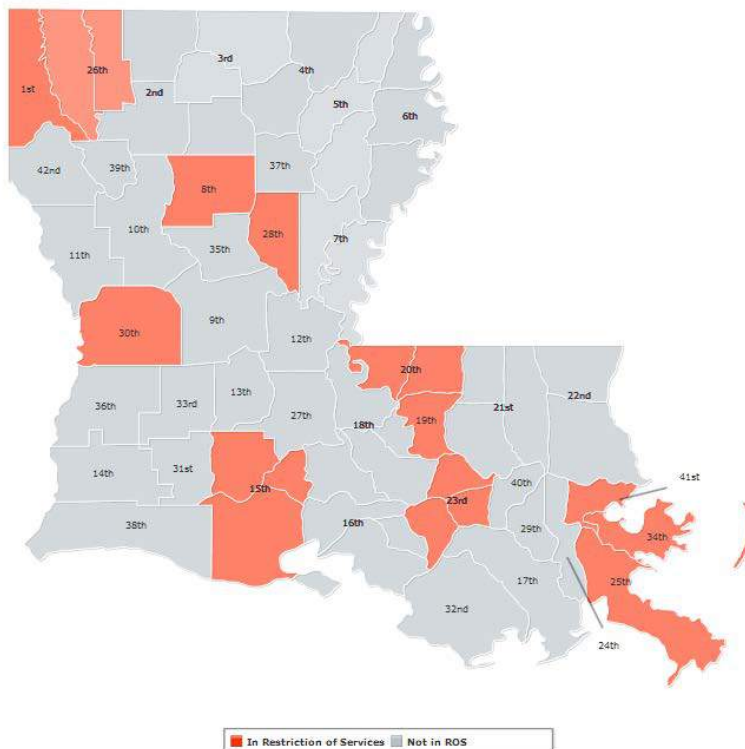
reported on systemic problems in Orleans Parish involving the suppression of crucial evidence by prosecutors and police. Emily Maw is the director of IPNO. The office attracts student interns from around the world and is in the forefront of Louisiana in the use of DNA evidence.

## DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY15)

The reformation of public defense in Louisiana is an on-going process. It began with the passage of the Louisiana Public Defender Act in 2007, re-organizing an antiquated delivery system for indigent defense. The previous delivery system all too often culminated in a “meet, greet and plea” system whereby defense counsel was reduced to the role of a mere participant during a plea, rather than an advocate for the client. The Act also removed undue influence from judges, prosecutors, and local officials from the supervision of public defenders offices. These shortcomings in the indigent defense system contributed to Louisiana’s dubious status of having the highest incarceration rate in the entire world.

With the Louisiana Public Defender Act, we have been able to pass new standards for the delivery of public defense. The quality of public defense has risen statewide; however, public defense remains severely underfunded. This is not a new development. Since 2010, the Louisiana Public Defender Board (LPDB) has warned of a time when we could no longer avoid a collapse of the entire system. The Board has worked diligently to keep district defender offices solvent throughout the state and with the exception of the 14<sup>th</sup> (Calcasieu Parish) and 41<sup>st</sup> (Orleans Parish) Judicial Districts in 2012, has been able to avoid financial failure. That is until Fiscal Year 2015.

Despite our best efforts, the financial crisis anticipated by LPDB has begun to manifest itself throughout the state. Policies enacted by the Board, early notice to districts, as well as oversight led to only eight districts entering service restriction at the end of FY15 versus 14 as originally projected. However, this crisis only continues to worsen as there are currently 12 districts (see map below) who have restricted services, and five additional districts have been notified that the district is expected to become insolvent prior to the end of FY16. In FY17 the situation will only worsen unless all interested parties can come together with a solution.





## **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY15)**

The Board has actively sought solutions to this crisis. The most significant measure was 2012 legislation to increase special court costs dedicated to public defense from \$35 to \$55. The legislature responded and approved an increase, but only to \$45. It was anticipated this would result in a 25% increase in local funding and solve the financial shortfall. The expected increase in local revenues has failed to materialize in the vast majority of judicial districts, some districts actually receive fewer local funds than before the passage of this act. There is clear data demonstrating why this increase has proven insufficient. The \$45 special fee to the local public defenders offices can only be collected if charges or citations are filed. The Louisiana Supreme Court data indicates that from 2009 to 2014, there has been a 28.2% decrease in filings, statewide. The decrease in local funding due to the decrease in just traffic tickets amounts to approximately \$9.2 million in CY 2014, alone. These are funds that would have stayed in the districts and, had these funds been collected, would have been more than adequate to avoid the restriction of services crisis we now face.

Districts across the state have exhausted their fund balances in an effort to meet the gap between the office's revenues and expenditures forcing the districts to enter restriction of services. These districts do not have sufficient personnel and financial resources to provide all of the services they have provided in the past and have been required to limit or eliminate some of those services. This has taken a number of forms. Some smaller districts have simply limited the number of cases they accept. To do otherwise would result in caseloads so high so has to render their lawyers' representation ineffective, in violation of state statutes, the state and federal constitutions, and the Louisiana Rules of Professional Responsibility. Placing a limit on the cases accepted by a Public Defenders Office has resulted in waiting lists and leaves criminal defendants unrepresented until a defender is available to take their case. This also leaves the State open to legal attack and litigation regarding right to counsel. In some larger districts, the local bar has been called upon to handle cases, pro bono. This has resulted in litigation filed by attorneys being asked to provide legal services without pay. All of these restriction of services plans could result in the widespread release of those incarcerated on charges for which they do not have attorney pursuant to *State v. Citizen*, 2004-1841, (La.4/1/05), 898 So.2d 325. This has become a public safety issue. We are also concerned the lack of funding for public defense could result in a remedy imposed by the federal courts. The Board is currently a defendant in a lawsuit in the Middle District of Louisiana alleging violation of the 6<sup>th</sup> Amendment right to counsel, filed in January 2016.

Our office has established an outreach program whereby we actively seek out our partners in the criminal justice system and in state government to inform them of the upcoming crisis and to discuss possible solutions to the situation. We have contacted legislators, District Attorneys, Judges, local government officials, and civic groups in an attempt to avoid this calamity. We will continue to work with all interested in finding a solution to protect our clients and our community.

Additionally, the LPDB has had its operating budget cut by \$500,000. As a result, we have been unable to hire two statutorily required positions during the 2015 calendar year: Trial Level Compliance Officer and Director of Training. This has hampered our ability to adequately perform our statutory supervisory and training functions under the Louisiana Public Defender Act. The

# DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY15)

Board has had to cut back on training opportunities for professional personnel in our public defense system. We have been unable to adequately assess, and regulate indigent services throughout Louisiana. Executive staff has had to assume those responsibilities among themselves, in addition to their other responsibilities, to the detriment of the public defender community. Staff is spread too thin and unable to properly perform the duties assigned to it by statute.

## **Budget Division**

*January 13, 2015*

The Budget Division has processed the second and final District Assistance Fund (DAF) and Child in Need of Care (CINC) payments. These payments were made in accordance with the Board approved distribution.

The Division of Administration's Office of Planning and Budget (OPB) has requested that staff devise a plan to reduce expenditures in FY2016, with the intention of implementing those reductions in the current fiscal year, if possible. According to OPB, LPDB's reduction plan should include a 16% budget reduction with cuts to the CINC fund, DNA fund and our LPDB statutory dedicated fund. The State Public Defender and the Interim Budget Officer will be meeting with OPB and the Commissioner to discuss our current expenditures and reduction strategies for FY2015 and FY2016.

Additionally, the following contracts were approved:

- **Juliet Yackel**, (\$40,000): to train and supervise the CAPOLA staff, re-examine pending capital cases to determine if defendants are protected by the eighth amendment, to demonstrate how to effectively participate in formal team meetings, assist in acquiring essential resource materials needed and to evaluate the performance of CAPOLA.
- **CBE Law**, (\$81,000): to represent indigent convicted sex offenders determined to be sexually violent predators or child sexual predators by a Sexual Offender Assessment Panel and take steps that are reasonable and necessary to assure that all services are provided constitutionally, ethically, and in a legally appropriate and proper manner which takes all necessary actions to protect the clients' interest.
- **John Holdridge**, (\$50,000): to assist the Capital Case Coordinator with a district Capital Representation Plan. He also assists with the recruiting and certifying of attorneys and mitigation specialists to handle capital cases along with any other tasks deemed necessary by the State Public Defender.
- **Justice Works**, (\$46,000): to create and/or assist the Board in creating customized add-ons to the Board's existing Defender Data, modify existing features and data collection fields of the case management system.
- **Decuir, Clark and Clark and Adams**, (\$15,000): to represent the Board, its members, and staff in connection with the cases *State vs. Robertson* and *Edge vs. LPDB*.

## DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY15)

- **Stone Pigman Walther Wittman, LLC**, (\$70,000): to represent the Board, its members and staff in connection with various legal proceedings in the cases *State vs. Wilson* and *State vs. Willis*.
- **Michael Thiel**, (\$120,000): to provide legal representation in the form of criminal defense services through trial and sentencing in the case *State vs. Tarika Wilson*, keeping the Board and SPD informed of the status of the prosecution and related matters.
- **Nicholas Trenticosta**, (\$40,000): to prepare an assessment of the CAPOLA office structure indicating whether the internal structures of the office can be improved and, if so, how. Included in this assessment will be a review of the current motions recently filed in each the four existing capital cases.

March 24, 2015

LPDB has received its FY 16 Budget Recommendation from the Division of Administration's Office of Planning and Budget (OPB). The recommended budget for FY 16 is \$33,383,626. This is a reduction of \$727,708 from the FY 15 budget. The breakdown is as follows:

### State General Fund by:

Interagency Transfers	\$104,579
Fees and Self-Generated Revenues	\$17,050
Statutory Dedications	\$33,261,997

On March 17, 2015, OPB informed the agency that the state has begun initiatives and reforms associated with the Governmental Efficiencies Management Support (GEMS) outlined in Preamble, Section 18F of Act 15 of 2014 Regular Session. As a result, LPDB's FY 15 budget has been reduced by \$235,244. The reduction is to cover Procurement and Human Capital Management. The procurement amount (\$232,238) was based on LPDB's FY 14 spending history and the Human Capital amount was based on LPDB agency's head count. A BA-7 has been prepared to relinquish those funds.

The following contracts have been approved:

- **Ross Stewart Owen**, \$120,000 - to provide legal representation in the form of criminal defense services through trial and sentencing in *State vs. Tarika Wilson*, keeping the SPD and Board informed of the status of the prosecution and related matters and respond to their inquiries.
- **Robert Noel II**, \$75,000 - provide legal representation in the form of criminal defense services through trial and sentencing that does not include litigation or proceedings arising out of or involving tort or worker's compensation or other civil proceeding outside of the strict confines of the criminal prosecution.
- **J. Antonio Florence**, \$65,000 - to provide legal representation in the form of criminal defense services through trial and sentencing in the case *State vs. Tarika Wilson*.
- **J. Antonio Florence**, \$65,000 - to provide legal representation in the form of criminal defense services through trial and sentencing in the case *State vs. Kenneth Willis*.

## DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY15)

- **Joseph Grassi**, \$30,000 - to represent indigent convicted sex offenders determined to be sexually violent predators or child sexual predators by Sexual Offender Assessment Panel (SOAP) and take steps that are reasonable and necessary to assure that all services are provided constitutionally, ethically, and legally appropriate and proper and take all necessary actions to protect the clients' interest.
- **J. Rodney Baum**, \$51,000 - to represent indigent convicted sex offenders determined to be sexually violent predators or child sexual predators by Sexual Offender Assessment Panel and take steps that are reasonable and necessary to assure that all services are provided constitutionally, ethically, and legally appropriate and proper and take all necessary actions to protect the clients' interest.

*May 12, 2015*

To date, LPDB has disbursed 96.2% of DAF funds, or \$15,154,464; and 99.9% CINC funds, or \$978,964. The 41st PDO continues to receive monthly DAF disbursements.

On Thursday, April 23<sup>th</sup>, LPDB staff attended the Senate Finance Committee hearing for HB1 of the 2015 Regular Legislative Session. The FY2016 Executive Budget recommendation for LPDB of \$33,383,626 was reviewed with no questions posed to the staff.

The districts' pro-forma budget requests, submitted on April 1, 2015, are in the process of being thoroughly reviewed by staff. Staff has already begun reaching out to district defenders to discuss any issues/concerns before the submission of final, approved FY16 budgets on June 15, 2015.

The agency has reported on the FY15 key performance indicators from July 1, 2014 through March 31, 2015. To date we are on track to either meet/exceed our performance standards.

*June 16, 2015*

To date, LPDB has disbursed 98.6% of DAF funds, or \$15,895,084 (including additional \$102,000 of FY 15 funds); and 100% CINC funds, or \$979,680. Since the last board meeting, the Budget Division has participated in additional scrub meetings and hopes to have the last DAF distributions sent to the districts in the next week.

The FY 16 allocation to LPDB remains at \$33,383,626 as presented in House Bill 1 of the 2015 Regular Legislative Session.

The Budget Division continues to participate in the districts' pro-forma budget review. Final district budgets are due on or before June 15, 2015.

Budget Division staff continue to finalize accounting and budgetary responsibilities to close out fiscal year 2015.

*September 15, 2015*

## **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY15)**

Since the last Board Meeting on June 16, 2015, LPDB staff was able to make a final scrub of its FY15 budget. In accordance with the Board's recommendation, a final disbursement of \$884,128 in DAF funds was provided to the districts.

LPDB received the official Letter of Appropriation from the State's Office of Planning and Budget on July 2, 2015. The total budget for FY 16 is \$33,405,356. This compares to the FY 15 final budget of \$33,853,860 as of June 30, 2015.

The budget was loaded into the State's financial system on July 13, 2015. Prior to the budget being loaded, the DAF and CINC funds were disbursed on July 15, 2015. To date, LPDB has distributed 100% of DAF, or \$15,856,082 and CINC funds, or \$979,680.

In addition to our appropriated budget, Interim Budget Officer Natasha Carter submitted a BA-7 requesting permission to carry forward the unused obligated portion of the FY 15 Angola 5 contracts in the amount of \$271,326. On August 20, 2015, the Office of Planning and Budget notified LPDB, that the BA-7 was approved revising LPDB's FY 16 budget to \$33,676,682.

LPDB is in receipt for a Byrne Jag Grant (LCLE) in the amount of \$126,309. The grant period is from July 1, 2015 through June 30, 2016. To date, all grant activities including timely and accurate submission of monthly billing have been completed.

The Budget Division has completed the LaPas 4<sup>th</sup> Quarter Reporting, which is based upon the LPDB performance indicators.

### *December 2, 2015*

The annual operating budget for our agency was submitted to the State of Louisiana's Office of Planning and Budget on October 30, 2015. The budget request for fiscal year 2017 which begins July 1, 2016 is in the total amount \$75,928,884. This request, compared to our current budget of \$33,676,682, represents a 125% increase. Included in the request is an increase to the Louisiana Public Defender Fund in the amount of \$29 Million (rounded) to the districts and a \$600,000 increase to the Expert Witness program. There are also increases to the Indigent Parent Representation Fund of approximately three million. Additional funds were requested to adequately fund the pending Miller Kids cases, Curatorship, and Post Dispositions representation for juveniles.

Since the last Board meeting, we have prepared and submitted the quarterly report of the LaPas performance indicators for the period of July 1, 2015 through September 30, 2015. To date we are on track to either meet or exceed our performance standards for the fiscal year. The online LaTrac report of our budget was provided to update figures for the current fiscal year which is available to the public online at [www.la.gov](http://www.la.gov).

In addition to the Louisiana Commission on Law Enforcement grant, we have been awarded a grant from The Laura and John Arnold Foundation in the amount of \$119,551. The grant is to aid in conducting a workload study. The study will focus on the number of different types of cases that a Louisiana public defender can represent consistent with Louisiana Rules of Professional

## **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY15)**

Conduct and a lawyer's duty to provide reasonably effective assistance of counsel in accordance with prevailing professional standards. A BA-7 has been prepared and submitted to The Office of Planning and Budget to be presented at the next Joint Legislative Committee on the Budget at the December 18th meeting for approval.

Our contract auditor, Corlis Green, conducted an audit of the Baton Rouge Capital Conflict Office. She began an audit at Capital Appeals Program; however, it is not yet completed.

### **Compliance Division – Trial Level**

The Compliance Division has not had a Trial Level Compliance Officer on staff at any time this year, despite the best efforts of the State Public Defender and staff to identify appropriate candidates. As a result, LPDB's responsibilities for monitoring compliance have been divided between other staff members.

Capital Case Coordinator Jean Faria has actively monitored capital defense around the state. There are currently 61 active capital cases in the state at the trial level, with zero cases currently on the wait-list for representation. Ms. Faria convened a team to draft and vet proposed performance standards for capital defense. The result was a comprehensive set of standards that covered staffing, investigation, trial standards, mitigation, and other aspects of capital defense. Ms. Faria was also instrumental in reforming how the Expert Witness Fund is accessed by defenders and how experts get paid for their work.

LPDB's Director of Legislative Affairs – Juvenile Justice Compliance Officer Dr. Tiffany Simpson led LPDB's oversight efforts using the agency's comprehensive site visit protocol, formally adopted by the Board in 2014. The protocol includes a combination of database and reporting review, court observation, file review, employee and stakeholder surveys and input, and interviews with the District Defender and district office staff. This protocol enables LPDB staff to provide oversight and supervision as well as better assess the quality of representation and cost-effectiveness of a district public defender office. In 2015, staff conducted 16 site visits in the 1<sup>st</sup>, 5<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup>, 22<sup>nd</sup>, 23<sup>rd</sup>, 25<sup>th</sup>, 26<sup>th</sup>, 28<sup>th</sup>, 34<sup>th</sup>, 37<sup>th</sup>, 39<sup>th</sup>, and 41<sup>st</sup> districts. Many of these site visits came as a direct result of impending Restriction of Services (ROS).

Deputy Public Defender-Director of Juvenile Defender Services Richard Pittman has been tasked with receiving and investigating client complaints that the Board receives from around the state.

### **Information and Technology Management (ITM)**

#### **Program Development and Resource Management Division (PDRM)**

This PDRM/ITM division has a broad array of responsibilities falling under the headings of Program Development and Resource (information) Management (PDRM). Per the requirements of Act 307, the Division implemented online or otherwise automated technologies to assist district-level management with reporting on financial, personnel compensation and budget requests, as well as programs and technologies to promote local-level data-driven decision-making. Regarding

# **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY15)**

Resource/Information Management, the Division produced scores of analyses most of which provided insight to financial solvency and changes in local revenues following the Act 578 (of 2012) court fee increases—not always positive changes. Many of these studies also contributed to a deeper and broader understanding of district office capacity for representation. A more detailed compilation of board meeting topics presented by the PDRM division follows.

Excerpts from 2015 SPD REPORTS

## **Information and Technology Management (ITM)**

*January 13, 2015*

### **Technology Management**

The major technology advances managed by the ITM staff since the last meeting were twofold. First, the office developed a Restriction of Services (ROS) Calculator program based in MS Excel which allows the LPDB staff to enter data from a district's ROS plan and get instantaneous feedback regarding the viability of the plan from both caseload change perspective and the financial solvency perspective. Secondly, ITM staff produced a first draft of the 80-plus page Request for Proposals for the next 5-year contract for the case management system software-as-a-service bid. State IT has reviewed and returned a list of suggestions which are slated to be completed soon. Concurrently, staff is working with SSA consultants to develop a stepwise series of mandatory fields for the database to require a reasonable amount of data for predictable analyses in the future while being respectful of data entry staff time

### **Information Management**

The ITM staff completed the dissemination of Annual Reporting online forms (district narrative, district caseload report and annual financial summary based on monthly reports) as well as the instructions and tutorial guides related to these reports. Staff continues to offer assistance to the district offices in this regard.

Staff also completed solvency projections based on the most current data for FY15 and FY16 and a comparative spreadsheet on FY15 v. estimated FY16 DAF amounts. Staff also completed the SCR99 research statistics.

Dr. Erik Stilling presented a report in late November to the 74<sup>th</sup> Annual American Society of Criminologists Conference in San Francisco on Louisiana's successful strategy for data collection system deployment, data entry culture change and data analysis and feedback to the field.

*March 24, 2015*

The ITM Division spearheaded and coordinated the production and dissemination of the 700+ page LPDB 2014 Annual Report by compiling over 120 individual reports from the 42 districts offices in just over two weeks (two days ahead of schedule). ITM staff assisted the legal division on producing the JLCB report (LPDB Report to the Joint Legislative Committee on the Budget) by providing charts and graphics to be included in the report, as well as posting the report to the LPDB website.

## **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY15)**

The ITM Division continues to utilize the recently developed Restriction of Services (ROS) Calculator program, which allows the LPDB staff to enter data from a district's ROS plan and get instantaneous feedback regarding the viability of the plan from both caseload change perspective and the financial solvency perspective. The ITM manager analyzes district revenues and expenditures to produce solvency projections for all districts; providing estimated shortfall dates of when districts may deplete their fund balances. ITM staff created a new database ROS case result and status; as well as generated numerous ad hoc caseload and workload reports on various topics such as caseloads and finances for districts going into ROS.

ITM staff have completed DAF calculations for FY16, and have provided districts with their tentative approximate DAF and CINC amounts. ITM staff has tested and deployed the FY16 pro forma Budget documents to the database, and notified districts of the April deadline to submit their pro forma Budgets. This financial management tool will give districts comparative percentages of last year's and the current year's budgets and permit them to offer the best estimate of their expenditures for the coming year. Using the preview report function, districts can test different pro forma amounts and preview and edit them before submitting their pro forma Budgets to LPDB.

ITM staff continued to edit the draft of the 80-plus page Request for Proposals for the next 5-year contract for the case management system software-as-a-service bid. State Information and Technology is reviewing the RFP and will let us know the status soon. The ITM manager attended numerous meetings: budget, ROS, office move, and participated as an invited focus group member for the U.S. D.O.J. "Right to Counsel and Indigent Defense" research agenda development round-table in Arlington, Virginia.

*May 12, 2015*

ITM Director Erik Stilling continues to analyze district revenues and expenditures to produce solvency projections for all districts, providing estimated shortfall dates of when districts may deplete their fund balances.

Since the last Board meeting, the ITM Division has assisted districts with questions related to their FY16 pro forma Budgets. Staff developed financial graphic analysis for several districts, reviewed submitted budgets and provided technical support for the online program.

The ITM Division has been working on database upgrades and modifications, such as sentencing data collection fields and mandatory fields required to close a case. These modifications will be discussed with districts at the upcoming statewide database training tours scheduled for June 9-12, 2015. ITM staff is coordinating the training schedule, tracking attendee participation, and creating a training syllabus.

ITM staff has created tutorials related to the new ROS case result and status on the database, created a financial report for district ROS use, as well as instructions for districts to run related reports.



# **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY15)**

The ITM Division provided district caseload and personnel compensation data for the U.S. Department of Justice/Bureau of Justice Statistic “2013 National Survey of Indigent Defense Systems” survey.

The ITM Division has performed several analyses’ related to caseloads and finances - such as a comparison of Orleans and East Baton Rouge city court caseloads by attorney from 2008-2014, LASC decline in filings, fiscal note, and costs associated with the LPDB upcoming office move.

*September 15, 2015*

## **Budget/Financial**

ITM Director Erik Stilling continues to analyze district revenues and expenditures to produce solvency projections for all districts, providing estimated shortfall dates of when districts may deplete their fund balances. The ITM Director provided FY15 DAF budget scrub analysis and amounts, as well as district FY16 DAF amounts. The ITM Division assisted the budget division by reviewing districts final FY16 budget requests

The ITM Division has provided several historical analysis’s and graphics of district revenues, expenditures, and fund balances: analysis and graphics of Supreme Court and DA filings history from CY09-CY14 for all 42 districts; statewide total local district court fee revenues pre and post Act 578 from FY08-FY15; map of districts who received bail-out emergency funds from the adjustment formula; updated graphic analysis showing district statewide revenues, expenditures, fund balances, and fund balance depletions from CY10-CY14 and FY15; analysis on DA/city attorney filing trends CY11-CY14 for traffic and criminal court filings.

## **Database**

The ITM Director conducted regional database trainings in seven regional sites throughout the state in early June 2015: Orleans, Baton Rouge, Lafayette, Alexandria, Natchitoches, Shreveport, and Monroe. Attorneys and data entry staff from every district were invited, and one hundred twenty-three (123) participants attended the training, representing all but five districts (who were unable to attend). The training included a lecture with demonstrations of database fundamentals and shortcuts, as well as a focus group session with users wherein the staff proposed new database features, such as mandatory fields required to close a case, sentencing data collection fields, and proposed new database events.

ITM staff continued to edit the draft of the 80-plus page Request for Proposals (RFP) for the next 5-year contract for the case management system software-as-a-service bid. ITM staff will soon forward the RFP on to State IT who will let us know the next steps in the bidding process.

## **Weighted Case Load Study**

Timekeeping: ITM staff attended meetings, conducted a field office survey soliciting input on task list filtering and new case types for time keeping and weighted caseloads and developed a charge code table according to these new case types.

# **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY15)**

## COOP

This past August ITM staff tested our Continuity of Operation Plan (COOP) by requiring all districts and LPDB staff to participate in a COOP drill. All districts and staff were required to access the COOP website and enter information, so as to familiarize themselves with the system in the event there was a true emergency.

## Ad hoc tasks/requests

In order measure the effects of the over-arresting/over-charging practices of law enforcement on the workforce of Louisiana, the ITM Director conceived and initiated a pilot study on the numbers of open jobs in Louisiana as correlated to the numbers of convicted citizens for offenses that have no bearing on their employability. The ITM Division has performed several ad hoc analyses related to caseloads and finances, assisted with creating an internal LPDB contract protocol, and assisted with editing a white paper in response to the LDAA letter to the legislature refuting their erroneous claims. The ITM Director participated in a site visit to the Orleans PD office regarding ROS.

On September 8th, 2015, LPDB IT Network Administrator Chase May hosted a training webinar on Adobe Acrobat software, facilitated by the National Association for Public Defense. Topics covered included conversion of pdf to MSWord, highlighting text within a pdf, editing text and images in a pdf, inserting files into pdf documents and combining pdf documents into a single document, creation of dynamic pdf forms, OCR/text recognition, security techniques, redaction of text and keyword search in pdf documents. The webinar was attended by dozens of participants across the nation, including attorneys and support staff participants nationwide.

## Meetings

ITM Director Erik Stilling participated in several meetings including: weekly staff meetings, strategic planning, DDAC, board training, SDR Committee meeting, City of Thibodaux Police Department meeting, Judicial Council Court Cost Committee regarding court costs collections (provided a PowerPoint and graphics on the districts history of funding).

*December 1, 2015*

## Budget/Financial

ITM Director Erik Stilling continues to analyze district revenues and expenditures to produce solvency projections for all districts, providing estimated shortfall dates of when districts may deplete their fund balances. The ITM Director produced projected district FY17 DAF minimum amounts needed for solvency analysis.

The ITM division has provided several ad hoc financial analyses and graphics of district revenues, expenditures, and fund balances. The division also assisted the budget division by reviewing districts final FY16 budget requests.

## Annual Report

The ITM Division has started coordinating and preparing for updating the statutory mandated Annual Report. ITM staff successfully uploaded the CY15 Annual Report Survey questionnaires

# **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY15)**

to the web for completion by the districts along with detailed instructions. The upload and subsequent download (data collections and compilation) processes were also tested and succeeded. ITM staff has also been updating and proofing the many templates that will be needed to compile the roughly 800-page report in the 31-day timeframe from CY15 years end to the February 1, 2016 report deadline.

## Database

Weighted Case Load Study - Timekeeping: ITM staff has deployed the new timekeeping program to the database. The time tracking study is designed to track time devoted to legal representation tasks. The ITM Director conducted timekeeping training this past October on location in Lafayette, Baton Rouge, and New Orleans with the following pilot districts: 41<sup>st</sup> (Orleans), 15<sup>th</sup> (Acadia, Lafayette, and Vermillion), 10<sup>th</sup> (Natchitoches), 19<sup>th</sup> (East Baton Rouge), and 22<sup>nd</sup> (St. Tammany and Washington). The training included a lecture with demonstrations of the new timekeeping program, solicitation of input from the field, and the distribution of a timekeeping tutorial.

Compensation Reports: The ITM division has made modifications to the Compensation Report “Summary Reports” for LPDB staff. Enhancements were made to the district summary reports so that greater detail is shown for district earnings and hours. These reports will be extremely useful for many different analyses’ such as Line Attorney Compensation Scale Development Analyses.

RFP: ITM staff finished editing the draft of the 80-plus page Request for Proposals (RFP) for the next 5-year contract for the case management system software-as-a-service bid. Staff forwarded the RFP onto the State IT department in late September, and are currently awaiting for their response on the next steps to take in the bidding process.

ITAC: The ITM Division has coordinated the creation of a volunteer council of data entry users called the “Information Technology Advisory Council” (ITAC). The ITAC group was created so there would be a council of database users from around the state to provide active and constructive input to LPDB regarding the database. Creation of the ITAC group will improve communication between LPDB and data entry users with regards to database improvements or changes.

Ad Hoc: The ITM division has provided several ad hoc reports and analysis on district caseloads and salaries.

## Training

ITM staff has assisted with training for several newly hired district defenders. Staff has provided in person and webinar training on the database, district dashboards, financial and budget website, Compensation Reports, Annual Report website, and the Continuity of Operation Plan (COOP) website.

## Meetings

ITM Director Erik Stilling participated in several meetings including weekly staff meetings, strategic planning meeting, and was an invited participant at the Koch Institute Justice Summit. The ITM Director also participated in a Plaquemines Parish site visit with LPDB staff.

# **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY15)**

## **Juvenile Division**

The Juvenile Division has been staffed by Deputy Public Defender – Director of Juvenile Defender Services (DPD-DJDS) Richard M. Pittman and Director of Legislative Affairs - Juvenile Justice Compliance Officer (DLA-JJCO) Dr. Tiffany Simpson for the entire calendar year 2015.

DPD-DJDS Pittman and DLA-JJCO Simpson have participated in a number of stakeholder groups during the year, including the Juvenile Justice Act Implementation Commission, the Pelican Center Training Committee, the Children Justice Act Committee, The CARE Advisory Committee for the Court Improvement Project, the Children’s Code Committee, and the Juvenile Detention Alternative Initiative. These organizations have produced a variety of outputs that have benefited defenders, children, and parents, including access to training, and bills passed by the legislature and signed into law. Specifically, these organizations had the following accomplishments:

- Recommended to the Legislature a bill amending the State’s mandatory reporter provisions to exempt social workers and other behavioral health professionals who work for attorneys representing children in cases governed by the Children’s Code (delinquency and CINC, primarily). This bill was passed and signed into law during the 2015 legislative session;
- Presented day-long training for CINC attorneys and stakeholders through the National Association of Counsel for Children (NACC);
- Monitored and held accountable the Office of Juvenile Justice in its struggles to support reform of juvenile justice;
- Provided funding for DPD-DJDS Pittman, SPD James T. “Jay” Dixon, and five parent defenders from around the state to attend the 4<sup>th</sup> ABA Parent Attorney Conference in Washington, D.C.;
- Supported and provided technical assistance to juvenile detention centers seeking to regularize and reform its admittance practices;
- Provided parent advocates to parents in the child welfare system in the 15<sup>th</sup> and 16<sup>th</sup> districts through The Extra Mile, a nonprofit corporation; and
- Continued to provide support to nearly a dozen public defenders in seeking certification as a child welfare specialist from NACC.

In addition to these state-level stakeholder organizations, Mr. Pittman and Dr. Simpson have been involved in the leadership of national organizations. Mr. Pittman serves on the Advisory Committee of the Southern Juvenile Defender Center (SJDC), which held its annual Summit in New Orleans in 2015. He also serves as co-chair of the Juvenile Committee of the National Association for Public Defense. This year, Mr. Pittman was named to the Steering Committee of the American Bar Association’s National Parent Representation Project. The SJDC presented its

## **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY15)**

annual Summit in New Orleans in June of 2015, where DPD-DJDS Pittman presented on Challenging Identifications.

This year, the Juvenile Division began its Board-directed strategic planning process, intended to create a three-year plan to advance and improve the representation of children in delinquency and FINS cases.

The Juvenile Division held its annual Juvenile Defender Training (JDT) on January 27-29, 2015. In this year's event, defenders were able to choose from multiple simultaneous sessions, and could attend either delinquency/FINS track sessions or CINC/TPR sessions, or choose a mix of sessions. Trainees attended sessions on Managing the Juvenile Caseload, Developing a Theory of the Case, Cross-Examination, FINS Advocacy, Trauma-Informed Representation and Client-Centeredness, Probable Cause Advocacy, Promoting Best Practices for Leaders, Drug Testing Science, Navigating the Interstate Compact for the Placement of Children, The Challenge of Miller v. Alabama, Transfer Advocacy, Alternative Explanations for Child Injuries, Detention Advocacy, Daubert in the CINC Courtroom, Challenging Juvenile Statements, Defending Sex Cases, Intro to the Safety Guide and the Role of the Parents' Attorney, The Six Areas of Assessment and the Safe vs. Unsafe Child, and CINC Procedure and Safety Advocacy. A total of 54 defenders attended these trainings. In 2016, for the first time the Juvenile Division will present separate training events for delinquency defenders and parent defenders, which will allow defenders to maximize their training experience without having to choose between CINC and delinquency sessions. The CINC/TPR portion of JDT will be presented on February 18-19, 2016, and the delinquency portion of JDT will be presented on February 25-26, 2016.

This year, DPD-DJDS Pittman became a certified ACE Educator through the Louisiana ACE Educator Program by attending 2-day, invitation-only program in Alexandria, Louisiana, in September of 2015. This program certified over 20 people from a variety of fields to present and discuss the Adverse Childhood Experiences study and the effects of trauma and the intergenerational transfer of trauma on public health. DPD-DJDS Pittman has delivered presentations on this topic to children's attorneys, DCFS workers, and clinical psychologists in 2015.

In addition to presenting on the Adverse Childhood Experiences study and on Challenging Identification Testimony, DPD-DJDS Pittman organized and led a panel of parent attorneys to present at the Together We Can Conference on the role of parent attorneys in the child welfare system on October 13, 2015. Mr. Pittman thanks defenders Jane Thomas of the 19<sup>th</sup>, S. Marie Johnson of the 15<sup>th</sup>, and Shentell Brown of the 16<sup>th</sup> for their participation and enthusiasm for this panel. He also re-presented his session on Challenging Identifications via teleconference to a group of juvenile defenders in Florida in October of 2015 at the invitation of Florida defender Rob Mason. On December 4, 2015, DPD-DJDS Pittman presented a webinar for NAPD on "Focusing on Child Safety in Child Welfare Cases".

The Juvenile Division has observed juvenile court proceedings in many districts around the state this year, including the 1<sup>st</sup> (Caddo), 15<sup>th</sup> (Lafayette, Acadia, Vermillion), 17<sup>th</sup>, 19<sup>th</sup>, 21<sup>st</sup>, 24<sup>th</sup>, 27<sup>th</sup>,

## **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY15)**

34<sup>th</sup>, and 40<sup>th</sup>. The Juvenile Division has also observed court in other jurisdictions as part of LPDB's formal Compliance site visit protocol, detailed in the Compliance Section of this report.

The Juvenile Division has also maintained a list serve hosted by the National Juvenile Defender Center, which has served as an important vehicle for the Division to communicate with the field and for attorneys in the field to seek support or assistance from their peers. In the calendar year 2015, there were more than 235 messages posted to the list serve.

### **Training Division**

The past calendar year has been a difficult one for the Training Division. At the beginning of the year, the Director of Training left for other opportunities in the legal field. The position has remained unfilled, as our payroll funding has been reduced and we have not had the funds to fill the position. As a result, the remaining executive staff has worked closely with our Administrative Programming Specialist to try to maintain our training programs.

This spring our annual Leadership Training was limited to the Executive Directors of the non-profit programs. All of the Executive Directors of the non-profits received an informal survey regarding the leadership and management topics relevant to them. Patrick Virgadamo, an attorney with the Legislative Auditors office, discussed the governance issues regarding 501(c)3/IRS rules and the interplay between Louisiana state law and contracts and the 501(c)3s' own boards. Jeff Sherr, training director for the state of Kentucky trained on how to be a manager and supervisor when a director carries caseloads at or in excess of state and national standards.

LPDB trained delinquency attorneys on Case Management, Developing a Theory of the Case, Cross-Examination, FINS Advocacy, Transfer Advocacy, Detention Advocacy, Challenging Juvenile Statements, and Defending Sex Cases. Parent attorneys could attend Trauma-Informed Representation and Client-Centeredness, Alternative Explanations for Child Injuries, *Daubert* in the CINC Courtroom, and a full-day training on Advocacy in the Safety-Focused Courtroom. In addition, LPDB offered a small-group session in which trainees could choose between sessions on Probable Cause Advocacy, Navigating the Interstate Compact for the Placement of Children, The Challenge of *Miller*, Supporting Best Practices for Supervisors, and Drug Testing Science. A total of 54 defenders attended training, and trainee feedback was extremely positive.

On June 25-26, 2015, the Juvenile Division assisted with conducting a two-day training for defenders representing children in potential Life Without Parole cases, so-called "Miller" cases, a joint project between LPDB and the Juvenile Justice Project of Louisiana. This field is expanding in scope since the Supreme Court's ruling in *Miller v. Alabama* that states may not automatically sentence offenders to life without parole for offenses committed before the age of 18. The training was held at the East Baton Rouge Parish Public Library and was attended by 46 trainees. The training was the result of coordination between our Capital Case Coordinator and Carol Kolinchak from the Louisiana Center for Children's Rights. Both Deputy Public Defender – Director of Juvenile Defender Services Richard M. Pittman and Juvenile Justice Compliance Officer Dr. Tiffany Simpson served as faculty for the training.

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DPD-DJDS Richard Pittman has been active in promoting cross-disciplinary training in the child welfare field by being on the Pelican Center Training Committee Workgroup. The Pelican Center is emphasizing quality representation as a means to reduce the number of children in foster care. Other child welfare stakeholder organizations in which the juvenile division is involved include the CARE Committee, the CIP Advisory Committee, and the Children's Justice Act Committee. Since May 12, 2015, DPD-DJDS Pittman has attended one meeting of the Pelican Center Training Committee Workgroup and is working to bring quality training for parent attorneys and other child welfare stakeholders later this summer.

On September 9, 2015, a request was submitted to Division of Administration Commissioner Kristy Nichols requesting an exemption to Executive Order BJ 15-11 which places a hiring and expenditure freeze on all state agencies effective until January 1, 2016. Specifically, LPDB requested permission to move forward with its statutorily mandated obligation to provide statewide trainings. Permission was granted and our Capital Case Coordinator, Jean Faria, was able to procure a grant from the National Association of Criminal Defense Lawyers and present a joint skill training for line attorneys to broaden participants' trial skills. It was open to attorneys with ten or more years of practice experience. The training was held from November 12-13, 2015 in Alexandria, Louisiana and involved training from nationally renowned criminal defense attorneys.

The annual Capital Defense Training seminar was held October 21-23, 2015 in New Orleans, Louisiana. Seventy-four (74) participants enrolled in the program with several teams bringing an actual case for brainstorming. Our desire this year was to demonstrate how to translate abstract concepts into actual courtroom presentations for effective capital defense. We emphasized several areas of law and the importance of mitigation. We have many ideas for future capital trainings to make this seminar an even greater direct assistance to practitioners in the field.

The Legislative Update was held on December 17, 2015, in Baton Rouge, Louisiana, providing 16 defenders with an update of all bills passed in 2015 that affect criminal law and procedure.

In addition to our regular trainings, DPD-DJDS Pittman and IT Specialist Chase May conducted webinars sponsored by the National Association for Public Defense. On April 16, 2015, DPD-DJDS Pittman hosted a webinar on "Ten Tips for the Adult Defender Who Finds Herself in Juvenile Court", and on December 4, 2015, he hosted a webinar on "Promoting Child Safety in Child Welfare Cases". NAPD makes its webinars available free of charge to NAPD members and are viewed by a national audience.

The ITM Director conducted regional database trainings in seven regional sites throughout the state in early June 2015: Orleans, Baton Rouge, Lafayette, Alexandria, Natchitoches, Shreveport, and Monroe. Attorneys and data entry staff from every district were invited, and one hundred twenty-three (123) participants attended the training, representing all but five districts (who were unable to attend). The training included a lecture with demonstrations of database fundamentals and shortcuts, as well as a focus group session with users wherein the staff proposed new database features, such as mandatory fields required to close a case, sentencing data collection fields, and proposed new database events.

# **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY15)**

On September 8th, 2015, LPDB IT Network Administrator Chase May hosted a training webinar on Adobe Acrobat software, facilitated by the National Association for Public Defense. Topics covered included conversion of pdf to MSWord, highlighting text within a pdf, editing text and images in a pdf, inserting files into pdf documents and combining pdf documents into a single document, creation of dynamic pdf forms, OCR/text recognition, security techniques, redaction of text and keyword search in pdf documents. The webinar was attended by dozens of participants across the nation, including attorneys and support staff participants nationwide.

Absent a Director of Training, the Administrative Program Specialist, with assistance from members of the executive staff, has engaged in ongoing efforts to develop and implement LPDB's 5-year Strategic Plan and continue building a library of LPDB training materials.

## **Capital Division**

The Capital Division of the State Board is led by Jean Faria, the Capital Case Coordinator. She is assisted by her colleague Terre Hazlewood. The Division receives support from its consultant, John Holdridge, a nationally recognized capital defender. Together, they are responsible for assigning counsel in capital cases; collecting capital case data at all stages of the proceedings; reviewing and deciding on expert witness applications for funding; overseeing the invoices and payment of the experts; reviewing all applications for certification of attorneys who seek to represent capital defendants and making final recommendations to the State Public Defender; creating and providing Capital Defender Training on an annual basis; assessing the performance of the capital non-profit organizations; reviewing and analyzing the non-profit proposed budgets and contracts annually; reviewing invoices in a small number of cases whose counsel contracts directly with the State Board.

The Capital Division works directly with the Board's Capital Working Group (CWG), which consists of Board members, most of whom have a strong background in capital defense. Both the Capital Guidelines and the Capital Performance Standards were vetted through the CWG prior to presentation to the Board. The CWG is reviewing the State Capital Representation Plan to determine the most reasonably effective, efficient and fiscally responsible method for the delivery of capital representation at all stages of the proceedings.

The CCC and the capital consultant engage in regular meetings and teleconferences with the capital program executive directors discussing staffing of capital cases, conflicts of interest, development of case assignment practices which are consistent with the Louisiana Rules of Professional Conduct and the Louisiana Capital Defense Guidelines and the Capital Performance Standards.

## **Other Duties**

### **Weighted Case Load Study**

The Capital Case Coordinator is the staff member responsible for the statutorily required weighted caseload study. The work began in July 2015 and is expected to be completed in August of 2016. After receiving approximately \$120,000 in grant funding from the Laura and John Arnold



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Foundation, the CCC selected experienced consultants to assist in the project, to work with the Louisiana Accounting Firm of Postlethwaite & Netterville. Using the Rand Corporation's Delphi Panel methodology developed in the 1950s and first used in 1964, Postlethwaite & Netterville have begun the survey process involving the Louisiana criminal defense experts.

## **Restriction of Services**

In the late spring, the CCC became involved in the restriction of services process, assisting in site visits, and reviewing the districts' proposed plans prior to adoption.

## **LPDB Website**

The CCC has assumed responsibility for overhauling the Board's website and updating the information on the site.

## **Commission on Pre-Trial Release**

Serving as the State Public Defender's appointee to the Commission on Pre-Trial Release, the CCC is responsible for representing the defense perspective on pre-trial release and assisting in the identification of a validated pre-trial release instrument.

## **Litigation Monitor**

The state staff is frequently subpoenaed to testify throughout the state and has been both a named defendant and a plaintiff in a number of law suits. Initially, most of these lawsuits involved capital funding and subpoenas duces tecum, directly related the work of the Division. Over time other law suits were filed regarding capital contracts, funding for representation in multi-defendant state RICO cases, among others. The CCC monitors all of the litigation involving the Board and its staff.

## **Training**

In the absence of a Training Director, the CCC has developed the agendas and/or trained at four separate events: the Leadership and Management Training for the non-profits in March; the Miller training in June with LCCR, the Capital Defender Training in October and the LPDB/NACDL training of attorneys with ten or more years of experience in November.

## **Promulgation and Publication of Performance Standards**

The CCC oversaw the promulgation and publication of the Performance Standards for Criminal Defense Representation in Indigent Capital Cases and the LPDB Trial Performance Standards in 2015.

## **Special Projects Division**

The Special Projects Division did not have a Special Projects Advisor on staff during the 2015 calendar year. This position has historically engaged in a variety of projects to promote LPDB's missions and statutory mandates. In the past, the Special Projects Advisor has been responsible for updating the agency's website with relevant announcements, employment opportunities, and local, state, and national public defense news and information. It has also assisted with publication of

## **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY15)**

practice standards, guides, and information relevant for clients. The division has also historically published a monthly newsletter to over 900 subscribers, applied for grants and monitored compliance, and supported other divisions in their core functions.

Because LPDB has been unable to staff the Special Projects Division within its budget, other staff members have assumed these responsibilities, often at the expense of their core duties, on an *ad hoc* basis as the tasks have become critical. In 2015, LPDB staff has completed the following tasks that were historically the work of the Special Projects Division:

- Procured and successfully completed all deliverables for the Louisiana Commission on Law Enforcement and the Administration of Justice (LCLE) Grant (\$126,309);
- Procured a grant to contract with an auditor to conduct audits of multiple public defender offices, which included corrective action plans, as appropriate;
- Awarded nearly \$120,000 from the Laura and John Arnold Foundation to conduct an empirical case weighting study which will implement timekeeping among public defenders and update Louisiana's caseload standards;
- Supported a grant application (approval pending) for the 32<sup>nd</sup> District PDO from the National Juvenile Defender Center to fund a post-dispositional fellowship in the juvenile division;
- Printed, with LCLE grant funds, the *Trial Court Performance Standards*;
- Developed and disseminated educational materials describing the agency's mission, functions, and the effect of the fiscal crisis facing local public defenders offices;
- Following a catastrophic crash of the agency's website, substantially updated the agency's website, including uploading and making publicly available information about LPDB's budget, district public defender offices' budgets, standards, personnel compensation, contracts, and financial reports.

Because of the lack of capacity within the Special Projects division, LPDB did not publish any informational guides as it has in the past and has suspended its monthly newsletter. Given the substantial duties of LPDB staff, LPDB will be unable to regularly perform this division's historical duties.

# **FY 2015 BOARD MEMBER ATTENDANCE**

## **at the**

## **LOUISIANA PUBLIC DEFENDER BOARD MEETINGS**

**Eight or more Board members attended each of the Board's seven meetings during FY 2015, fulfilling the eight-member quorum requirement set forth in La. R.S. 15:151.**

The membership attendance by date is set forth below:

**1. September 4, 2014 -- 8 voting members, 0 ex officio member present**

Judge Robert Burns, (Ret.) Chairman	Hector Linares
M. Hampton Carver	Herschel Richard
Addison Goff	Gina Womack
Frank Holthaus	
Robert Lancaster	

**2. November 13, 2014 -- 10 voting members, 1 ex officio member present**

Judge Robert Burns, (Ret.) Chairman	Hector Linares
M. Hampton Carver	Herschel Richard
Addison Goff	Stephen Singer
Leo Hamilton	Gina Womack
Robert Lancaster	<u>Ex Officio:</u>
Herbert Larson	Rebecca Hudsmith

**3. January 13, 2015 – 13 voting members, 0 ex officio members present**

Judge Robert Burns, (Ret.) Chairman	Hector Linares
M. Hampton Carver	Tom Lorenzi
Addison Goff	Jacqueline Nash
Leo Hamilton	Herschel Richard
Frank Holthaus	Stephen Singer
Robert Lancaster	Gina Womack
Herbert Larson	

**4. March 24, 2015 – 11 voting members, 0 ex officio members present**

Judge Robert Burns, (Ret.)	Herbert Larson
Franz Borghardt	Hector Linares
M. Hampton Carver	Tom Lorenzi
Addison Goff	Herschel Richard
Leo Hamilton	Stephen Singer
Robert Lancaster	

**FY 2015 BOARD MEMBER ATTENDANCE**  
**at the**  
**LOUISIANA PUBLIC DEFENDER BOARD MEETINGS**

**5. May 12, 2015 -- 11 voting members, 0 ex officio members present:**

Judge Robert Burns, (Ret.) Chairman	Hector Linares
Franz Borghardt	Tom Lorenzi
Hampton Carver	Jacqueline Nash
Leo Hamilton	Herschel Richard
Frank Holthaus	Flozell Daniels, Jr.
Herbert Larson	

**6. June 16, 2015 – 9 voting members, 1 ex officio members present:**

Judge Robert Burns, (Ret.) Chairman	Robert Lancaster
Franz Borghardt	Tom Lorenzi
Hampton Carver	Herschel Richard
Leo Hamilton	Gina Womack
Frank Holthaus	<u>Ex Officio:</u>
	Rebecca Hudsmith

**DECISIONS AND ACTIONS**  
**of the**  
**LOUISIANA PUBLIC DEFENDER BOARD FY 2015**

**September 4, 2014**

1. The Board welcomed the new member appointed by the governor, Professor Stephen Singer, representing Loyola Law School.
2. The Board appointed Professor Herbert Larson as Chairman of the Budget Committee.
3. The Board adopted the minutes from the May 12, 2014 meeting.
4. The Board adopted the financial report as presented.
5. The Board accepted the Budget Committee's recommendation of a FY16 budget request in the amount of \$62,165,241, an increase of nine million dollars from the FY15 budget request.
6. The Board adopted the Budget Committee's recommendation for ratification of staff's submittal of a grant application to Baptist Community Ministries in the amount of \$416,400. The grant, if awarded, would fund a three-year project in Jefferson Parish to provide social worker support for CINC attorneys.
7. The Board adopted a policy based on staff's recommendation to hold the adjustment formula in abeyance for FY15. Staff indicated the formula is not a viable option to keep the districts solvent and in some instances could do more harm than good.
8. The Board adopted a policy that legislation be pursued entitling District Defender Offices to an expense allowance for operational expenses to be paid by police juries and/or their equivalent. Currently, these basic infrastructure needs are provided to other criminal justice system entities but public defender offices' needs are funded out of LPDB's general appropriation.
9. The Board adopted a policy that any local, non-statutory funds received by the District Defender would be removed from that district's annual DAF calculation. Pursuant to the policy, those funds would not be considered revenue or a reduction of expenditures in the calculation for that district's allocation of state funding. The purpose of this policy is to ensure that our funding mechanisms do not penalize districts for receiving local contributions.
10. The Board instructed staff to research CINC appointment activity statewide and to draft a protocol for communicating Board policies to other stakeholders.

**DECISIONS AND ACTIONS**  
**of the**  
**LOUISIANA PUBLIC DEFENDER BOARD FY 2015**

11. The Board amended the Executive Staff Evaluation practice from annually to bi-annually with the exception that any executive staff member or the State Public Defender can be evaluated whenever deemed necessary.
12. The Board deferred the issue of mandatory licensing of contract investigators providing services to public defender offices.
13. The Board adopted a FY15 scope of services resolution for John Holdridge.
14. The Board approved CINC disbursements.
15. The Board approved scope of services resolutions for Juliet Yackel and Nick Trenticosta for CAPOLA assessments.
16. The Board approved a five percent salary increase for District Defender Vic Bradley of the 29<sup>th</sup> district.

**November 13, 2014**

1. The Board adopted the minutes from the September 4, 2014 meeting.
2. The Board appointed Herschel Richard to serve as Vice Chairman of the Board. Mr. Richard accepted the appointment.
3. The Board adopted the financial report as presented.
4. The Board approved disbursement of the second distribution of DAF and CINC funds in amounts equal to the first distribution.
5. The Board approved contract amendments for the 501(c)(3) programs in amounts equal to the first six-month distribution with an exception of allocations to BRCCO, CAPSELA, and LCAC which will each receive \$100,000 (reserved from the non-funding of CAPOLA) to cover extra expenses to be incurred for handling those cases being left un-represented as a result of CAPOLA's removal as legal counsel.
6. The Board voted not to renew the contract with CAPOLA.
7. The Board approved reallocation of CAPOLA funds to pay private counsel to take those cases from which CAPOLA is being removed as legal counsel.

**DECISIONS AND ACTIONS**  
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8. The Board approved the reallocation of CAPOLA funds to pay core team members, mitigation experts and investigators on those cases from which CAPOLA is being removed as legal counsel and private counsel is retained.
9. The Board approved contracts for private attorneys to enroll as counsel in those capital cases being left unrepresented as a result of CAPOLA's contracts not being renewed.
10. The Board approved an amended expert witness protocol allowing mitigation experts to be allowed to start work immediately in order to avoid the potential loss of dated evidence provided payment on services rendered would not be made until funds are available.
11. The Board adopted a policy that the district offices are not required to provide legal representation in Child Support Enforcement and Establishment of Paternity Defense cases.
12. The Board tabled the issue of Curatorships.
13. The Board adopted a policy that the district offices are not required to provide legal representation for children in CINC and Termination of Parental Rights cases upon exhaustion of state funds provided for that purpose.
14. The Board adopted a protocol to keep district and contract program offices apprised of policies adopted by the Board which may affect them.
15. The Board granted an exception to their active freeze on out-of-state travel to allow Dr. Erik Stilling to attend the American Society of Criminologists' annual convention to present on LPDB's data program.
16. The Board approved scope of services resolutions for Stone Pigman to perform legal services stemming from the State v. Willis and State v. Wilson cases.
17. The Board approved scope of services resolutions for Decuir, Clark & Adams to perform legal services in the State v. Robertson and Edge v. LPDB.
18. The Board approved temporary authority (ending March 1, 2015) to State Public Defender Dixon to select an interim District Defender in those districts where a vacancy has occurred or may occur.

**DECISIONS AND ACTIONS**  
**of the**  
**LOUISIANA PUBLIC DEFENDER BOARD FY 2015**

**January 13, 2015**

1. The Board approved the Minutes of the November 13, 2014 meeting.
2. The Board adopted the Budget Committee's recommendation to approve the financial report as presented.
3. The Board adopted the Budget Committee's recommendation to approve the FY16 501(c)(3) program contracts and contract amounts.
4. The Board approved legal services contract resolutions for John Holdridge and Stone Pigman.
5. The Board adopted the Budget Committee's recommendation to approve an additional \$200,000 for FY15 for the Expert Witness Fund.
6. The Board approved a Resolution giving staff the authority to disburse available funds in order to alleviate or prevent service restriction in districts which are in compliance with the agency's Restriction of Services policy and protocols.
7. The Board adopted the Budget Committee's recommendation to disperse available funds up to \$85,000 to those districts compliant with ROS policy and protocols in order to prevent or alleviate service restriction.
8. The Board restructured the Budget Committee membership to three members.
9. The Board adopted the Policy Committee's recommendation that staff draft and follow a revised DAF policy allowing for the dissemination of district assistance funds (DAF) at the beginning of the fiscal year as opposed to incrementally.
10. The Board adopted the Policy Committee's recommendation to convert to a twelve-month contract term with the 501(c)(3) programs as opposed to two, six-month contracts.
11. The Board accepted four volunteer members to serve on the Capital Certification Appeals Panel.
12. The Board ratified the appointment of Anthony Champagne as interim district defender in district 16.
13. The Board ratified the appointment of Vic Bradley as interim district defender in district 17.



**DECISIONS AND ACTIONS**  
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**LOUISIANA PUBLIC DEFENDER BOARD FY 2015**

14. The Board ratified the appointment of Alex Chapman as interim district defender in district 33.
15. The Board commended Mr. Lewis Jones on his years of service to public defense and his leadership in district 3.
16. The Board adopted the Executive Summary on the CAPOLA issue, as presented.
17. The Board authorized State Public Defender Jay Dixon to apply to other experts the same policy as is provided to mitigation experts which allows for approved experts to begin work with payment deferred until funding is available thus not incurring deficit spending.

**March 24, 2015**

1. The Board adopted the Minutes of the January 13, 2015 meeting.
2. The Board ratified all votes of the Board between the dates of Feb 10, 2014 and January 13, 2015.
3. The Board requested a joint report from SPD Dixon and District Defender Alan Golden on the discrepancy in the number of cases in district 1, to include information concerning the number of motions filed in the misdemeanor cases in question, the number of misdemeanor trials held, and the number of cases plead.
4. The Board ratified the appointment of Cecelia Bonin as interim district defender in district 16 and her salary of \$7,500 a month.
5. The Board appointed Cecelia Bonin as district defender for district 16 and set her salary at \$97,500 annually.
6. The Board ratified the appointment of Mark Plaisance as interim district defender in district 17 and his salary of \$6,333 a month.
7. The Board appointed Mark Plaisance as district defender for district 17 and set his salary at \$76,000 annually.

**DECISIONS AND ACTIONS**  
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**LOUISIANA PUBLIC DEFENDER BOARD FY 2015**

8. The Board authorized SPD Dixon to offer Mr. Alex Chapman the District Defender position in district 33 permanently, in addition to maintaining his District Defender position in district 13, at a combined annual salary of \$90,000.
9. The Board ratified the appointment of Mr. Herman Castete as interim district defender in district 2 and his salary of \$2,500 a month.
10. The Board ratified the appointment of Mr. Herman Castete as interim district defender in district 3 and his salary of \$2,500 a month.
11. The Board adopted the financial report as presented.
12. The Board adopted the Budget Committee's recommendation to allocate the remaining \$355,000 in FY15 capital funds for CAPOLA to the three capital trial programs handling capital cases removed from CAPOLA. Three hundred thousand dollars is to be split equally between the three capital trial programs (BRCCO, LCAC and CDPSELA) with the remaining \$55,000 to be applied to the Expert Witness Fund and used to defer expert expenses incurred in those cases.
13. The Board adopted the Budget Committee's recommendation to provide an additional \$51,603 for FY16 from the Capital Budget to be allocated to the Expert Witness Fund for specific use by the capital contract trial programs on experts for the CAPOLA cases in which they are providing representation.
14. The Board adopted the Budget Committee's recommendation for an additional \$32,500 toward the completion of the Work Load Study for a total amount of \$76,000.
15. The Board adopted the Policy Committee's recommendation for a revised Expert Witness Funding Request protocol which changes the monthly installment limits currently in place to one total annually encumbered amount and makes the fund accessible to all experts rather than only to core team members.
16. The Board adopted the Policy Committee's Resolution giving its support to any district in or facing restriction of services, discouraging and condemning any action that sanctions a line defender, supervisor, district defender, or member of staff for any action taken by a District or any employee of the District as part of an approved Restriction of Services plan.
17. The Board adopted the Policy Committee's recommendation for a Juvenile Restriction of Services policy that, in the event that public defenders must implement a service restriction plan, would ensure that youth in Louisiana's juvenile justice system are protected in accordance with their uniquely vulnerable status.

**DECISIONS AND ACTIONS**  
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18. The Board adopted a Resolution instructing staff to engage stakeholders from around the juvenile defense and public defense community to engage in strategic planning for the future of juvenile defense.
19. The Board commended attorney Marty Stroud for his recent statement regarding the history and current plight of indigent defense.

**May 12, 2015**

1. The Board welcomed new Board member Flozell Daniels, Jr., appointed by the Chief Justice of the Louisiana Supreme Court.
2. The Board adopted the minutes of the March 24, 2015 meeting.
3. The Board adopted the financial report as presented.
4. The Board authorized SPD Dixon to reallocate \$160,715 in available funds to the districts as he sees fit.
5. The Board authorized SPD Dixon to appoint an interim district defender in districts 33, 2, and 3 pending a permanent appointment.
6. The Board approved the final FY16 DAF and CINC distribution amounts as presented.
7. The Board approved an item on the next meeting agenda for the institution of formal disciplinary proceedings and performance review of the District Defender in district 1 (Caddo Parish/Alan Golden), that the District Defender be provided with timely notification of the action, and that the State Public Defender communicate their action to the District Defender.

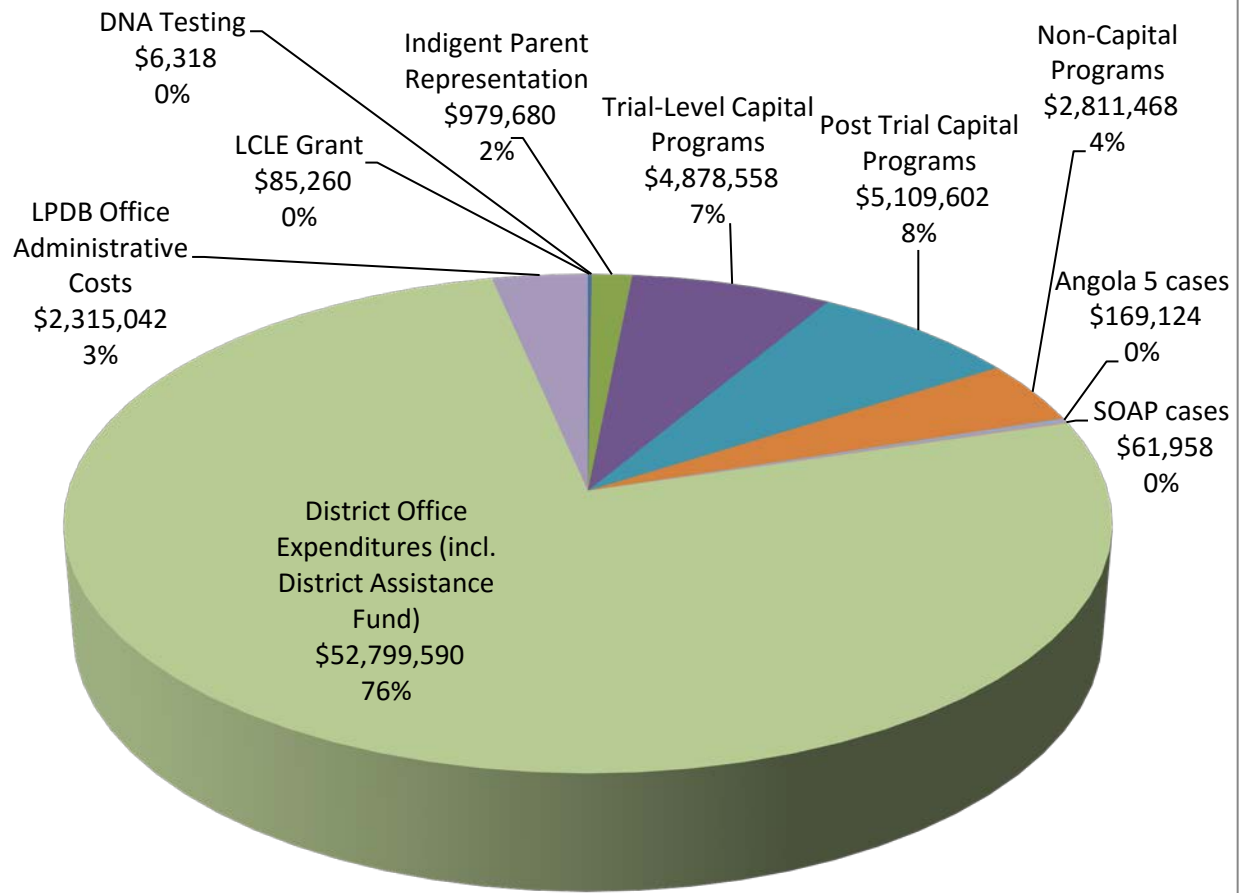
**June 16, 2015**

1. The Board accepted Addison Goff's resignation and thanked him for his years of service.
2. The Board adopted the Minutes of the May 12, 2015 meeting.

**DECISIONS AND ACTIONS**  
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3. The Board directed staff to prepare a detailed report to the Board explaining the derivation of the available reallocation funds with a justification how those funds are to be distributed and an explanation of the need to contract with attorneys and the unpredictability of litigation.
4. The Board adopted staff's recommended year-end disbursement as presented.
5. The Board approved scope of services resolution for Antonio Florence to perform legal services in State v. Willis.
6. The Board approved an amended scope of services resolution for Robert Noel to perform legal services in State v. Willis to include an explanation for multiple representation requirements in capital cases and the Board's cognizance of the need for continuity of counsel.
7. The Board approved scope of services resolution as amended for Michael Thiel to perform legal services in State v. Wilson.
8. The Board reconsidered and approved a scope of services resolution as amended for Anthony Florence to perform legal services in State v. Willis.
9. The Board adopted the amended JLCB report as presented.

## FY 2015 Public Defense Expenditures (Total: \$69,216,600)



<b>TOTAL EXPENDED</b>	<b>\$69,216,600</b>	
LCLE Grant	\$ 85,260	0.12%
DNA Testing	\$ 6,318	0.01%
Indigent Parent Representation	\$ 979,680	1.42%
Trial-Level Capital Programs	\$ 4,878,558	7.05%
Post Trial Capital Programs	\$ 5,109,602	7.38%
Non-Capital Programs	\$ 2,811,468	4.06%
Angola 5 cases	\$ 169,124	0.24%
SOAP cases	\$ 61,958	0.09%
 District Office Expenditures (incl. District Assistance Fund)	 \$ 52,799,590	 76.28%
Total Non-Administrative	\$ 66,901,558	
 <b>LPDB Office Administrative Costs</b>	 <b>\$2,315,042</b>	 <b>3.34%</b>

## CY 2015 Revenues and Expenditures

District	Total CY15 State Funds Distributed	State Funds Available for Use in CY15	Total Local Funding Received by Districts in CY15	Combined State and Local Funds Available for Use in CY15	Percent of Total Revenue Funded by State for Use in CY15	Total CY15 Expenditures	Estimated CY15 Fund Balance Depletion	Raw Cases Handled in CY15
1	\$ 1,519,655	\$ 1,486,630	1,571,650	3,058,280	48.61%	3,106,569	-48,289	18,761
2	\$ 121,644	\$ 141,889	284,942	426,830	33.24%	317,105		1,000
3	\$ 203,888	\$ 200,828	339,656	540,484	37.16%	552,439	-11,955	2,878
4	\$ 863,120	\$ 806,593	1,498,806	2,305,399	34.99%	2,282,634		11,658
5	\$ 172,481	\$ 170,271	317,505	487,775	34.91%	545,649	-57,874	1,959
6	\$ 146,254	\$ 144,100	397,272	541,372	26.62%	543,617	-2,245	1,543
7	\$ 202,365	\$ 253,153	142,970	396,123	63.91%	326,608		2,658
8	\$ 153,244	\$ 197,585	75,429	273,014	72.37%	191,803		742
9	\$ 344,273	\$ 296,457	691,061	987,518	30.02%	1,007,945	-20,427	6,236
10	\$ 310,357	\$ 375,036	199,279	574,315	65.30%	464,300		1,554
11	\$ 200,926	\$ 198,087	71,674	269,761	73.43%	400,939	-131,178	1,521
12	\$ 146,789	\$ 157,077	205,379	362,456	43.34%	361,425		2,928
13	\$ 157,850	\$ 204,750	84,172	288,921	70.87%	240,881		1,513
14	\$ 1,184,393	\$ 992,541	1,169,967	2,162,508	45.90%	2,083,021		14,874
15	\$ 1,259,741	\$ 1,241,952	2,337,486	3,579,438	34.70%	3,984,838	-405,401	19,819
16	\$ 648,893	\$ 658,970	1,108,664	1,767,633	37.28%	1,735,408		10,403
17	\$ 297,256	\$ 316,816	507,482	824,297	38.43%	779,366		4,982
18	\$ 127,139	\$ 125,411	682,559	807,970	15.52%	841,296	-33,326	2,530
19	\$ 1,455,152	\$ 1,434,723	3,667,247	5,101,970	28.12%	5,067,690		20,384
20	\$ 108,415	\$ 144,388	162,576	306,964	47.04%	232,605		943
21	\$ 1,766,453	\$ 1,437,012	1,835,438	3,272,449	43.91%	2,999,354		14,373
22	\$ 1,203,593	\$ 1,186,152	1,394,112	2,580,264	45.97%	2,904,080	-323,816	14,909
23	\$ 211,709	\$ 208,774	716,802	925,576	22.56%	1,110,898	-185,323	6,172
24	\$ 664,912	\$ 655,603	2,875,565	3,531,168	18.57%	3,100,464		11,180
25	\$ 54,709	\$ 53,930	137,922	191,852	28.11%	304,279	-112,428	1,113
26	\$ 740,132	\$ 739,099	837,616	1,576,714	46.88%	1,544,317		15,013
27	\$ 348,798	\$ 343,547	654,232	997,779	34.43%	1,052,448	-54,669	5,595
28	\$ 103,730	\$ 144,251	61,886	206,136	69.98%	175,853		761
29	\$ -	\$ -	1,042,366	1,042,366	0.00%	1,214,809	-172,443	2,014
30	\$ 159,471	\$ 137,817	451,992	589,808	23.37%	548,817		2,203
31	\$ 68,644	\$ 67,637	357,036	424,672	15.93%	447,402	-22,730	1,721
32	\$ 443,170	\$ 436,890	920,080	1,356,970	32.20%	1,452,979	-96,009	4,944
33	\$ 36,560	\$ 36,003	172,285	208,288	17.29%	248,867	-40,579	468
34	\$ 195,162	\$ 192,487	137,618	330,105	58.31%	380,857	-50,752	2,912
35	\$ 88,573	\$ 110,849	146,655	257,503	43.05%	208,918		753
36	\$ 64,515	\$ 63,677	282,140	345,817	18.41%	342,539		1,028
37	\$ 130,897	\$ 154,406	39,706	194,112	79.54%	150,852		481
38	\$ -	\$ -	79,117	79,117	0.00%	86,680	-7,563	225
39	\$ 59,332	\$ 79,187	60,556	139,742	56.67%	114,825		595
40	\$ 35,165	\$ 34,741	821,505	856,246	4.06%	814,666		3,243
41	\$ 2,048,388	\$ 2,584,278	3,912,474	6,496,753	39.78%	7,075,883	-579,130	21,184
42	\$ -	\$ -	466,458	466,458	0.00%	421,280		1,452
Totals	\$18,047,748	\$18,213,587	\$32,919,337	\$51,132,924	35.62%	\$51,767,204	-2,356,135	241,225

Local Revenues \$ 32,919,337

State Funds Available for Use in CY 15 \$ 18,213,587

Estimated District Fund Balance Depletions \$ 2,356,135

**NOTE:** The difference between "CY15 State Funds Distributed" and "State Funds Available for Use in CY15" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

**NOTE:** District 41 - CY15 local revenue includes \$971,239 general appropriation from the City of New Orleans.

**NOTE:** Fund Balance Depletion estimated by subtracting district expenditures from available state & local revenues.

## **DISTRICT REPORTS DATA COLLECTION METHODOLOGY (CY15)**

The following district reports cover each individual Judicial District Public Defenders' Office regarding several factors: basic office information, district structures, caseload information and budget information. This information is reported to LPDB by the District Defenders to the best of their knowledge and belief at the time of the submission. Preceding each district's report is an executive summary produced by LPDB staff using the self-reported information from each district as well as LPDB analytics, including information regarding solvency projections, Pre- and Post-Act 578 revenues changes, caseload changes and statewide comparisons and legal representation improvements. It should be noted that staffing information in the summaries represents a "snapshot" of data collected near year's end (November-December), and is subject to change at any time. The district report executive summaries represent each district's self-reported information on their caseload and fiscal activity and on their local procedures and environments.

The first part of each district's report is a narrative which lists basic contact information, including emergency contact information; descriptions of the structure of the local office and the local criminal justice system, including key figures in the local system; the staffing and supervisory structure of the local office; contact information for the assistant public defenders; and an inventory of the office's present hardware and software. These data are self-reported by the districts through the web-based annual survey questionnaire distributed to each District Defender near year's end, with the exception of the district's total population and juvenile population data (by parish) which were provided respectively by the U.S. Census Bureau and the Annie E. Casey Foundation.

The second part is a report of the district's public defender aggregated new and pending (from prior years) caseloads and outcomes of charges closed in CY 2015. These data are also self-reported by the district offices, gathered through each district's data entry in the case management system. The data are collected throughout the year by each attorney or the attorney's designee through entry to the LPDB online database. In CY 2011, the LPDB purchased a new case management system and deployed it in June, 2011. Data preceding June 2011 was converted and migrated into the new database from the old database also in June 2011. Data is reported on new cases, closed cases, cases from prior years which are still pending, and the total of new and pending cases. Some cases listed as pending have been open for several years yet have been periodically reviewed by the districts to ensure these are truly still open cases, noting that complex cases such as juvenile, felony, capital and life without parole (LWOP) cases may indeed remain open even after several years. Cases which are in fugitive status, or which have not been reviewed and confirmed open for six months are not counted as pending cases. Additionally, data is reported on the disposition of charges in very broad categories for presentation purposes, with labels such as Guilty as Charged, Dismissed, and Plea to Lesser Charge, for example, each of which include numerous outcomes similar to these broad labels. Nonetheless, the disposition data reported do give an impression of the outcomes of cases and charges. Given the February 1, 2016 deadline for submission of this Calendar Year 2015 annual report, case closings and pending cases may not be completely up-to-date, particularly cases handled very near the end of the calendar year because

## **DISTRICT REPORTS DATA COLLECTION METHODOLOGY (CY15)**

the time-lag between case activity at year's end and case data entry which may have precluded the latest activity in CY15 from being entered in time for this February 1<sup>st</sup> report.

The third part of these district reports addresses revenues and expenditures. State revenues are distributed by the Louisiana Public Defender Board to the individual district public defender offices (PDOs) on a fiscal-year basis. In an effort to report the amount of state revenue received by a district in a meaningful way on a calendar year-basis, the state revenue portion of the financial summaries that follow were computed by adding all of the District Assistance and Indigent Parent Representation Funds distributed during the second half of FY 14-15 (plus all other funds disbursed between January and June, 2015) and all of the District Assistance Fund and Indigent Parent Representation Fund distributed during the first half of FY 15-16 (July through December 2015). These calendar year totals are labelled "Available for use in CY15." All other information contained in the financial summaries that follow was taken from unaudited financial statements, which were submitted through the online case management system to the Louisiana Public Defender Board by the individual Public Defender Offices (PDOs) on a monthly basis during the preceding calendar year. These monthly financial reports are now reported online (since August 2012), and all prior monthly reports since 2008 were converted and migrated into the database. FY15 financial data is now freely available at the LPDB's agency website.





THE 1<sup>ST</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
CADDO (SHREVEPORT)

DISTRICT DEFENDER: PAMELA G. SMART  
400 TRAVIS STREET, SUITE 2000  
SHREVEPORT, LA 71101  
(318) 221-2220

# 1ST JUDICIAL DISTRICT: CADDO PARISH

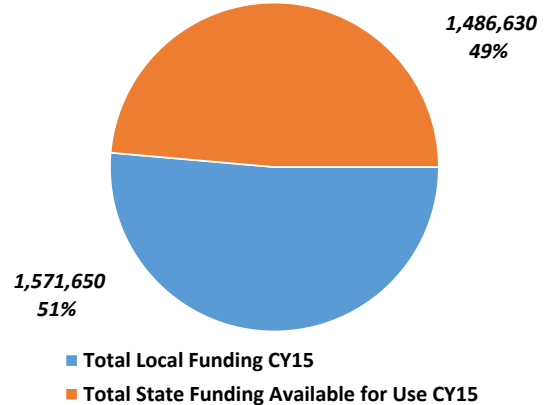
Pamela G. Smart  
District Defender  
400 Travis Street, Suite 2000  
Shreveport, LA 71101  
318-221-2220

During Calendar Year 2015, the 1st Judicial District Public Defenders Office handled 18,761 cases. The office received \$3,058,280 in total revenues to handle these cases, approximately 49% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

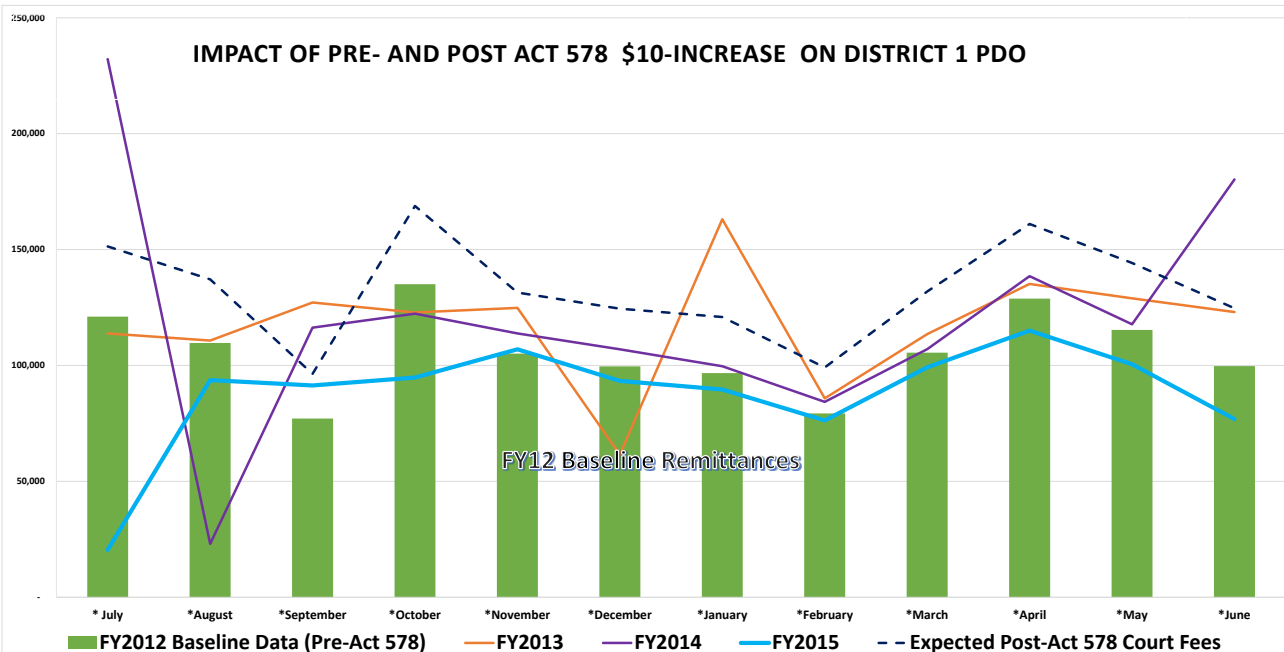
The district's pattern of failing to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012) continued and actually worsened. During FY15 (solid blue line) local revenues were generally lower than any point since FY12 with the district receiving \$108,651 less than CY 14.

Due to the office's inability to obtain the appropriate financial and personnel resources to provide ethical representation to it's clients, the 1st Judicial District office began restricting services on April 1, 2015.

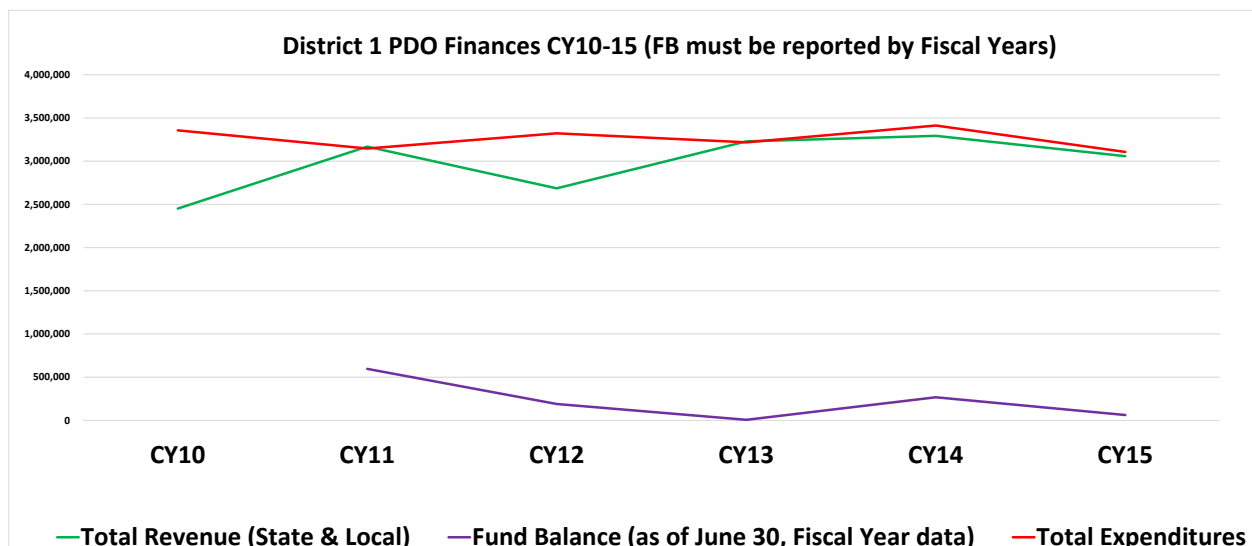
**District 1 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 1 PDO**



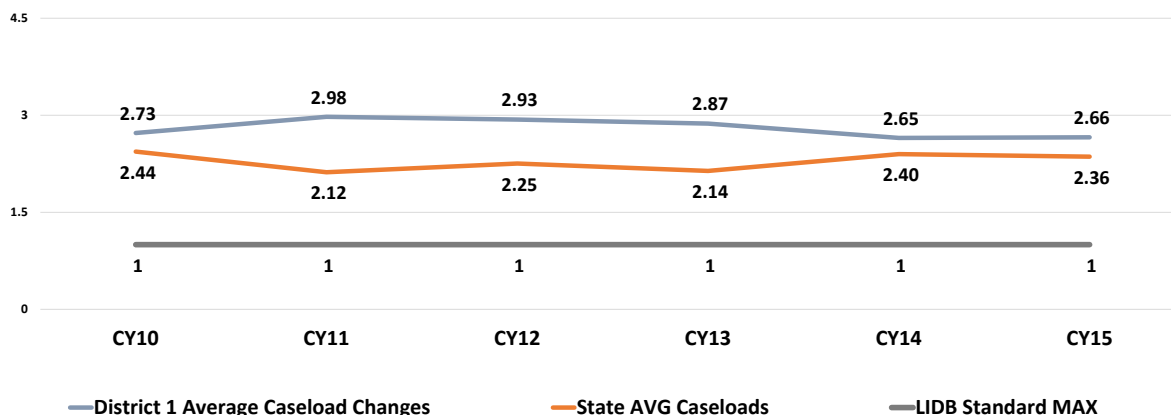
**District 1 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



# 1ST JUDICIAL DISTRICT: CADDO PARISH

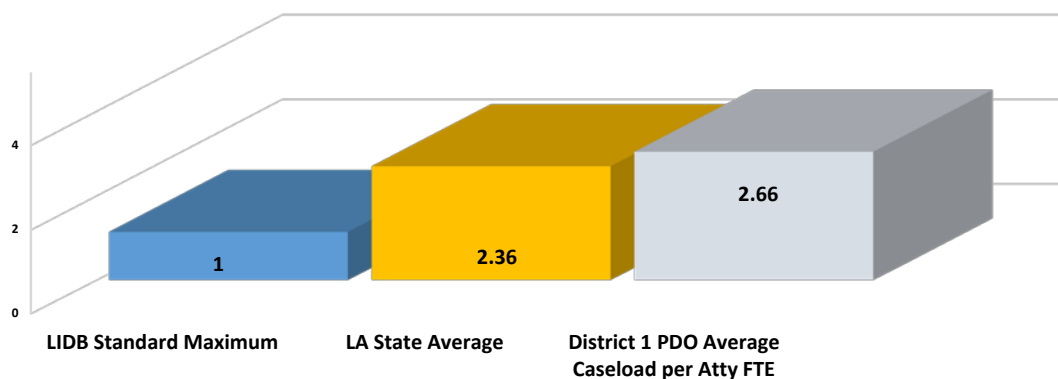
Pamela G. Smart  
District Defender  
400 Travis Street, Suite 2000  
Shreveport, LA 71101  
318-221-2220

**District 1 PDO Average Caseload per Atty FTE**



In the 1st Judicial District, public defense attorneys maintain caseloads more than two and a half times (35% increase from CY14) the recommended caseload limit for each attorney.

**District 1 PDO Average Caseloads Compared to State Average & State Standard Maximums**



## CAPITAL REPRESENTATION

This PDO has no capittally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation. Further, the Board passed a Resolution in 2015 to prohibit districts in restriction of services from accepting new capital appointments. As a result, all capital cases in this high-volume capital prosecution districts fall to the state to supply capital representation because the district is in Restriction of Services.



## THE 1<sup>ST</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Caddo - Shreveport
<b>Population</b>	252,603 - Source - 2014 estimates based on 2010 Census ( <a href="http://www.quickfacts.census.gov">www.quickfacts.census.gov</a> )
<b>Juvenile Population</b>	61,383 - Source - same as above ( <a href="http://www.quickfacts.census.gov">www.quickfacts.census.gov</a> )
<b>District Defender</b>	Pamela G. Smart
<b>Years as District Defender</b>	10 weeks
<b>Years in Public Defense</b>	24 years 2 months
<b>Office Manager</b>	Cindy Murray
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Julia Cloud (Supervisor/Intake Specialist) opens all cases in database. Lisa Akins oversees database. The remaining secretarial staff enters data into the database (Veda Clinton, Kelli Sanders, Deborah Jacobs, Amber Day, Sharon Edwards, Layne Carver, D'Arcy Holland, Vikki Tucker, Belinda Poole).
<b>Primary Office Street Address</b>	400 Travis Street, Suite 2000
<b>City</b>	Shreveport
<b>ZIP</b>	71101
<b>Primary Phone</b>	318-221-2220
<b>Primary Mailing Address</b>	Same
<b>Primary Fax Number</b>	318-221-2247
<b>Primary Emergency Contact</b>	Pamela G. Smart
<b>Primary Emergency Phone</b>	318-347-7827 cell
<b>Secondary Emergency Contact</b>	Cindy Murray
<b>Secondary Emergency Phone</b>	318-218-4990 Cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Juvenile Office: 2800 Youree Dr., Suite 204, Shreveport, LA 71104, 318-212-1801. City Court Office 1234 Texas St. 71101. 318-673-5481.
<b>Other District Office Contact Personnel (Primary Only)</b>	Kristen Bernard (Juvenile Office) 318-564-4243. Alex Rubenstein (City Court Office) 318-820-8811.
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Avant Properties/Beck Building (Main Office); Celt Center (Juvenile Office).
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Main - \$15,150; Juvenile - \$4,637
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Caddo Parish Commission
<b>Courts and Locations</b>	1st Judicial District Court, Caddo Parish, Shreveport; Caddo Parish Juvenile Court, Shreveport City Court; Red River District Court (39th JDC - Juvenile only); Coushatta.

<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	1st Judicial District Court - 5 sections of criminal court. Caddo Juvenile Court - 3 sections of juvenile court (2 delinquency, 1 CINC); Shreveport City Court - 1 section of criminal court; Red River District Court - 1 section of criminal court.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	DISTRICT COURT: Felony and misdemeanor cases are assigned to a full-time staff attorney for the division to which the case is assigned. Private bar is appointed to conflict cases. JUVENILE: Full-time staff attorneys are appointed to cases in his/her division. Delinquency conflict cases are assigned to the private bar. CINC conflicts are assigned to CINC conflict panel. CITY: Full-time misdemeanor staff attorney and contract attorneys are appointed to the cases in which that particular attorney handles the intake (jail clearance & interview of client).
<b>Name of Adult Detention Facilities in This District</b>	The Caddo Correctional Center, Shreveport, LA.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Natchitoches Detention Center, Union Parish Detention Center, Bayou Dorcheat Detention Center (Webster Parish), and Bossier Parish Jails.
<b>Name of Juvenile Detention Facilities In This District</b>	The Caddo Juvenile Correctional Center, Shreveport, LA.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Clients not held outside parish.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Sometimes based on the individual juvenile.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	James Stewart
<b>Chief Judge of Criminal District Court</b>	Robert Waddell
<b>Juvenile Court Judges (Specify District of City Court)</b>	David Matlock, Paul Young, Shonda Stone
<b>Drug Court Judges</b>	Craig Marcotte
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Indigency is initially determined by the presiding judge, then verified by us based on information given in the "Application for Indigency" as per Office Policy in accordance with the Federal Poverty Guidelines.
<b>When is Assignment/Appointment of Counsel Made?</b>	If incarcerated - at 72-hour hearing. If on bond, at initial appearance.
<b>What steps does your office take to ensure conflict – free representation</b>	As soon as appointment lists are returned to the office each day, the investigators do thorough checks to determine any conflicts. Conflict counsel is then requested by the attorney appointed to the case either by written or oral motion.

<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Primarily by Julia Cloud and D'Arcy Kinard, secretary.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	The intake staff mentioned in Q45 (& investigator if needed) visit incarcerated clients within 3 days of appointment to conduct an interview of client.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	3,212
<b>How Many Application Fees Were Waived?</b>	7
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	45,209
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	1,068,942
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	No - Judges may waive court costs in cases where the client has multiple offenses by running the costs concurrently. Sometimes, costs may be waived for hardship reasons.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	See below.
<b>Who Collects the Assessed Court Fees?</b>	The City Marshall's Office collects for City Court and the Caddo Parish Sheriff collects for District Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	At our request both the City Marshall's Office and the Caddo Parish Sheriff's Office have been providing a monthly breakdown of fees collected.
<b>Who Remits the Court Fees Collected?</b>	The City Marshall's Office for City Court and Caddo Parish Sheriff's Office for District Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The Caddo Parish Commission provides us with on line access to all checks and credits remitted by the City Marshall's Office and the Caddo Sheriff's Office. In addition the commission provides us with a monthly tally of all fees collected on our monthly budget report.

<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	When a client completes an application, a determination is made if partial reimbursements are appropriate for that particular client. These amounts may be reduced or altogether waived upon request by the client. Reductions and waivers are determined by the chief defender on a case by case basis by reference to the federal poverty guidelines and the ability of the client to pay.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	We keep track of all agreements issued by the PDO assessing partial reimbursement. We do not keep track partial reimbursement assessments imposed by the courts.
<b>Who Collects the Assessed Partial Payments?</b>	Partial reimbursement payments are collected both directly by the PDO and by the Probation and Parole departments of the state and sheriff's office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	The PDO documents all fees collected both directly by the office and indirectly from Probation and Parole upon receipt of checks.
<b>Who Remits the Partial Payments Collected?</b>	Clients remit partial payments directly to us or indirectly to Probation and Parole, which in turn remits collected sums to us.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	For sums remitted directly to us, we log payments on a spreadsheet. For sums remitted to Probation and Parole, the department sends us a lump sum check with documentation detailing what each client paid.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	18,927
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Yes. The original policy was amended/clarified in November 2015 to limit it further.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	More staff for the workload of the staff attorneys. Desperately need funding for a conflict panel.
<b>Was your office in ROS at any time during 2015</b>	yes
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Caddo entered ROS on April 1, 2015. The previous chief defender received notice in August 2015 that the office would be out of money by May. Policy and expenditure changes are being made to hopefully keep the office functioning until the end of the FY 2016. LPDB will be kept updated as to the progress. However, it does not appear that the entire conflicts panel will return anytime soon.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Misdemeanors are no longer handled by contract attorneys. They are now handled by full-time staff attorneys.
<b>Immediate Critical Issue Areas</b>	A conflicts panel is probably the most critical issue due to the number of clients that are being represented by private bar members who do no criminal work.

<b>Long-Term Critical Issue Areas</b>	Stability for all full-time staff and contract staff to stop the cycle of hiring/firing.
<b>Please List All New Hires in 2015 (Name and Title)</b>	Rachel Reed (Receptionist); Danny Olds (Investigator); Jasmine Henderson (Staff Attorney); Eddie Brossette (Staff Attorney); Carlos Prudhomme (Staff Attorney); Phillip Prejean (Juvenile Staff Attorney); Dell Harville (CINC Contract Attorney); Pamela Smart (Chief District Defender).
<b>Please List All Promotions in 2015 (Name and Title)</b>	Lisa Akins (Network Administrator)
<b>2015 Media Coverage and/or Major Accomplishments</b>	Coverage of funding issues and staffing changes.
<b>Number of Expected New Attorney Hires in 2016</b>	0
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Any new attorneys will shadow staff attorneys for a couple of weeks to observe court, jail visits, etc. If that is not possible due to needing to get the new attorney in his/her courtroom, the senior staff attorneys will be available in the courtroom and assist during the first few weeks. All attorneys will be encouraged to use the "buddy system" whereby two attorneys will be in all jury trials.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes but a new one is in the process of being implemented
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	The Chief Defender supervises all staff. The Senior Staff Attorneys supervise the staff attorneys in his/her sections, The Office Manager and Network Administrator supervise the support staff, including the secretaries, and investigators. The Juvenile court supervisor oversees the entire Juvenile Office staff. The City Court supervisor oversees the entire City Court Staff.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	See attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	That will be implemented after careful consideration of caseloads, funding issues, etc.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	CY15 - PDO pays 75% of health insurance premium for both employee & family. CY16 will reduce insurance premium portion of PDO to 25%.
<b>Regular Meetings for Any Staff, Please Describe</b>	Regular meetings will be held.
<b>Number of NEW capital cases in CY15 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	0
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2015</b>	5
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	3



<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	The senior attorneys will be assigned to these cases.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senators: John Milkovich, Barrow Peacock, Greg Tarver. Representatives: Sherri Buffington, Cedric Glover, Thomas Carmody, Jim Morris, Barbara Norton, Alan Seabaugh, Sam Jenkins, Larry Bagley
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	The DA's policies of holding cases for long periods of time until a clients pleads just to get it over with. Should get better with new DA.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Kurt Goins	318-221-2220
David McClatchey	318-221-2220
Michelle AndrePont	318-221-2220
Mary Harried	318-221-2220
Rickey Swift	318-221-2220
Michael Bowers	318-221-2220
Michael Enright	318-221-2220
Alex Rubenstein	318-673-5480
Kristen Bernard	318-212-1801
Kia Richardson	318-212-1801
George Harp	318-212-1801
Heather Courtney	318-212-1801
Danielle Brown	318-221-2220
James Andes	318-221-2220
LeLeshia Alford	318-221-2220
Pamela Smart	318-841-1626
Jasmine Henderson	318-221-2220
Carlos Prudhomme	318-221-2220
Kathryn Bloomfield	318-221-2220
Sarah Smith	318-221-2220
Edward Brossette	318-221-2220
Richard Fisher	318-221-2220
Phillip Prejean	318-221-2220
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Zach Blanchard	318-222-3256
Mark Frederick	318-868-8943
William Haynes	318-455-5554

Sonia Cassidy	318-658-9930
Kammi Whatley	318-393-1953
Dell Harville	318-222-3395
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Cindy Murray	318-841-1627
Rodger Swan	318-221-2220
Bryn Gouge	318-212-1801
Michael Bennett	318-221-2220
Wanda Hudson	318-221-2220
Julia Cloud	318-221-2220
Lisa Akins	318-221-2220
Sharon Edwards	318-221-2220
Belinda Poole	318-221-2220
Veda Clinton	318-212-1801
Deborah Jacobs	318-673-5480
D'Arcy Holland	318-221-2220
Layne Carver	318-221-2220
Amber Day	318-221-2220
Kelli Sanders	318-212-1801
Smith-Brown, Sarah	318-221-2220
Fisher, Richard	318-221-2220
Bloomfield, Kathryn	318-221-2220
Tucker, Vikki	318-221-2220
Danny Olds	318-221-2220
Rachel Reed	318-221-2220

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Lisa Akins
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b>Operating Systems Used:</b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	x
Mac OSX	
<b>Case Management System(s): Check all that apply</b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b>Productivity Suites Used:</b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b>Accounting Software</b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	2
VCR	2
Desktop PCs	76 includes 34 in storage
Laptops	9
Video Cameras	1
Digital Cameras	1
Video Conferencing Systems	2
B&W Laser Printers	2
Color Printers	16
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	27 x 27
Provider Name:	Comcast
Email Provider:	Bluebird Wireless
Please list any software or computer equipment in which you need training:	None

## 1st District Defender Office CY 2015 Caseloads & Outcomes

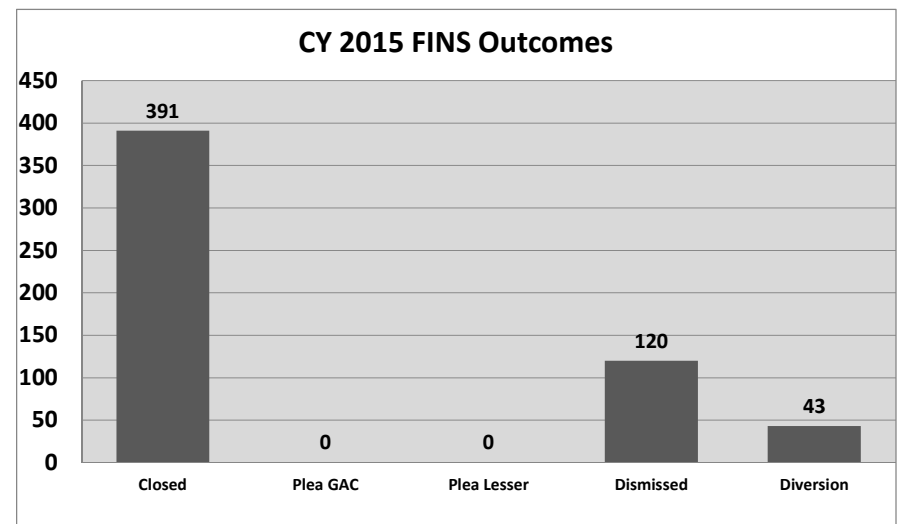
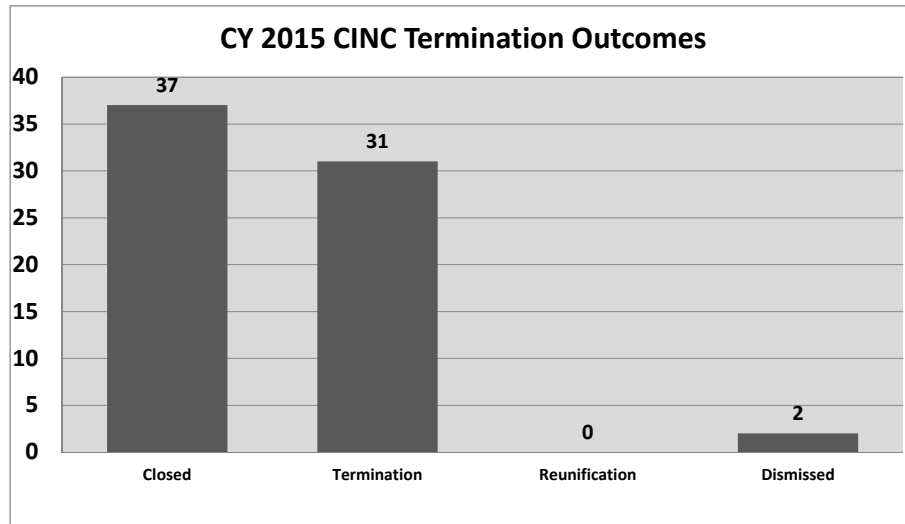
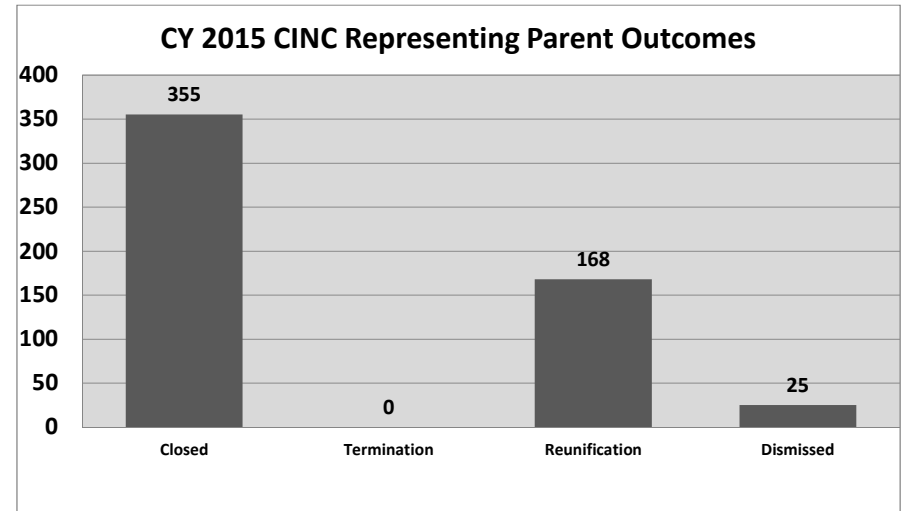
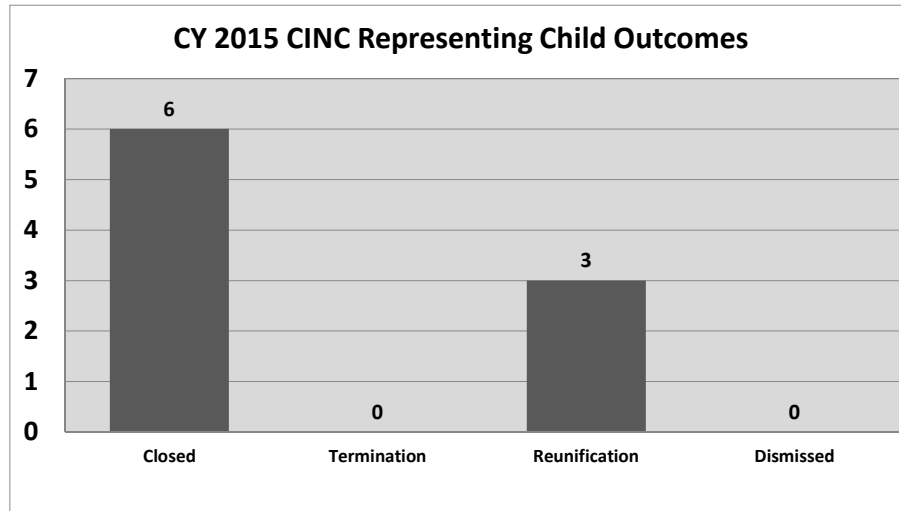
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	61	52	0	61	N/A	N/A	N/A	N/A	5	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	5	6	9	14	0	3	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	483	355	337	820	0	168	N/A	N/A	25	N/A	N/A	N/A	N/A	N/A	0
Termination	36	37	18	54	31	0	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	0
FINS	585	391	185	770	N/A	N/A	0	0	120	43	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	750	659	294	1044	N/A	N/A	174	17	298	52	N/A	N/A	8	18	26
Delinquency Felony	322	281	165	487	N/A	N/A	50	15	93	5	N/A	N/A	3	18	21
Delinquency-Life	11	6	6	17	N/A	N/A	1	0	3	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	9821	8980	37	9858	N/A	N/A	812	46	500	0	0	0	15	3	18
Adult Felony Non-LWOP**	3441	3442	1541	4982	N/A	N/A	1533	754	1893	0	3	13	11	13	40
Adult LWOP	94	111	110	204	N/A	N/A	15	21	28	0	0	5	0	6	11
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	333	406	115	448	N/A	N/A	11	3	16	0	N/A	N/A	N/A	N/A	0
PCR	2	0	0	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

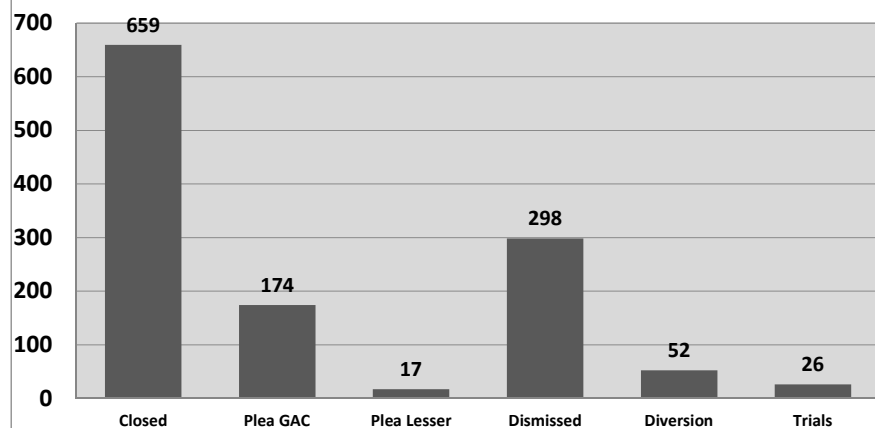
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

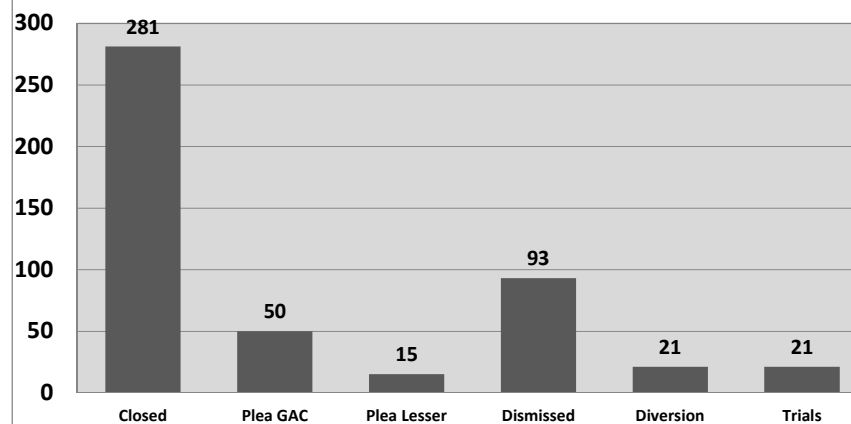
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



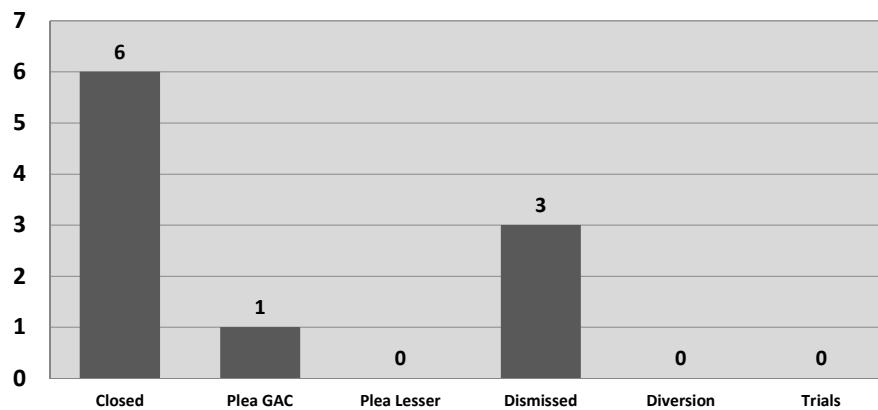
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**

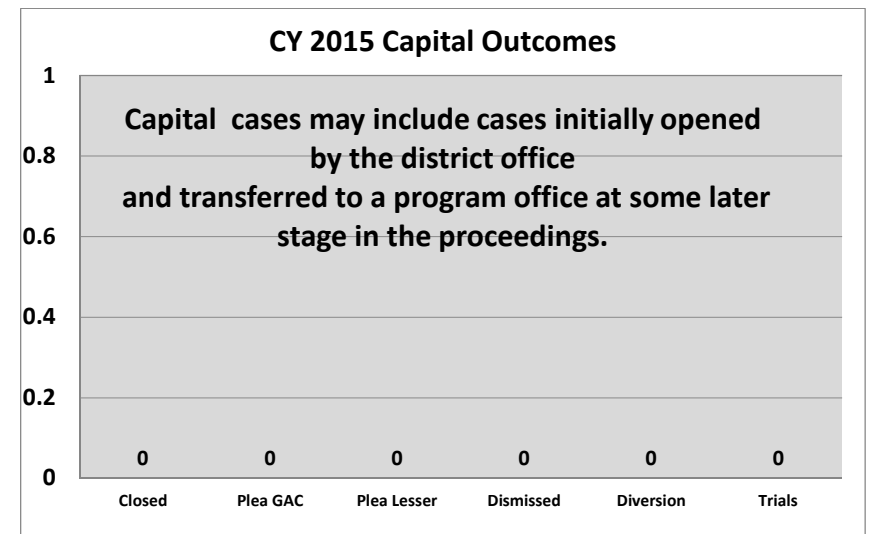
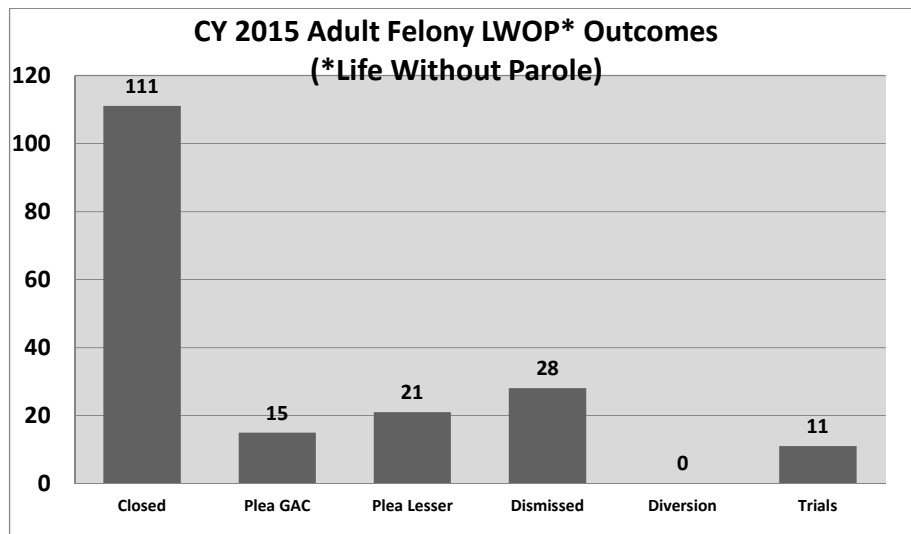
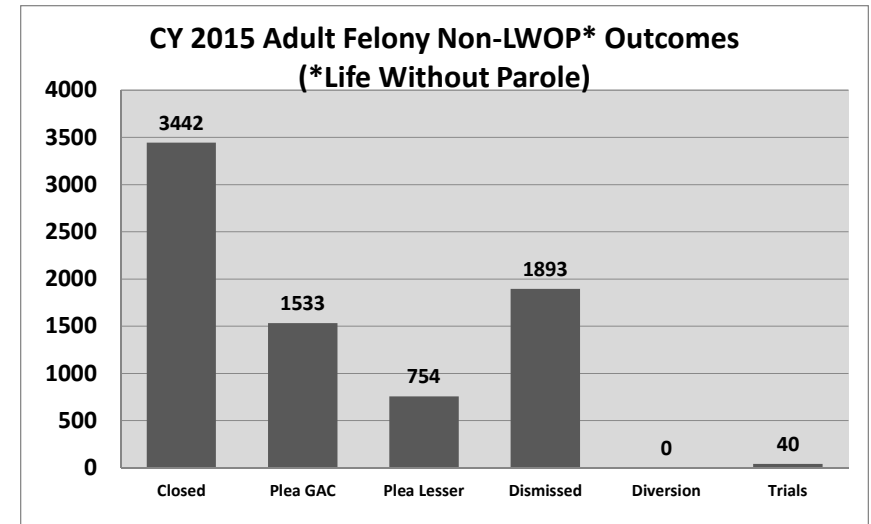
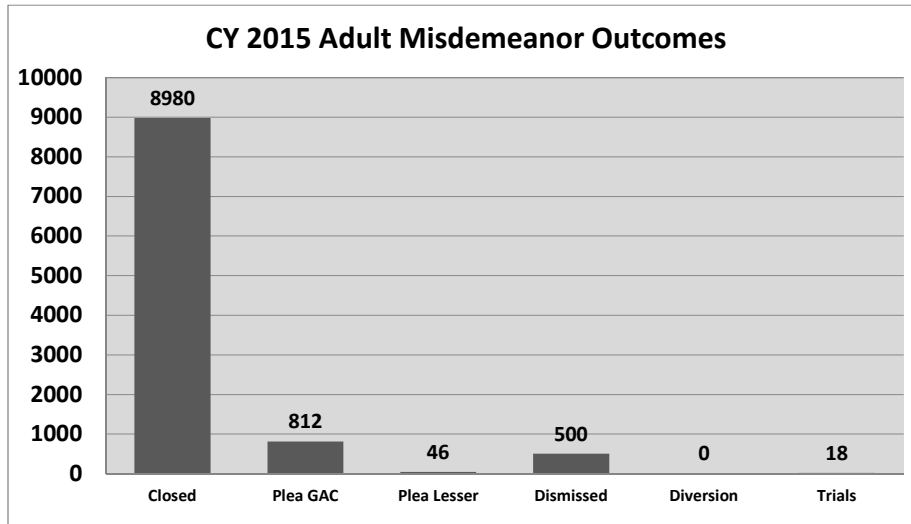


**CY 2015 Delinquency Felony-Grade Outcomes**



**CY 2015 Delinquency Life Outcomes**





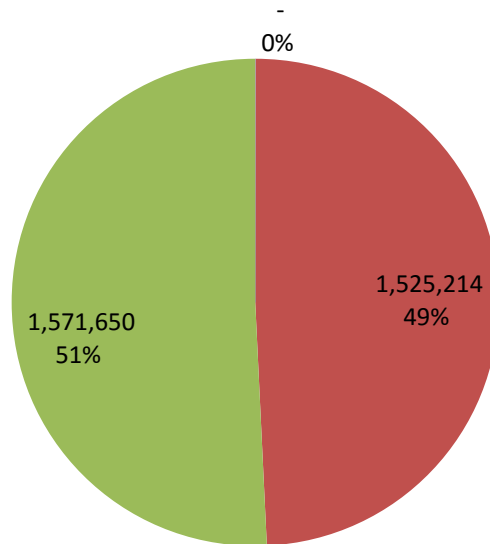


District 1 CY2015	Total CY2015
District Defender: Pamela Smart	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	5,559
Child in Need of Care (CINC)	108,350
District Assistance Fund (DAF)	1,383,433
Supplemental/Emergency Funds	27,872
Grants	-
Other State Income -List source(s)	-
Total for State Government	1,525,214
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	495
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	259,917
Traffic Camera	-
Grants	128,750
Other Local Income -List source(s)	49,430
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	63,705
City & City-Ward Courts	151,830
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	238,519
Traffic Court	614,888
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	1,068,942
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	45,189
Partial Attorney Fees	
Reimbursements [as per 15:176]	18,927
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	64,116
Total for Local Government	1,571,650
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	-
Total for REVENUE	3,096,865

District 1 CY2015	Total CY2015
District Defender: Pamela Smart	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	1,944,466
Accrued Leave	-
Payroll Taxes	25,621
Hospitalization and Disability Insurance	332,899
Retirement	95,687
Other	-
Total for Personnel Services and Benefits	2,398,673
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	7,850
Total for Travel/Training	7,850
Operating Services	
Advertisements	252
Workers' Compensation	5,195
Insurance - Malpractice	13,223
Insurance - Auto/Physical Liability	1,827
Insurance - Other	-
Lease - Office	238,444
Lease - Auto/Equipment	9,913
Lease - Other	26,475
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	15,616
Dues and Seminars	14,714
Law Library/Journals/Subscriptions	28,897
Office Supplies	18,273
Total for Operating Services	372,828
Professional Services	
Audit/Accounting Expense	43,870
Contract Clerical	-
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	55,612
Contract - Juvenile Attorneys or CINC	122,500
Misdemeanor Attorney Contracts	83,542
Contract Attorneys - all other	-
IT/Technical Support	19,508
Total for Professional Services	325,032
Capital Outlay	
Major Acquisitions	1,823
Total for Capital Outlay	1,823
Other Charges	
Other Operating Expenses	362
Total for Other Charges	362
Total for EXPENDITURES	3,106,569

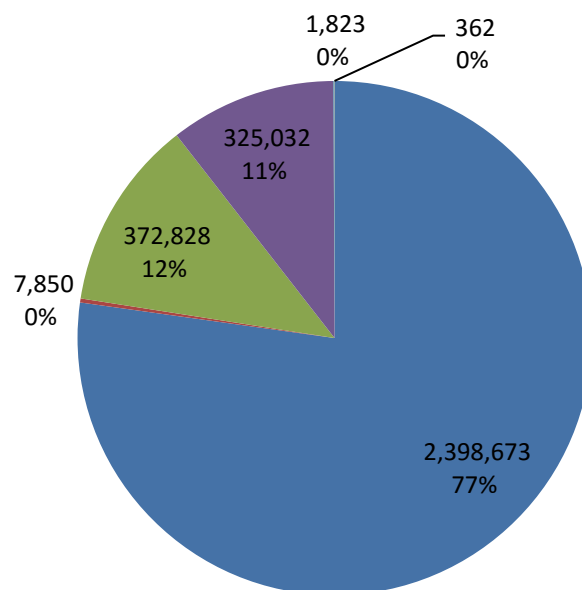
## Total CY15 Revenues

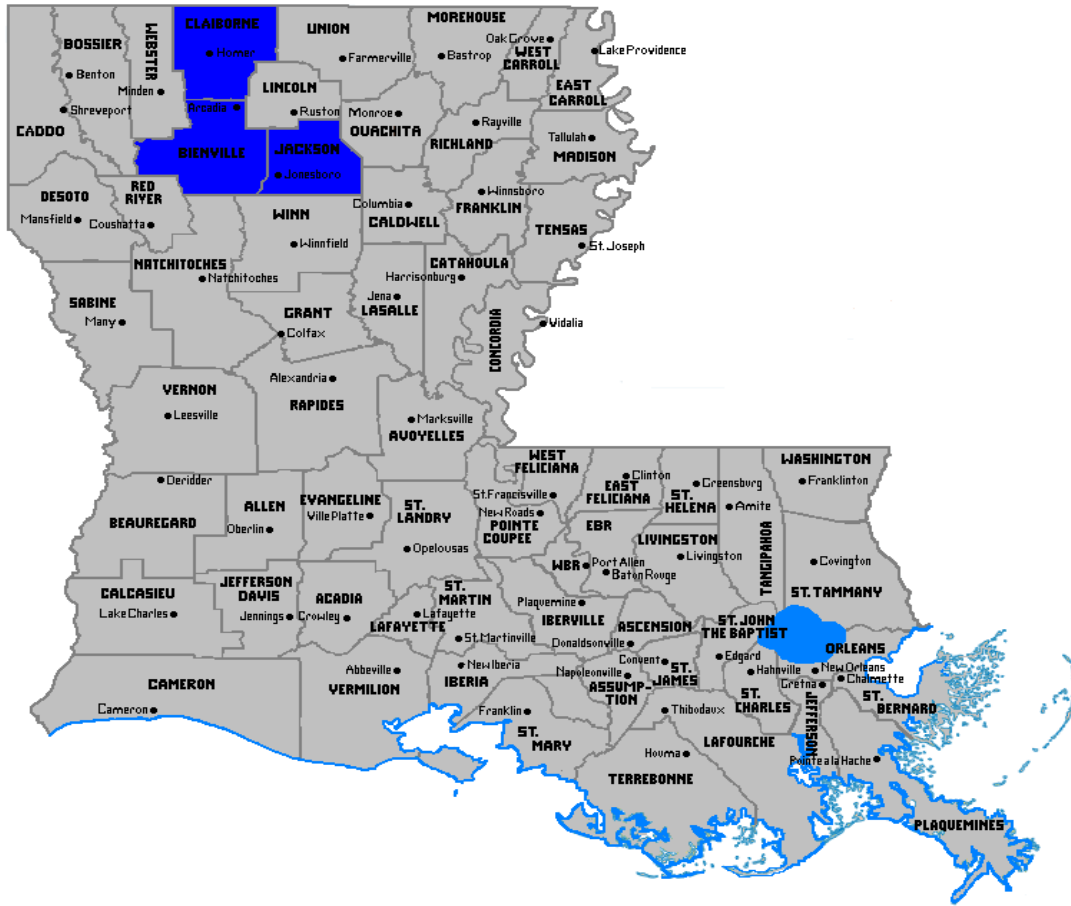
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





## THE 2<sup>ND</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

BIENVILLE (ARCADIA) - CLAIBORNE (HOMER) - JACKSON (JONESBORO)

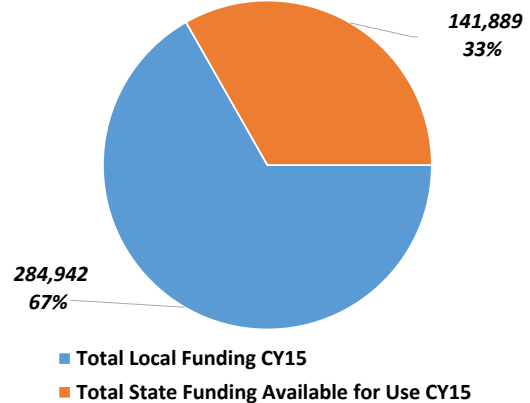
DISTRICT DEFENDER: DONALD L. KNEIPP  
208 COURTHOUSE, 100 COURTHOUSE DRIVE  
ARCADIA, LA 71001  
(318) 355-2413

## 2ND JUDICIAL DISTRICT: BIENVILLE, CLAIBORNE, & JACKSON PARISHES

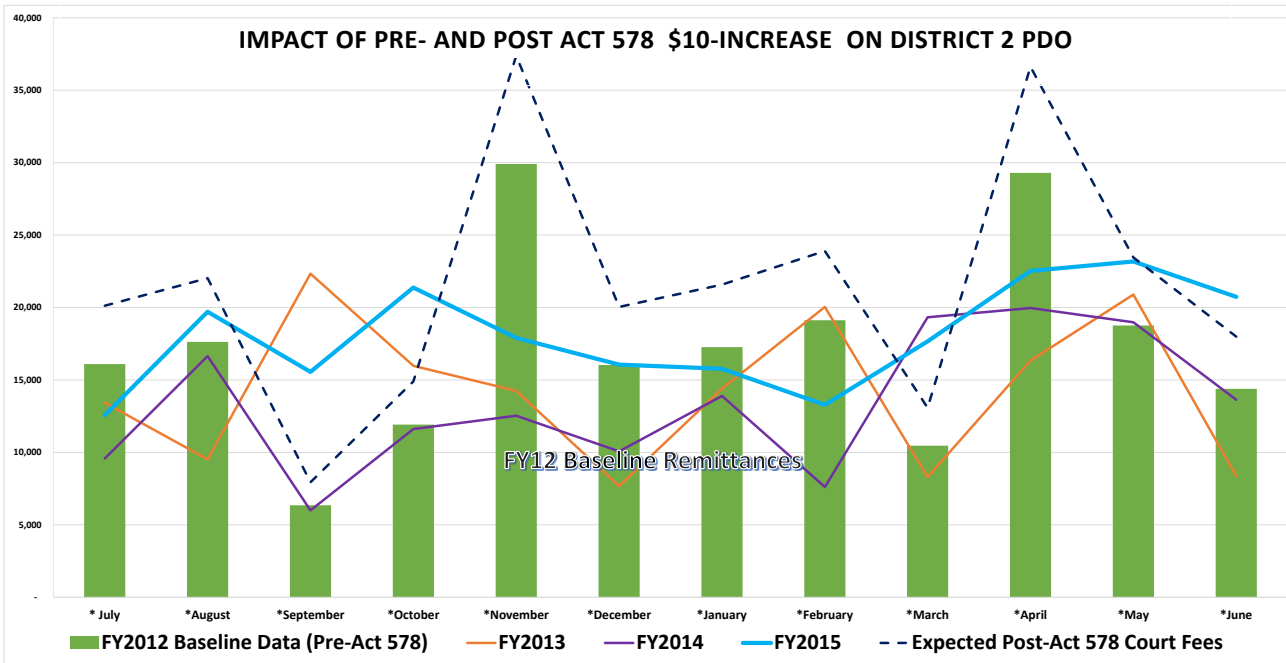
Donald L. Kneipp  
District Defender  
208 Courthouse, 100 Courthouse Drive  
Arcadia, LA 71001  
318-355-2413

During Calendar Year 2015, the 2nd Judicial District Public Defenders Office handled 1,000 cases. The office received \$426,831 in total revenues to handle these cases, approximately 67% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs. Although local revenues increased during FY15, the 2nd has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012). The 2nd Judicial District office nearly exhausted its fund balance during 2014. However, increases in local revenues have allowed the office to remain solvent.

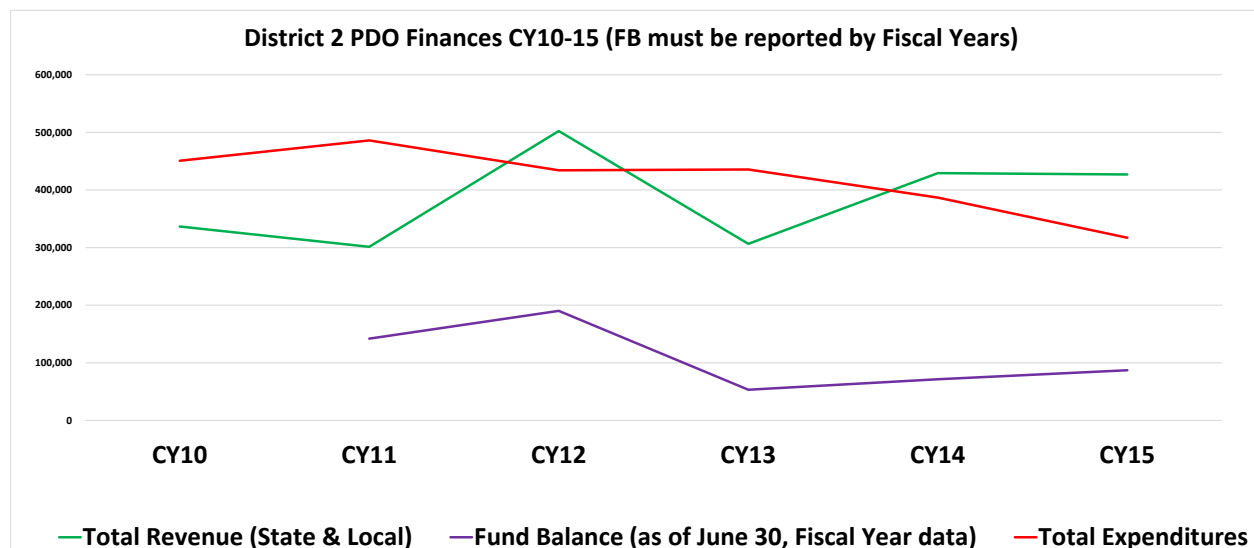
District 2 PDO Revenue Sources CY15



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 2 PDO



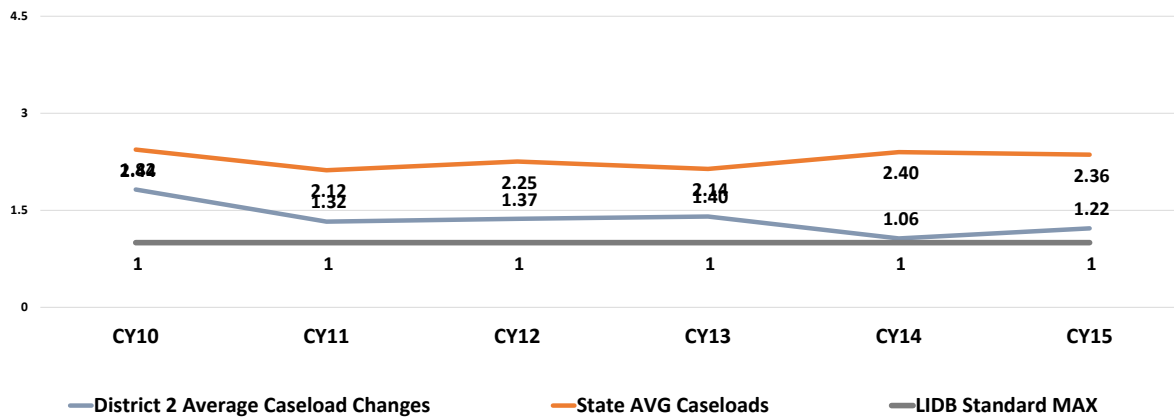
District 2 PDO Finances CY10-15 (FB must be reported by Fiscal Years)



## 2ND JUDICIAL DISTRICT: BIENVILLE, CLAIBORNE, & JACKSON PARISHES

Donald L. Kneipp  
District Defender  
208 Courthouse, 100 Courthouse Drive  
Arcadia, LA 71001  
318-355-2413

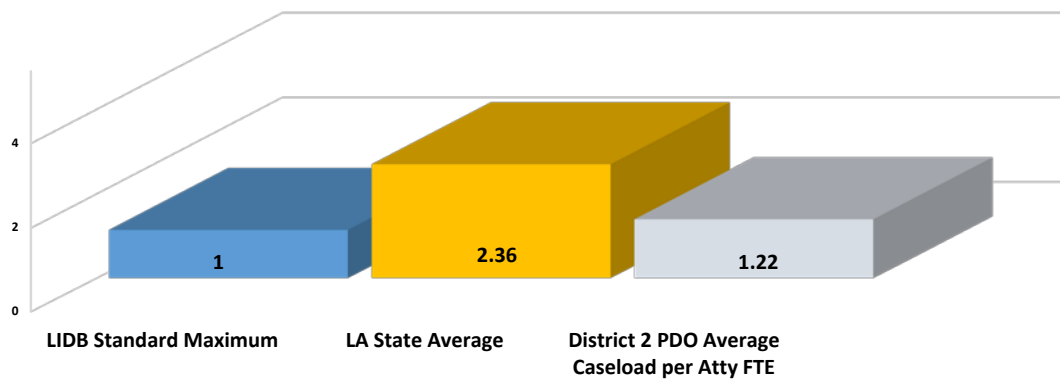
District 2 PDO Average Caseload per Atty FTE



In the 2nd Judicial District, public defense attorneys maintain caseloads near the recommended caseload limit for each attorney.

The 2nd Judicial District is a rural district that handles only a small number of cases each year, making generalizations difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.

District 2 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 2<sup>ND</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Bienville - Arcadia; Claiborne - Homer; Jackson - Jonesboro
<b>Population</b>	47,822
<b>Juvenile Population</b>	10,425
<b>District Defender</b>	Donald L. Kneipp
<b>Years as District Defender</b>	0
<b>Years in Public Defense</b>	0
<b>Office Manager</b>	Kay Kneipp ( volunteer)
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Each attorney is responsible for their own CMS data entry.
<b>Primary Office Street Address</b>	208 Courthouse, 100 Courthouse Drive
<b>City</b>	Arcadia
<b>ZIP</b>	71001
<b>Primary Phone</b>	318-355-2413
<b>Primary Mailing Address</b>	P.O. Box 471, Jonesboro, 71251-0471
<b>Primary Fax Number</b>	318-388-3983
<b>Primary Emergency Contact</b>	Donald L. Kneipp
<b>Primary Emergency Phone</b>	318-355-2413
<b>Secondary Emergency Contact</b>	Kay Kneipp (volunteer)
<b>Secondary Emergency Phone</b>	318-791-1636
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Bienville Parish Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	None
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	2nd JDC Div. A, 513 N. Main St., Homer, LA 71040; 2nd JDC Div. B, 200 Courthouse, 500 E. Court St., Jonesboro, LA 71251; 2nd JDC Div. C, 208 Courthouse, 100 Courthouse Dr., Arcadia, LA 71001
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	3 divisions

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Claiborne Parish - 1 attorney is assigned all felonies except drug cases and DWI and 1 attorney is assigned all misd. and drug and DWI felonies; Bienville and Jackson Parishes - 1 attorney in each parish is assigned all criminal cases
<b>Name of Adult Detention Facilities in This District</b>	Claiborne Parish Detention Center, Homer; Claiborne Parish Jail, Homer; Jackson Parish Correctional Center, Jonesboro; Bienville Parish Jail, Arcadia
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Bayou Dorchet Corr. Cntr, Minden; Richland Parish Det. Cntr, Rayville; LaSalle Corr. Cntr, Olla; Union Parish Det. Cntr., Farmerville
<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center, Coushatta; Green Oaks Detention Center, Monroe
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Many detainees are held in facilities which are 30 to 90 miles away resulting in additional time and travel costs per visit
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No. While there is no policy the shackles are usually removed prior to entering the courtroom
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Danny Newell
<b>Chief Judge of Criminal District Court</b>	Jenifer Ward Clason
<b>Juvenile Court Judges (Specify District of City Court)</b>	N/A
<b>Drug Court Judges</b>	N/A
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Indigency is determined by each assistant public defender after review of the applicant's financial information as provided.
<b>When is Assignment/Appointment of Counsel Made?</b>	At the 72 hr. hearing if in custody and at arraignment if out on bond.
<b>What steps does your office take to ensure conflict – free representation</b>	Rely upon the attorneys to notify office when there is a potential conflict . Our district has one conflicts attorney and 4 other contract attorneys are available to represent conflict clients when the need arises.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Each assistant district defender in each parish handles intake
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Attorney visits with the client, explains general process and gathers needed information
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	845
<b>How Many Application Fees Were Waived?</b>	750



<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	3,808
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	244,935
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Reports from each Sheriff
<b>Who Collects the Assessed Court Fees?</b>	Sheriff of each Parish
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Summary report from Sheriff
<b>Who Remits the Court Fees Collected?</b>	Sheriff of each Parish
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	A breakdown sheet is provided showing the total collections and how much is paid to each entity listed.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	This determination is made by the Judge in each Division in conjunction with the assigned defender.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Attorney and/or probation provides amount assessed
<b>Who Collects the Assessed Partial Payments?</b>	Probation officer or payment is made directly to my office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Payment form showing amount of payment, total payments made to date and total assessment is sent with each payment.
<b>Who Remits the Partial Payments Collected?</b>	Probation officer or client
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Same as fees collected
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	4,849
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private practice permitted, but No policy. While there is No formal policy, each attorney is aware primary responsibility is to the defender's office and No cases are to be taken that will be in conflict. The general policy of the former local board has been in place for over 12 years and I was advised of it when I was first hired.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	None
<b>Was your office in ROS at any time during 2015</b>	No

<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Funding. The district's monthly expenses exceed the local revenues it collects. this "negative cash flow" prevents there being any long term commitment for office space in one or more of the parishes comprising the district. The district is also without the services of a full time investigator which needs to be replaced as soon as funds are available.
<b>Long-Term Critical Issue Areas</b>	Caseload and/or workload will have to be reviewed on an ongoing basis to make sure that each attorney is within state standards. The issue will become whether appropriate funding will be available to meet future staffing needs.
<b>Please List All New Hires in 2015 (Name and Title)</b>	Mary Ellen Halterman--contract attorney; Robert Moore--conflict attorney
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	N/A
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Each new hire is assigned a veteran defender to mentor new attorneys.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District Defender supervises all attorneys.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	District Defender directly supervises all attorneys.

<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	The district defender is the only supervisor and is available to be assigned a conflict case when the other contract attorneys have already been assigned to other defendants or have been conflicted out.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	The only staff is a volunteer; meetings are held as needed. Meetings with contract attorneys are held on an individual basis at least monthly and more frequently if necessary.
<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	None
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	All attorneys in the 2nd JDC are experienced with Juvenile Defendants.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Jim Fannin, senator elect; Jay Luneau, senator elect; Ryan Gatti, senator elect; Mike Walsworth, senator; Jack McFarland, representative elect; Patrick Jefferson, representative.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	No changes in 2015
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
W. Rick Warren	318-377-8150
Mary Ellen Halterman	318-773-4382
H. Paul Garner	318-927-9248
Scott Killen	318-436-9954
Robert Moore	800-315-0550
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>

Kay Kneipp (volunteer)	318-791-1636

## 2015 District Office Technology Survey

<p>The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.</p>	
<b>Survey Completer's Name</b>	Donald L. Kneipp
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b>Operating Systems Used:</b>	
Windows 10	x
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b>Case Management System(s): Check all that apply</b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b>Productivity Suites Used:</b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b>Accounting Software</b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	x

Internet Explorer 11	x
Microsoft Edge	
Firefox	x
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	
Laptops	2
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	
Email Provider:	
Please list any software or computer equipment in which you need training:	

## 2nd District Defender Office CY 2015 Caseloads & Outcomes

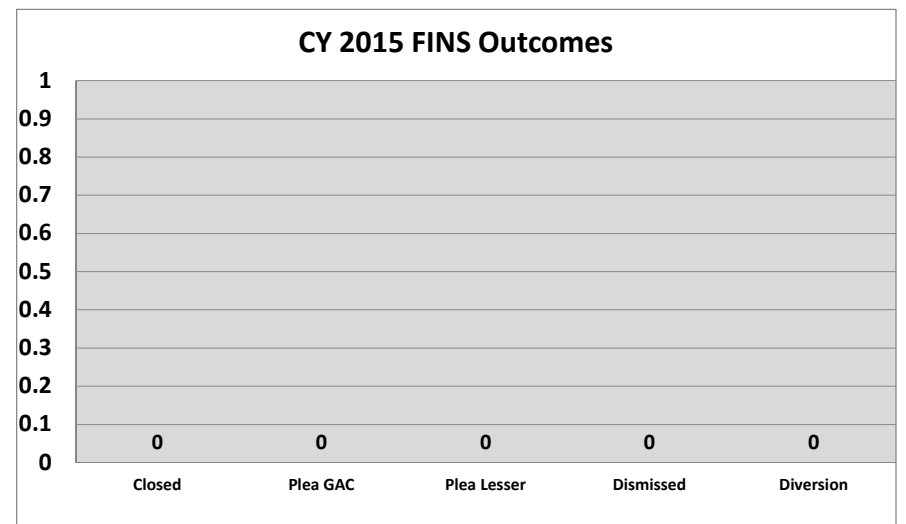
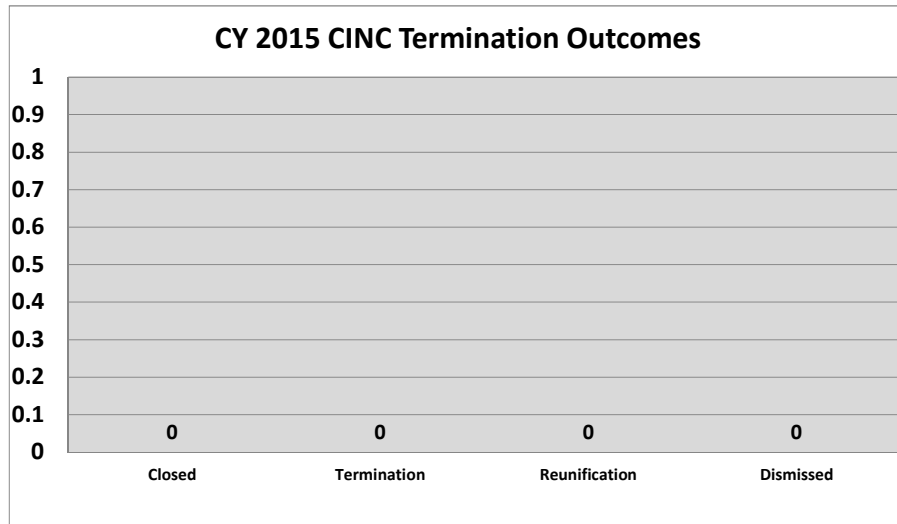
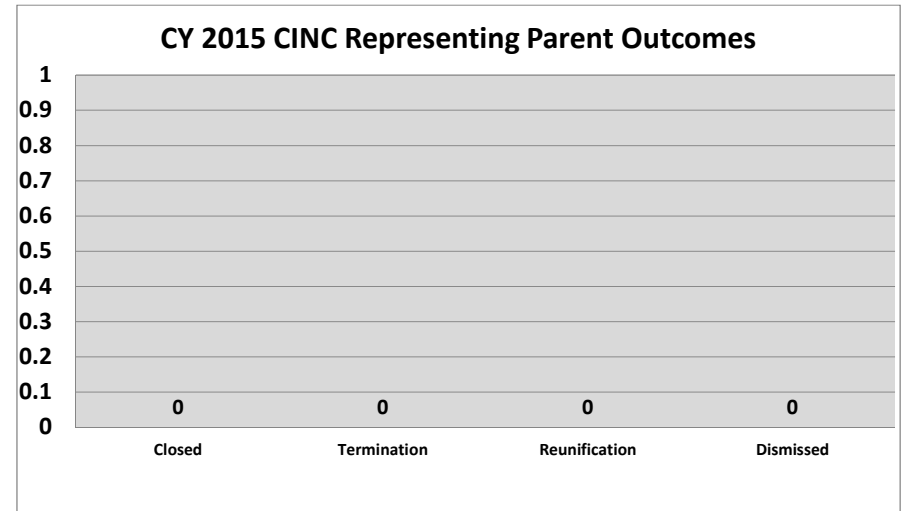
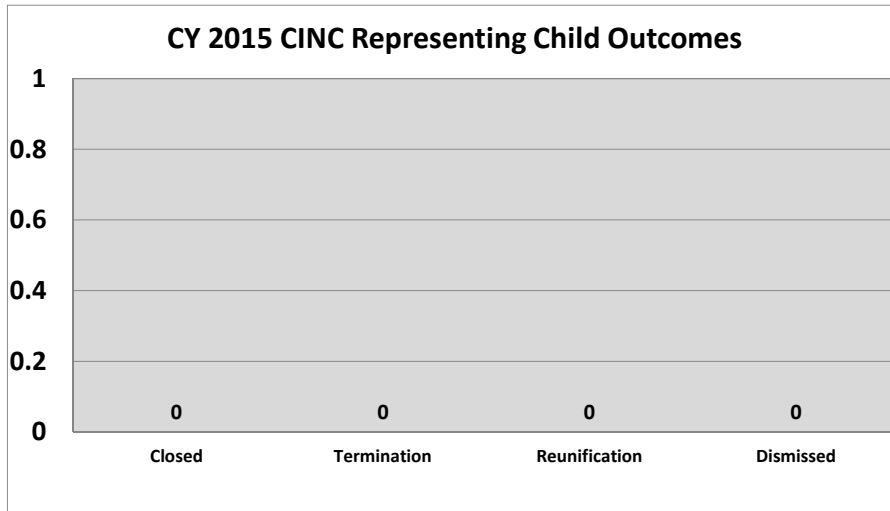
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	1	0	2	3	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	7	0	0	7	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	0	0	1	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	2	0	0	2	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	2	0	0	2	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	291	101	35	326	N/A	N/A	48	9	51	0	0	1	0	6	7
Adult Felony Non-LWOP**	554	183	98	652	N/A	N/A	50	26	50	0	0	0	5	5	10
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	6	1	1	7	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

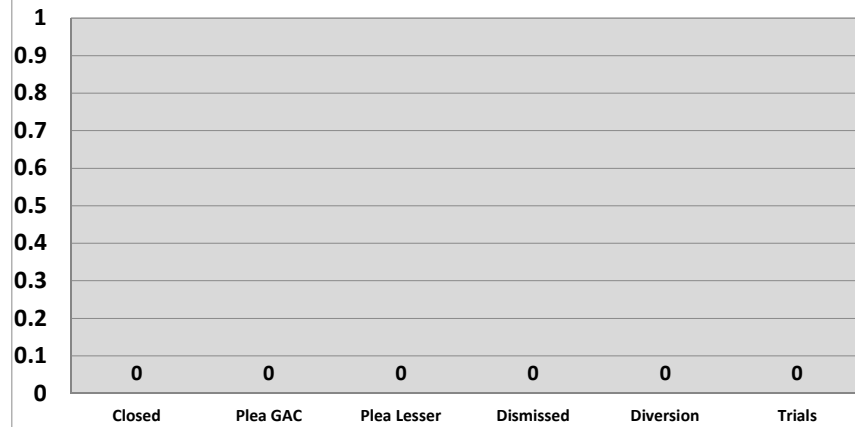
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

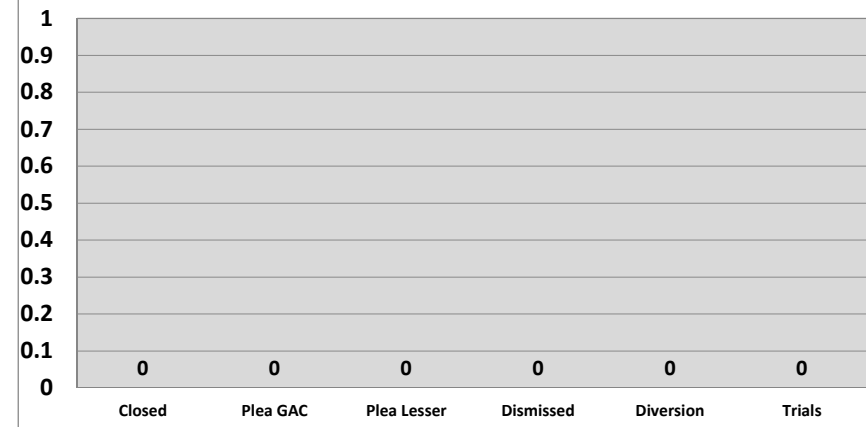




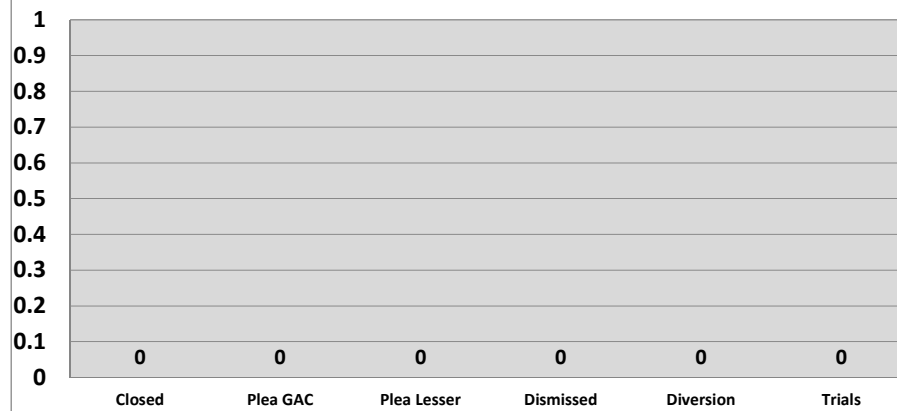
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



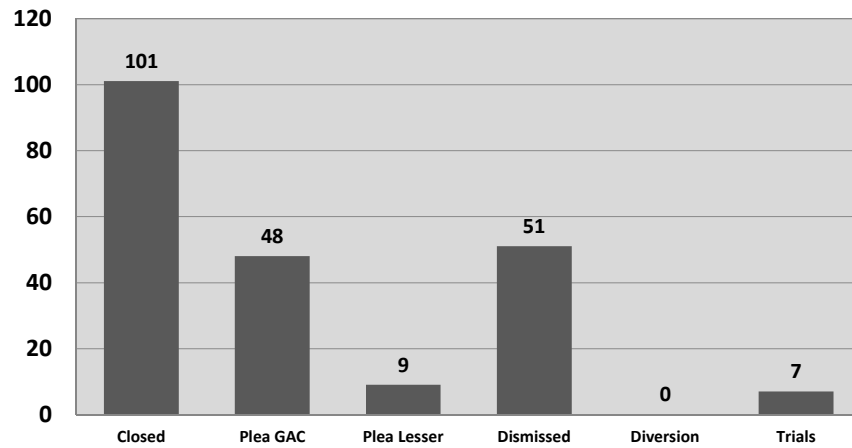
**CY 2015 Delinquency Felony-Grade Outcomes**



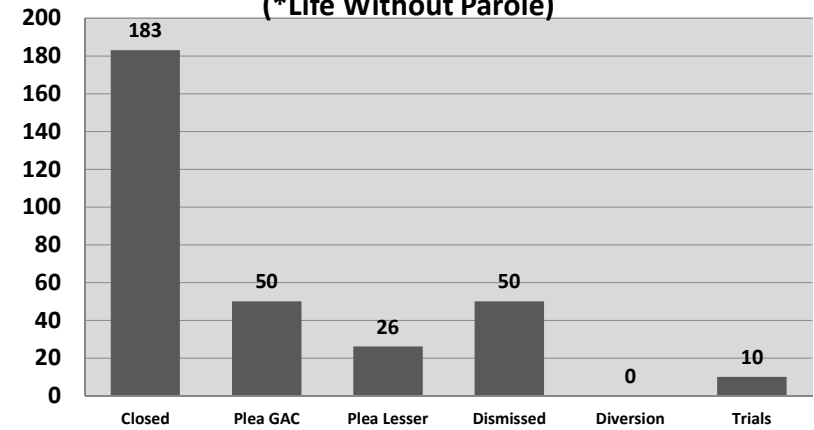
**CY 2015 Delinquency Life Outcomes**



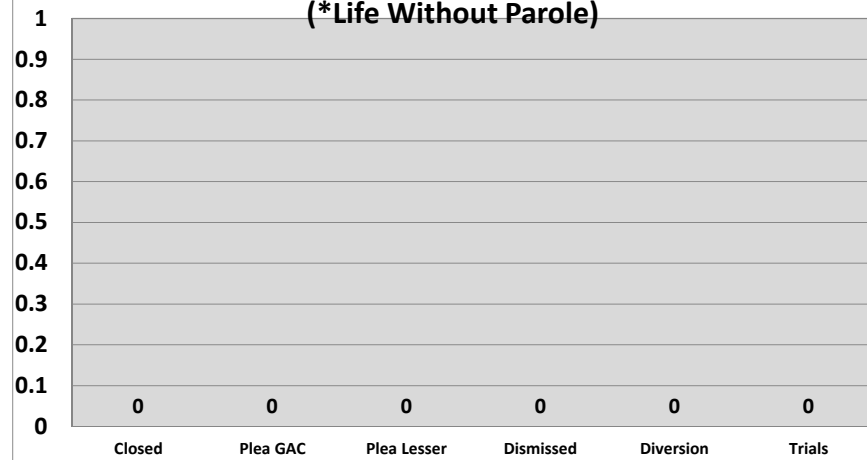
**CY 2015 Adult Misdemeanor Outcomes**



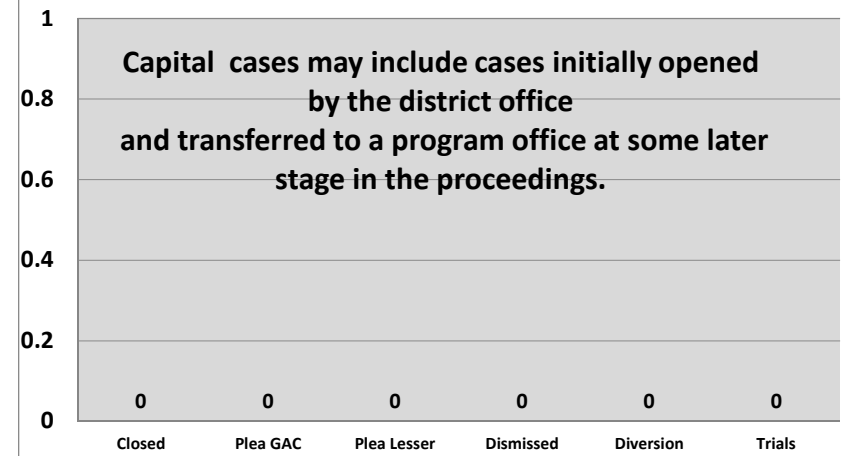
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

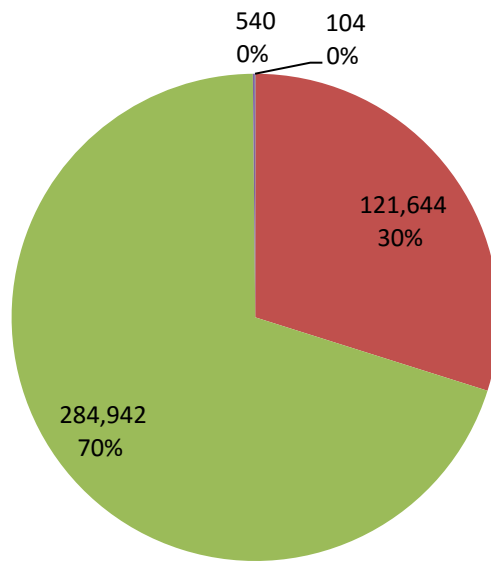


District 2 CY2015	Total CY2015
<b>District Defender: Donald Kneipp</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	1,758
District Assistance Fund (DAF)	79,397
Supplemental/Emergency Funds	40,489
Grants	-
Other State Income -List source(s)	-
Total for State Government	121,644
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	30,850
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	500
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	244,935
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	244,935
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	3,808
Partial Attorney Fees	
Reimbursements [as per 15:176]	4,849
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	8,657
Total for Local Government	284,942
Investment Earnings	
Interest Income	540
Other Investment Income - List source(s)	-
Total for Investment Earnings	540
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	104
Total for Other Sources (Grants & Contributions)	104
Total for REVENUE	407,230

District 2 CY2015	Total CY2015
District Defender: Donald Kneipp	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	-
Accrued Leave	-
Payroll Taxes	-
Hospitalization and Disability Insurance	2,000
Retirement	-
Other	-
Total for Personnel Services and Benefits	2,000
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	2,649
Total for Travel/Training	2,649
Operating Services	
Advertisements	108
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	735
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	275
Office - Telephone/Utilities/Postage/Internet	129
Dues and Seminars	-
Law Library/Journals/Subscriptions	3,240
Office Supplies	-
Total for Operating Services	4,487
Professional Services	
Audit/Accounting Expense	-
Contract Clerical	-
Expert Witness	2,165
Investigators	500
Interpreters	-
Social Workers	150
Capital Representation	-
Conflict	42,544
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	262,558
IT/Technical Support	-
Total for Professional Services	307,917
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	52
Total for Other Charges	52
Total for EXPENDITURES	317,105

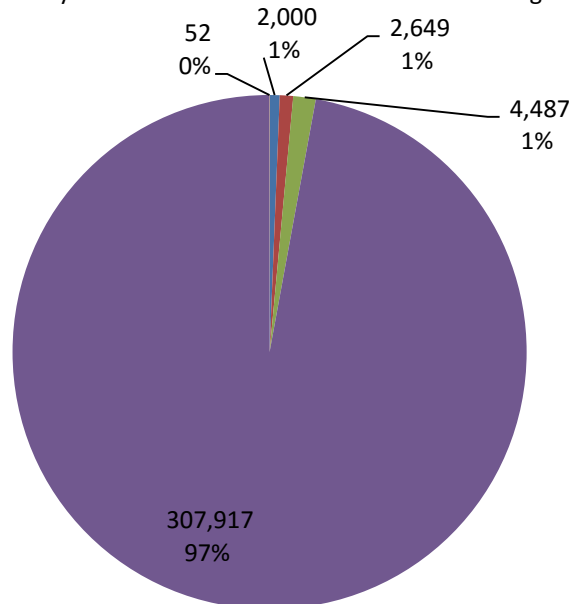
## Total CY15 Revenues

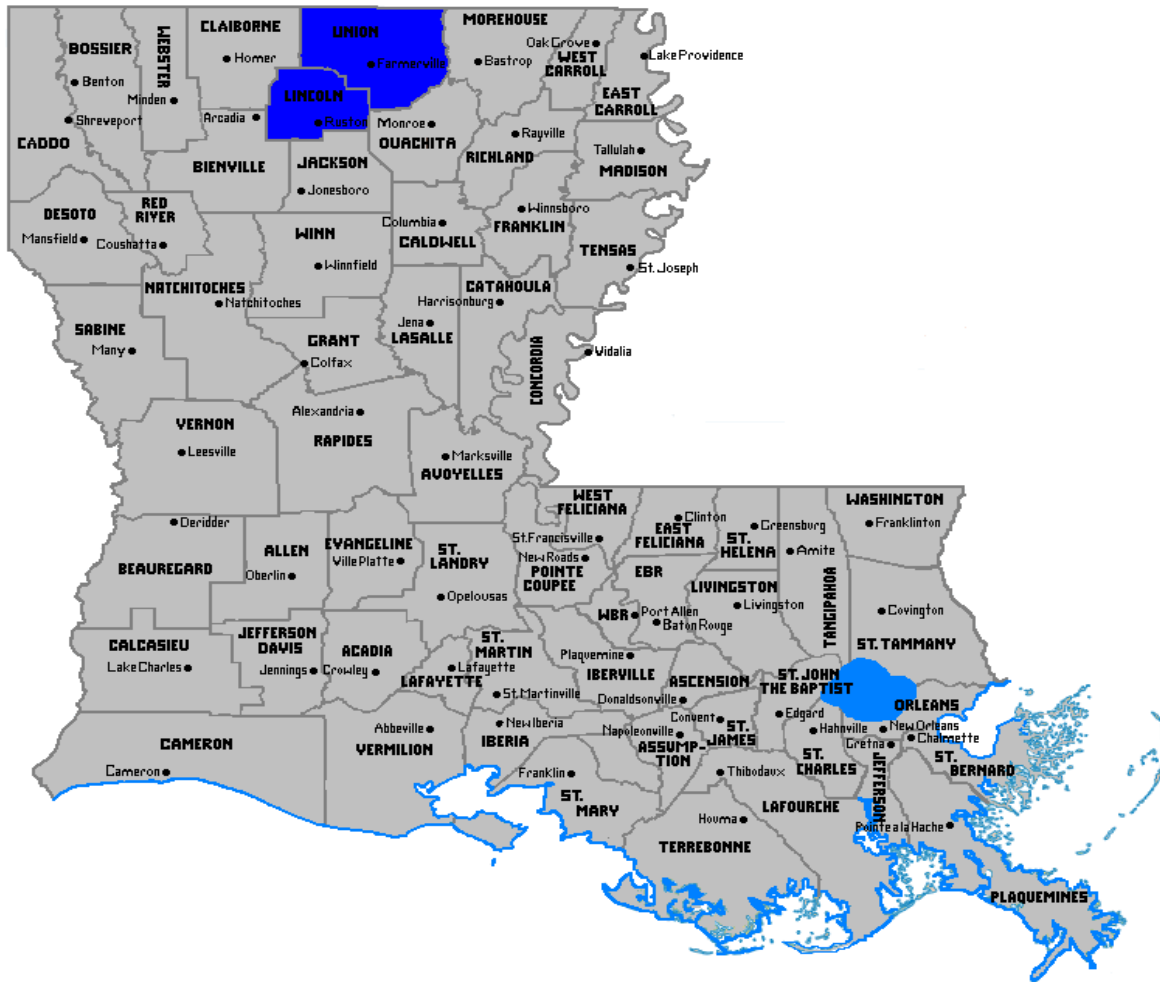
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





THE 3<sup>RD</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
LINCOLN (RUSTON) - UNION (FARMERVILLE)

DISTRICT DEFENDER: RICK L. CANDLER, INTERIM  
505 SOUTH VIENNA STREET  
RUSTON, LA 71270  
(318) 255-5100

## 3RD JUDICIAL DISTRICT: LINCOLN AND UNION PARISHES

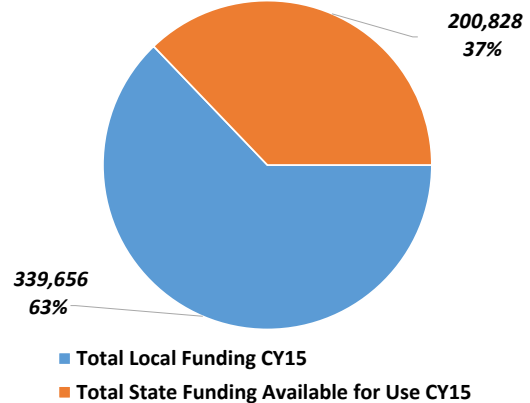
Rick L. Candler  
Interim District Defender  
505 South Vienna Street  
Ruston, LA 71270  
318-255-5100

During Calendar Year 2015, the 3rd Judicial District Public Defenders Office handled 2,878 cases. The office received \$540,484 in total revenues to handle these cases, approximately 63% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

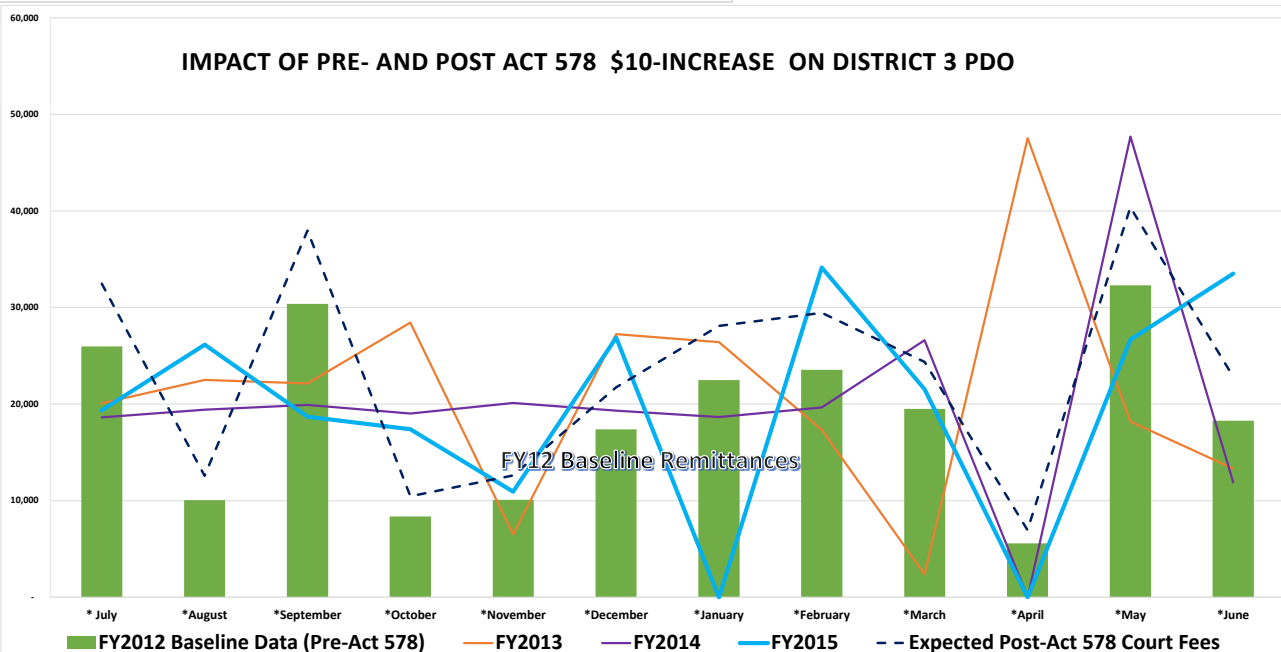
Since the inception of Act 578 (2012), local revenues associated with court costs have been unstable and erratic. As shown in the graph below, revenues have fallen below the 25% expected increase fifty percent of the time.

The 3rd Judicial District office's expenditures exceeded the office's revenues in CY10, CY11, CY14, and CY15. The fund balance grew slightly in CY12 and CY13. While it is too early to project when the 3rd Judicial District office will exhaust its fund balance, without a significant increase in revenues or reduction in expenditures, the office will eventually become insolvent.

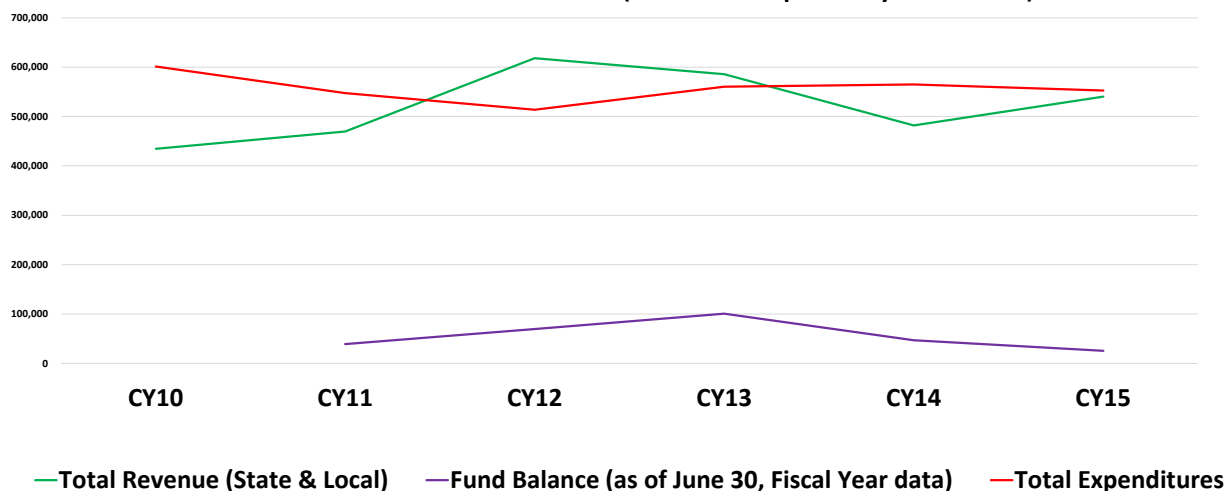
**District 3 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 3 PDO**



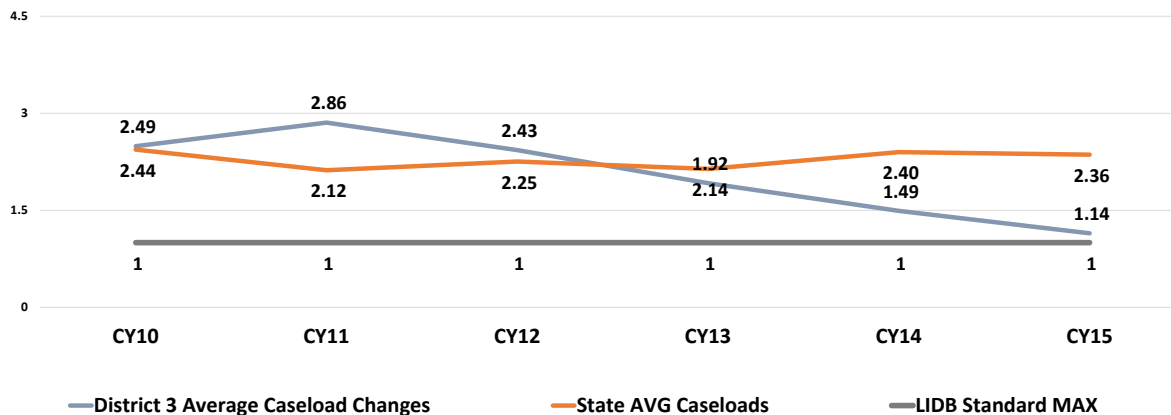
**District 3 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



## 3RD JUDICIAL DISTRICT: LINCOLN AND UNION PARISHES

Rick L. Candler  
Interim District Defender  
505 South Vienna Street  
Ruston, LA 71270  
318-255-5100

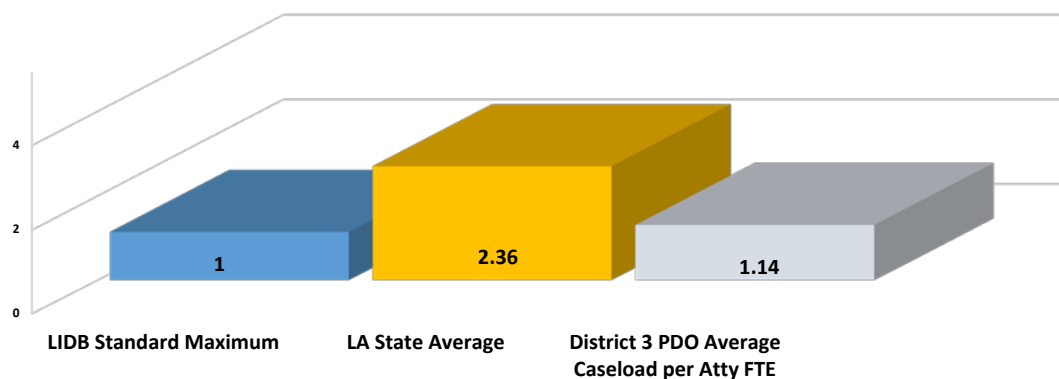
District 3 PDO Average Caseload per Atty FTE



In the 3rd Judicial District, public defense attorneys maintain caseloads near recommended caseload limits for each attorney.

Since its inception in 2007, LPDB has continually strived to improve the quality of representation through supervision, adherence to standards of representation, and training. These improvements to representation are the cornerstones which lead to improved outcomes for clients.

District 3 PDO Average Caseloads Compared to State Average & State Standard...



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.





## THE 3<sup>RD</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Lincoln - Ruston; Union - Farmerville
<b>Population</b>	69,456
<b>Juvenile Population</b>	14,833
<b>District Defender</b>	Rick L. Candler, Interim
<b>Years as District Defender</b>	2 months
<b>Years in Public Defense</b>	10
<b>Office Manager</b>	Rebecca Pesnell
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Rebecca Pesnell, administrative office manager; Nikki Brantley, secretary.
<b>Primary Office Street Address</b>	505 South Vienna Street, Ruston, LA 71270
<b>City</b>	Ruston
<b>ZIP</b>	71270
<b>Primary Phone</b>	318-255-5100
<b>Primary Mailing Address</b>	Same
<b>Primary Fax Number</b>	318-255-4375
<b>Primary Emergency Contact</b>	Rick L. Candler
<b>Primary Emergency Phone</b>	318.573.0452 (cell)
<b>Secondary Emergency Contact</b>	Forrest Moegle
<b>Secondary Emergency Phone</b>	318.614.8520 (cell)
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Tom Sumrall
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	675
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Stephanie Perry of Wade & Perry, CPAs
<b>Courts and Locations</b>	3rd Judicial District Court, Lincoln Parish, Ruston; Ruston City Court; 3rd Judicial District Court, Union Parish, Farmerville
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	3 divisions in Lincoln District, 3 divisions in Union District, 1 in Ruston City Court, and a Drug Court in Lincoln and Union District Courts.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	One contract attorney handles Ruston City Court and Lincoln juvenile cases; one contract attorney handles felonies in Union Parish; one contract attorney handles misdemeanor, conflict, and juvenile cases in Union Parish; one contract attorney handles Lincoln misdemeanors; one contract attorney handles one criminal division in Lincoln Parish; another contract attorney handles another criminal division in Lincoln Parish; and a third contract attorney handles all criminal matters in a third division in Lincoln Parish. Two of these three Lincoln Parish contract attorneys also handle all conflict matters in Lincoln Parish.
<b>Name of Adult Detention Facilities in This District</b>	Lincoln Parish Detention Center and Union Parish Detention Center
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Jackson Parish Correctional Center (Jonesboro) and Wade Correctional Center (Homer)
<b>Name of Juvenile Detention Facilities In This District</b>	There are no "juvenile detention facilities"; however, juveniles are sometimes held at the Methodist Children's Home in Ruston.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Johnny Gray Detention Center (Bossier City), Ware Detention (Coushatta), Green Oaks Detention Center (Monroe)
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	It is difficult to communicate with clients who are housed in parishes other than that in which their charges are pending.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Court does not have a written shackling procedure. Generally, they are not brought into the courtroom in leg restraints or hand cuffs. There is usually a bailiff at each courtroom door, but the juvenile is not restrained in the courtroom.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	John F. Belton, as of 1/12/15
<b>Chief Judge of Criminal District Court</b>	Jay B. McCallum
<b>Juvenile Court Judges (Specify District of City Court)</b>	Jay B. McCallum in Union Parish and Thomas W. Rogers in Lincoln Parish.
<b>Drug Court Judges</b>	Cynthia T. Woodard in Lincoln Parish and Jay B. McCallum in Union Parish.
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	If incarcerated, determined by judge via telephone within 72 hours of arrest. Otherwise, determined in court at the arraignment by the contract attorney handling court on that particular day.
<b>When is Assignment/Appointment of Counsel Made?</b>	By telephone within 72 hours of arrest if in custody. If not, at arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	Each attorney as well as our staffs gets a copy of each docket one or two days after each court proceeding, we all see appointments and discuss if there are any conflicts. Also, each Judge has been provided the order of appointment of Attorneys concerning conflict cases.

<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Robert Earle, contract attorney, in Union Parish. Forrest Moegle, contract attorney, in Lincoln Parish.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Within 72 hours of appointment, lawyer responsible for doing the intake visits with the defendant, answers any questions that they may have, and completes the intake form.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	Approximately 350
<b>How Many Application Fees Were Waived?</b>	Not sure exactly. Probably less than 50.
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	14,124
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	251,889
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	None
<b>Who Collects the Assessed Court Fees?</b>	Sheriff in district court and Marshal in city court. If on felony probation, may be collected through probation & parole.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	We receive documentation showing our portion of the fees collected from the collecting agencies; however, we do not get anything showing what was collected and distributed to other agencies.
<b>Who Remits the Court Fees Collected?</b>	Sheriff in district court and Marshal in city court. If collected through probation & parole, they do.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The Lincoln Parish Sheriff's Office, Union Parish Sheriff's Office, and the Ruston Marshal's Office provide documentation showing the number of cases for which the fee was collected and the total collected.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Rate charged, if any, is determined by the Court; however, this is rarely, if ever, done.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	Either the sheriff or the marshal's office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	Either the sheriff or Ruston Marshal.

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The Lincoln Parish Sheriff's Office, Union Parish Sheriff's Office, and the Ruston Marshal's Office provide documentation showing the number of cases for which the fee was collected and the total collected.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	This is not broken out by the remitting agencies, so I cannot give an accurate figure. I would guess less than \$1000.
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Attorneys are permitted to have a private practice as long as it does not conflict with their contractual obligations; however, the policy is not in writing.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Not at this time.
<b>Primary Immediate Needs</b>	A guaranteed, steady flow of funding and 2 new computers.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes, request additional funding.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Sufficient funding.
<b>Long-Term Critical Issue Areas</b>	Sufficient funding.
<b>Please List All New Hires in 2015 (Name and Title)</b>	James Buckley, James Wilkerson, Robert Moore
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, I provide training, coaching and mentoring, by attending court sessions with the new attorney as well as having sessions in person and by phone on a daily basis when needed.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Other than the district defender, we only have 7 attorneys. All attorneys are directly supervised by the district defender. All attorneys are contract and therefore, supervise their own support staff.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	Yes, Rick L. Candler, Acting DD
<b>Please Attach Your Office Organizational Chart</b>	All 7 contract attorneys are directly supervised by the District Defender
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No

<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No medical benefits provided.
<b>Regular Meetings for Any Staff, Please Describe</b>	No
<b>Number of NEW capital cases in CY15 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	0
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	All of our attorneys have experience with juvenile defendants.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Representatives are Rob Shadoin and Patrick Jefferson. Senators are James. Fannin, Jay Luneau and Mike Walsworth
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None that I can think of.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	I am a new Interim District Defender and I am accessing the program in its entirety what if any changes that need to be made.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Gina L. Jones	318-251-3200
Forrest L. Moegle	318-254-0100
Robert Earle	318-368-2246
James Buckley	318-537-5558
Dawn Frasier	318-224-1034
James M. Wilkerson	318-243-2444
Robert Moore	318-465-0550
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Rebecca Pesnell	318-255-5100
Donnie Kimbell	318-245-3401

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Rick L. Candler
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	
Windows Vista	x
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x

Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	
Other	
<b>HARDWARE:</b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	2
Laptops	
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	5.33 Mb/s
Provider Name:	AT&T
Email Provider:	
Please list any software or computer equipment in which you need training:	Word and Power Point.

### 3rd District Defender Office CY 2015 Caseloads & Outcomes

Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	22	6	7	29	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	4	2	3	7	N/A	N/A	0	0	0	1	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	7	1	3	10	N/A	N/A	1	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	0	1	1	1	N/A	N/A	1	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	4	3	0	4	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	1276	835	178	1454	N/A	N/A	653	43	202	1	1	1	0	0	2
Adult Felony Non-LWOP**	711	539	259	970	N/A	N/A	542	94	87	0	0	5	0	0	5
Adult LWOP	0	1	1	1	N/A	N/A	2	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	275	226	127	402	N/A	N/A	1	0	3	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

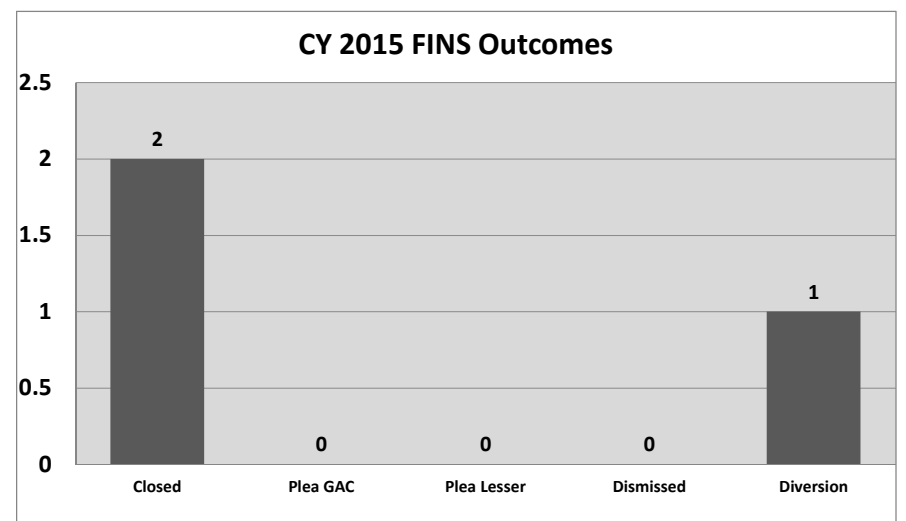
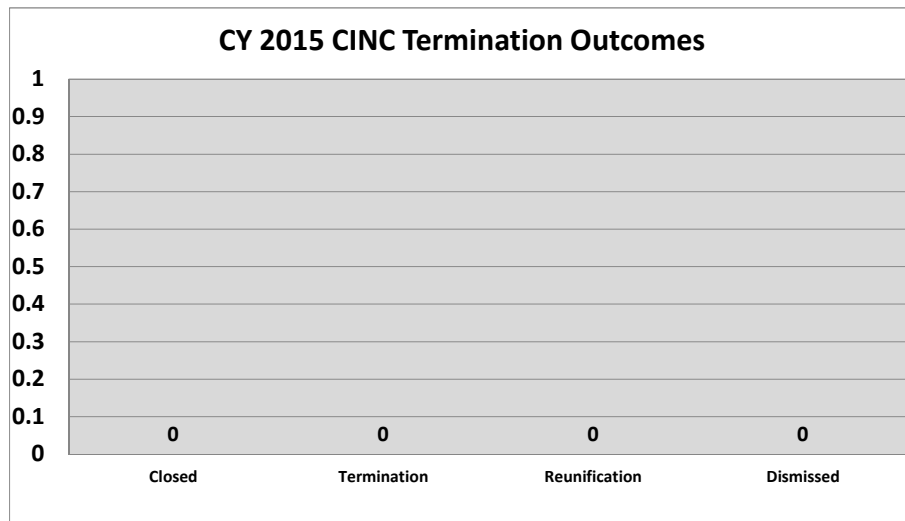
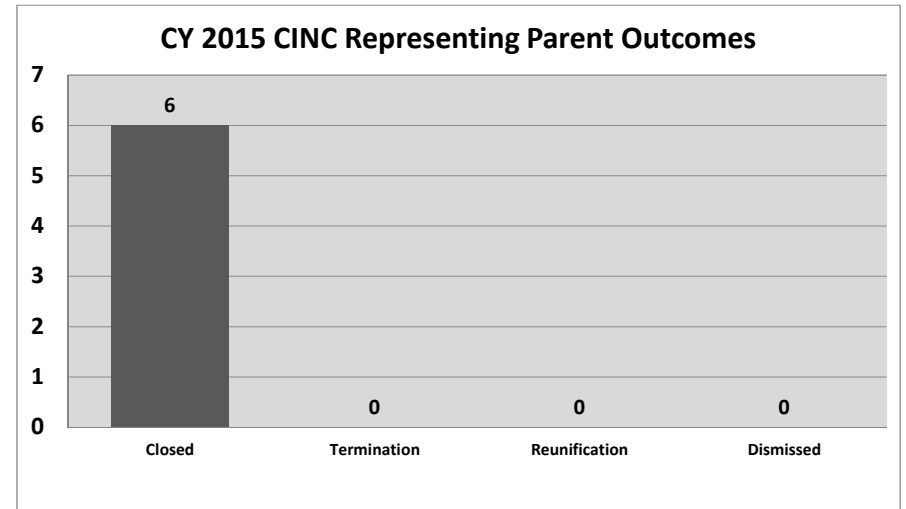
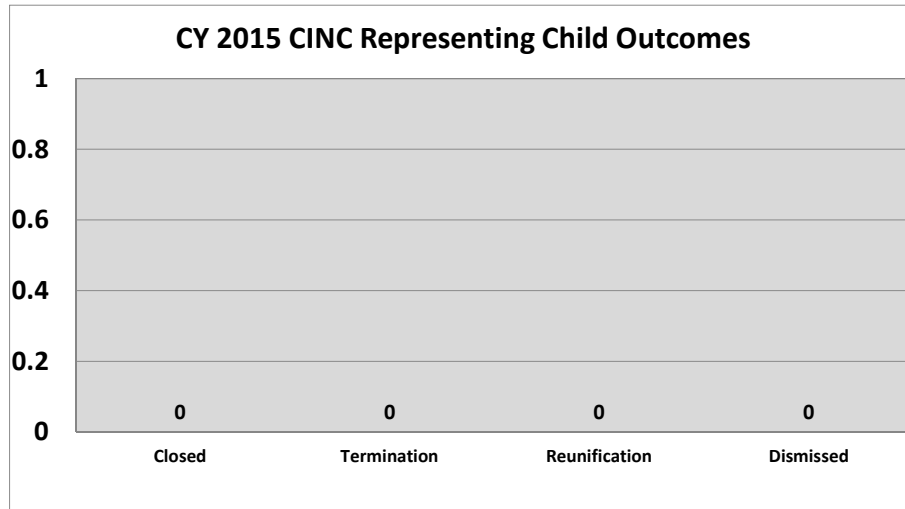
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

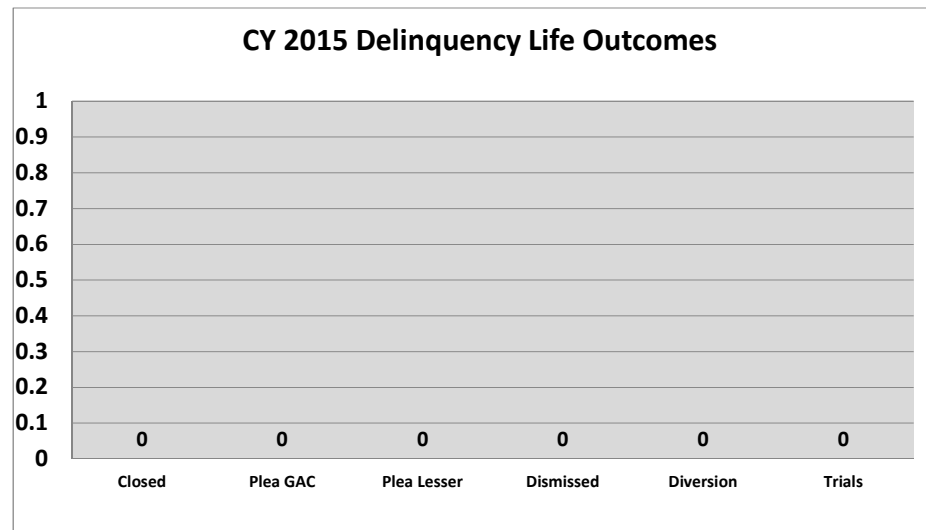
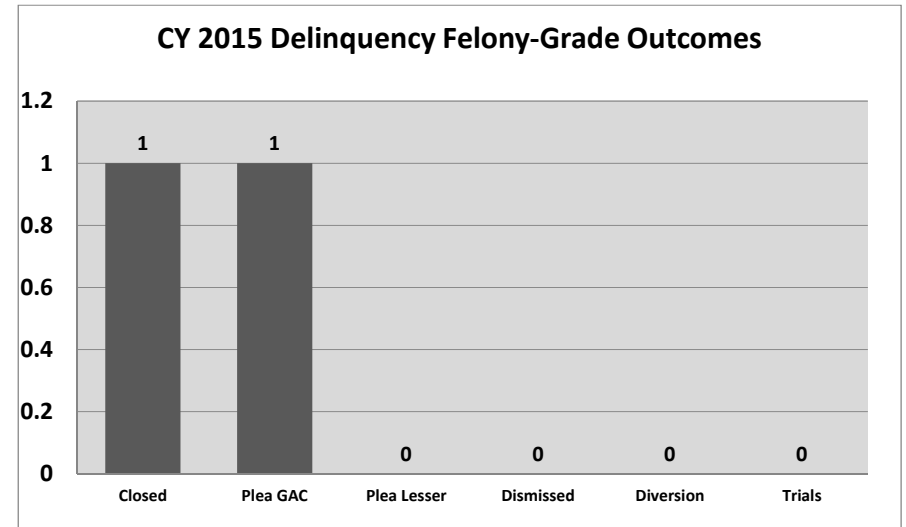
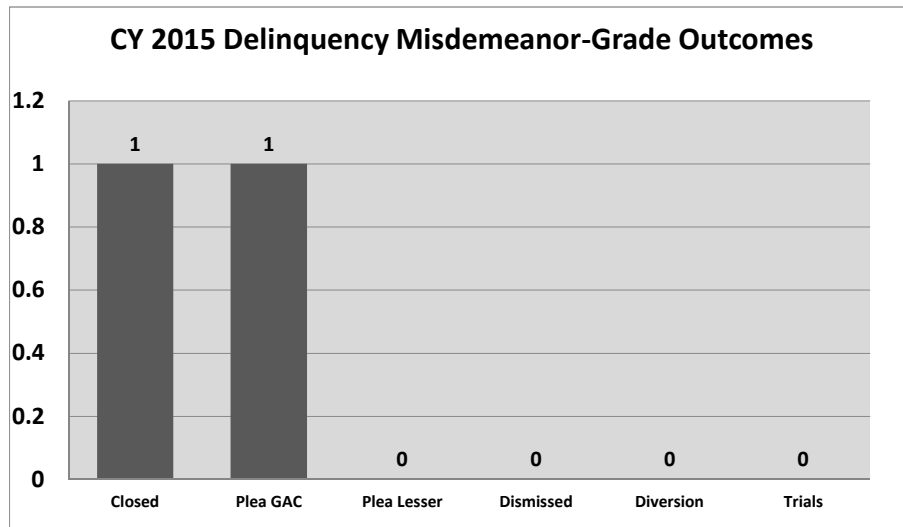
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

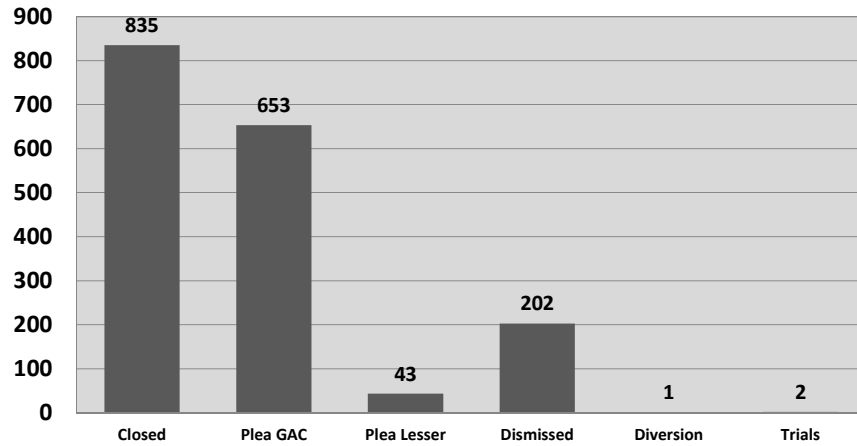
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



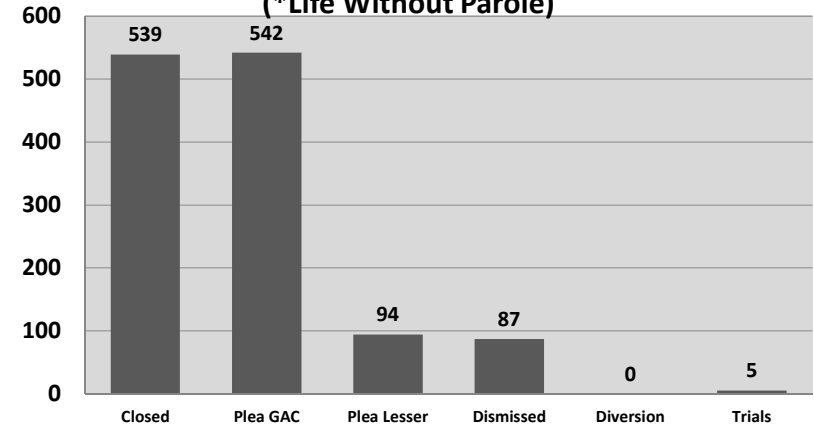




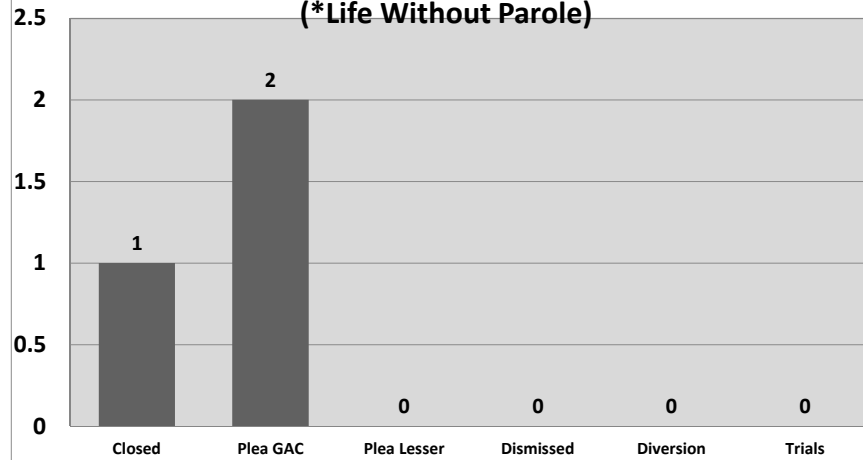
**CY 2015 Adult Misdemeanor Outcomes**



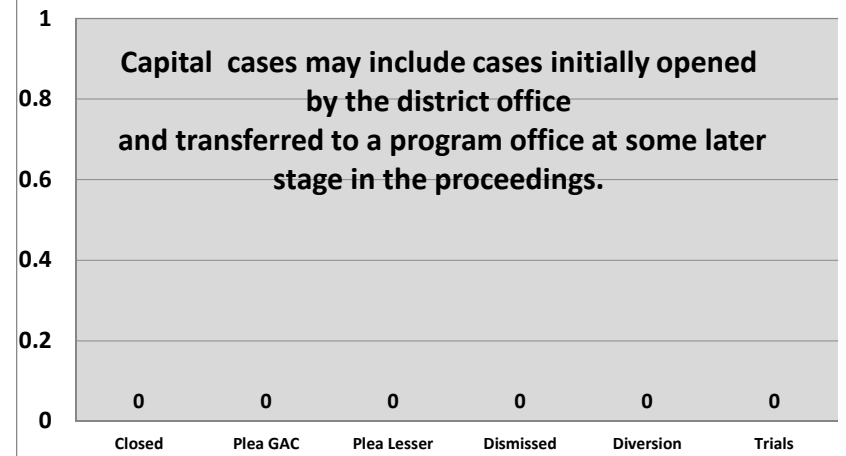
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



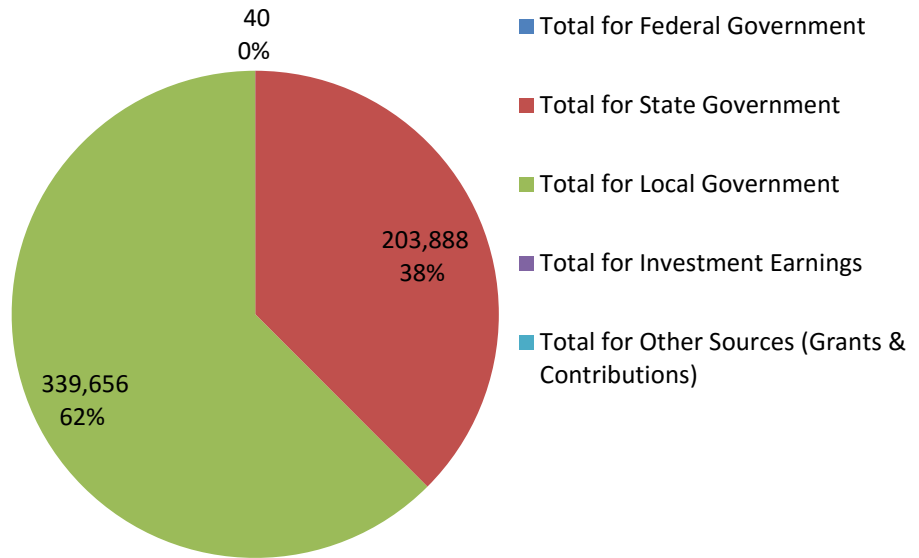
**CY 2015 Capital Outcomes**



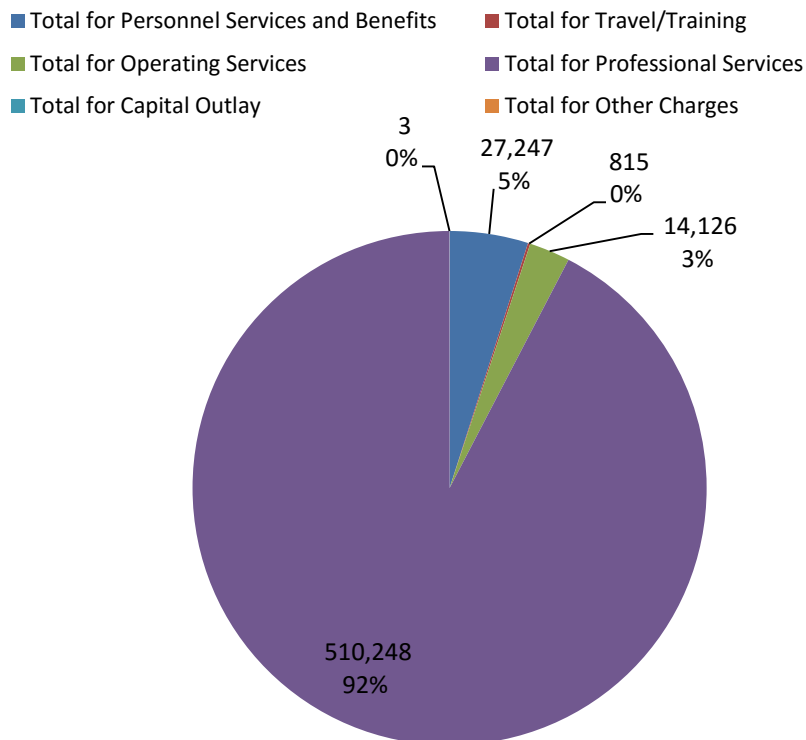
District 3 CY2015	Total CY2015
<b>District Defender: Rick Candler, Interim</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	3,767
District Assistance Fund (DAF)	200,121
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	203,888
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	70
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	53,209
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	350
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	89,773
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	138,908
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	23,208
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	251,889
<b>Charges For Services</b>	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	14,124
Partial Attorney Fees	
Reimbursements [as per 15:176]	20,014
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	34,138
Total for Local Government	339,656
Investment Earnings	
Interest Income	40
Other Investment Income - List source(s)	-
Total for Investment Earnings	40
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	543,584

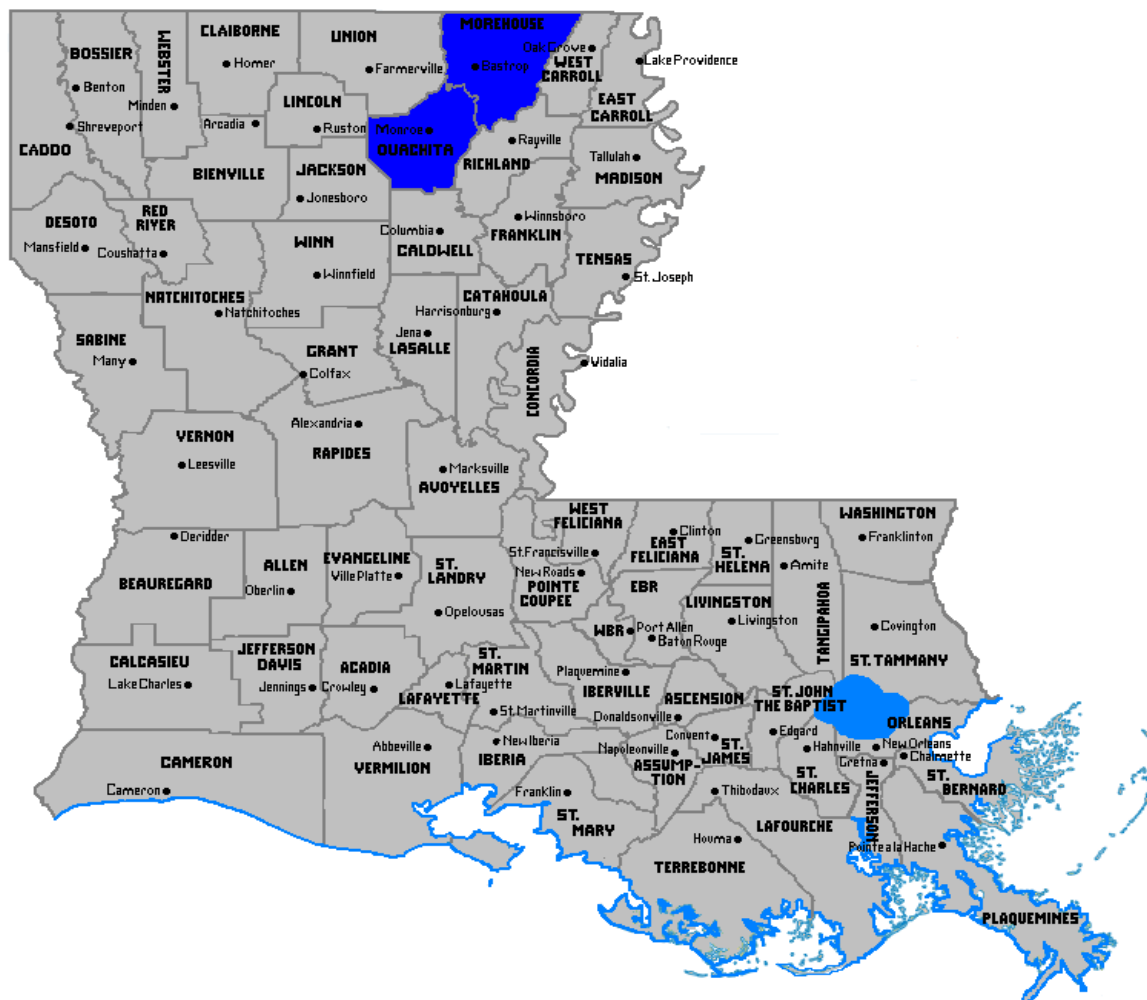
District 3 CY2015	Total CY2015
District Defender: Rick Candler, Interim	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	25,200
Accrued Leave	-
Payroll Taxes	2,046
Hospitalization and Disability Insurance	-
Retirement	-
Other	1
Total for Personnel Services and Benefits	27,247
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	815
Total for Travel/Training	815
Operating Services	
Advertisements	82
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	781
Insurance - Other	-
Lease - Office	7,040
Lease - Auto/Equipment	-
Lease - Other	650
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	4,546
Dues and Seminars	-
Law Library/Journals/Subscriptions	-
Office Supplies	1,027
Total for Operating Services	14,126
Professional Services	
Audit/Accounting Expense	10,046
Contract Clerical	400
Expert Witness	-
Investigators	37,500
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	4,500
Misdemeanor Attorney Contracts	86,810
Contract Attorneys - all other	370,991
IT/Technical Support	-
Total for Professional Services	510,248
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	3
Total for Other Charges	3
Total for EXPENDITURES	552,439

## Total CY15 Revenues



## CY15 Expenditures





THE 4<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
MOREHOUSE (BASTROP) - OUACHITA (MONROE)

DISTRICT DEFENDER: MICHAEL A. COURTEAU  
714 ST. JOHN STREET  
MONROE, LA 71201  
(318) 322-6643

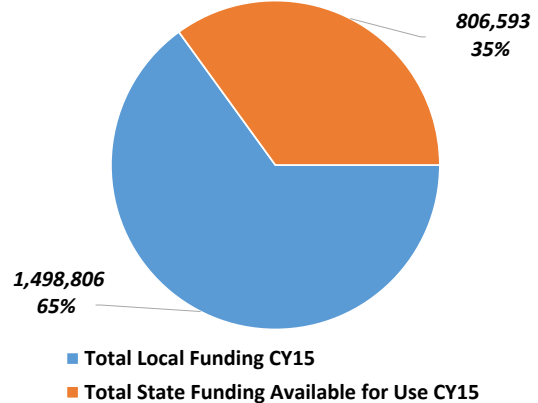
## 4TH JUDICIAL DISTRICT : OUACHITA AND MOREHOUSE PARISHES

Michael A. Courteau  
District Defender  
714 St. John Street  
Monroe, LA 71201  
318-322-6643

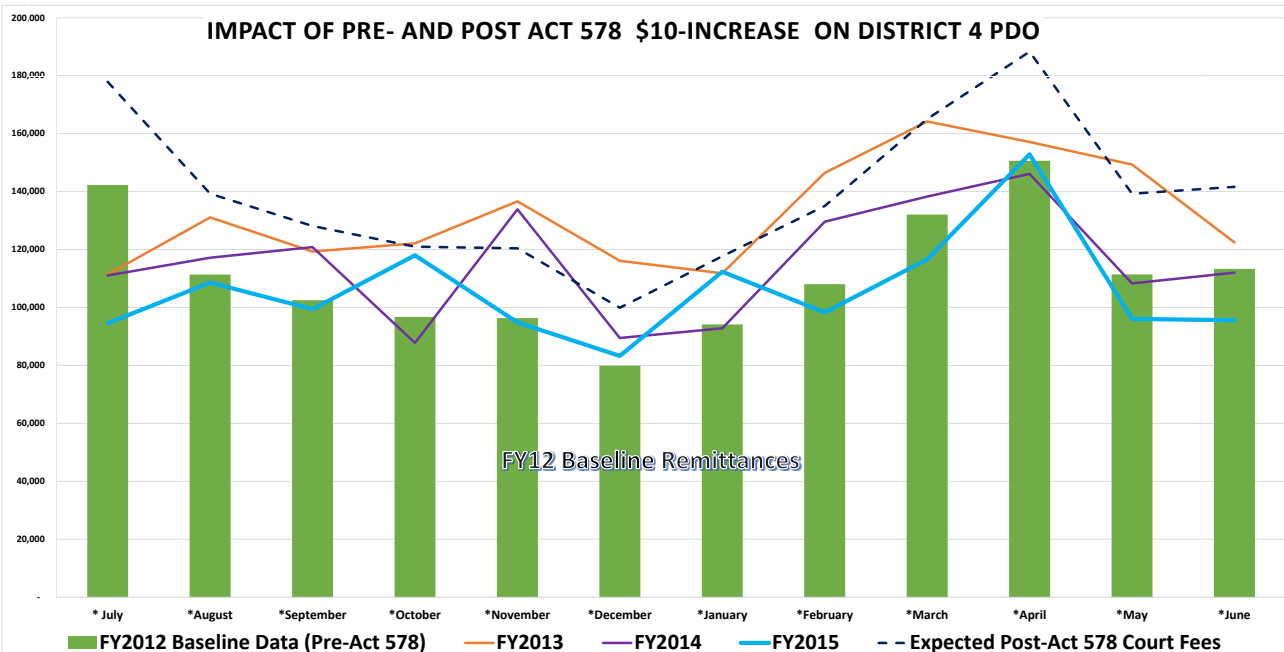
During Calendar Year 2015, the 4th Judicial District Public Defenders Office handled 11,658 cases. The office received \$2,305,399 in total revenues to handle these cases, approximately 65% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

During nine of the 12 months that made up FY15, local remittances were at their lowest level since 2012 in the 4th Judicial District. With the exception of seven months in the past four years since Act 578 (2012) was enacted, the 4th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578).

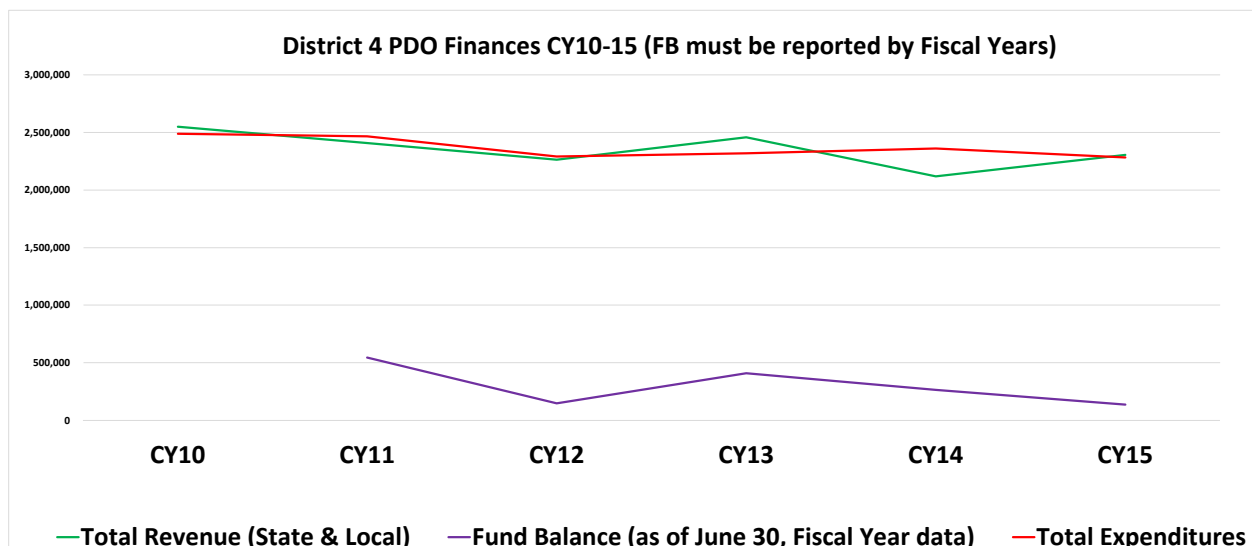
District 4 PDO Revenue Sources CY15



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 4 PDO



District 4 PDO Finances CY10-15 (FB must be reported by Fiscal Years)

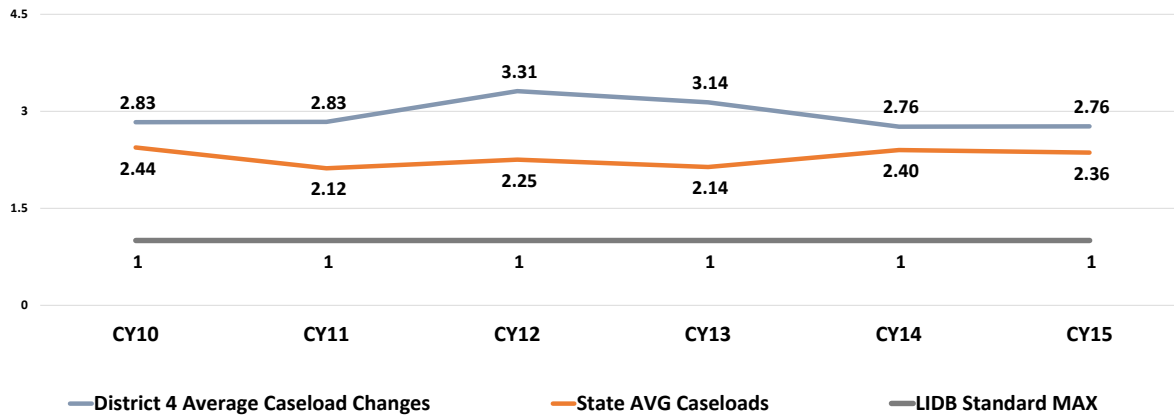




## 4TH JUDICIAL DISTRICT : OUACHITA AND MOREHOUSE PARISHES

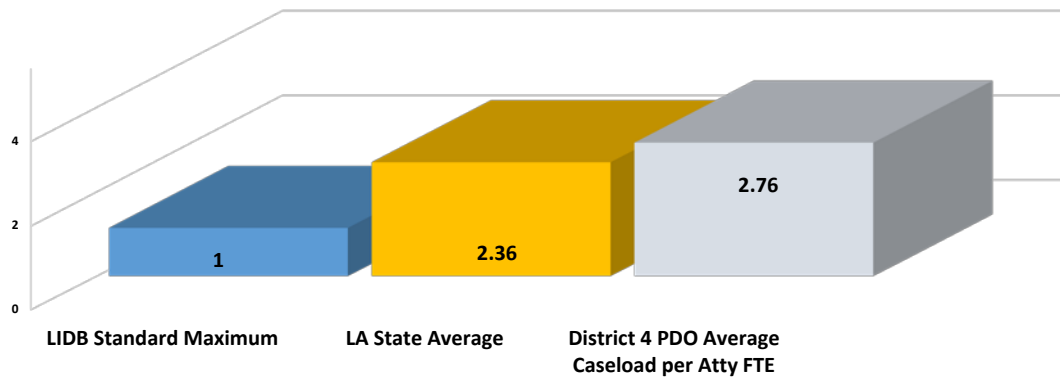
Michael A. Courteau  
District Defender  
714 St. John Street  
Monroe, LA 71201  
318-322-6643

District 4 PDO Average Caseload per Atty FTE



In the 4th Judicial District, public defense attorneys maintain caseloads almost three times the recommended caseload limit for each attorney.

District 4 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has limited capacity to accept capital cases as it does not have two certified counsel or otherwise does not have capacity to provide core team members as required by the Capital Performance Standards.



## THE 4<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Ouachita - Monroe and Morehouse - Bastrop (4th JDC), Juvenile Only-West Carroll - Oak Grove, Franklin - Winnsboro and Richland - Rayville (5th JDC); and Caldwell - Columbia (37th JDC).
<b>Population</b>	183,085
<b>Juvenile Population</b>	74,345
<b>District Defender</b>	Michael A. Courteau
<b>Years as District Defender</b>	23
<b>Years in Public Defense</b>	26
<b>Office Manager</b>	Dixie Stout
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Zuleika Quinn - Data Entry Clerk, Bernay Hall - Receptionist, Carolyn Breedlove - Data Entry Clerk, Toya Giles - Data Entry Clerk, Dylan Smith -Juvenile Investigator/Data Entry Clerk, Shondria Newton - Data Entry Clerk.
<b>Primary Office Street Address</b>	714 St. John Street
<b>City</b>	Monroe
<b>ZIP</b>	71201
<b>Primary Phone</b>	318-322-6643
<b>Primary Mailing Address</b>	714 Saint John Street
<b>Primary Fax Number</b>	318-325-7814
<b>Primary Emergency Contact</b>	Michael A. Courteau
<b>Primary Emergency Phone</b>	318-614-4727
<b>Secondary Emergency Contact</b>	Bob Noel
<b>Secondary Emergency Phone</b>	318-366-6668
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Owned by 4th JDC Public Defender Office
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$650 (Utilities) No mortgage/rent.
<b>Are Your Office Accounting Services Handled In- House? (If not, name the third party who provides these services)</b>	George McGuffee

<b>Courts and Locations</b>	4th Judicial District Court, Ouachita and Morehouse Parishes in Monroe and Bastrop (includes Juvenile Courts); Monroe, West Monroe and Bastrop City Courts, Green Oaks Detention Center. 5th and 37th Judicial District Courts - Juvenile; Rayville, Winnsboro, and Oak Grove City Courts, NOTE: The PD office in the 4th Judicial District also handles juvenile matters in the 5th and 37th Districts. The juvenile data is compiled by the 4th JDC and reflected here.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	4 Sections in Ouachita Parish; 2 Sections in Morehouse Parish.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Ouachita Parish- Cases are assigned by case number and section. Morehouse Parish- by the Judge. Monroe City- by Staff, Juvenile in 5th, 37th, and 4th District, Monroe City and West Monroe City- determined by the case type.
<b>Name of Adult Detention Facilities in This District</b>	Ouachita Correctional Center; Morehouse Correctional; Bastrop City Jail
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Collingston Correctional Center, Richwood Detention Center, Richland Parish Detention Center
<b>Name of Juvenile Detention Facilities In This District</b>	Green Oaks Detention Center; Swanson's
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Christian Acres
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Juveniles are shackled and brought to the door of the courtroom. Shackles are removed and the juvenile is brought before the Judge.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No.
<b>District Attorney</b>	Jerry Jones
<b>Chief Judge of Criminal District Court</b>	Judge Stephen Winters
<b>Juvenile Court Judges (Specify District of City Court)</b>	Chief Judge Sharon Marchman
<b>Drug Court Judges</b>	Yes. Judge Sharon Marchman
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	No
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Determined by Qualifications Investigators.
<b>When is Assignment/Appointment of Counsel Made?</b>	Upon determination of indigency and availability of case number and section.
<b>What steps does your office take to ensure conflict – free representation</b>	Co-defendants are checked in the database plus notification of District Defender or Section Head of any potential conflict.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Adult- Ray Cook, Mary Coleman, Carolyn Walker, Kenny Robideaux. Juvenile- Dylan Smith, Carolyn Breedlove.

<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes. Adult and Juvenile forms are both attached.
<b>Brief Explanation of Intake Process</b>	Qualification investigators are present in court and at jails and juvenile facilities to interview and determine qualifications as soon as the potential client is referred by a judge.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	7,344
<b>How Many Application Fees Were Waived?</b>	1,310
<b>How Many Application Fees Were Reduced?</b>	N/A
<b>Total Application Fee Dollars Collected in 2015</b>	\$65,544
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	1,350,568
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Sheriff and Clerks provide documentation.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Yes. Provided by the Sheriff and Clerks.
<b>Who Remits the Court Fees Collected?</b>	Sheriff, Clerk for Monroe City Court, West Monroe Marshall's Office, Probation
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Yes. Provided by the Sheriff and Clerk of Court.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Dependent upon each client's financial circumstances.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	We collect \$40 partial, Sheriff and various clerks collect in the other parishes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	We collect \$40 partial, Sheriff and various clerks collect in the other parishes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Each collecting agency now provides documentation.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	33,891
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted provided no conflict with indigent appointed cases

<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes. There are two contracts attached, one for adult and one for juvenile attorneys.
<b>Primary Immediate Needs</b>	Adequate funding.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Not anticipated this year.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	N/A
<b>Immediate Critical Issue Areas</b>	Efforts to increase local funding
<b>Long-Term Critical Issue Areas</b>	Consistent, reliable funding.
<b>Please List All New Hires in 2015 (Name and Title)</b>	None
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	Criminal Case Policy Board efforts and Legislative efforts
<b>Number of Expected New Attorney Hires in 2016</b>	Hopefully 1 new attorney
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. Nine training sessions per year. Mandatory attendance for all Contract Attorneys for a minimum of six sessions.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	See attached organization chart.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	See attached organization chart.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Yes, as of 12/1/08
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes. District Defender.
<b>Regular Meetings for Any Staff, Please Describe</b>	Monthly mandatory training done at PD Office. Nine training sessions per year. Monthly contract lawyers and section heads meetings. Section heads formally meet with their lawyers ranging from monthly for juvenile to semi-annually for misdemeanor. One seminar per year paid for by ID office for continued juvenile or capital qualifications. Other requests considered individually by Dist. Defender, but attendance at seminar for capital penalty phase lawyer is encouraged.
<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	None

<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	The Juvenile Section Head, Bobby Manning handles all these cases
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senators - Mike Walsworth, Neil Riser, Francis Thompson, Representatives - Steve Pylant, Patrick Jefferson, Robert Shadoin, Charles Chaney, Jim Fannin, Frank Hoffman, Marcus Hunter, Katrina Jackson, Jay Morris
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Logistics in that the local Correctional Center requires thirty driving minutes for an in-person conference.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Individualized Attorney training.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Courteau, Michael A.	318-322-6643
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Adams, Layne	318-387-5552
Balsamo, Katy	318-812-3434
Britton, George	318-323-6107
Brown, Elizabeth	318-372-1731
Caldwell, Walter	318-396-0540
Cooper, Carl	318-387-1644
DeCelle, Malcolm	318-387-3500
Domangue, Dina	318-649-2626
Donald, Randy	318-322-8442
Hemphill, Caroline	318-439-0122
Loveridge, David	318-361-5065
Manning, Bobby	318-324-1411
McElroy, Scott	318-283-0428
Noel, Bob	318-388-1700
Nolen, Jay	318-388-1655
Oliveaux, Darrell	318-340-7900
Perkins, Lee	318-387-5552
Ross, James	318-322-8776
Sullivan, Peggy	318-855-6038

Toombs, Clara	318-855-4864
Williams, Derrick	318-807-9045
Jones, Frederick	318-325-2644
Allen, Marcy	318-362-0057
Burrell, VaRhonda	318-323-6107
Pierre, Rodney	318-323-4777
Charles Brumfield	318-281-4907
John Ellis	318-201-4212
David Summersgill	318-387-8331
Shereba Diaz	318-998-3010
Todd Johnson	318-222-0401
Keith Whiddon	318-387-2776
Jessica Williams	318-387-3500
Rodney Pierre	318-323-4777
Louis Scott	318-323-6107
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Branum, Chris	318-322-6643
Coleman, Mary	318-322-6643
Cook, Ray	318-322-6643
Emerel, Misty	318-322-6643
McGuffee, George	318-325-5867
Newton, Shondria	318-322-6643
Stout, Dixie	318-322-6643
Walker, Carolyn	318-322-6643
Wawrzyniak, Kazimer	318-322-6643
Quinn, Zuleika	318-322-6643
Robideaux, Kenny	318-322-6643
Bernay Hall	318-322-6643
Lou Walker	318-322-6643
Toyia Giles	318-322-6643
Dylan Smith	318-322-6643

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Misty Emerel
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	x
Windows 7	x
Windows Vista	x
Windows Server 2000/2003/2008	x
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	x
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	x



Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	13
Laptops	6
Video Cameras	2
Digital Cameras	7
Video Conferencing Systems	1
B&W Laser Printers	2
Color Printers	14
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	2
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	20mb
Provider Name:	Ouachita Parish Sheriff's Office/ Centurytel
Email Provider:	N/A
Please list any software or computer equipment in which you need training:	

### 4th District Defender Office CY 2015 Caseloads & Outcomes

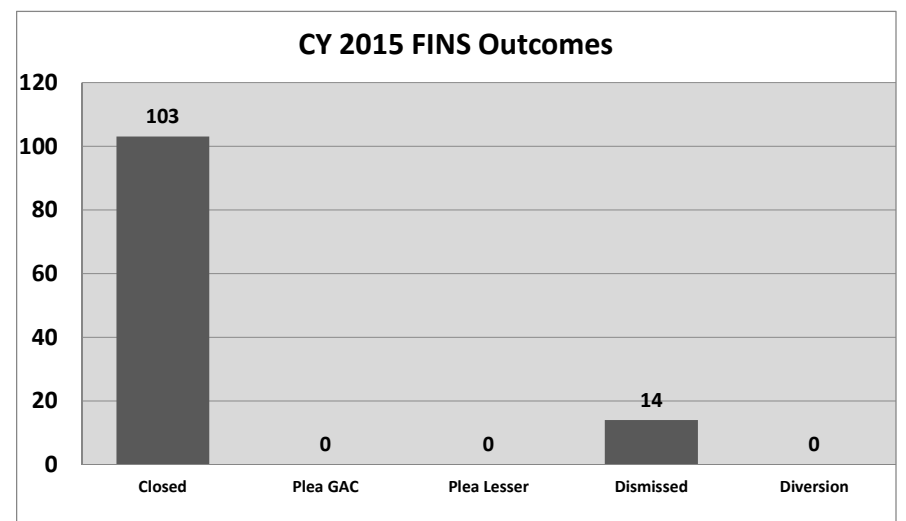
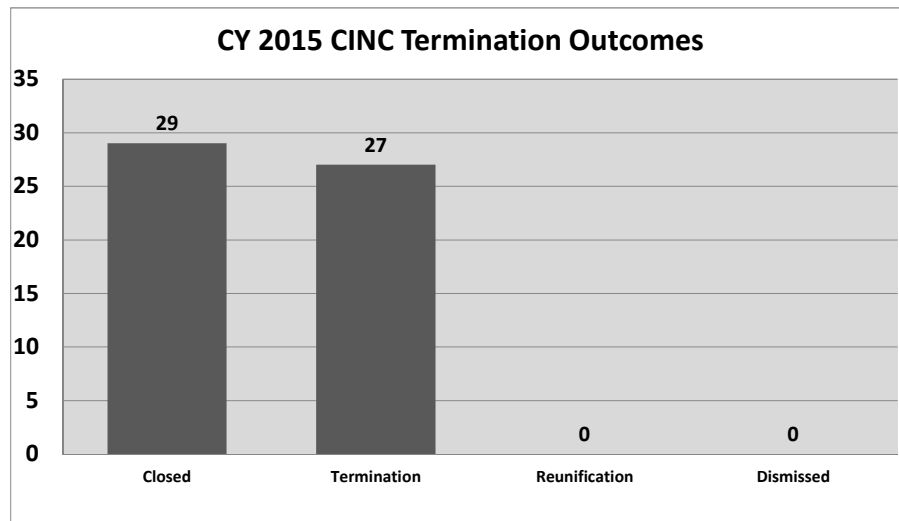
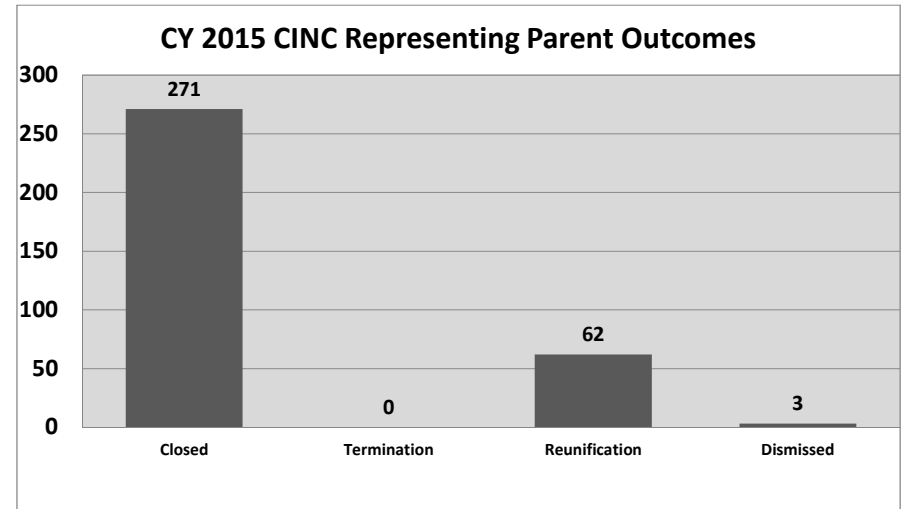
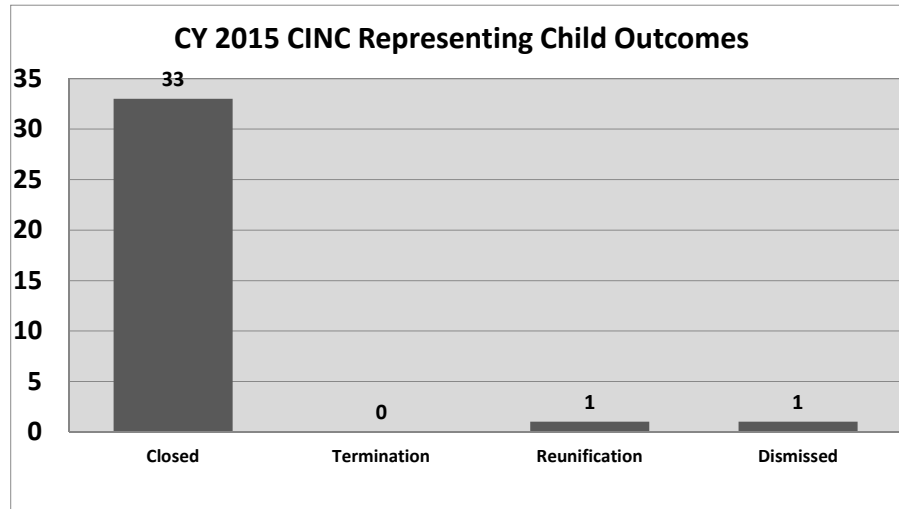
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	338	299	70	408	N/A	N/A	N/A	N/A	64	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	5	33	34	39	0	1	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	298	271	410	708	0	62	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	0
Termination	35	29	8	43	27	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	56	103	98	154	N/A	N/A	0	0	14	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	298	292	215	513	N/A	N/A	51	15	137	8	N/A	N/A	6	1	7
Delinquency Felony	86	166	151	237	N/A	N/A	48	23	103	4	N/A	N/A	0	0	0
Delinquency-Life	2	4	3	5	N/A	N/A	0	1	4	0	N/A	N/A	0	0	0
Juvenile Revocations	20	28	18	38	N/A	N/A	0	0	5	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	3426	3275	1239	4665	N/A	N/A	1452	678	955	26	0	5	15	17	37
Adult Felony Non-LWOP**	2681	2939	1997	4678	N/A	N/A	827	470	2272	60	0	16	0	22	38
Adult LWOP	74	59	78	152	N/A	N/A	10	19	37	0	0	1	0	1	2
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	8	7	9	17	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

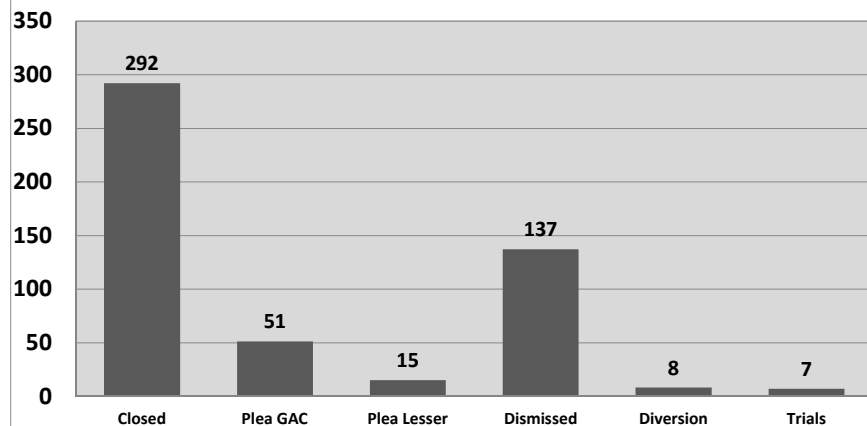
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

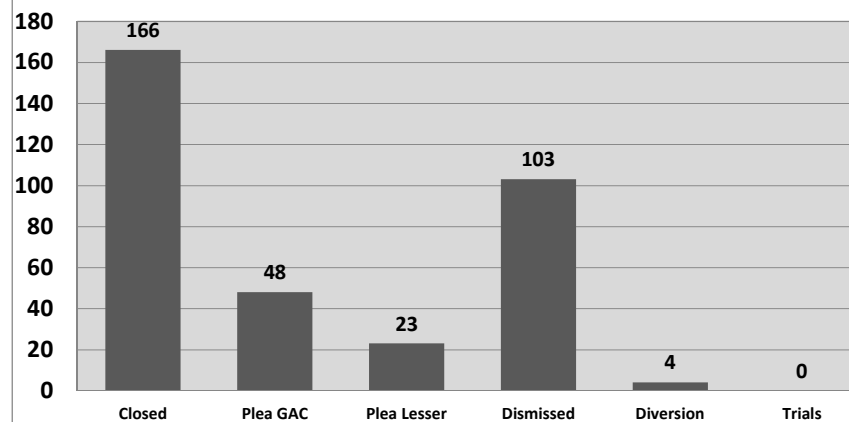
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



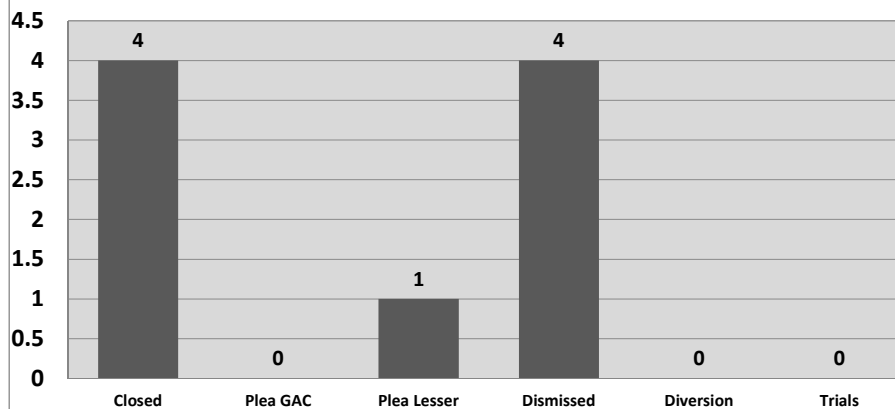
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



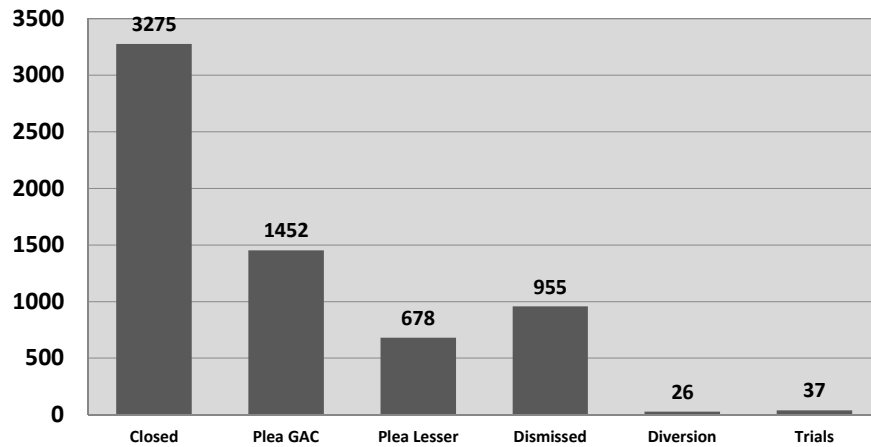
**CY 2015 Delinquency Felony-Grade Outcomes**



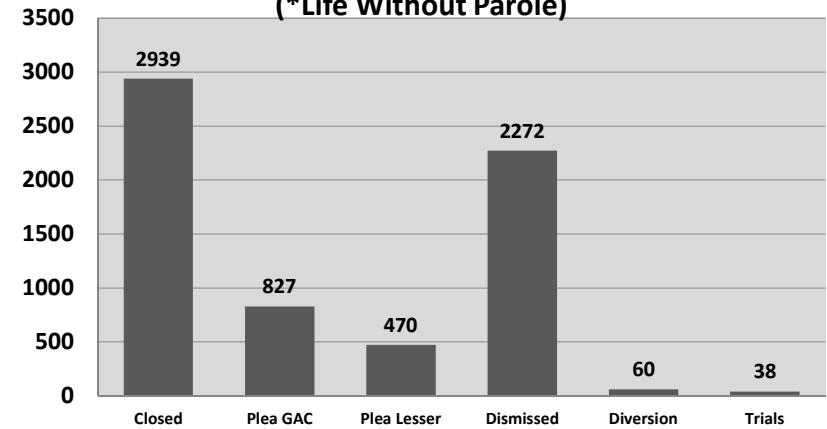
**CY 2015 Delinquency Life Outcomes**



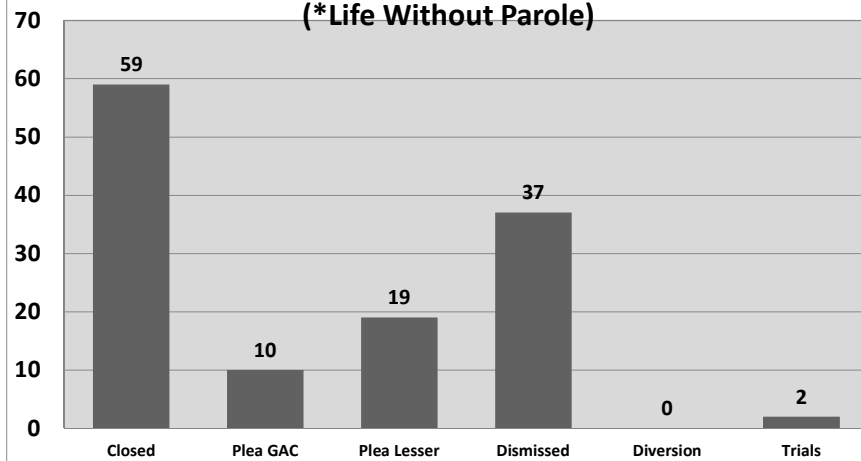
**CY 2015 Adult Misdemeanor Outcomes**



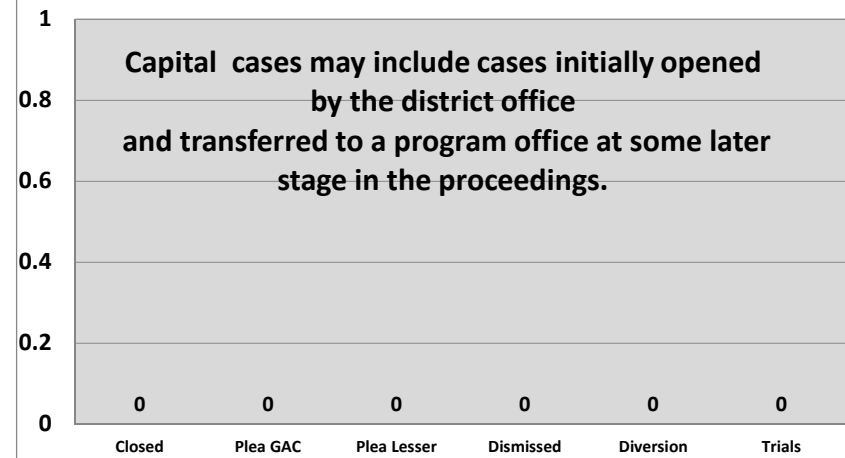
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

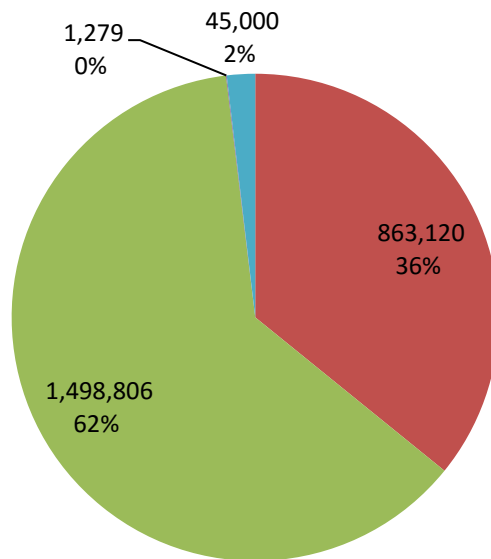


District 4 CY2015	Total CY2015
District Defender: Mike A. Courteau	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	95,419
District Assistance Fund (DAF)	767,701
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	863,120
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	27,036
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	21,767
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	473,255
Judicial District Courts	877,313
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	1,350,568
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	65,544
Partial Attorney Fees	
Reimbursements [as per 15:176]	33,891
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	99,435
Total for Local Government	1,498,806
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	1,279
Total for Investment Earnings	1,279
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	45,000
Total for Other Sources (Grants & Contributions)	45,000
Total for REVENUE	2,408,205

District 4 CY2015	Total CY2015
District Defender: Mike A. Courteau	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	548,531
Accrued Leave	-
Payroll Taxes	53,939
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	602,470
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	20,382
Total for Travel/Training	20,382
Operating Services	
Advertisements	259
Workers' Compensation	2,251
Insurance - Malpractice	4,213
Insurance - Auto/Physical Liability	890
Insurance - Other	1,588
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	11,568
Office - Telephone/Utilities/Postage/Internet	16,516
Dues and Seminars	75
Law Library/Journals/Subscriptions	-
Office Supplies	21,095
Total for Operating Services	58,455
Professional Services	
Audit/Accounting Expense	28,864
Contract Clerical	7,121
Expert Witness	14,560
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	357,900
Misdemeanor Attorney Contracts	281,700
Contract Attorneys - all other	909,038
IT/Technical Support	643
Total for Professional Services	1,599,826
Capital Outlay	
Major Acquisitions	1,500
Total for Capital Outlay	1,500
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
Total for EXPENDITURES	2,282,634

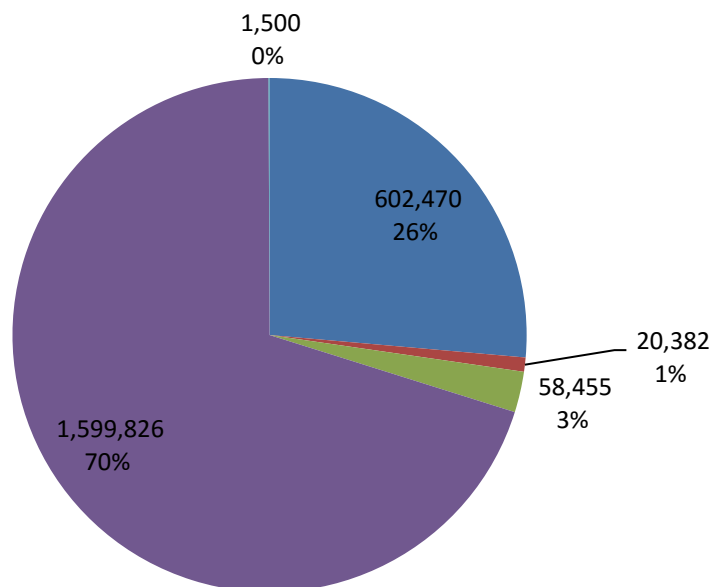
## Total CY15 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)

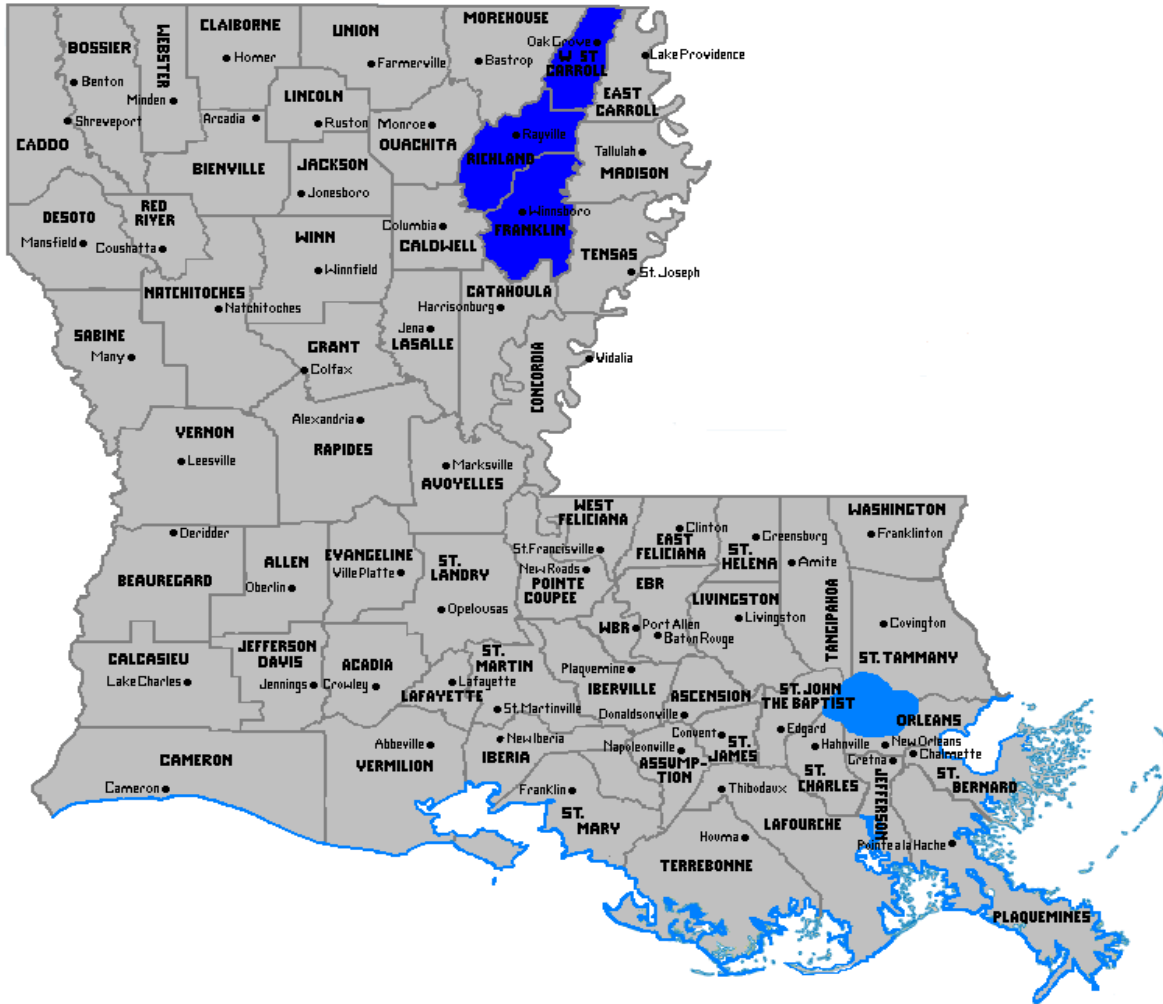


## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges







## THE 5<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

FRANKLIN (WINNSBORO) - RICHLAND (RAYVILLE) - WEST CARROLL (OAK GROVE)

DISTRICT DEFENDER: DAWN H. MIMS, INTERIM  
906 JULIA STREET  
RAYVILLE, LA 71269  
(318) 728-1117

# 5TH JUDICIAL DISTRICT : WEST CARROLL, RICHLAND, FRANKLIN PARISHES

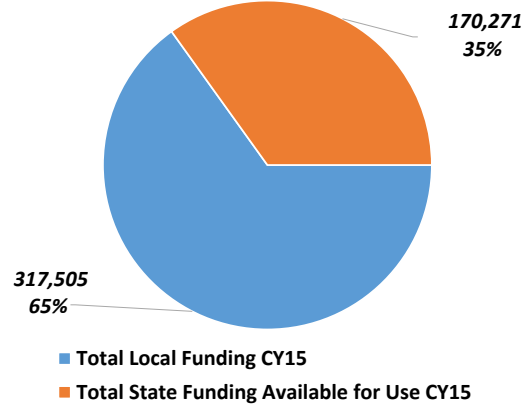
Dawn H. Mims  
Interim District Defender  
906 Julia Street  
Rayville, LA 71269  
318-728-1117

During Calendar Year 2015, the 5th Judicial District Public Defenders Office handled 1,959 cases. The office received \$487,776 in total revenues to handle these cases, approximately 65% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

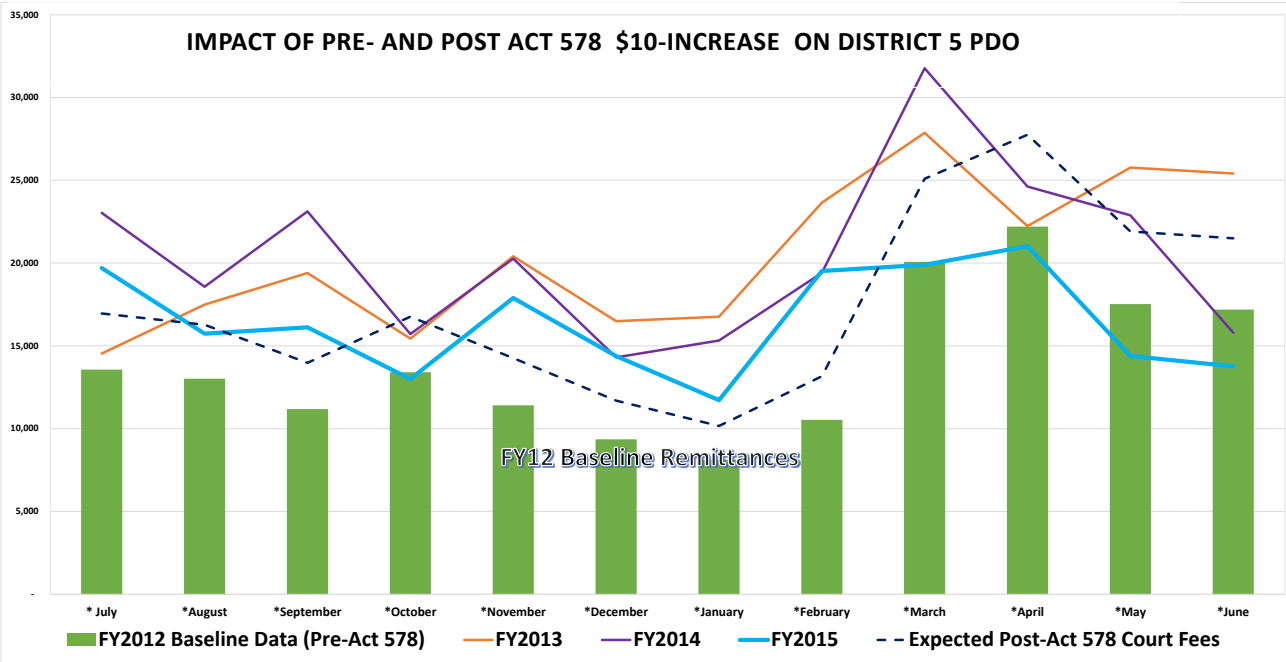
Since the inception of Act 578 (2012), local revenues have generally increased at a rate equal to or greater than expected, however the expenditures of the 5th Judicial District office continue to exceed revenues since CY10 in all but one year- CY12.

Depletion of the district's fund balance required the office to briefly restrict services during Calendar Year 2015.

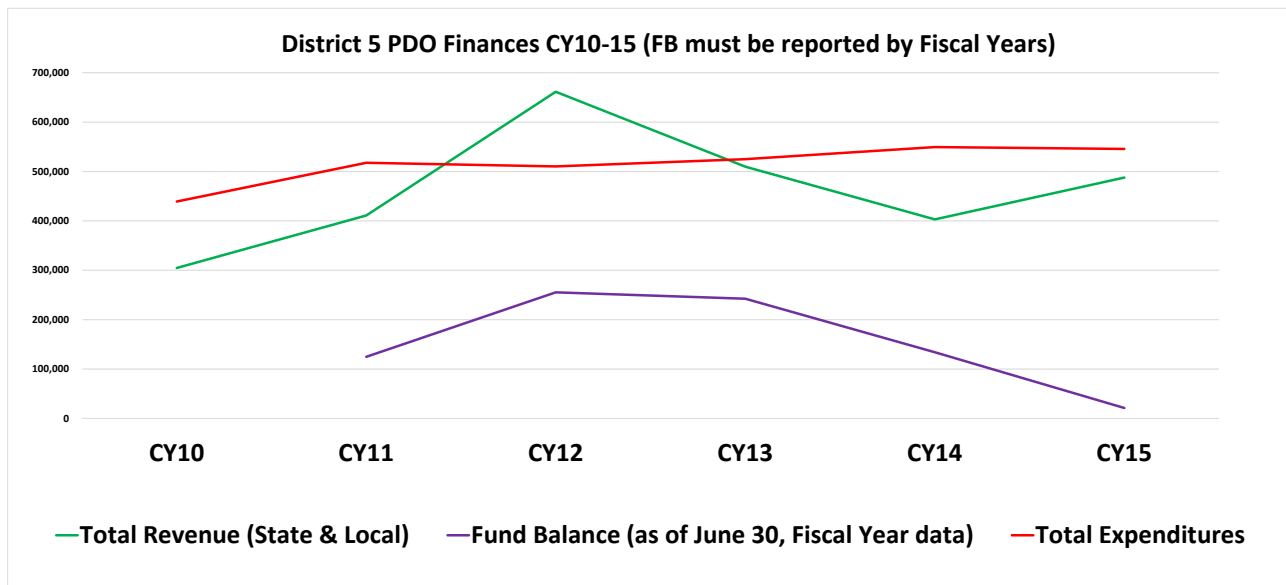
**District 5 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 5 PDO**



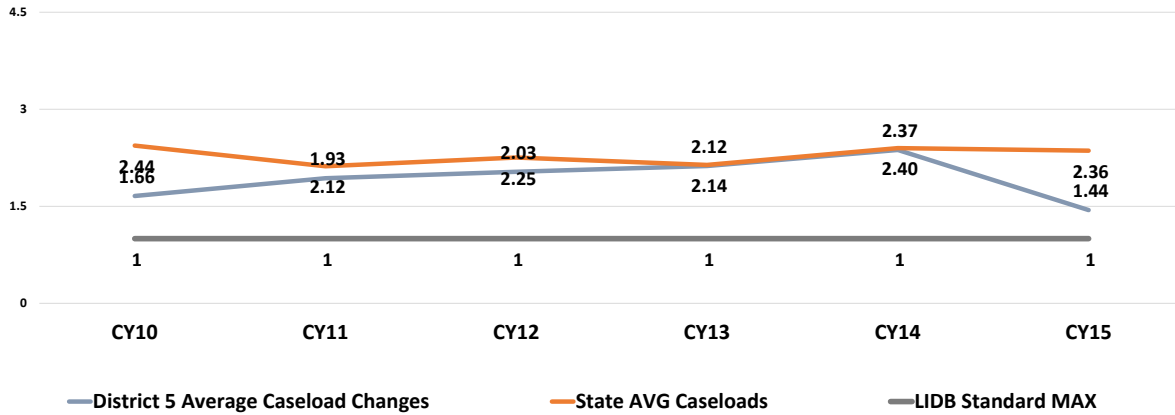
**District 5 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



**5TH JUDICIAL DISTRICT :  
WEST CARROLL, RICHLAND, FRANKLIN  
PARISHES**

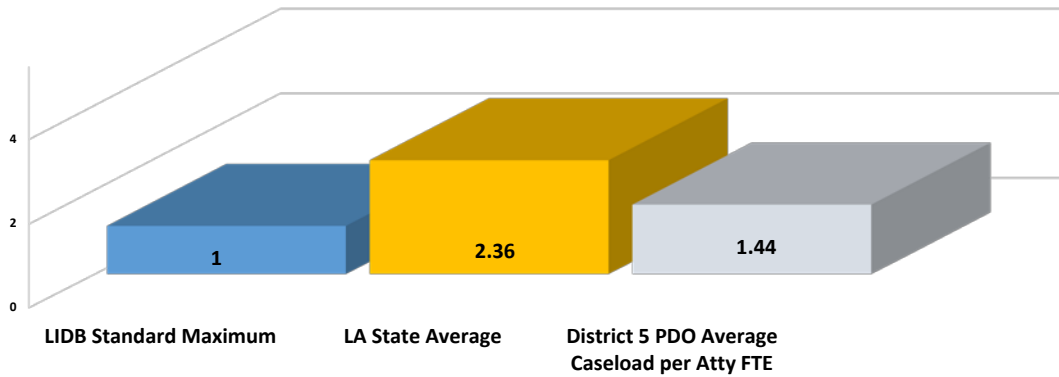
Dawn H. Mims  
Interim District Defender  
906 Julia Street  
Rayville, LA 71269  
318-728-1117

**District 5 PDO Average Caseload per Atty FTE**



In the 5th Judicial District, public defense attorneys maintain caseloads in excess of the recommended caseload limit for each attorney. The district's reduction in average caseload per attorney from CY14 to CY15 is accounted for, at least in part, by the nearly 23% reduction in cases handled by the office.

**District 5 PDO Average Caseloads Compared to State Average & State Standard Maximums**



**CAPITAL REPRESENTATION**

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 5<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Franklin - Winnsboro; Richland - Rayville; West Carroll - Oak Grove
<b>Population</b>	53,706
<b>Juvenile Population</b>	13,658
<b>District Defender</b>	Dawn H. Mims
<b>Years as District Defender</b>	2 months
<b>Years in Public Defense</b>	8
<b>Office Manager</b>	Autumn Castleberry
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Autumn Castleberry, Administrator; Mitzi Riser, Data Entry; Emily Shields, Data Entry; Amanda Wilkins, Data Entry; Amanda Hollis, Data Entry.
<b>Primary Office Street Address</b>	906 Julia Street
<b>City</b>	Rayville
<b>ZIP</b>	71269
<b>Primary Phone</b>	318-728-1117
<b>Primary Mailing Address</b>	906 Julia Street, Rayville, LA 71269
<b>Primary Fax Number</b>	318-728-1118
<b>Primary Emergency Contact</b>	Dawn Mims
<b>Primary Emergency Phone</b>	318-728-1117
<b>Secondary Emergency Contact</b>	Autumn Castleberry
<b>Secondary Emergency Phone</b>	318-669-0321
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Mryt Hale
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$900 rent plus \$350 Utilities total \$ 1,250.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	John M. Gathings, CPA
<b>Courts and Locations</b>	Franklin Parish District Court, Winnsboro; Richland Parish District Court, Rayville; West Carroll Parish District Court, Oak Grove; and Winnsboro City Court, Winnsboro.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	3 Divisions in 3 District Courts; 1 Division in Winnsboro City Court.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Six attorneys working for the Chief, plus the Chief, makes 7 attorneys in this district. Three handle one-half of the felony workload in Franklin and Richland, and the same 3 handle all misdemeanors and felonies in West Carroll. One handles all misdemeanors and one-half of the felonies in Richland. Two attorneys each handle one-fourth of the felonies in Franklin, and those same 2 each handle one-half of all misdemeanors in Franklin. Those same 2 attorneys each handle one-half of the misdemeanor workload in Winnsboro City Court. The Chief does not handle cases and serves as only an administrator. The Chief makes all appointments of counsel.
<b>Name of Adult Detention Facilities in This District</b>	Franklin Detention Center; Winnsboro; Richland Detention Center, Rayville; West Carroll Parish Jail, Oak Grove.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Morehouse Detention Center, Collinston; Morehouse Parish Jail, Bastrop, LA; and Riverbend Detention Center, Lake Providence, LA.
<b>Name of Juvenile Detention Facilities In This District</b>	None in district.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	N/A -- The 5th District does not handle juvenile cases.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No, not so far.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	N/A - The 5th District does not handle juvenile cases.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	John M. Lancaster
<b>Chief Judge of Criminal District Court</b>	Judge James M. Stephens
<b>Juvenile Court Judges (Specify District or City Court)</b>	District Judge Terry Doughty is the juvenile court judge.
<b>Drug Court Judges</b>	Terry A. Doughty
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	Yes
<b>Name of Specialty and Brief Description:</b>	Non-support court and domestic disputes are handled by a Magistrate Judge.
<b>Indigency Determined by Whom and How?</b>	Judge-Questions them as to their financial status.
<b>When is Assignment/Appointment of Counsel Made?</b>	At time of arrest. If incarcerated -appointment within 72 hours of arrest. If on bond - judge will appoint at arraignment if determined indigent
<b>What steps does your office take to ensure conflict – free representation</b>	We try to keep co-defendants split up by giving them different attorneys. If an attorney has a conflict with a possible defendant we then rotate with the other attorneys in the division assigned.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	James E. Hudson, Investigator

<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Investigator meets with defendant, fills out personal data sheet, explains system, notes client's comments and forwards compiled information to appointed attorney and handles any follow-up investigation.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	When Judges question as to indigency, if the person is found indigent the \$40 assessment fee is assessed. We do not keep a record of how many the Judges have questioned. This is done by the Judges at arraignment.
<b>How Many Application Fees Were Waived?</b>	We do not keep a record of that. Sometimes the Judges do not assess those that are in jail.
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	8,730
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	194,074
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Franklin Parish Sheriff sends a detailed print out of money disbursed. Richland and West Carroll Sheriffs sends a form with their disbursement. West Carroll Sheriff also sends a print out. Winnsboro City Court sends a form with their disbursement. Attached is the form.
<b>Who Collects the Assessed Court Fees?</b>	The 3 Sheriffs and the Judge of Winnsboro City Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Franklin Parish Sheriff sends a detailed print out of money disbursed. Richland and West Carroll Sheriffs sends a form with their disbursement. West Carroll Sheriff also sends a print out. Winnsboro City Court sends a form with their disbursement.
<b>Who Remits the Court Fees Collected?</b>	The 3 Sheriffs and Winnsboro City Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Franklin Parish Sheriff sends a detailed print out of money disbursed. Richland and West Carroll Sheriffs sends a form with their disbursement. West Carroll Sheriff also sends a print out. Winnsboro City Court sends a form with their disbursement.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	This is not done.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	N/A
<b>Who Collects the Assessed Partial Payments?</b>	N/A

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	N/A
<b>Who Remits the Partial Payments Collected?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	N/A
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted. All attorneys are part-time (supposedly) but the workload is so heavy it seems full-time. Attorneys can take retained criminal cases and can maintain their usual private practice. This policy is not in writing.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	There is a written contract for each attorney.
<b>Primary Immediate Needs</b>	Sufficient funding from State Office.
<b>Was your office in ROS at any time during 2015</b>	Yes
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Funding from the State
<b>Long-Term Critical Issue Areas</b>	Funding from the State
<b>Please List All New Hires in 2015 (Name and Title)</b>	Amanda Hollis, Attorney; Dion Young, Attorney.
<b>Please List All Promotions in 2015 (Name and Title)</b>	Autumn Castleberry, Administrator.
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	All 6 attorneys consult with each other about how to handle difficult cases; and also consult with the Chief.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chief Defender Dawn Mims supervises 5 attorneys, the full-time administrator, CPA, and investigator.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	We do not have such a chart.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No

<b>Regular Meetings for Any Staff, Please Describe</b>	We maintain constant contact with each other through email and phone conferences.
<b>Number of NEW capital cases in CY15 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	0
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	Juvenile cases are handled by the 4th District, not the 5th District.
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	Such cases are handled in juvenile court and juvenile court matters are handled by the 4th District, not the 5th District.
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	In juvenile court the attorneys are provided by the 4th District, not the 5th District. If juveniles are transferred to adult court, one of the 6 attorneys will be appointed to represent that defendant as an adult.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator Neil Riser, Senator Francis Thompson, Senator Mike Walsworth, Representative Steven E. Pylant, Representative Charles R. Chaney, & Representative John C. Morris, III.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Young, Dion	318-388-3344
Hollis, Amanda	318-435-9848
Caroline Hemphill	318-435-9595
Dawn H. Mims	318-728-9830
Robert N. Kordisch	318-303-4511
Emily Shields	318-435-7525
Amanda M. Wilkins	318-600-4246
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
James E. Hudson	318-376-9060
John Gathings	318-428-2973
Castleberry, Autumn	318-669-0321



## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Dawn H. Mims
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	x
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	1
Laptops	7, with 4 inoperable
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	3, with 2 inoperable
Color Printers	1
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	AT&T
Email Provider:	AT&T
Please list any software or computer equipment in which you need training:	

### 5th District Defender Office CY 2015 Caseloads & Outcomes

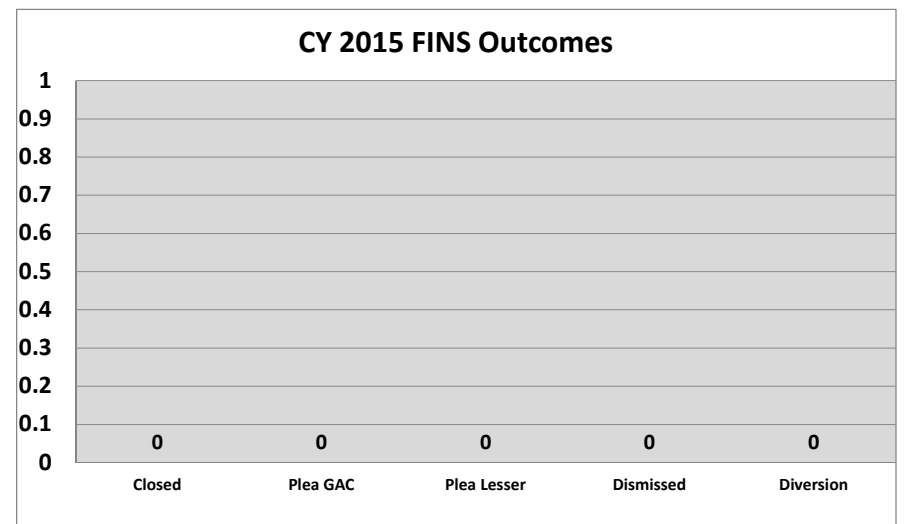
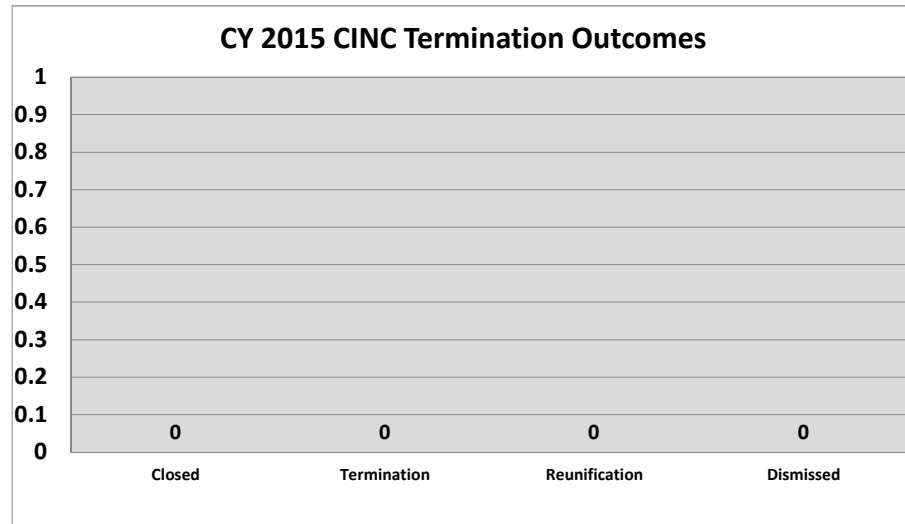
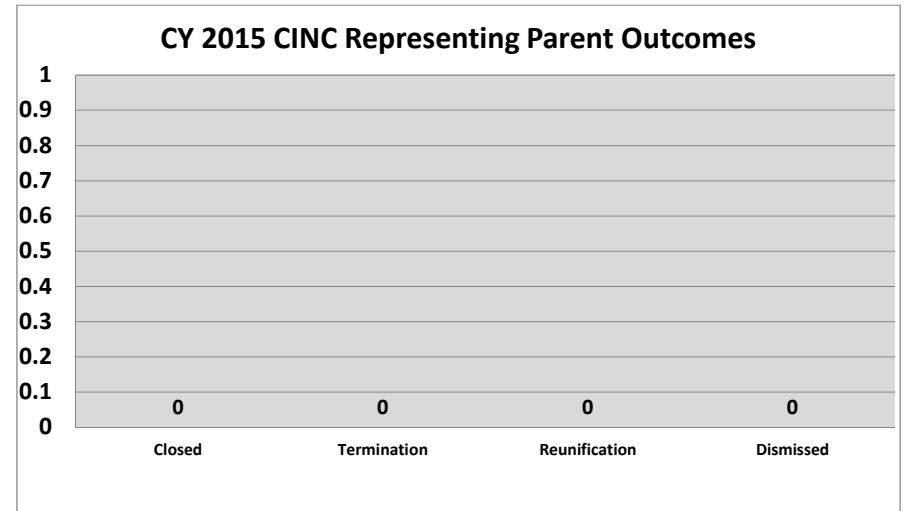
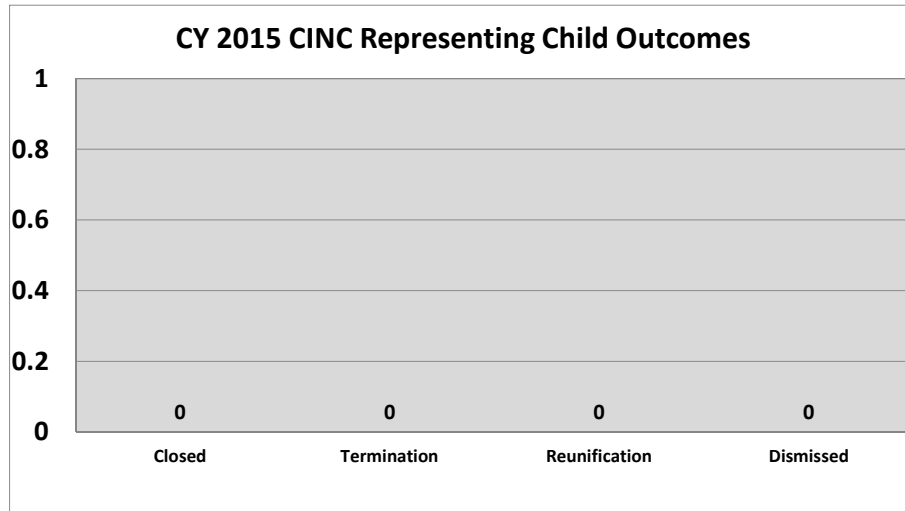
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	536	477	221	757	N/A	N/A	320	13	216	0	0	1	0	1	2
Adult Felony Non-LWOP**	793	687	396	1189	N/A	N/A	438	67	138	0	0	0	0	1	1
Adult LWOP	3	1	3	6	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	1	0	0	1	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	6	6	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

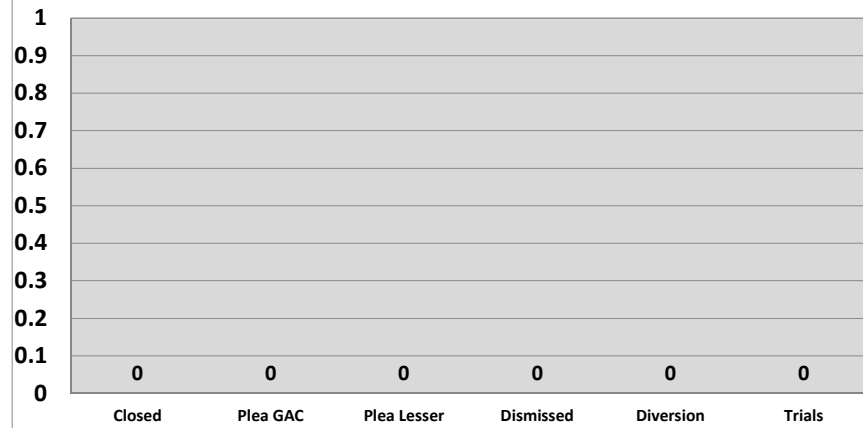
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

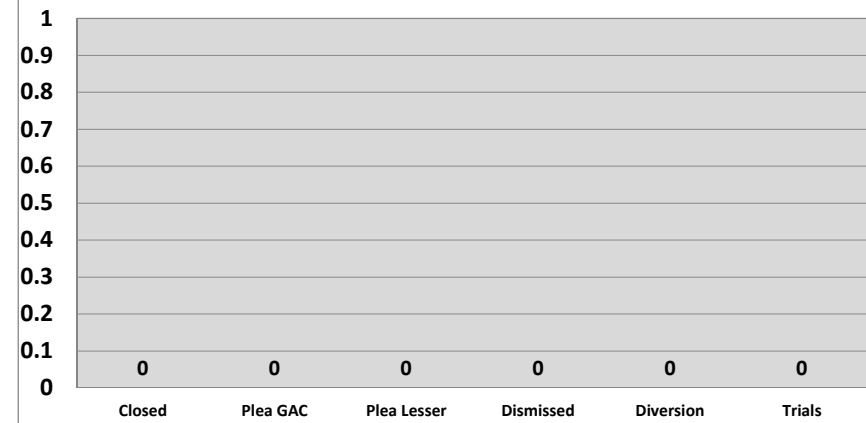
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



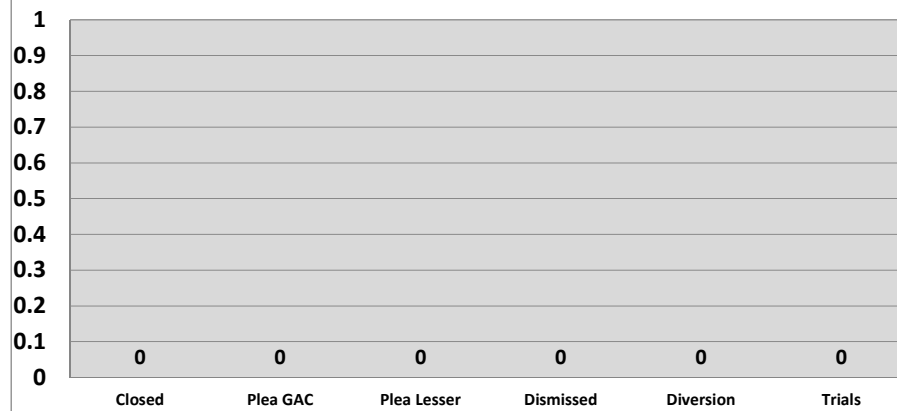
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**

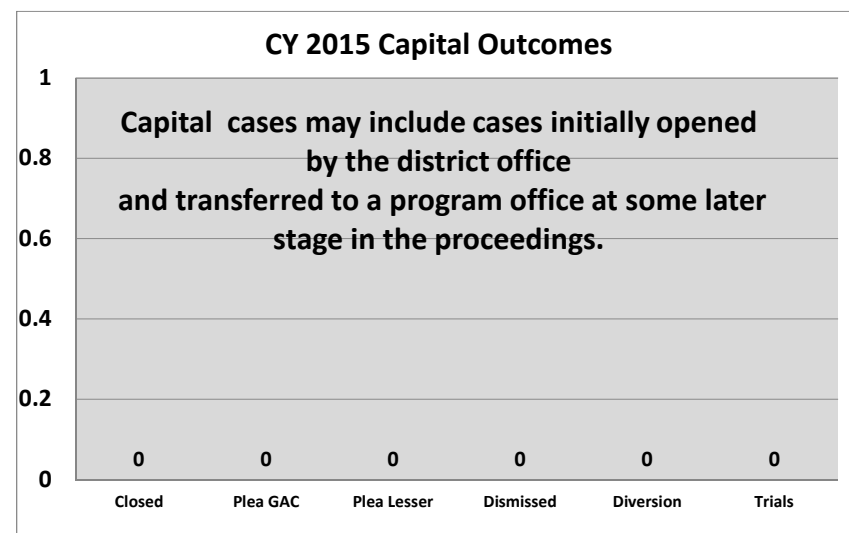
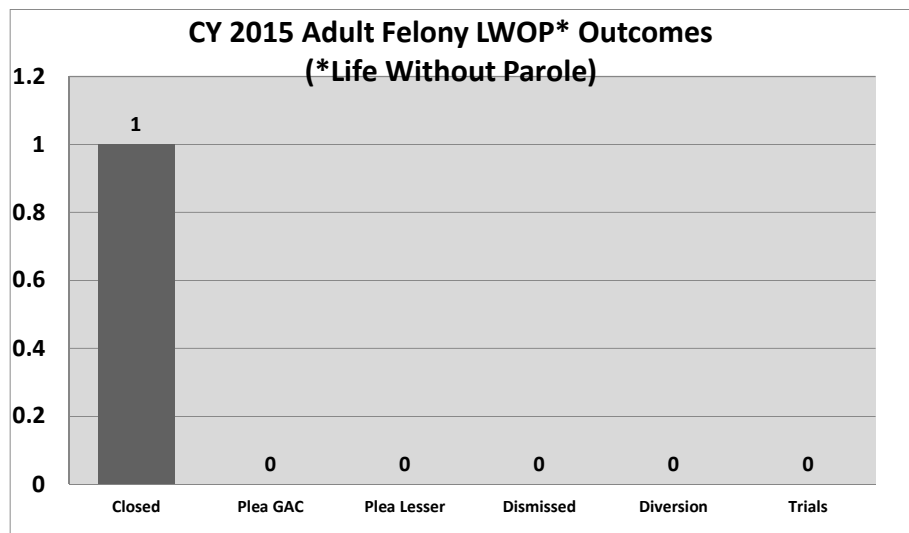
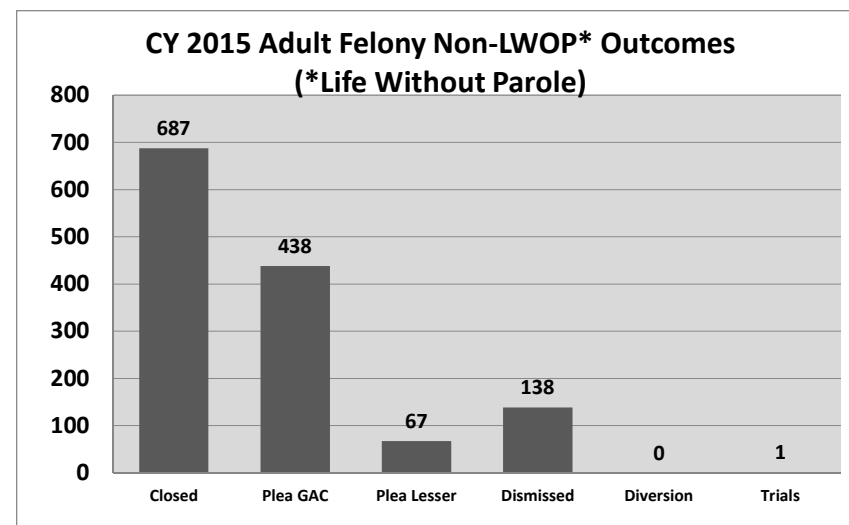
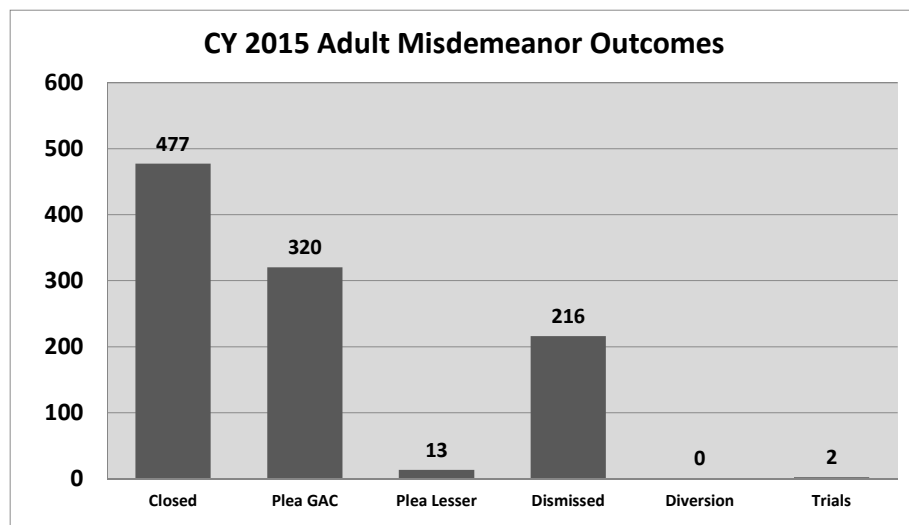


**CY 2015 Delinquency Felony-Grade Outcomes**



**CY 2015 Delinquency Life Outcomes**





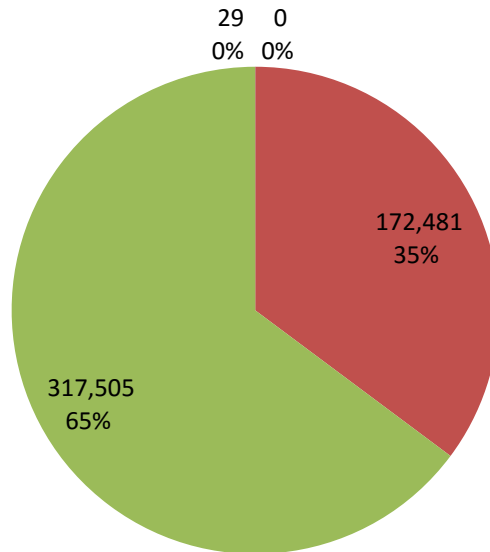
District 5 CY2015	Total CY2015
<b>District Defender: Dawn Mims, Interim</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	-
District Assistance Fund (DAF)	144,609
Supplemental/Emergency Funds	27,872
Grants	-
Other State Income -List source(s)	-
Total for State Government	172,481
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	14,717
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	43,779
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	3,242
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	53,597
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	23,256
Parish Courts	-
Traffic Court	118,600
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	195,453
<b>Charges For Services</b>	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	10,310
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	50,000
Other Local Income -List source(s)	4
Total for Charges For Services	60,314
Total for Local Government	317,505
Investment Earnings	
Interest Income	29
Other Investment Income - List source(s)	-
Total for Investment Earnings	29
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	0
Total for Other Sources (Grants & Contributions)	0
Total for REVENUE	490,015

District 5 CY2015	Total CY2015
District Defender: Dawn Mims, Interim	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	15,200
Accrued Leave	-
Payroll Taxes	2,243
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	17,443
Travel/Training	
Parking/Auto Tolls	700
Travel/Lodging/Per Diem/Mileage	6,700
Total for Travel/Training	7,400
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	2,700
Lease - Auto/Equipment	122
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	3,218
Dues and Seminars	-
Law Library/Journals/Subscriptions	-
Office Supplies	1,194
Total for Operating Services	7,235
Professional Services	
Audit/Accounting Expense	9,006
Contract Clerical	-
Expert Witness	-
Investigators	42,250
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	412,316
IT/Technical Support	-
Total for Professional Services	463,572
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	50,000
Total for Other Charges	50,000
Total for EXPENDITURES	545,649



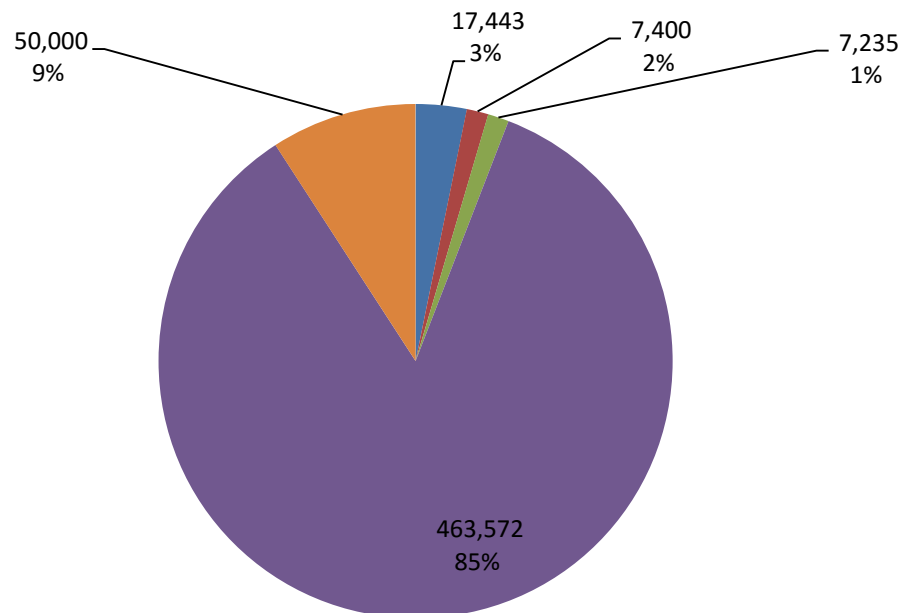
## Total CY15 Revenues

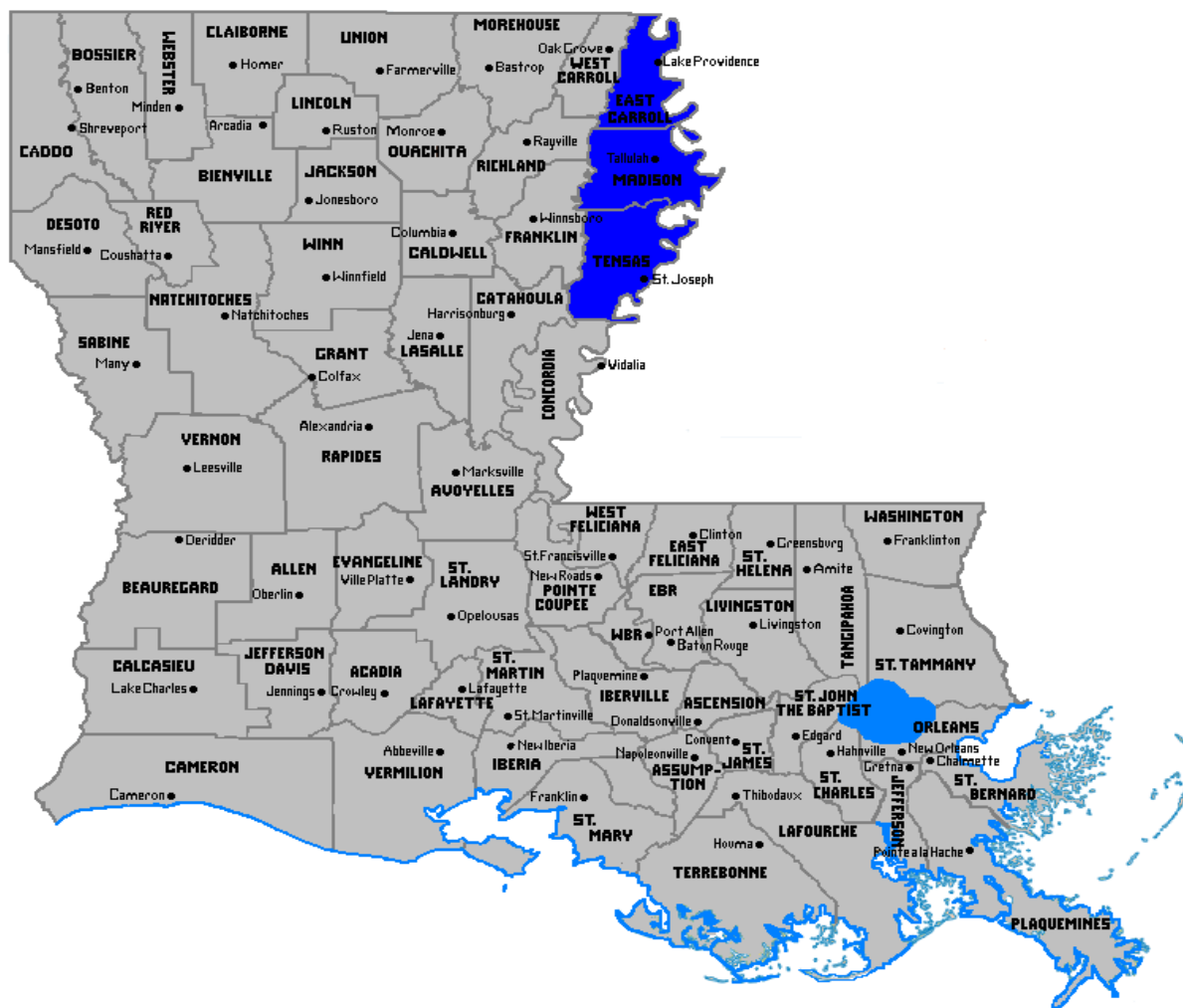
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





## THE 6<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

EAST CARROLL (LAKE PROVIDENCE) - MADISON (TALLULAH) - TENSAS (ST.  
JOSEPH)

DISTRICT DEFENDER: LEROY SMITH, JR.  
411 DABNEY STREET  
TALLULAH, LA 71282  
(318) 574-2554, (318) 434-0101

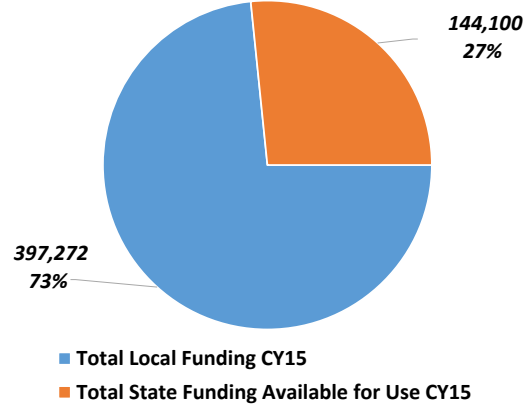
## 6TH JUDICIAL DISTRICT : EAST CARROLL, MADISON, TENSAS PARISHES

LeRoy Smith, Jr.  
District Defender  
411 Dabney Street  
Tallulah, LA 71282  
318-574-2554 or 318-434-0101

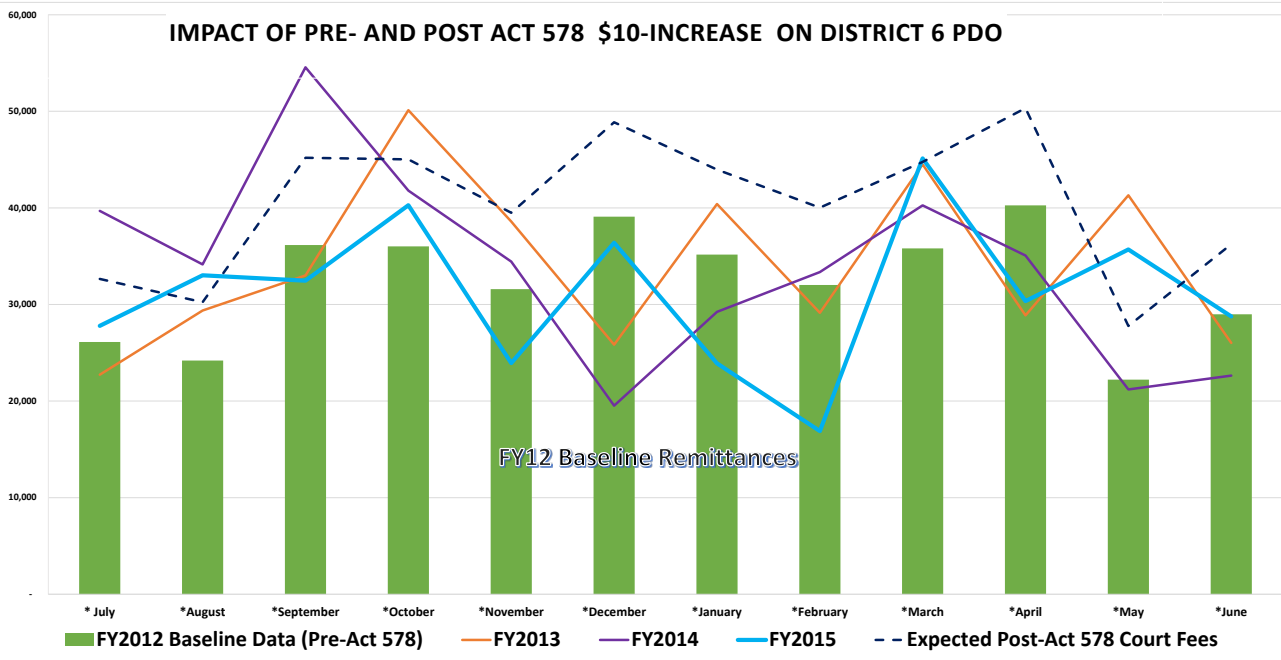
During Calendar Year 2015, the 6th Judicial District Public Defenders Office handled 1,543 cases. The office received \$541,372 in total revenues to handle these cases, approximately 73% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

With the exception of a few anomalies, the 6th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

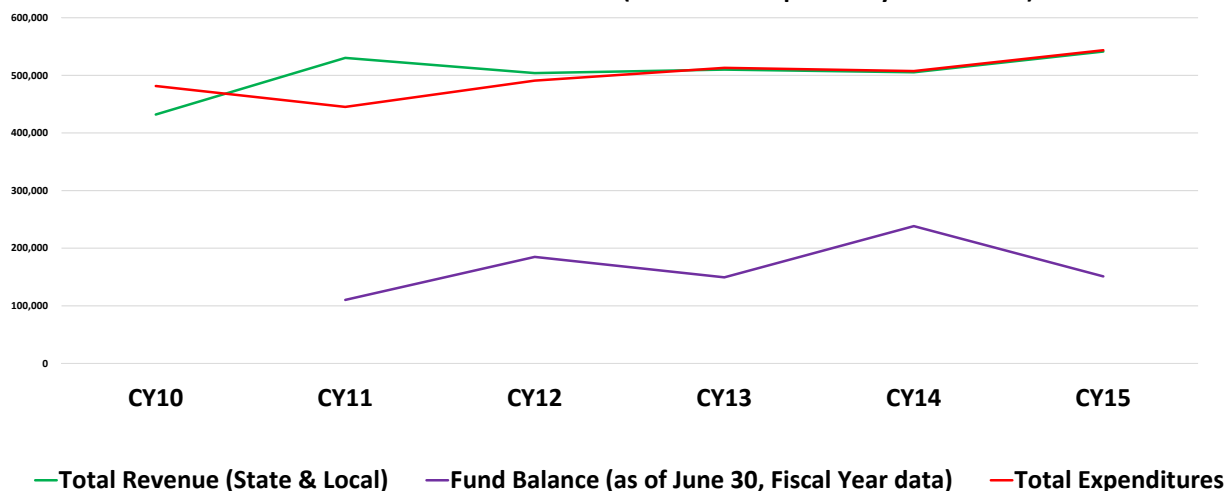
District 6 PDO Revenue Sources CY15



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 6 PDO

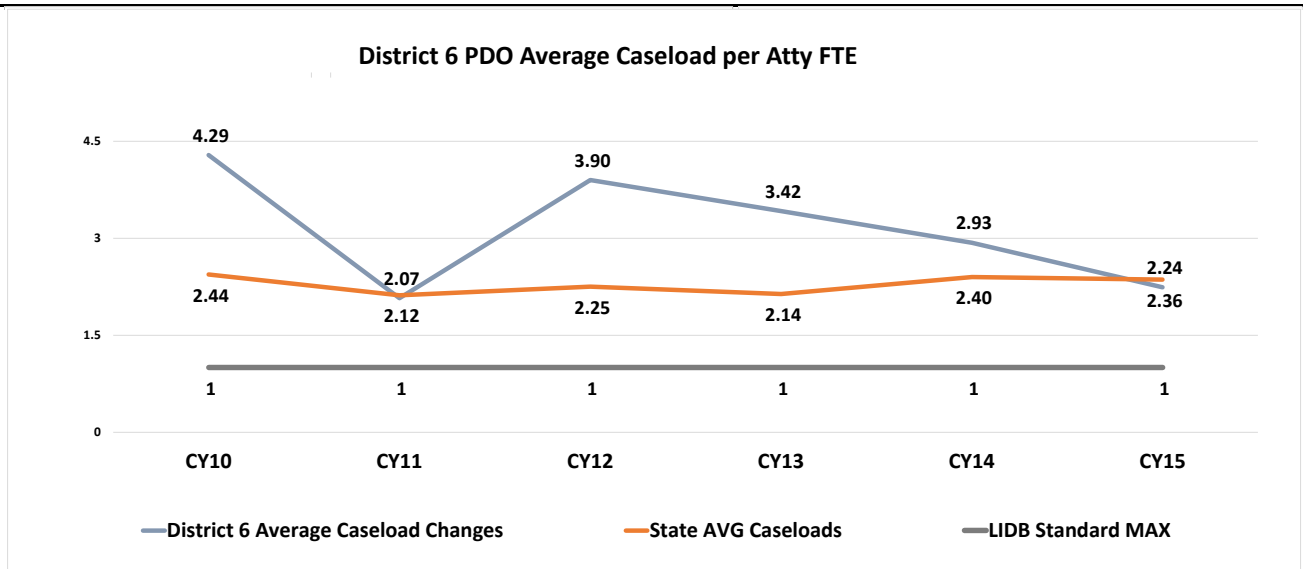


District 6 PDO Finances CY10-15 (FB must be reported by Fiscal Years)



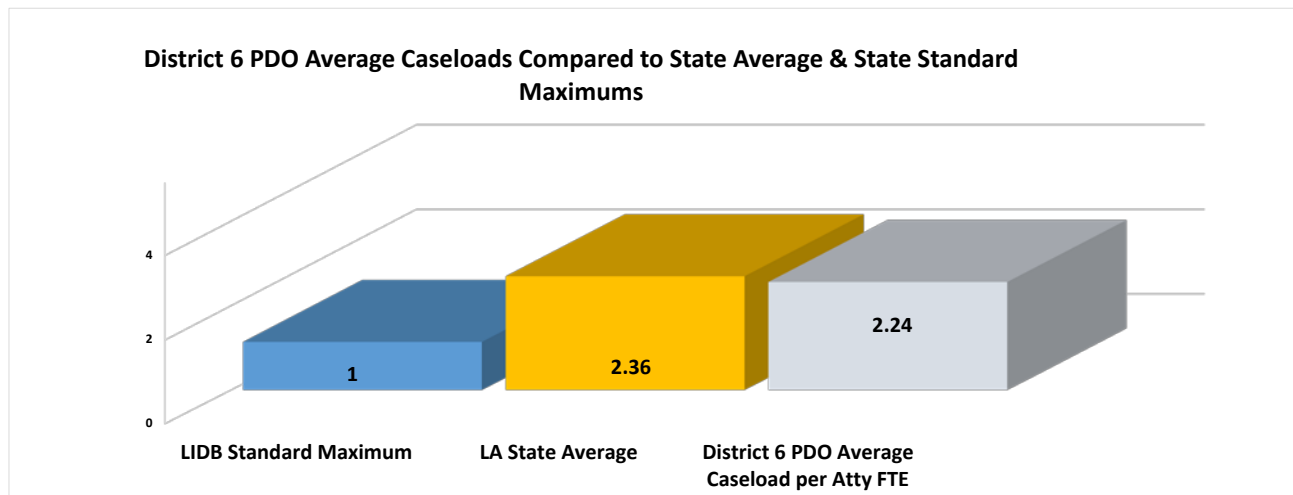
## 6TH JUDICIAL DISTRICT : EAST CARROLL, MADISON, TENSAS PARISHES

LeRoy Smith, Jr.  
District Defender  
411 Dabney Street  
Tallulah, LA 71282  
318-574-2554 or 318-434-0101



In the 6th Judicial District, public defense attorneys maintain caseloads more than twice the recommended caseload limit for each attorney.

The 6th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefitted from the training and supervision offered by LPDB.



### CAPITAL REPRESENTATION

This PDO has no capital certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 6<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	East Carroll - Lake Providence; Madison - Tallulah; Tensas - St. Joseph.
<b>Population</b>	26,415
<b>Juvenile Population</b>	4,251
<b>District Defender</b>	LeRoy Smith, Jr.
<b>Years as District Defender</b>	20 years
<b>Years in Public Defense</b>	20 years
<b>Office Manager</b>	Kathy Grady
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Kathy Grady, Office Manager
<b>Primary Office Street Address</b>	411 Dabney Street
<b>City</b>	Tallulah
<b>ZIP</b>	71282
<b>Primary Phone</b>	318-574-2554 or 318-434-0101
<b>Primary Mailing Address</b>	P. O. Box 486, Tallulah, 71282
<b>Primary Fax Number</b>	318-574-2536
<b>Primary Emergency Contact</b>	LeRoy Smith, Jr.
<b>Primary Emergency Phone</b>	318-341-1088
<b>Secondary Emergency Contact</b>	Kathy Grady (Office Manager)
<b>Secondary Emergency Phone</b>	318-341-0667
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	100 Cedar St Tallulah, La, 71282; Courthouse Building, Lake Providence, La 71250; 201 Hancock St St Joseph, La 71366
<b>Other District Office Contact Personnel (Primary Only)</b>	Megan Lyndsey-East Carroll Lake Providence
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Sidney Johnson; Owner.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Monthly rent \$600; Utilities \$965.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	David Hart, (Auditor) and May & Co.
<b>Courts and Locations</b>	6th JDC- Madison Court-- Tallulah, LA; Tensas Court-- St Joseph, LA; East Carroll Court--Lake Providence, LA.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	2 Divisions A --- Judge Michael Lancaster; Division B --- Judge John Crigler.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Each Lawyer is assign to a parish.

<b>Name of Adult Detention Facilities in This District</b>	Madison Correctional -Tallulah, LA; Riverbend Correctional - Lake Providence; Tensas Correctional - Waterproof, LA.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Richland Parish Correctional- Rayville, LA
<b>Name of Juvenile Detention Facilities In This District</b>	Christian Acres - Tallulah, LA
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, Increases mileage costs because of the distances between facilities.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Sometime, depending on their crime.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	James Paxton
<b>Chief Judge of Criminal District Court</b>	Judge Michael Lancaster & Judge John Crigler
<b>Juvenile Court Judges (Specify District of City Court)</b>	6th Judge Michael Lancaster & Judge John Crigler
<b>Drug Court Judges</b>	None
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	CINC, FINS, Non Support Court, Traffic Court
<b>Name of Specialty and Brief Description:</b>	None
<b>Indigency Determined by Whom and How?</b>	Defender Office, Filling out a financial report.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest
<b>What steps does your office take to ensure conflict – free representation</b>	We hire outside our contract lawyers.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Tommy Dunning and Kimble Marshall, Investigators.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes.
<b>Brief Explanation of Intake Process</b>	When our lawyers are appointed our investigator goes to where the client is housed to take information from client.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	118
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	4,720
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Yes. Through the sheriff's office if they pled guilty.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	357,075

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Madison Parish – Lisa Byrd, Tensas Parish – Nicei Gregory, East Carroll Parish- Lisa Cody, (EC does not send documentation).
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Madison Parish-Lisa Byrd; Tensas Parish-Nicei Gregory; East Carroll Parish-Lisa Cody.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Print out from Tensas, Madison and East Carroll.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Court assesses fees based on ability to pay.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Madison, Tensas, and East Carroll
<b>Who Collects the Assessed Partial Payments?</b>	Madison, Tensas, and East Carroll
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Same as above
<b>Who Remits the Partial Payments Collected?</b>	Sheriff's Department
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Same as above
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	3,756
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted - Criminal Practice
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Funds to hire additional attorneys
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	None
<b>Immediate Critical Issue Areas</b>	Number of conflict cases
<b>Long-Term Critical Issue Areas</b>	Instability of fines and costs
<b>Please List All New Hires in 2015 (Name and Title)</b>	None
<b>Please List All Promotions in 2015 (Name and Title)</b>	None

<b>2015 Media Coverage and/or Major Accomplishments</b>	Monthly court docket much faster and gained open file discovery.
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Public Defender 2nd chair for younger attorneys in Jury trials.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Public Defender reviews case loads and assignments.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	See Attachment
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes. Blue Cross-Blue Shield for office manager and one (1) investigator.
<b>Regular Meetings for Any Staff, Please Describe</b>	Monthly
<b>Number of NEW capital cases in CY15 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	None
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Assigned by Parishes
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Madison Sen. Francis Thompson, Rep. Andy Andrews, Tensas Sen Franxis Thompson, Rep. Andy Andrews, East Carroll Sen Francis Thompson Rep Sam Little
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Size of District
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	None



<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
LeRoy Smith	318-574-4111
Angela Claxton	318-574-5666
Jami Crews	601-317-7381
Douglas Busari	318-574-2955
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Kathy Grady	318-574-2554
Tommy Dunning	318-574-2554
Kimble Marshall	318-574-2554

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Kathy Grady
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	x
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	1
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	1
DVD	0
VCR	0
Desktop PCs	2
Laptops	1
Video Cameras	0
Digital Cameras	2
Video Conferencing Systems	0
B&W Laser Printers	2
Color Printers	2
Wireless Cards	0
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	0
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	6mb down .5mb up
Provider Name:	Bell South
Email Provider:	Bell South
Please list any software or computer equipment in which you need training:	None

## 6th District Defender Office CY 2015 Caseloads & Outcomes

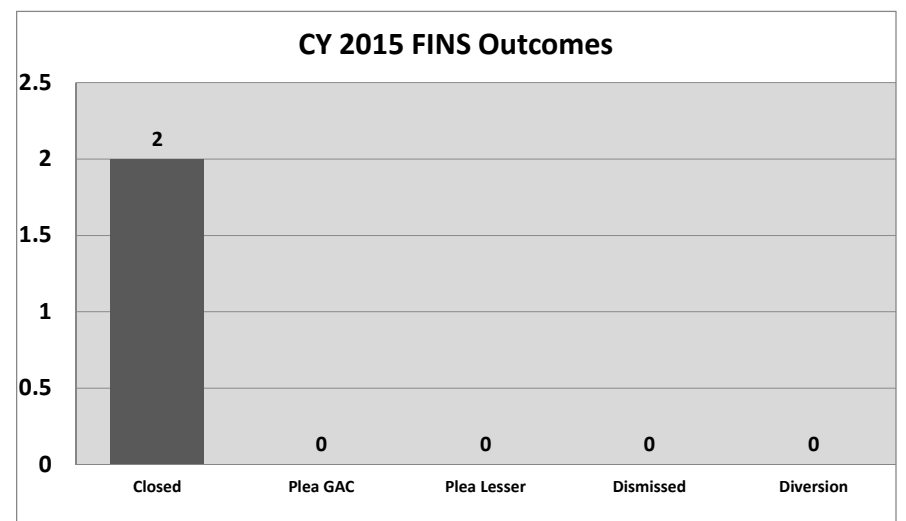
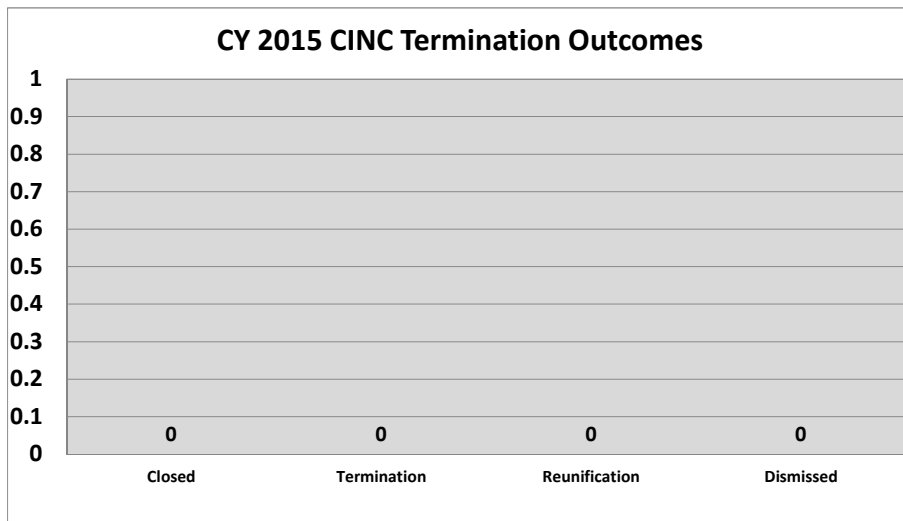
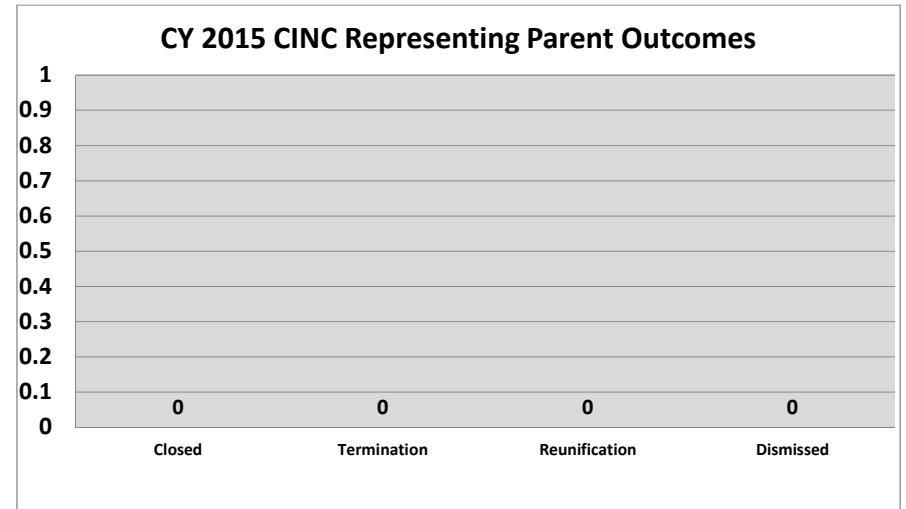
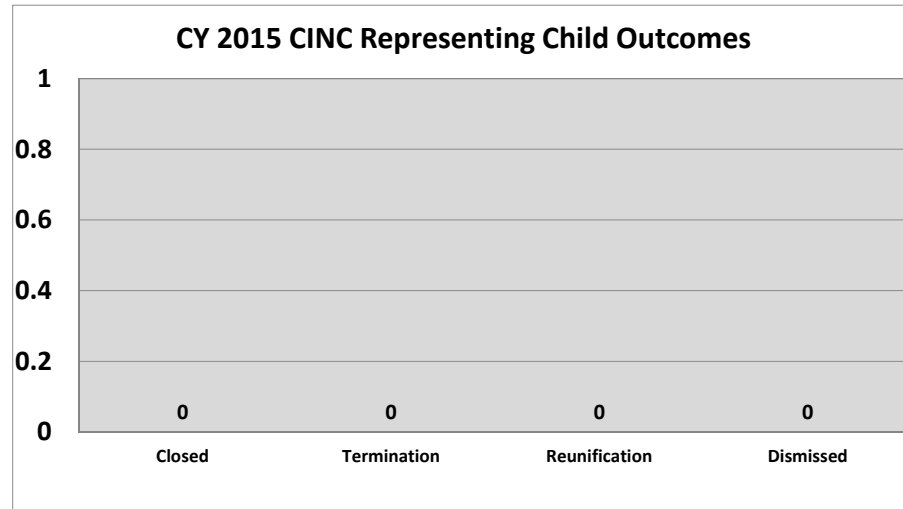
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	38	31	7	45	N/A	N/A	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	29	0	3	32	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	3	2	0	3	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	22	8	1	23	N/A	N/A	8	0	1	0	N/A	N/A	0	0	0
Delinquency Felony	20	19	3	23	N/A	N/A	20	1	8	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	445	319	164	609	N/A	N/A	118	22	247	0	0	0	2	3	5
Adult Felony Non-LWOP**	519	376	289	808	N/A	N/A	104	117	283	0	0	0	0	0	0
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

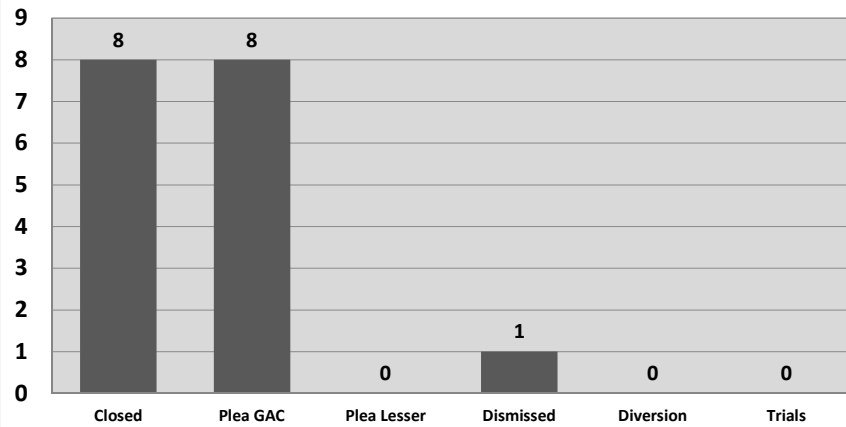
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

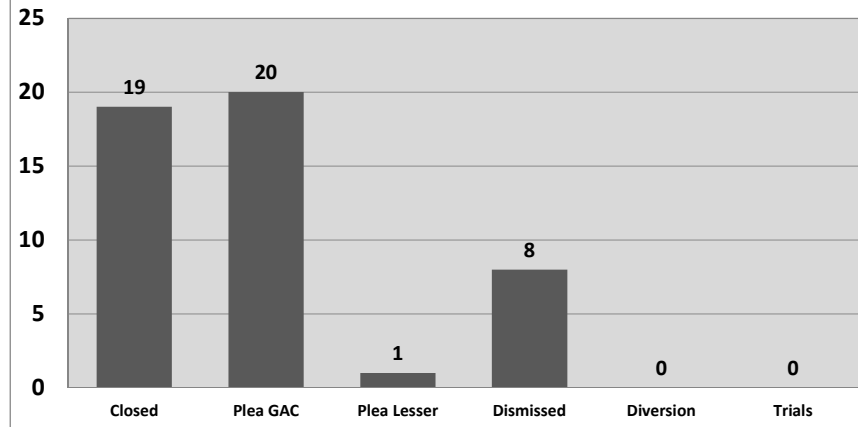
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



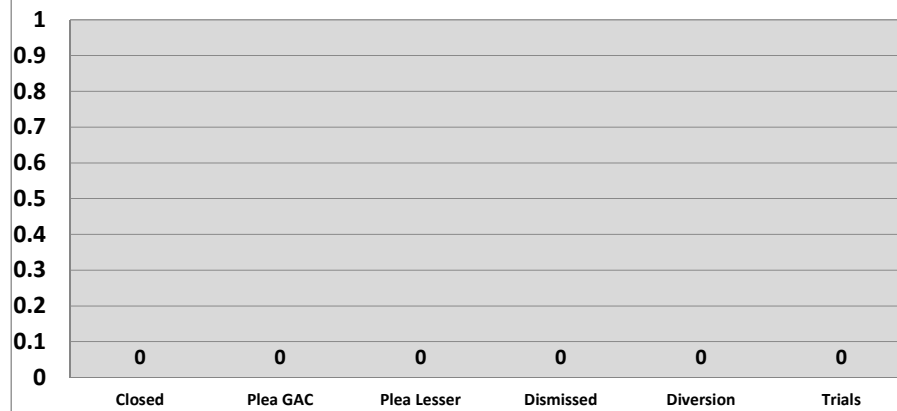
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



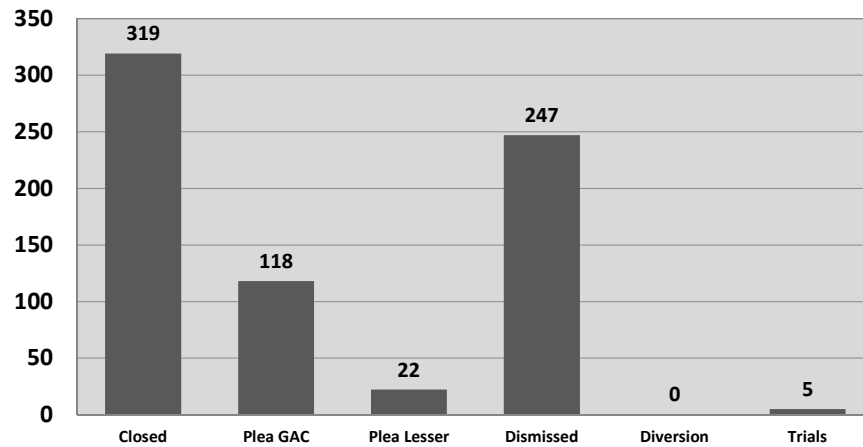
**CY 2015 Delinquency Felony-Grade Outcomes**



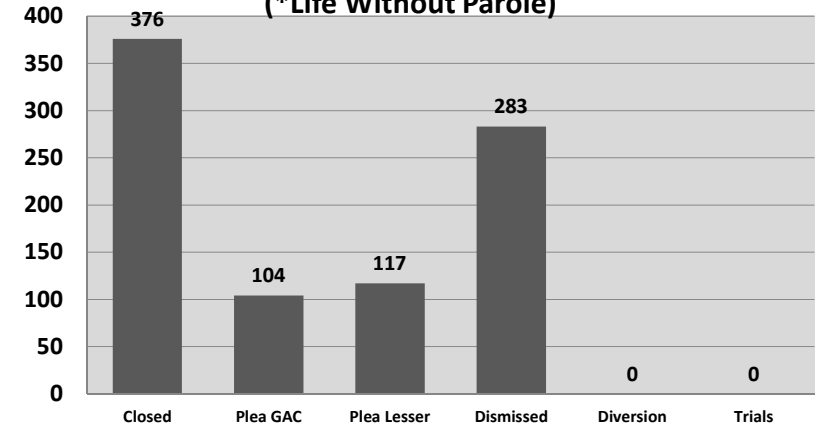
**CY 2015 Delinquency Life Outcomes**



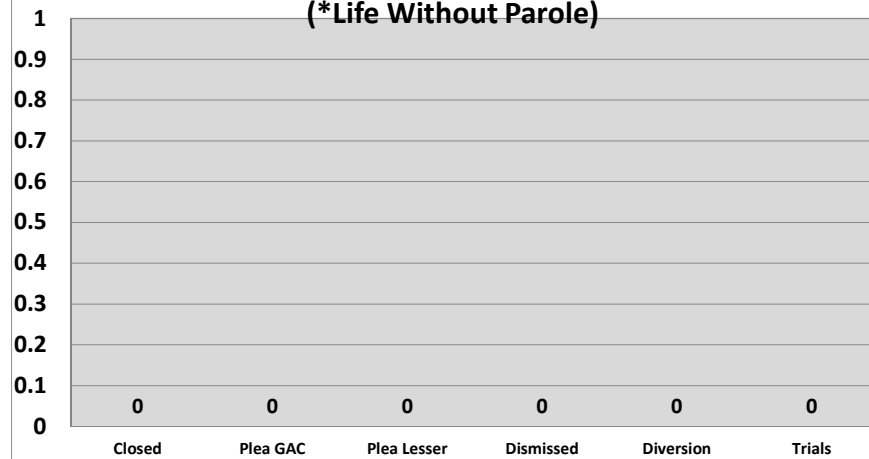
**CY 2015 Adult Misdemeanor Outcomes**



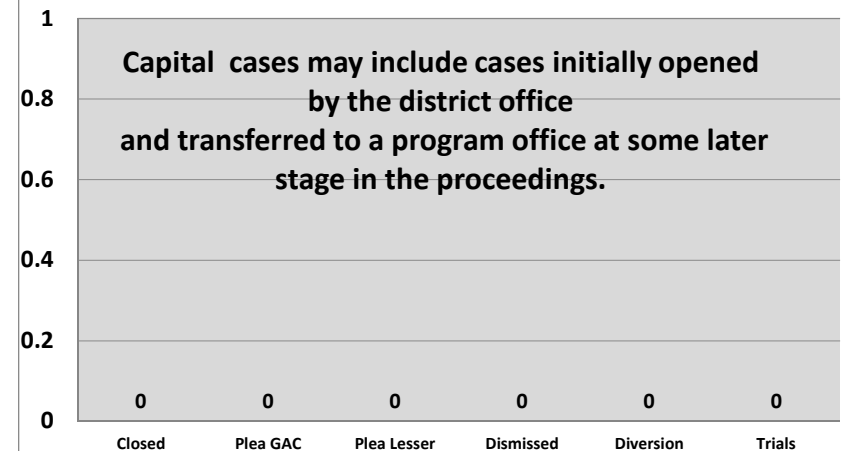
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

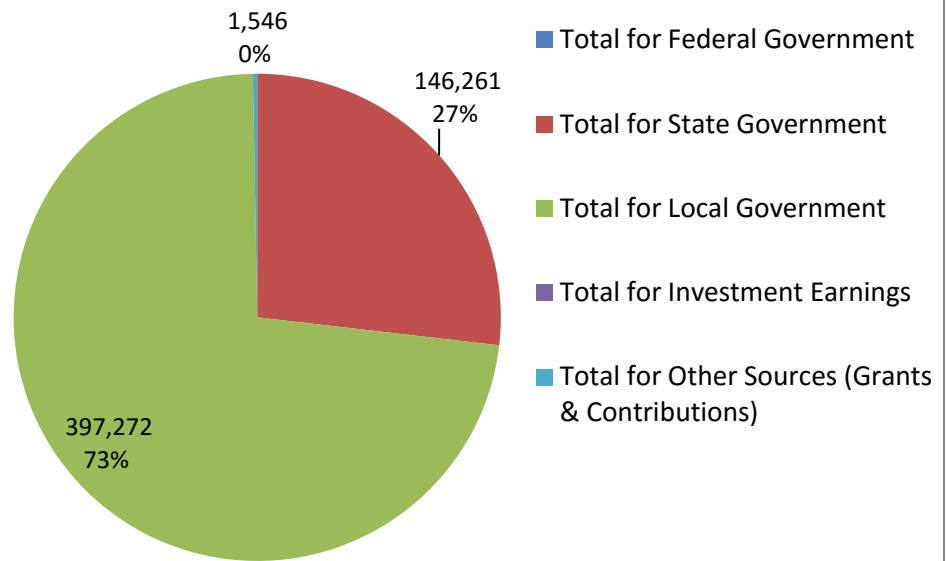


District 6 CY2015	Total CY2015
District Defender: Leroy Smith, Jr.	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	5,399
District Assistance Fund (DAF)	140,855
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	7
Total for State Government	146,261
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	22,992
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	364,479
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	364,479
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	5,200
Partial Attorney Fees	
Reimbursements [as per 15:176]	4,342
Other Reimbursements	259
Other Local Income -List source(s)	-
Total for Charges For Services	9,801
Total for Local Government	397,272
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	1,546
Total for Other Sources (Grants & Contributions)	1,546
Total for REVENUE	545,079

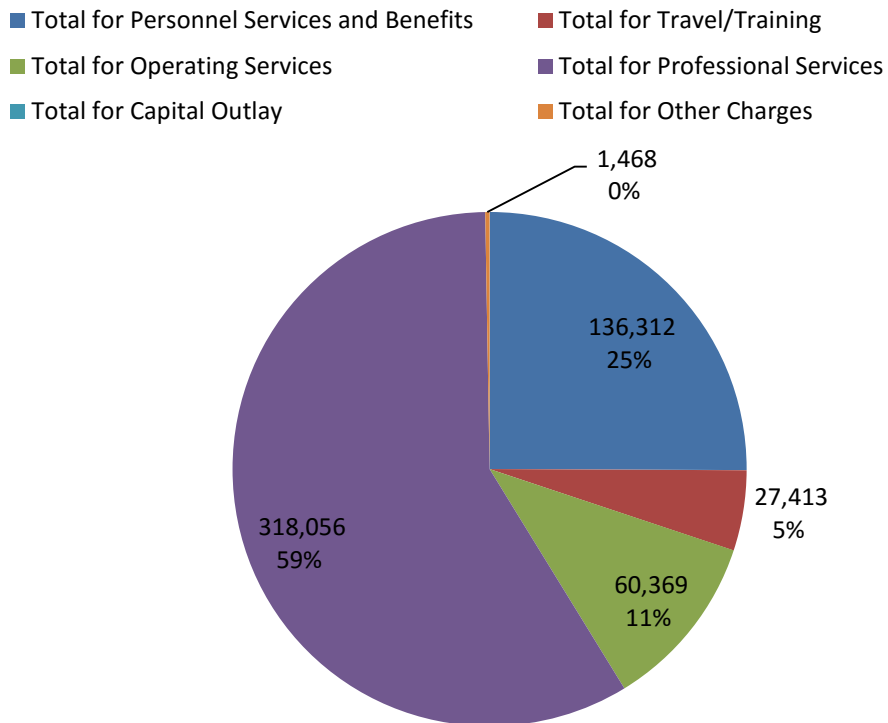


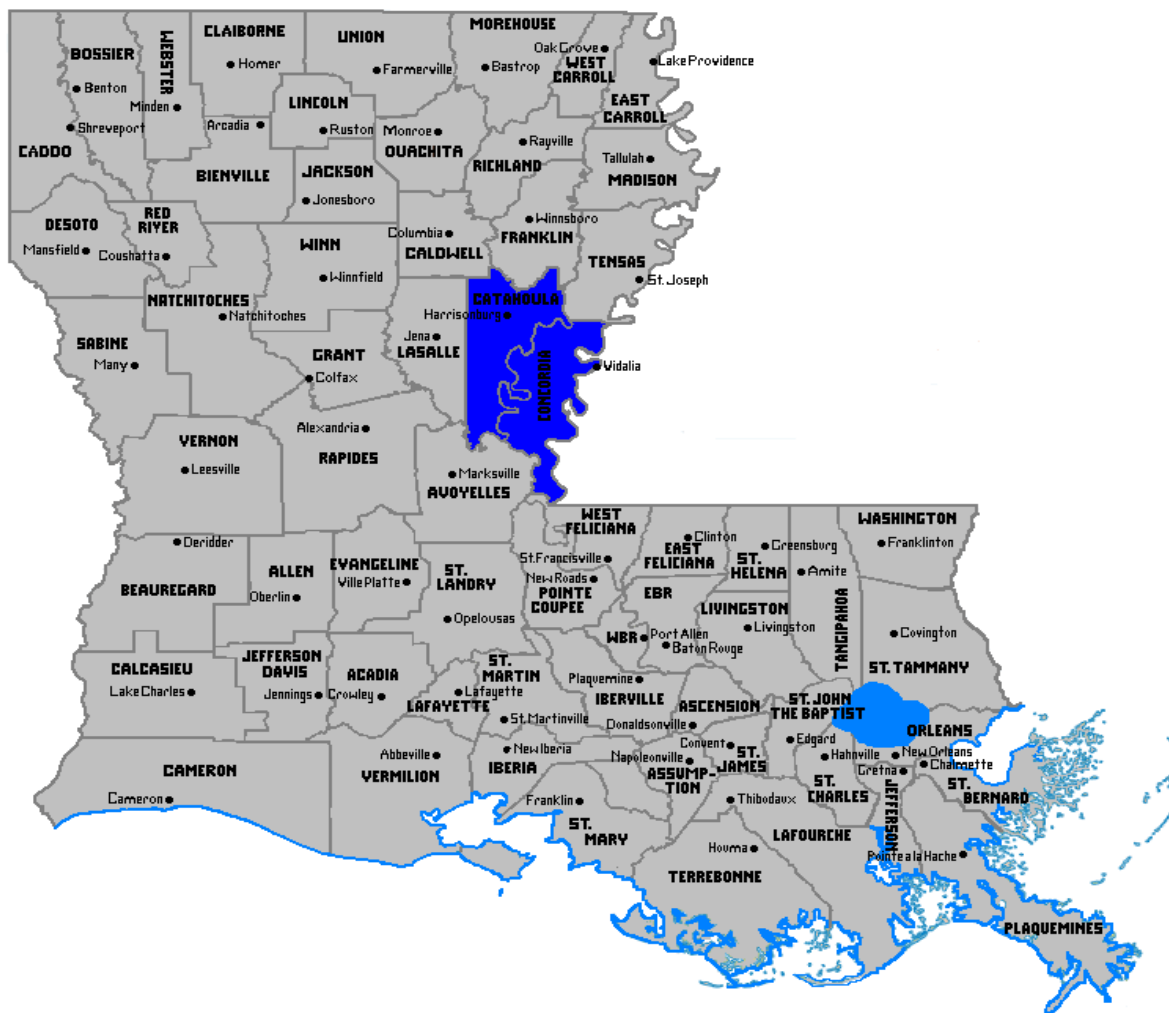
District 6 CY2015	Total CY2015
District Defender: Leroy Smith, Jr.	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	87,489
Accrued Leave	-
Payroll Taxes	36,394
Hospitalization and Disability Insurance	11,896
Retirement	-
Other	533
Total for Personnel Services and Benefits	136,312
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	27,413
Total for Travel/Training	27,413
Operating Services	
Advertisements	-
Workers' Compensation	3,988
Insurance - Malpractice	10,995
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	7,200
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	4,395
Office - Telephone/Utilities/Postage/Internet	8,927
Dues and Seminars	3,268
Law Library/Journals/Subscriptions	18,905
Office Supplies	2,692
Total for Operating Services	60,369
Professional Services	
Audit/Accounting Expense	7,708
Contract Clerical	-
Expert Witness	600
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	14,958
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	294,790
IT/Technical Support	-
Total for Professional Services	318,056
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	1,468
Total for Other Charges	1,468
Total for EXPENDITURES	543,617

## Total CY15 Revenues



## CY15 Expenditures





## THE 7<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

CATAHOULA (HARRISONBURG) - CONCORDIA (VIDALIA)

DISTRICT DEFENDER: DERRICK CARSON  
4001 CARTER STREET, ROOM 4  
VIDALIA, LA 71373  
(318) 336-7548

## 7TH JUDICIAL DISTRICT : CATAHOULA, CONCORDIA PARISHES

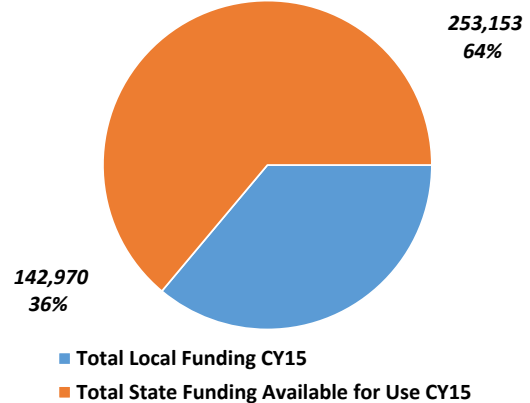
Derrick Carson  
District Defender  
4001 Carter Street, Room 4  
Vidalia, LA 71373  
318-336-7548

During Calendar Year 2015, the 7th Judicial District Public Defenders Office handled 2,658 cases. The office received \$396,123 in total revenues to handle these cases. The district is heavily reliant on supplemental state funding as only 36% of the office's funding came from traffic tickets and special court costs.

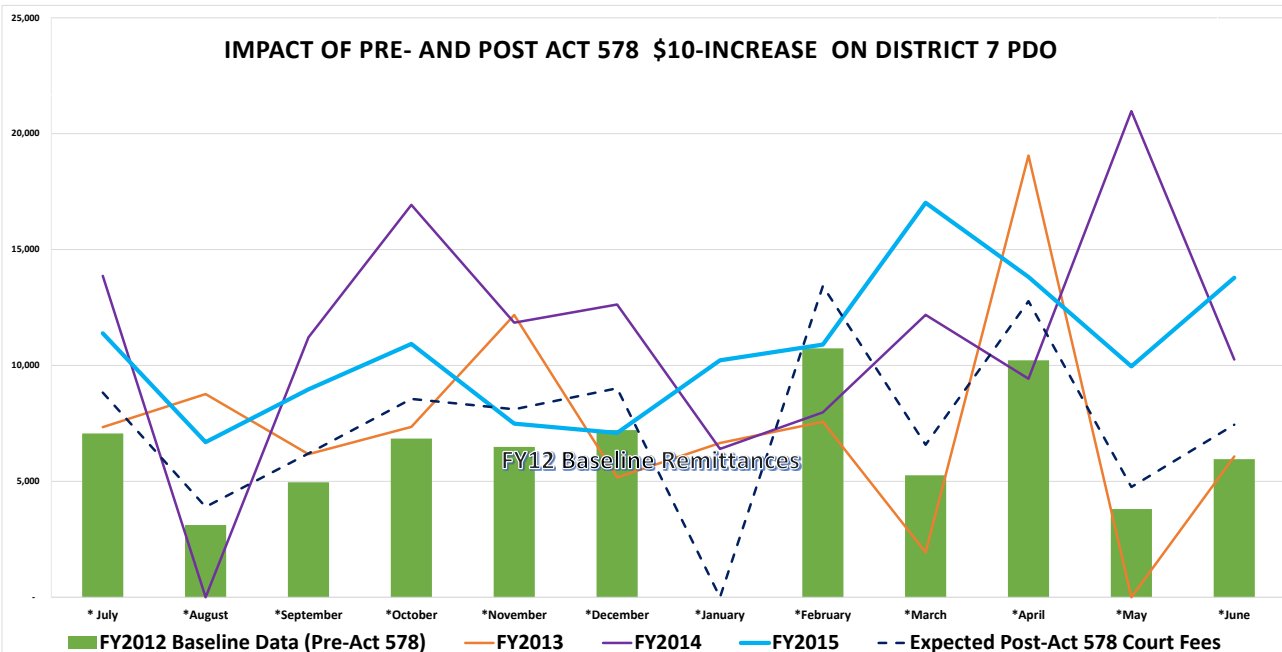
As shown in the graph below, since the inception of Act 578 (2012), local revenues associated with court costs have been unstable and erratic.

An increase in state revenues has allowed the 7th Judicial District office to avoid insolvency.

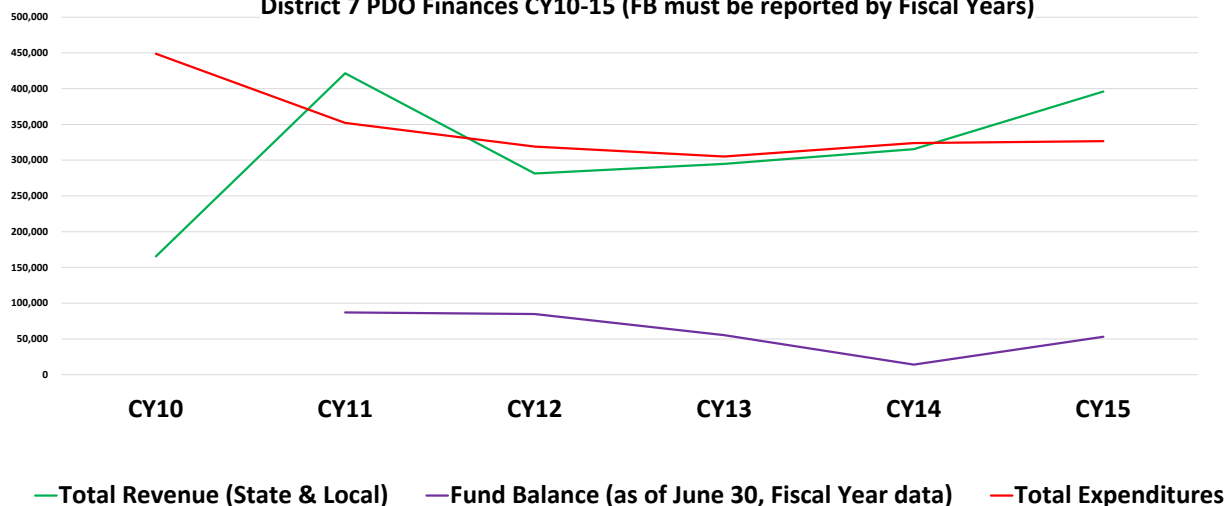
**District 7 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 7 PDO**



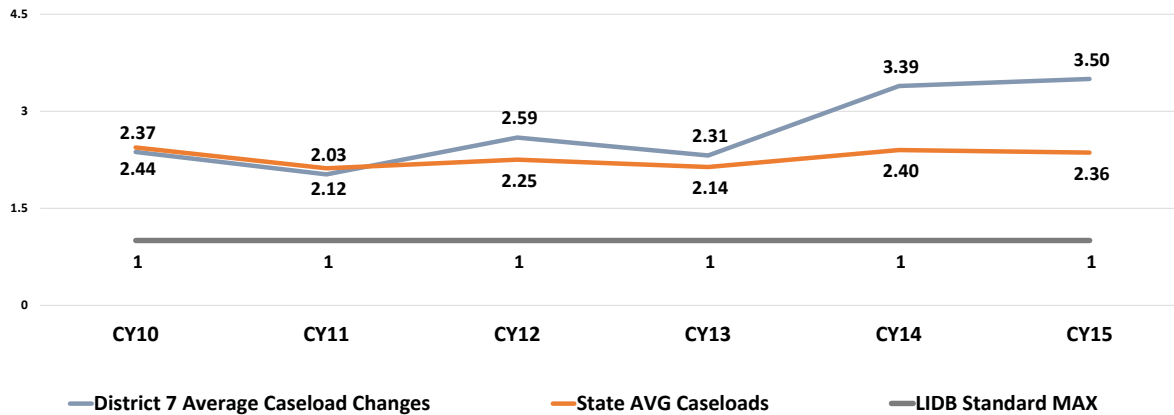
**District 7 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



## 7TH JUDICIAL DISTRICT : CATAHOULA, CONCORDIA PARISHES

Derrick Carson  
District Defender  
4001 Carter Street, Room 4  
Vidalia, LA 71373  
318-336-7548

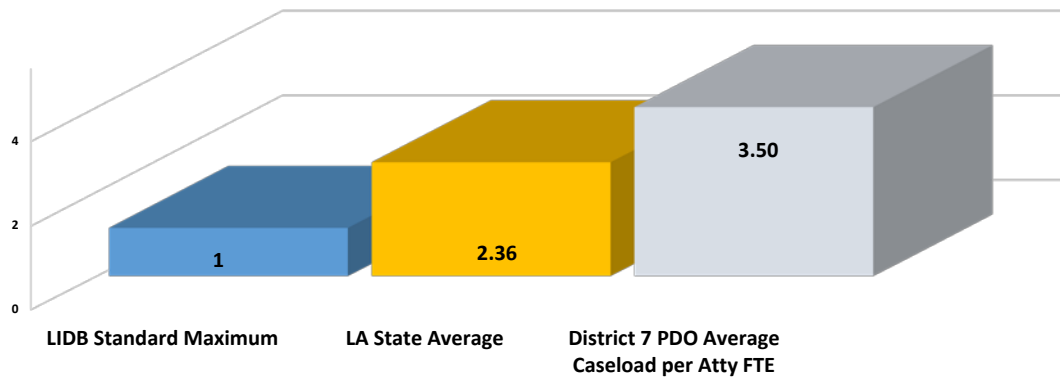
District 7 PDO Average Caseload per Atty FTE



In the 7th Judicial District, public defense attorneys maintain caseloads three and a half times the recommended caseload limit for each attorney. While revenues increased during CY15 the increases were insufficient to allow the district to address crushing caseloads.

The 7th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, reliance on insufficient revenues has resulted in caseloads that by far exceed established caseload limits. Excessive cases limit each defender's ability to provide effect assistance of counsel to their clients.

District 7 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 7<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Concordia - Vidalia; Catahoula - Harrisonburg
<b>Population</b>	29,449
<b>Juvenile Population</b>	5,580
<b>District Defender</b>	Derrick Carson
<b>Years as District Defender</b>	15
<b>Years in Public Defense</b>	15
<b>Office Manager</b>	Judy Pugh
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Porchia Matthews, Nathan Davis
<b>Primary Office Street Address</b>	4001 Carter Street, Room 4
<b>City</b>	Vidalia
<b>ZIP</b>	71373
<b>Primary Phone</b>	318-336-7548
<b>Primary Mailing Address</b>	4001 Carter Street, Room 4, Vidalia, La. 71373
<b>Primary Fax Number</b>	318-336-2179
<b>Primary Emergency Contact</b>	Judy Pugh
<b>Primary Emergency Phone</b>	318-452-5746; 318-336-7548; 318-757-2870
<b>Secondary Emergency Contact</b>	Derrick Carson
<b>Secondary Emergency Phone</b>	318-623-0390; 318-757-0473
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Concordia Parish Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	None. Space provided by police jury.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Jeri Sue Tosspon, CPA.
<b>Courts and Locations</b>	7th Judicial District Court; Concordia Parish, Vidalia; 7th Judicial District Court, Catahoula Parish, Harrisonburg, La.; Vidalia City Court, Vidalia, La. (Ferriday Mayor's Court and Jonesville Mayor's Court, we do not represent nor get funds from these two courts).
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Div. A, Judge Kathy Johnson, Div. B. Judge Leo Boothe, Judge John Reeves, Vidalia City Court, Judge George Murray.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Cases are referred by court to IDB office at magistrate hearing by form that is filled out by Clerk and sent to IDB office. Form is received, clients are interviewed, information is reviewed and counsel assigned.
<b>Name of Adult Detention Facilities in This District</b>	Concordia Parish Correctional Facility; Catahoula Correctional Facility.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Franklin Detention Center, Winnsboro, La. And women are held at Richland Corrections, Monroe, La.
<b>Name of Juvenile Detention Facilities In This District</b>	None in parish.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	The district used the St. James Juvenile Detention Center until its closure in June 2013, and since then juvenile clients had been housed at Assumption Youth Center and other facilities around the state at different times.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Inability to see clients on regular basis; budgeting travel expense; using time for travel that could be used to see local clients.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Catahoula Corrections allows access but does not try to accommodate, i.e. making investigator and attorneys wait longer periods to see clients.
<b>District Attorney</b>	Brad Burgett
<b>Chief Judge of Criminal District Court</b>	Judge Kathy Johnson
<b>Juvenile Court Judges (Specify District of City Court)</b>	Div. A, Judge Kathy Johnson, Div. B, Judge Leo Boothe.
<b>Drug Court Judges</b>	No
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	Yes. Judge George Murray, Vidalia City Court.
<b>Name of Specialty and Brief Description:</b>	Misdemeanor cases within the Vidalia city limits.
<b>Indigency Determined by Whom and How?</b>	Judge determines at magistrate hearing, refers to PDO, application filled out.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest. Both incarcerated and bonded defendants are appointed counsel at magistrate hearing or arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	Chief reviews files, discovery, reassigning counsel if necessary
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Jimmie Darden, Investigator, Derrick Carson, Attorney; Judy Pugh, Paralegal, Porchia Matthews, Data Entry
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes have a application form, interview sheet that is filled out at interview.
<b>Brief Explanation of Intake Process</b>	Defendant appointed at Magistrate Hearing, appointment sheet filled out by clerk, sent to our office someone interviews defendant.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	2,138

<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	4,474
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	\$101,1297 collected from Parishes, \$34,889 collected from City of Vidalia.
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Disbursement sheet provided by Sheriff's Office.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Disbursement sheet provided by Sheriff's Office.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Disbursement sheet provided by Sheriff's Office.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	If defendant's income is above normal range for this area and above guidelines a completed form is submitted to Judge to determine payment amount.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	If fees assessed copy of court minutes from Clerk of Court.
<b>Who Collects the Assessed Partial Payments?</b>	Judge orders to pay our office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Sheriff's Office
<b>Who Remits the Partial Payments Collected?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Sheriff's Office
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	1,810
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted, but no policy established.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Funding- having to cut employees time and salaries, having to cut attorneys and/or not replace when one leaves.
<b>Was your office in ROS at any time during 2015</b>	No



<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Possibility, keeping close eye on spending and looking for ways to increase spending.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	None at present.
<b>Immediate Critical Issue Areas</b>	Funding to continue providing services.
<b>Long-Term Critical Issue Areas</b>	Funding & Training
<b>Please List All New Hires in 2015 (Name and Title)</b>	Darrell Hickman-Conflict Counsel, Devan Pardue, Conflict Counsel, conflict counsels are part time as needed basis.
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	If funding available, at least three.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	None
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	No organization chart District operates under the Chief who oversees and delegates cases to the attorneys. Office Administration and Chief oversee the office.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	None
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, usually quarterly, discuss any new information, get feedback.
<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	None
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None

<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Juvenile Attorney follows case.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Andy Anders, Representative; Vance McAllister Senator.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Timely receiving information to identify potential conflicts and distance for client visitation for women housed elsewhere.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	None due to funding issues.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Robert Clark	319-336-5886
HuCheryl Walker	601-334-0862
Anna Ferguson	318-757-1700
Darrell Hickman	318-730-2403
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Jimmie Darden	318-336-7548
Judy Pugh	318-336-7548
Porchia Matthews	318-336-7548

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Judy Pugh
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	
Google Chrome	x
Other	Mozilla Firefox
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	1
DVD	
VCR	
Desktop PCs	3
Laptops	
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	2
Color Printers	1
Wireless Cards	1
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	
No Internet Connection	
Connection Speed:	
Provider Name:	Cableone
Email Provider:	ATT
Please list any software or computer equipment in which you need training:	

## 7th District Defender Office CY 2015 Caseloads & Outcomes

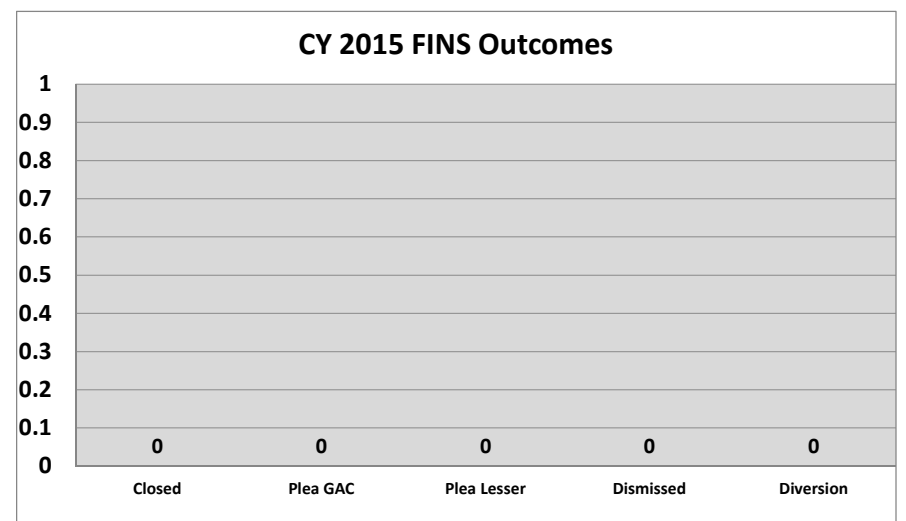
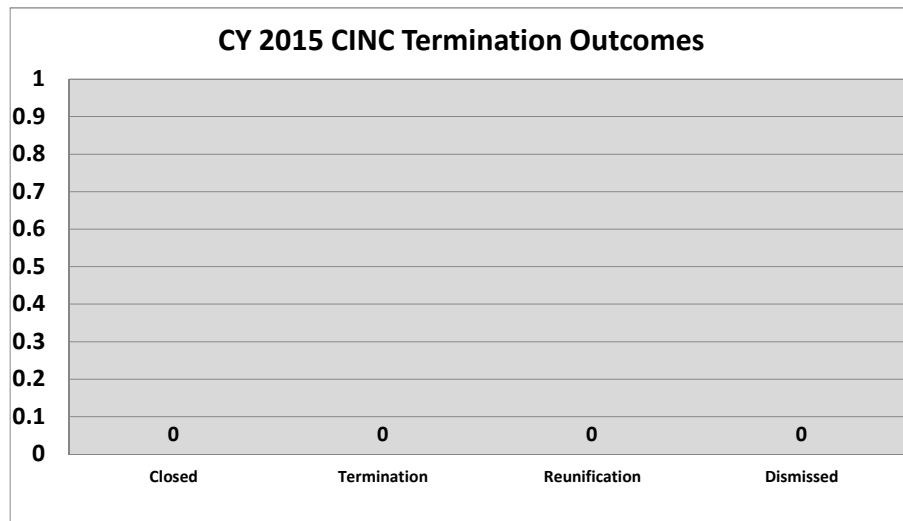
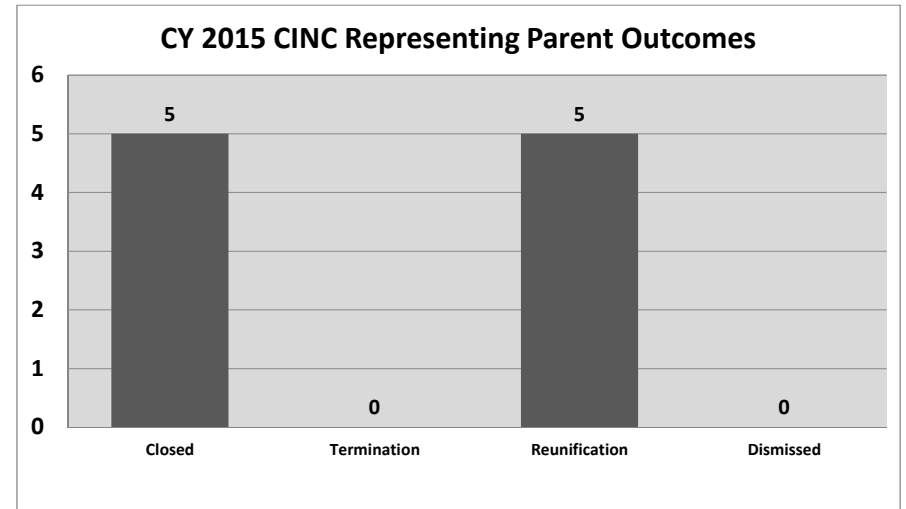
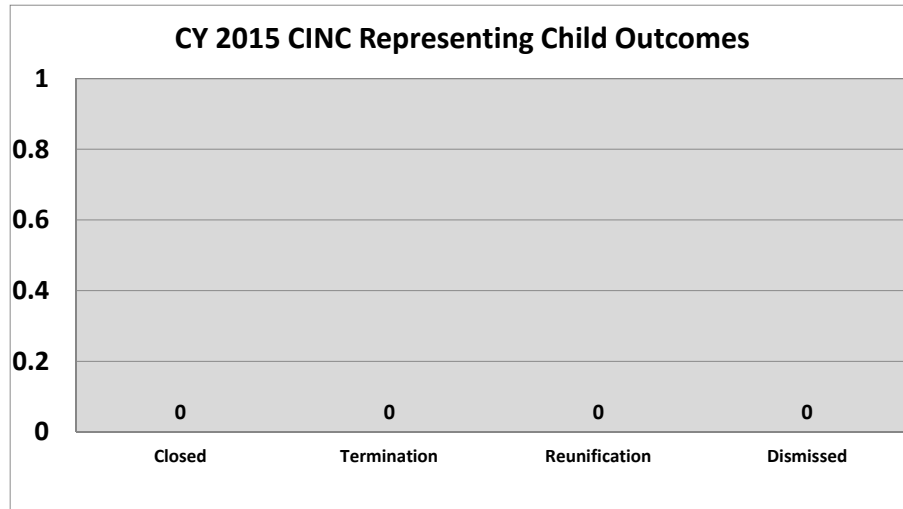
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	11	5	18	29	0	5	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	6	2	0	6	N/A	N/A	2	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	23	19	15	38	N/A	N/A	15	0	1	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	491	389	136	627	N/A	N/A	94	14	116	0	0	0	0	0	0
Adult Felony Non-LWOP**	1594	1078	349	1943	N/A	N/A	251	45	292	0	0	5	0	1	6
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	1	0	0	1	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	12	6	2	14	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

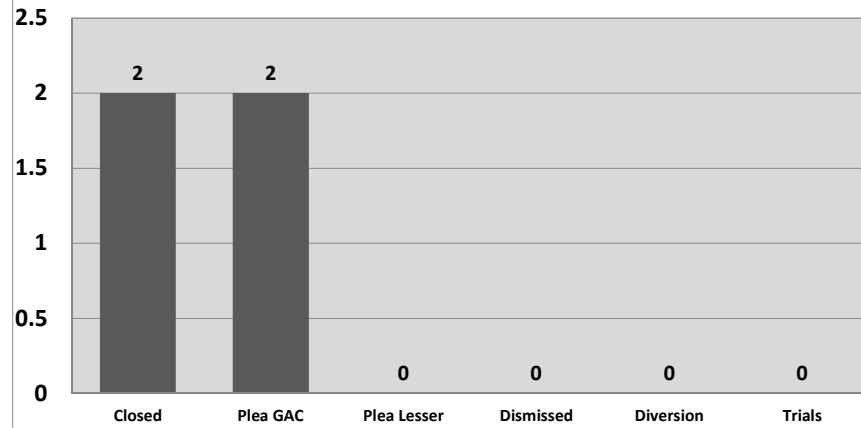
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

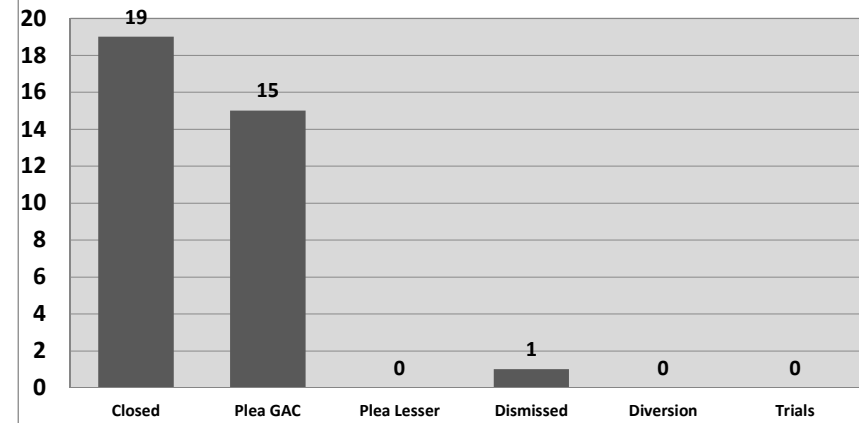
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



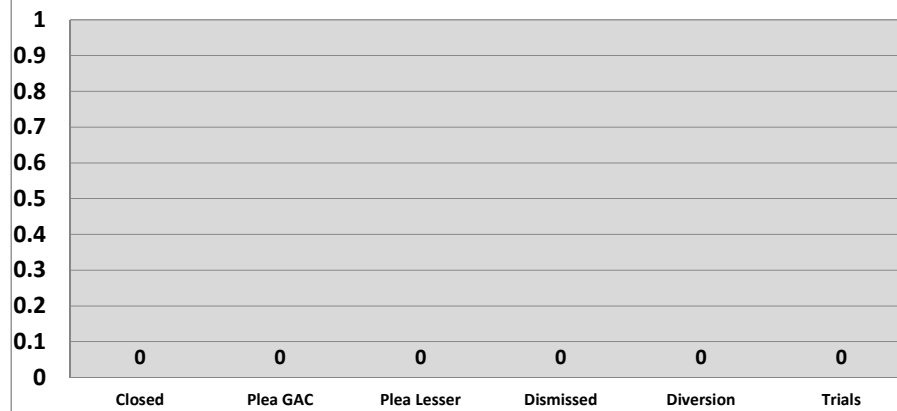
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



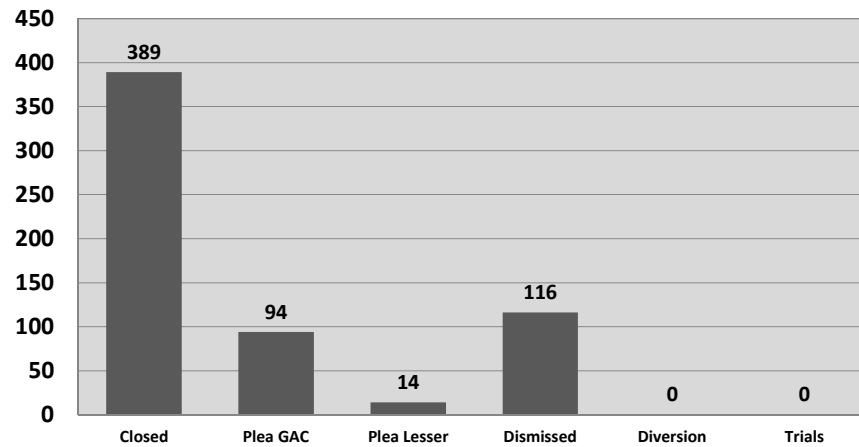
**CY 2015 Delinquency Felony-Grade Outcomes**



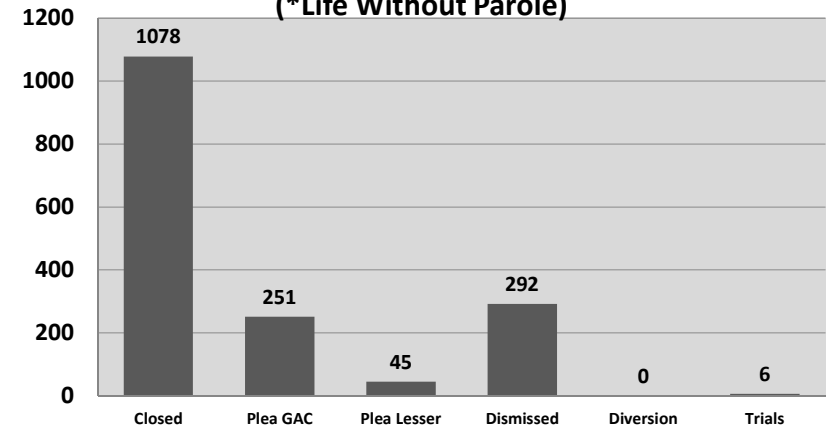
**CY 2015 Delinquency Life Outcomes**



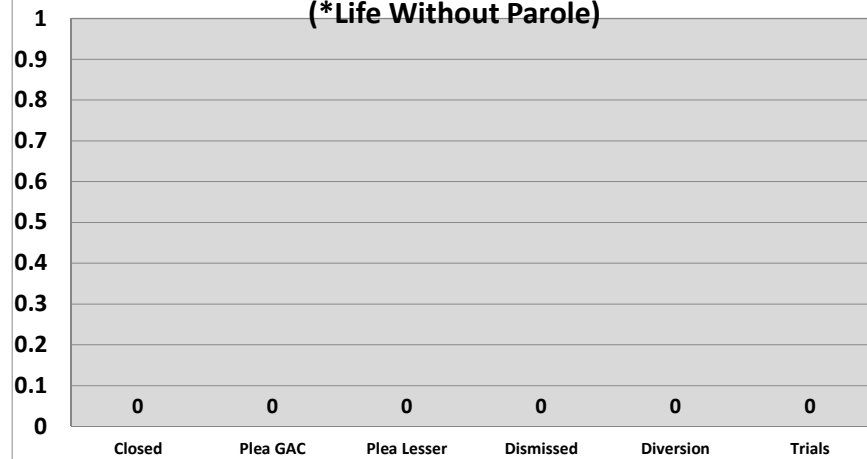
**CY 2015 Adult Misdemeanor Outcomes**



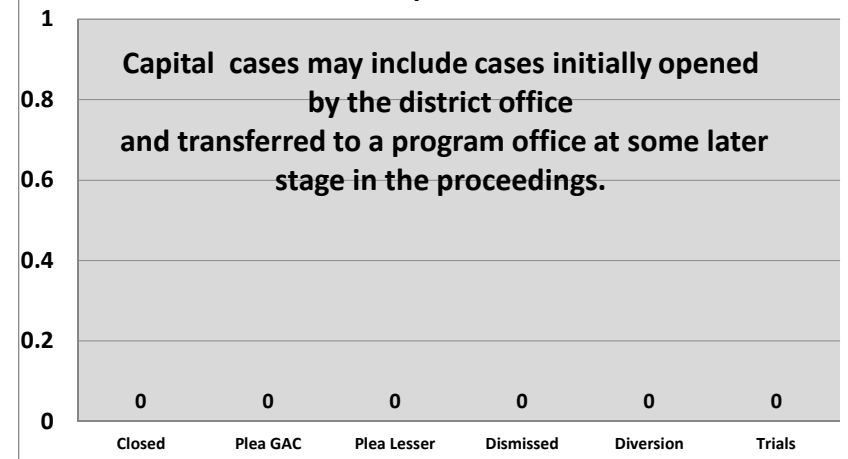
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**



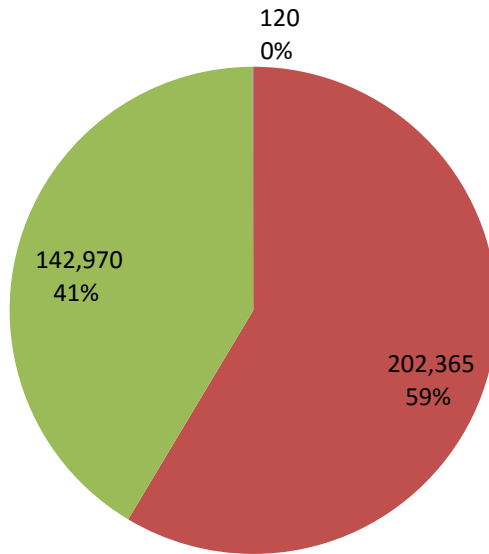


District 7 CY2015	Total CY2015
District Defender: Derrick Carson	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	3,767
District Assistance Fund (DAF)	97,021
Supplemental/Emergency Funds	101,577
Grants	-
Other State Income -List source(s)	-
Total for State Government	202,365
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	2,314
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	34,889
Parish Courts	12,575
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	18,203
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	69,836
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	135,502
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	5,154
Partial Attorney Fees	
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	5,154
Total for Local Government	142,970
Investment Earnings	
Interest Income	120
Other Investment Income - List source(s)	-
Total for Investment Earnings	120
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	345,455

District 7 CY2015	Total CY2015
District Defender: Derrick Carson	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	127,605
Accrued Leave	-
Payroll Taxes	2,139
Hospitalization and Disability Insurance	-
Retirement	16,958
Other	-
Total for Personnel Services and Benefits	146,702
Travel/Training	
Parking/Auto Tolls	541
Travel/Lodging/Per Diem/Mileage	5,463
Total for Travel/Training	6,004
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	4,904
Insurance - Auto/Physical Liability	-
Insurance - Other	425
Lease - Office	-
Lease - Auto/Equipment	1,888
Lease - Other	825
Office Repair and Maintenance	40
Office - Telephone/Utilities/Postage/Internet	6,345
Dues and Seminars	-
Law Library/Journals/Subscriptions	3,180
Office Supplies	5,111
Total for Operating Services	22,718
Professional Services	
Audit/Accounting Expense	11,828
Contract Clerical	-
Expert Witness	-
Investigators	20,730
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	81,724
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	36,800
IT/Technical Support	-
Total for Professional Services	151,082
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	103
Total for Other Charges	103
Total for EXPENDITURES	326,608

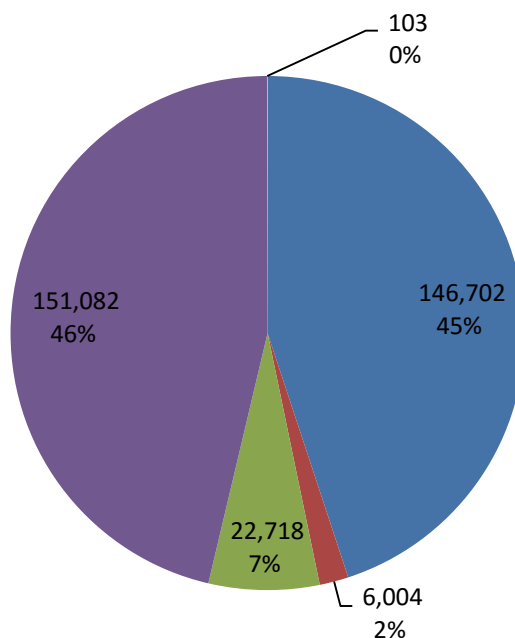
## Total CY15 Revenues

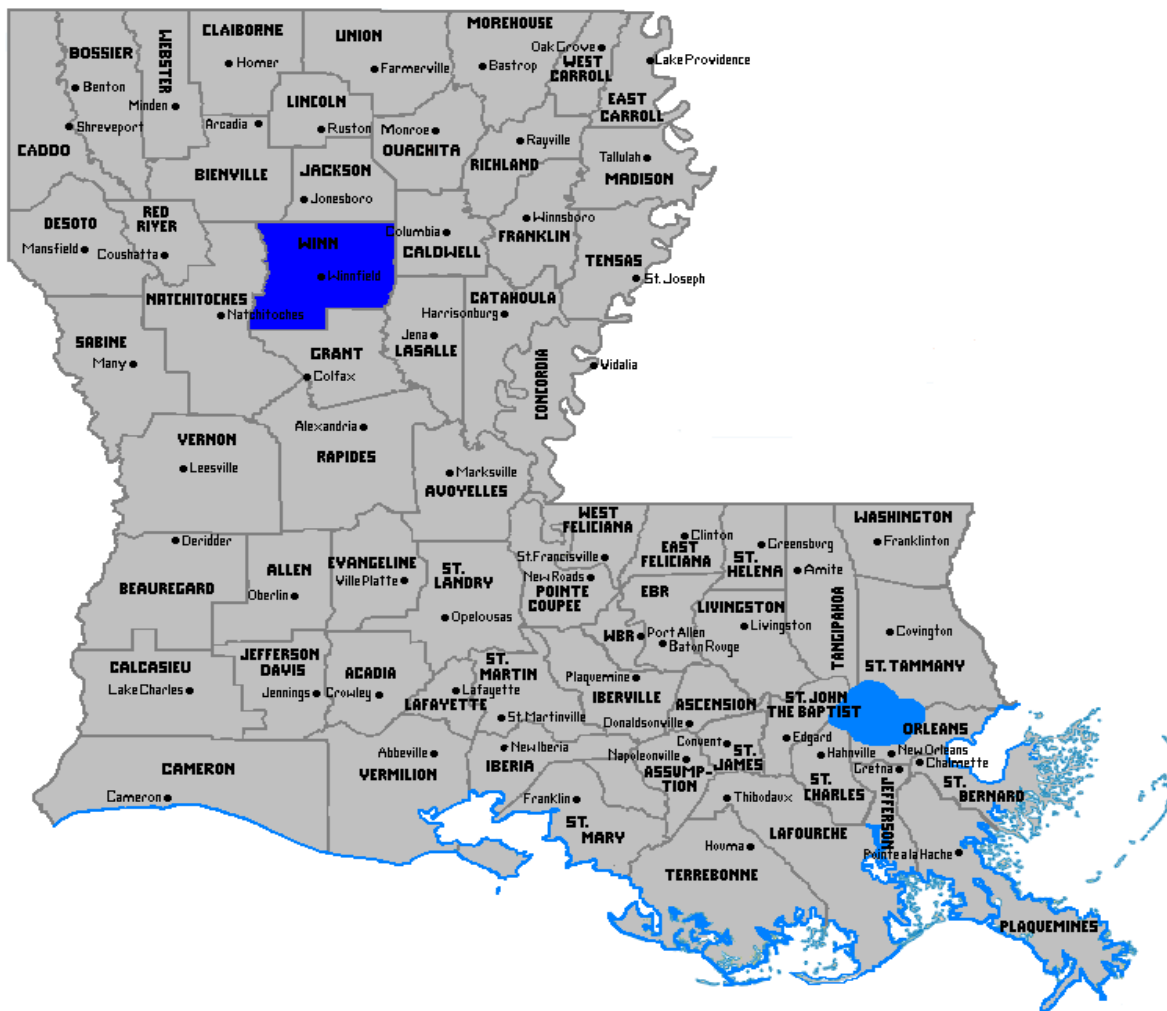
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





THE 8<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
WINN (WINNFIELD)

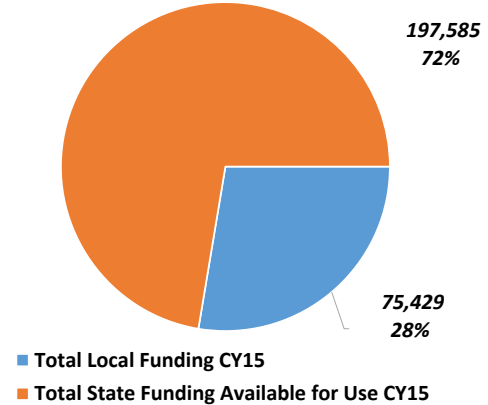
DISTRICT DEFENDER: HERMAN A. CASTETE  
116 WEST MAIN STREET  
WINNFIELD, LA 71483  
(318) 628-3592

## 8TH JUDICIAL DISTRICT : WINN PARISH

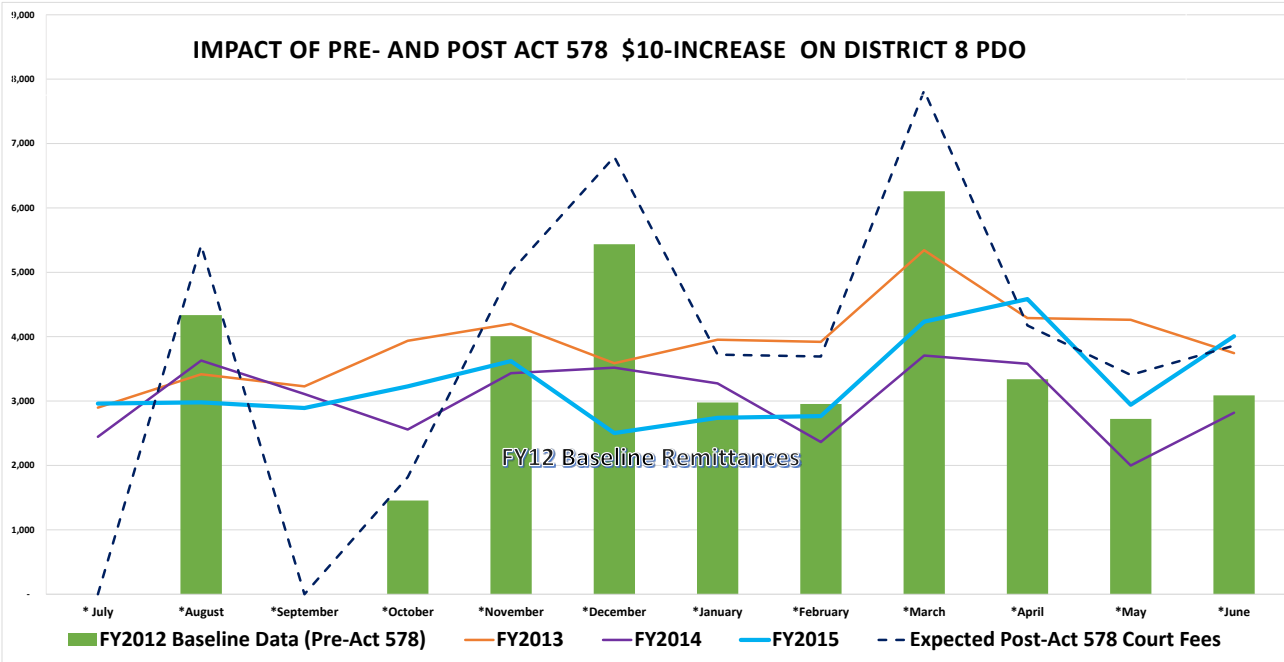
Herman A. Castete  
District Defender  
116 West Main Street  
Winnfield, LA 71483  
318-628-3592

During Calendar Year 2015, the 8th Judicial District Public Defenders Office handled 742 cases. The office received \$273,014 in total revenues to handle these cases. As local funding is largely insufficient, approximately 72% of revenues came from state funding. With the exception of a few months, the 8th Judicial Office has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012). Insufficient personnel and fiscal resources forced the 8th Judicial District office to begin restricting services April 1, 2015. Additional supplemental state assistance provided to the district by LPDB at the end of FY15, has allowed the district to begin accruing a fund balance. LPDB and the 8th district PDO will continue to monitor the office's revenues and expenditures to determine if the office can exit service restriction.

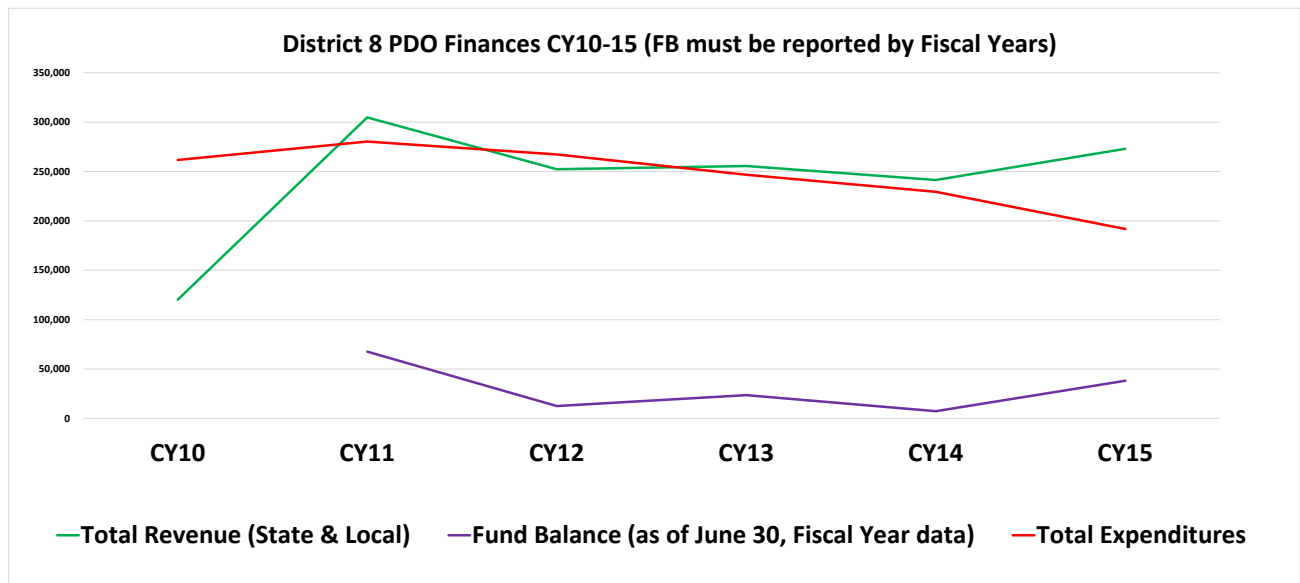
**District 8 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 8 PDO**



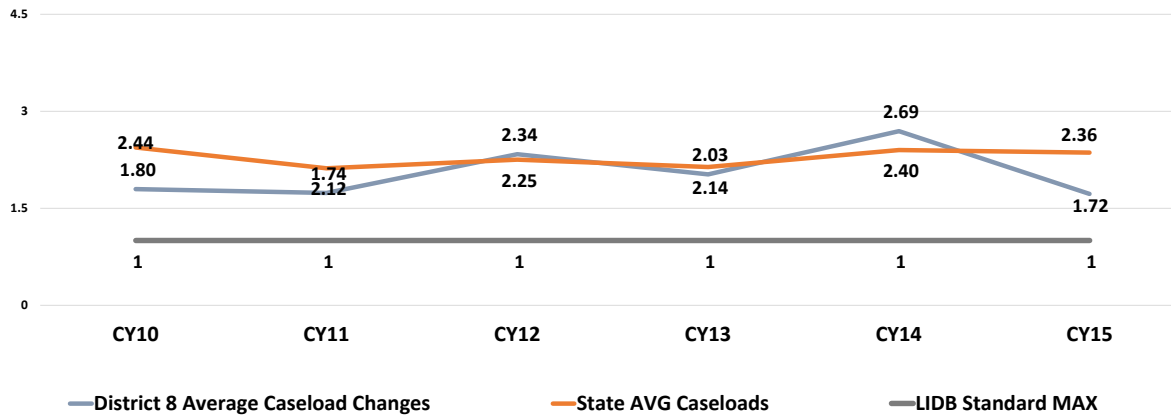
**District 8 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



## 8TH JUDICIAL DISTRICT : WINN PARISH

Herman A. Castete  
District Defender  
116 West Main Street  
Winnfield, LA 71483  
318-628-3592

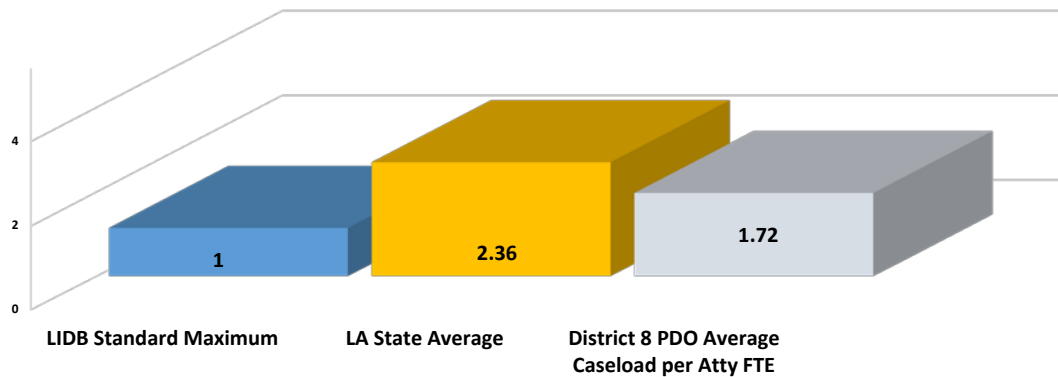
**District 8 PDO Average Caseload per Atty FTE**



In the 8th Judicial District, public defense attorneys maintain caseloads in excess of the recommended caseload limit for each attorney.

The 8th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.

**District 8 PDO Average Caseloads Compared to State Average & State Standard Maximums**



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 8<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Winn - Winnfield
<b>Population</b>	15,313
<b>Juvenile Population</b>	3,442
<b>District Defender</b>	Herman A. Castete
<b>Years as District Defender</b>	15
<b>Years in Public Defense</b>	35
<b>Office Manager</b>	Herman Castete
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Vicky Keiffer
<b>Primary Office Street Address</b>	116 West Main Street
<b>City</b>	Winnfield
<b>ZIP</b>	71483
<b>Primary Phone</b>	318-628-3592
<b>Primary Mailing Address</b>	Post Office Box 428, Winnfield, LA 71483
<b>Primary Fax Number</b>	318-628-5080
<b>Primary Emergency Contact</b>	Herman Castete
<b>Primary Emergency Phone</b>	318-628-3592
<b>Secondary Emergency Contact</b>	Deborah C. Castete
<b>Secondary Emergency Phone</b>	318-805-4525
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Lasyone Rentals, Lasyone Building, Winnfield, LA
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,600
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	8th Judicial District Court, Winnfield, LA 71483
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	One
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Counsel assigned temporarily at 72 hours hearing and normally permanently assigned at arraignment. Felony cases are assigned to the felony attorney and misdemeanors to the misdemeanor attorney except in conflict situations in which both may be appointed as needed as well as a contracted conflict attorney.

<b>Name of Adult Detention Facilities in This District</b>	Winn Parish Jail, Winnfield, LA; Winnfield City Jail, Winnfield, LA
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Jackson Parish Detention Center, Jonesboro, LA; Caldwell Detention Center, Columbia, LA; Catahoula Detention Center, Harrisonburg, LA.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Detention Center, Coushatta, LA.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Juveniles are not routinely shackled. The Court's policy is that shackles be used only if they are a flight risk or considered a danger to others.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Christopher Nevils
<b>Chief Judge of Criminal District Court</b>	Jacque D. Derr (1/1/09)
<b>Juvenile Court Judges (Specify District of City Court)</b>	Jacque D. Derr, District Judge
<b>Drug Court Judges</b>	None
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Public Defender in court at the time of arraignment.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest. Incarcerated defendant - counsel appointed within 72 hours of arrest; bonded defendant - at arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	We have the district defender, misdemeanor attorney, and conflict attorney. Our data base reflects how cases are assigned. If there are more than 4 co-defendants the Judge is asked to appoint counsel to represent any additional defendants.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	John T. Wooten, Jr., Investigator
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes.
<b>Brief Explanation of Intake Process</b>	Investigator usually does initial interview and reports to Chief Defender who then assigns counsel.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes.
<b>How Many Applications for Services Were Received?</b>	338
<b>How Many Application Fees Were Waived?</b>	120
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	3,545
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No



<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	40,856
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Itemized listing submitted with payment from WPSO.
<b>Who Collects the Assessed Court Fees?</b>	WPSO
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Itemized listing submitted with payment from WPSO.
<b>Who Remits the Court Fees Collected?</b>	WPSO
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Itemized listing submitted with payment from WPSO.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Determined by Public Defender and Judge.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Copy of sentencing document furnished at time Defendant is sentenced.
<b>Who Collects the Assessed Partial Payments?</b>	Public Defender's Office (Vicky Keiffer, John Wooten, Deborah Castete)
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Copy of receipt for payment from database; office receipt book; original money order.
<b>Who Remits the Partial Payments Collected?</b>	Clients remit to Public Defender Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Copy of receipt for payment from database; office receipt book; original money order.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	20,198
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	All attorneys are contract and therefore can maintain a private practice.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Revenue to pay a conflict attorney and increase the wage of our misdemeanor attorney.
<b>Was your office in ROS at any time during 2015</b>	Yes
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes. Termination of new cases for Juvenile and CINC Attorney. Position to be terminated after pending cases are completed. Terminate one part-time investigator. Terminate one part-time secretary. Discontinue West Law.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Staff will remain as reported in compensation report if revenue supports their salaries.
<b>Immediate Critical Issue Areas</b>	DAF Funding
<b>Long-Term Critical Issue Areas</b>	DAF Funding

<b>Please List All New Hires in 2015 (Name and Title)</b>	Connor Junkin, Misdemeanor Attorney
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. Case by case review, analysis and preparation until attorney is ready for solo.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District Defender personally oversees the operation of the office. Attorneys are assigned cases and their progress is supervised as required. Non-attorney personnel have specific task assignments which are supervised by the District Defender.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	None. Everyone answers to the District Defender.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Taking CINC cases as long as CINC funding lasts.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No.
<b>Regular Meetings for Any Staff, Please Describe</b>	State Board Meetings when not in conflict with Court Docket; Office Staff Meetings monthly.
<b>Number of NEW capital cases in CY15 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	0
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Jack McFarland, Representative; Jim Fannin and Gerald Long Senators
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	No changes in service have been implemented.

<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Herman A. Castete - District Defender	318-628-3592
Connor Junkin, Misdemeanor Attorney	318-628-3592
Keith Gates, CINC and Conflict Attorney	318-648-9800
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
John Wooten, Jr. – Investigator	318-628-3592
Vicky Keiffer	318-628-3592

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Herman Castete
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b>Operating Systems Used:</b>	
Windows 10	x
Windows 8	x
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b>Case Management System(s): Check all that apply</b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b>Productivity Suites Used:</b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b>Accounting Software</b>	
QuickBooks	
Quicken	x
Intuit	
Other (list here):	
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	5 thru computer
VCR	
Desktop PCs	5
Laptops	2
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	3
Color Printers	1
Wireless Cards	1
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	Sudden Link
Email Provider:	
Please list any software or computer equipment in which you need training:	Quick Books

## 8th District Defender Office CY 2015 Caseloads & Outcomes

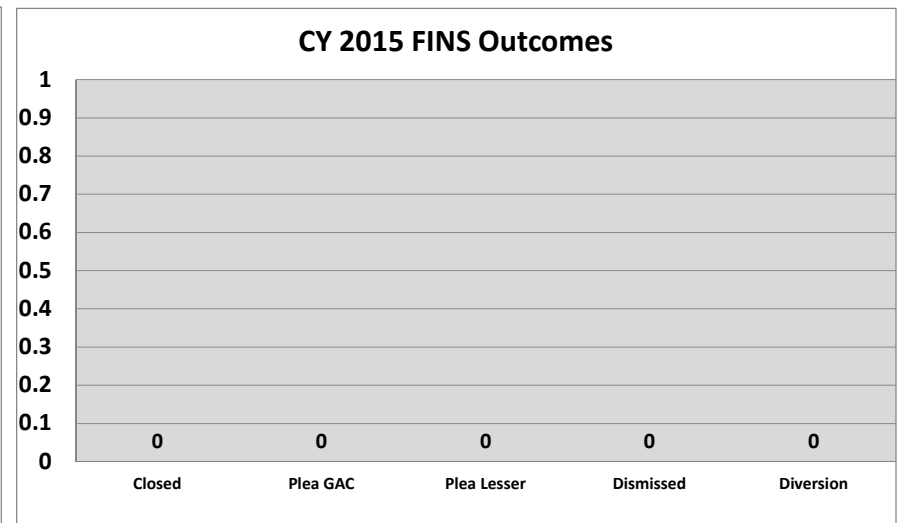
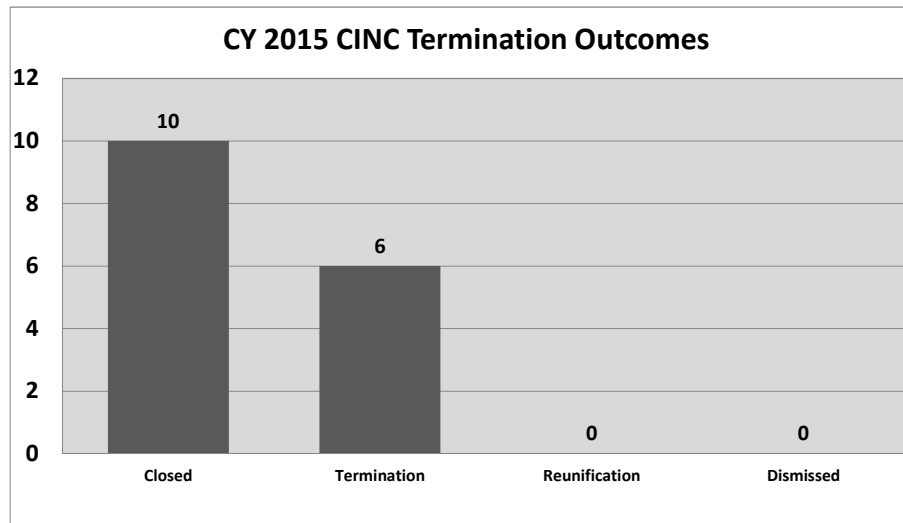
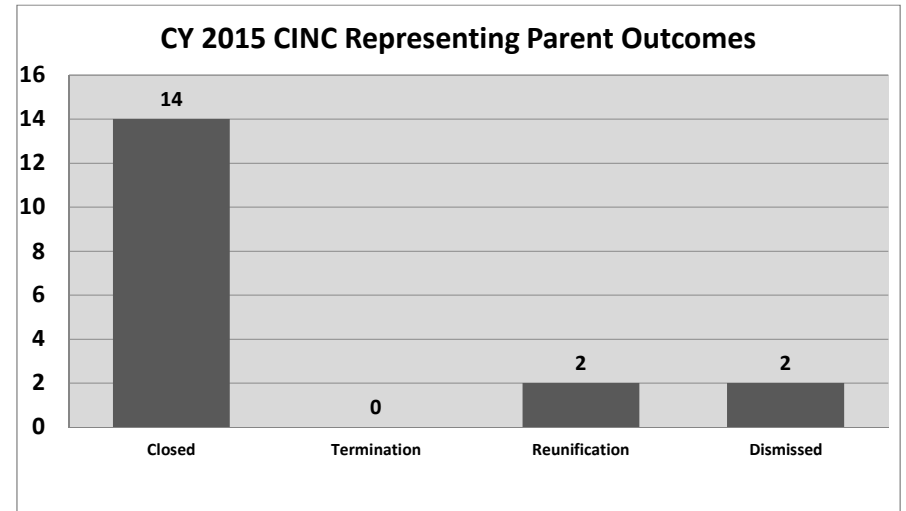
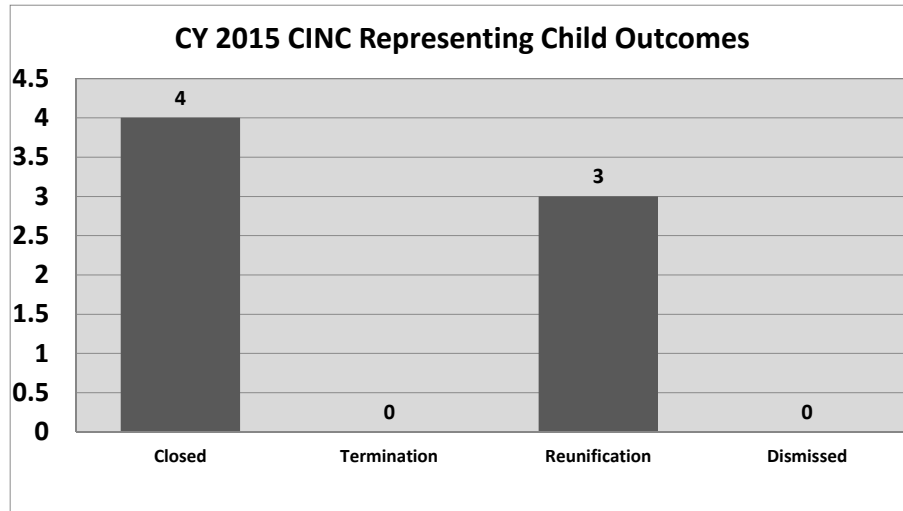
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	16	4	9	25	0	3	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	18	14	14	32	0	2	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	0
Termination	1	10	17	18	6	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	17	13	5	22	N/A	N/A	1	0	3	3	N/A	N/A	0	2	2
Delinquency Felony	2	2	1	3	N/A	N/A	0	1	2	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	102	144	86	188	N/A	N/A	63	23	120	0	0	0	0	1	1
Adult Felony Non-LWOP**	236	255	144	380	N/A	N/A	82	70	279	0	0	2	0	0	2
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	30	48	44	74	N/A	N/A	0	0	5	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

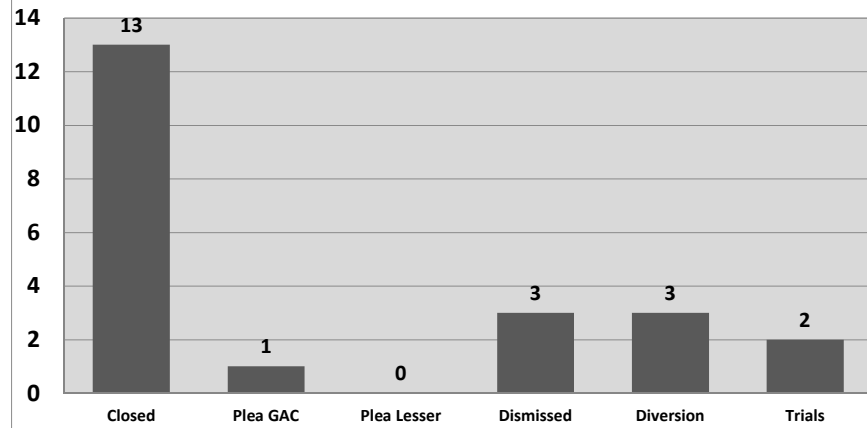
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

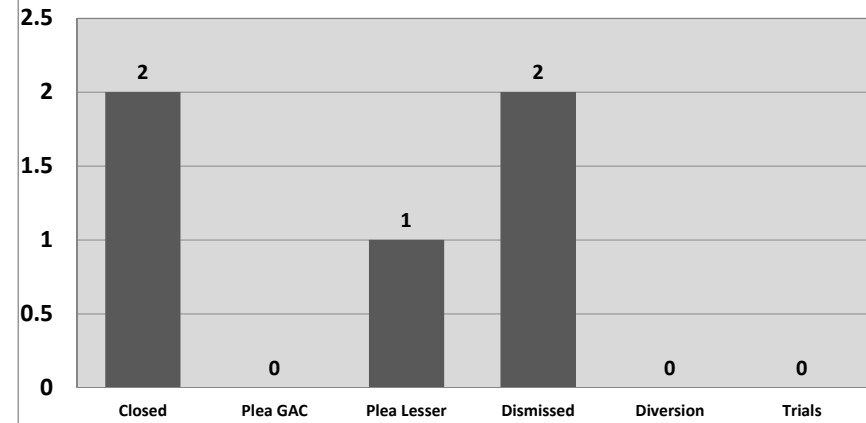
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



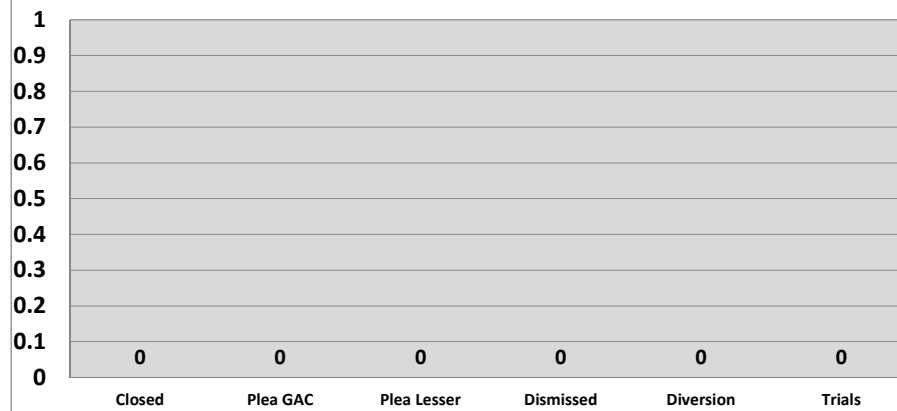
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



**CY 2015 Delinquency Felony-Grade Outcomes**

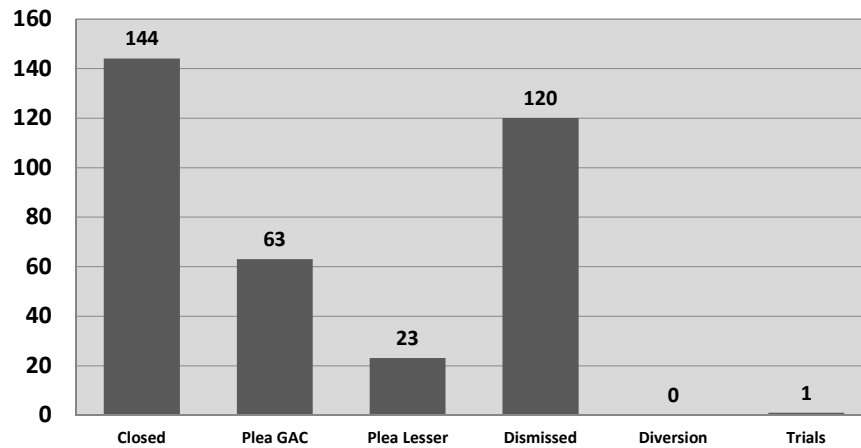


**CY 2015 Delinquency Life Outcomes**

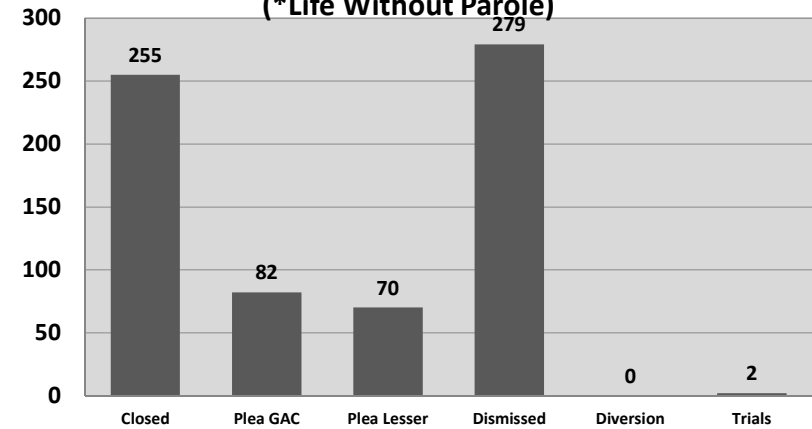




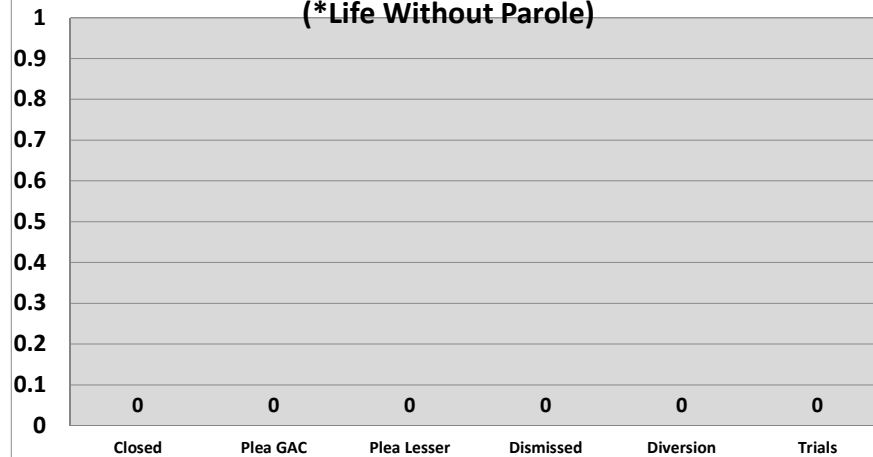
**CY 2015 Adult Misdemeanor Outcomes**



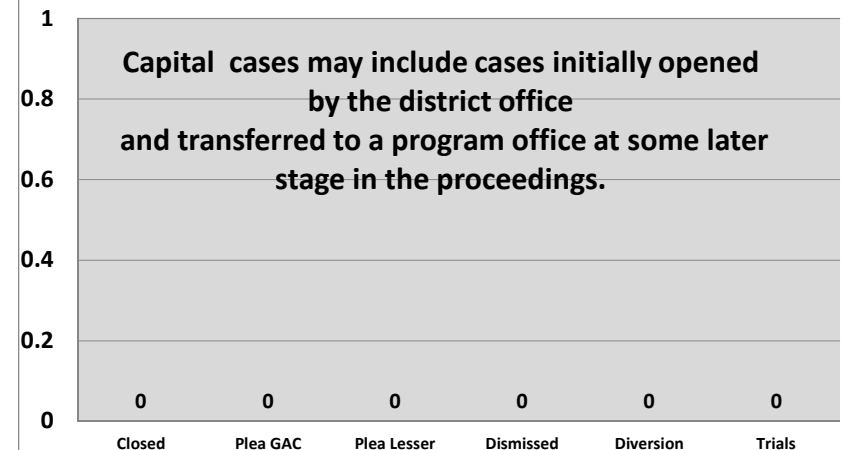
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

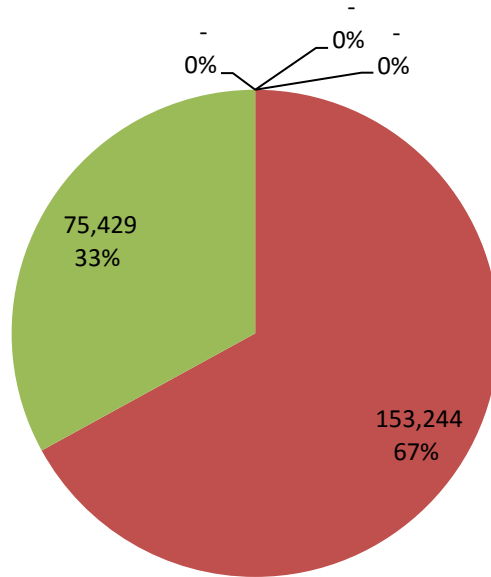


District 8 CY2015	Total CY2015
District Defender: Herman A. Castete	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	5,022
District Assistance Fund (DAF)	59,541
Supplemental/Emergency Funds	88,681
Grants	-
Other State Income -List source(s)	-
Total for State Government	153,244
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	10,018
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	40,856
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	40,856
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	3,545
Partial Attorney Fees	
Reimbursements [as per 15:176]	20,198
Other Reimbursements	-
Other Local Income -List source(s)	812
Total for Charges For Services	24,555
Total for Local Government	75,429
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	-
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	-
Total for REVENUE	228,673

District 8 CY2015	Total CY2015
<b>District Defender: Herman A. Castete</b>	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	37,852
Accrued Leave	-
Payroll Taxes	3,840
Hospitalization and Disability Insurance	-
Retirement	-
Other	1,070
Total for Personnel Services and Benefits	42,762
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	1,591
Total for Travel/Training	1,591
Operating Services	
Advertisements	-
Workers' Compensation	951
Insurance - Malpractice	574
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	7,200
Lease - Auto/Equipment	1,815
Lease - Other	-
Office Repair and Maintenance	2,600
Office - Telephone/Utilities/Postage/Internet	8,459
Dues and Seminars	530
Law Library/Journals/Subscriptions	2,938
Office Supplies	2,411
Total for Operating Services	27,477
Professional Services	
Audit/Accounting Expense	-
Contract Clerical	-
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	4,000
Contract - Juvenile Attorneys or CINC	10,486
Misdemeanor Attorney Contracts	20,467
Contract Attorneys - all other	84,000
IT/Technical Support	1,019
Total for Professional Services	119,972
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	2
Total for Other Charges	2
Total for EXPENDITURES	191,803

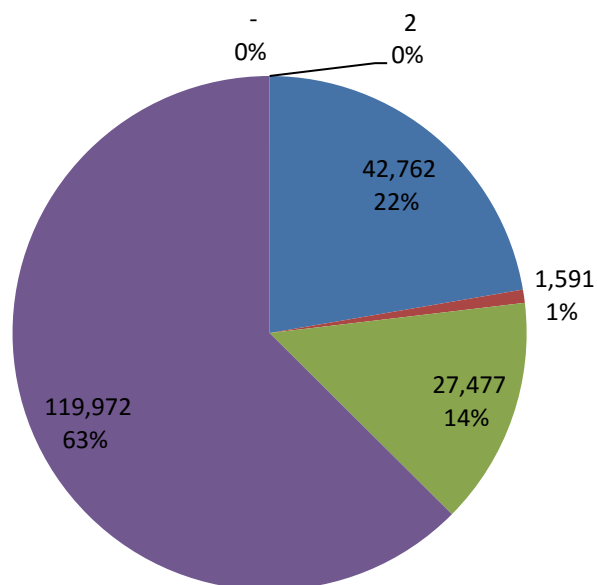
## Total CY15 Revenues

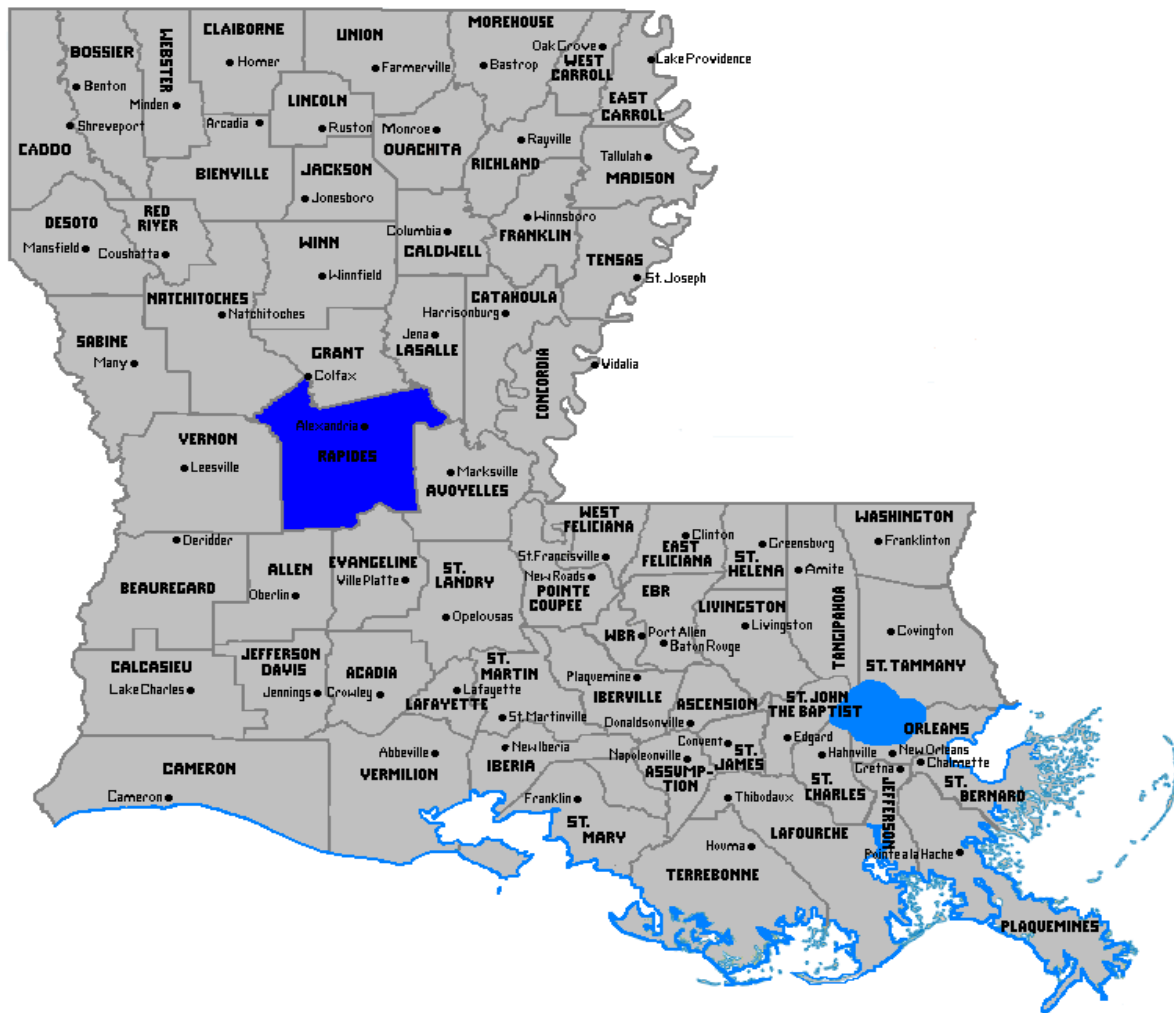
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





THE 9<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDER'S OFFICE  
RAPIDES (ALEXANDRIA)

DISTRICT DEFENDER: TONY TILLMAN- INTERIM  
1115 6<sup>TH</sup> STREET  
ALEXANDRIA, LA 71301  
(318) 443-7082

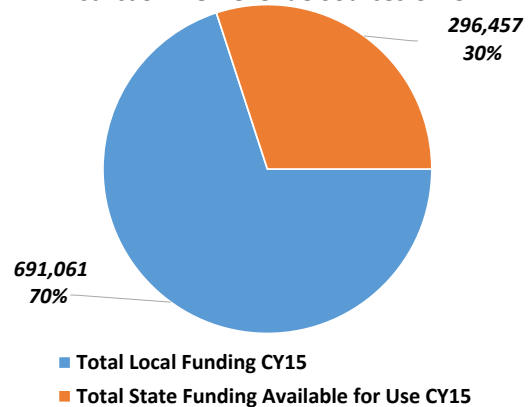
## 9TH JUDICIAL DISTRICT : RAPIDES PARISH

Tony Tillman  
Interim District Defender  
1115 6th Street  
Alexandria, LA 71301  
318-443-7082

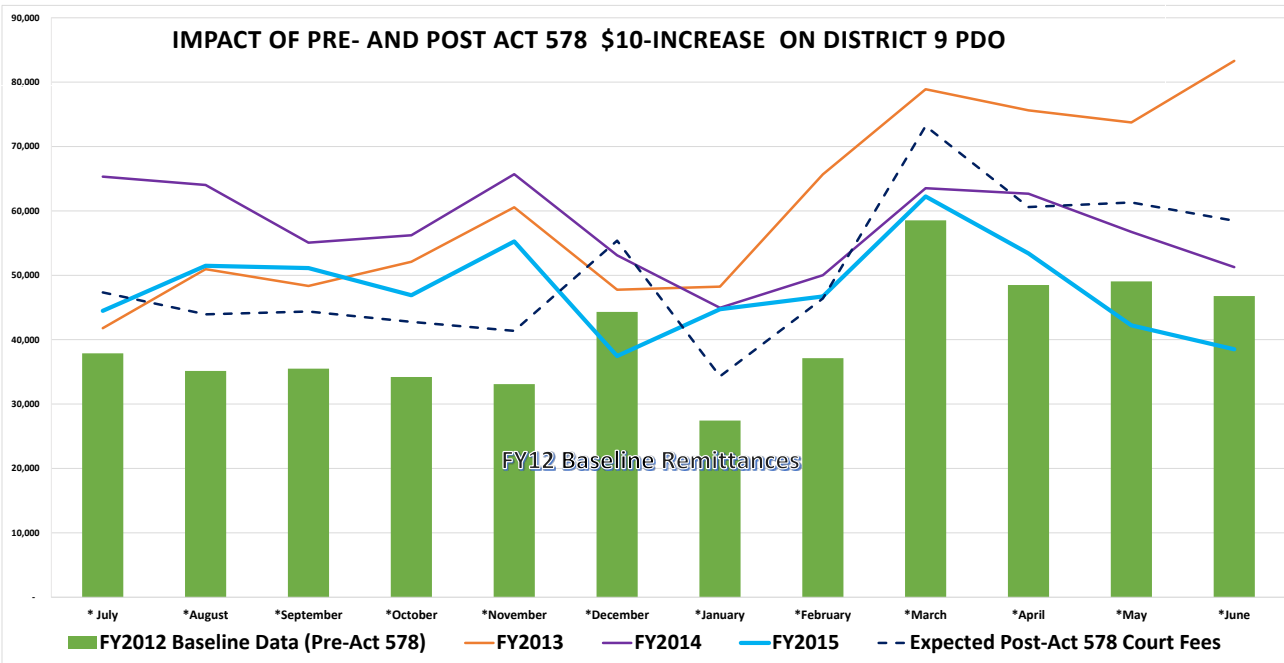
During Calendar Year 2015, the 9th Judicial District Public Defenders Office handled 6,236 cases. The office received \$987,518 in total revenues to handle these cases, approximately 70% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs. Since the inception of Act 578 (2012), local revenues associated with court costs have been unstable and erratic. As shown in the graph below, revenues have often fallen below the 25% expected increase.

The 9th Judicial District office is not currently engaged in deficit spending. However, revenues are largely insufficient resulting in attorney caseloads that exceed client representation standards.

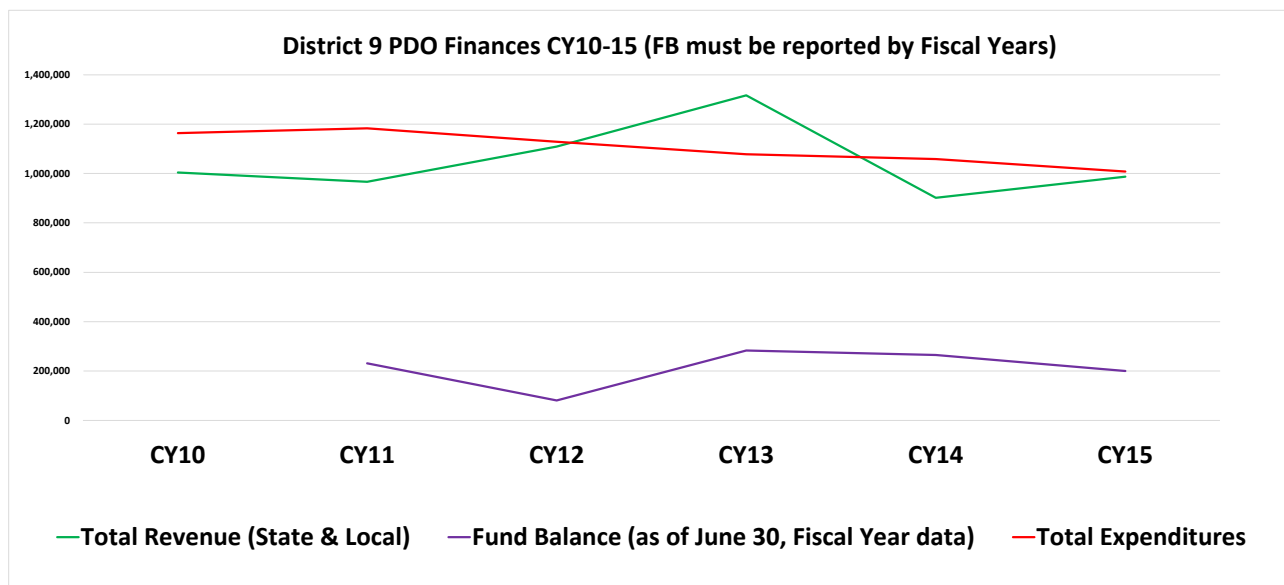
**District 9 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 9 PDO**



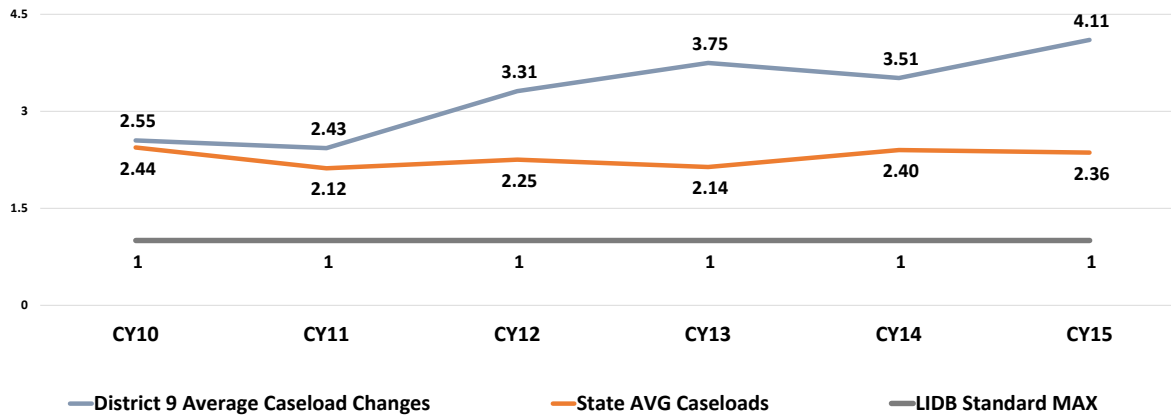
**District 9 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



## 9TH JUDICIAL DISTRICT : RAPIDES PARISH

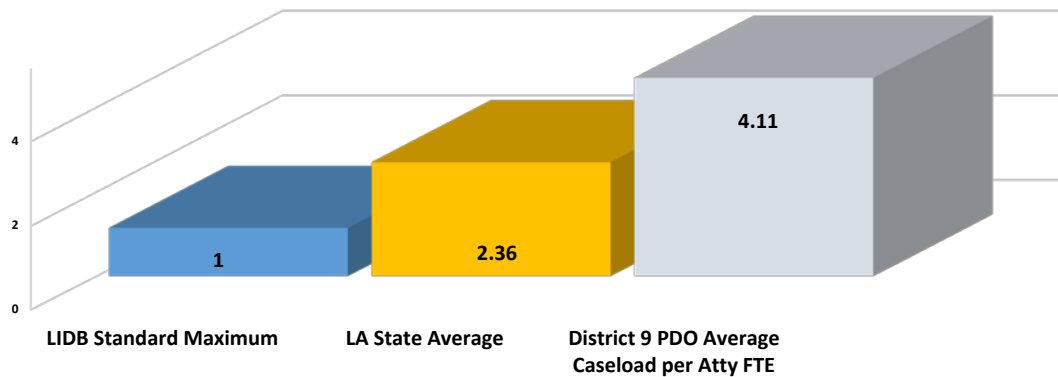
Tony Tillman  
Interim District Defender  
1115 6th Street  
Alexandria, LA 71301  
318-443-7082

District 9 PDO Average Caseload per Atty FTE



In the 9th Judicial District, public defense attorneys maintain caseloads four times the recommended caseload limit for each attorney.

District 9 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 9<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Rapides - Alexandria
<b>Population</b>	132,488
<b>Juvenile Population</b>	33,247
<b>District Defender</b>	Tony Tillman- Interim-Effective 12-01-2015
<b>Years as District Defender</b>	7
<b>Years in Public Defense</b>	33
<b>Office Manager</b>	Debra Warren
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Lindsay Clark; Jessica Martinez; Stephani Thompson; Debra Warren
<b>Primary Office Street Address</b>	1115 6th Street
<b>City</b>	Alexandria
<b>ZIP</b>	71301
<b>Primary Phone</b>	318-443-7082
<b>Primary Mailing Address</b>	P O Box 166 Alexandria, LA 71301
<b>Primary Fax Number</b>	318-443-7085
<b>Primary Emergency Contact</b>	Tony Tillman
<b>Primary Emergency Phone</b>	337-208-5790
<b>Secondary Emergency Contact</b>	Debra Warren
<b>Secondary Emergency Phone</b>	318-443-7082
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	1115 6th St. Alexandria, LA 71301
<b>Other District Office Contact Personnel (Primary Only)</b>	Cecil Bunn, Chief Investigator, (318) 442-8752
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Lyle Guillory
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$1500-Effective 01-01-2016
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	No. Payne, Moore & Herrington
<b>Courts and Locations</b>	Ninth Judicial District Court, Rapides Parish, Alexandria; Alexandria City Court; Pineville City Court; Ninth Judicial District Juvenile Court.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	9th Judicial District Court – 2, 1 Standby Court for Extra Trials; Alexandria City Court - 1; Pineville City Court – 1.



<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Felony attorneys are appointed counsel on a rotated basis. Misdemeanor attorneys are appointed counsel on a rotated basis where necessary and also appointed at court during arraignment; Juvenile cases are appointed by type to individual juvenile attorneys specifically assigned by Jessica Martinez.
<b>Name of Adult Detention Facilities in This District</b>	DC-1, Rapides Courthouse, Murray Street, Alexandria; DC-3, 7400 Academy Drive, Alexandria.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None other than DOC facilities.
<b>Name of Juvenile Detention Facilities In This District</b>	Renaissance Home for Youth - 6177 Bayou Rapides Road, Alexandria
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, it makes visitation and communication with the clients harder but not impossible. As of budget it just cost more to communicate than having to use more postage. Especially when clients are moved to other parishes for charges in those jurisdictions.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Only when we have to drive to conduct an interview. Sometimes it necessitates written correspondence.
<b>District Attorney</b>	Phillip Terrell
<b>Chief Judge of Criminal District Court</b>	Hon. Patricia Koch
<b>Juvenile Court Judges (Specify District or City Court)</b>	Hon. J. Davidson
<b>Drug Court Judges</b>	Hon M. Doggett
<b>Mental Health Court Judges</b>	Hon. Patricia Koch
<b>Other Specialty Court</b>	Yes.
<b>Name of Specialty and Brief Description:</b>	Juvenile Drug Court, Hon J. Davidson is the judge for this court. It is for juveniles who are dealing with drug abuse and helps with giving the skills that they need to live productive drug free lives.
<b>Indigency Determined by Whom and How?</b>	Tony Tillman; Jessica Martinez; Debra Warren
<b>When is Assignment/Appointment of Counsel Made?</b>	At the 230.1 Hearing in the jail when interviewed by our investigator. Those application are then brought back to the office and then inputted into the system. If application wasn't made at that time then when the client makes application at the office.
<b>What steps does your office take to ensure conflict – free representation</b>	During interview clients are asked if they were arrested with anyone or if they have any co defendants we then make a note so that at the time of appointment they won't be assigned same attorney.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Lindsay Clark Intake/Data Clerk; Jessica Martinez Juvenile Intake/Data Clerk; Anthony Collins Intake/Data Clerk. District Defender doesn't do intake unless it is to resolve a conflict.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes

<b>Brief Explanation of Intake Process</b>	At the 230.1 Hearing in the jail when interviewed by our investigator. Those application are then brought back to the office and then inputted into the system. If application wasn't made at that time then when the client makes application at the office.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	Unknown at this time. Although a plan has been implemented at this time.
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	77,224.34 This also includes the Partial reimbursement.
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	530,532
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	We receive monthly documentation total, but not individual listing from all three courts.
<b>Who Collects the Assessed Court Fees?</b>	The Sheriff in 9th J.D.; the City Marshall in Alex Cty Ct; the Clerk in Pineville City Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	The Sheriff in 9th J.D.; the City Marshall in Alex Cty Ct; the Clerk in Pineville City Court.
<b>Who Remits the Court Fees Collected?</b>	The Sheriff in 9th J.D.; the City Marshall in Alex Cty Ct; the Clerk in Pineville City Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The Sheriff in 9th J.D.; the City Marshall in Alex Cty Ct; the Clerk in Pineville City Court.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	This is determined by the Judge at sentencing and amounts can vary depending on each case.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	This information is then obtained by pulling the plea agreement forms or minutes from the Rapids Clerk of Court.
<b>Who Collects the Assessed Partial Payments?</b>	This office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	When clients come in to make payment they receive a receipt from us then the payment is then put in the Data Defender. A report can then be printed off of the system.
<b>Who Remits the Partial Payments Collected?</b>	This office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	When clients come in to pay a receipt is given then the amount is then recorded in the Defender Data. Where a monthly report can then be printed off of the system.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	77,224.34 This includes Application fee also.

<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Yes it is in writing; i.e. their contract
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Need funding for updating computer or new computer; new office phones and office equipment also furniture.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes, DA has been aggressively doing PTI - has potential to drastically reduced income.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Increase of DAF
<b>Long-Term Critical Issue Areas</b>	Retaining enough capital attorneys on staff so we do not have to go outside the district.
<b>Please List All New Hires in 2015 (Name and Title)</b>	Lindsey Clark; Stephani Thompson
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	Need to hire at least one additional Juvenile and Misdemeanor attorney.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	This year their LACDL dues are paid which includes 6 CLE credits. We also plan to have monthly in services with all the attorneys and staff.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes, Handbooks – Supplemented as new policies or revisions of policies occur.
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Sam Giordano- Misd Currently none for Felony or Juvenile. Will need to be addressed with new District Defender.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	None

<b>Please Attach Your Office Organizational Chart</b>	Attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No. Only workmen's compensation coverage for attorney and staff.
<b>Regular Meetings for Any Staff, Please Describe</b>	Monthly In Service
<b>Number of NEW capital cases in CY15 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	0
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	2
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None.
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Rep. Hazel, Harris, Hall; Senators Gallot, Kostelka, Long, Riser
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Need for more cooperation with other stake holders.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	None at this time if any is to be changed new District Defender would do this.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Bridgett Brown	318-443-9000
Mahogany Watkins	318-442-6251
Michael Jeansonne	318-290-3240
Sam Giordano	318-445-5567
Earl Vassar	318-715-2630
Ronald Collins	318-769-1111
Joseph Kutch	318-448-6155
J. Marc Lampert	318-445-4528
Shelby Bohannon	318-445-7477
Darryl Hickman	318-448-6353
Allen Smith	318-448-3234
Camille Giordano	318-445-5567
Tiffany Sanders	318-443-9080

<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Martinez, Jessica	318-443-7082
Bunn, Cecil	318-443-7082
Debra Warren	318-443-7082
Lindsay Clark	318-443-7082
Stephani Thompson	318-443-7082

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Jennifer Prewitt
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	9
Laptops	2
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	
Color Printers	3
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	Projector and screen; also lease 2 copiers from Sayes Office Supplies
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	Suddenlink
Email Provider:	None
Please list any software or computer equipment in which you need training:	

## 9th District Defender Office CY 2015 Caseloads & Outcomes

(Note that given the recent change in Management, some cases may not be reported as of 1/08/2016)

Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	15	1	1	16	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	122	99	77	199	0	72	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
Termination	38	23	10	48	21	3	N/A	N/A	6	N/A	N/A	N/A	N/A	N/A	0
FINS	30	34	13	43	N/A	N/A	0	0	7	9	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	26	19	3	29	N/A	N/A	14	0	11	2	N/A	N/A	0	0	0
Delinquency Felony	113	105	36	149	N/A	N/A	127	13	38	17	N/A	N/A	0	2	2
Delinquency-Life	1	0	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	2080	1834	322	2402	N/A	N/A	1005	88	932	53	0	0	0	2	2
Adult Felony Non-LWOP**	2102	1597	990	3092	N/A	N/A	610	254	1249	0	0	4	0	5	9
Adult LWOP	34	36	37	71	N/A	N/A	11	14	42	0	0	0	0	1	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	176	106	8	184	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	2	0	0	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

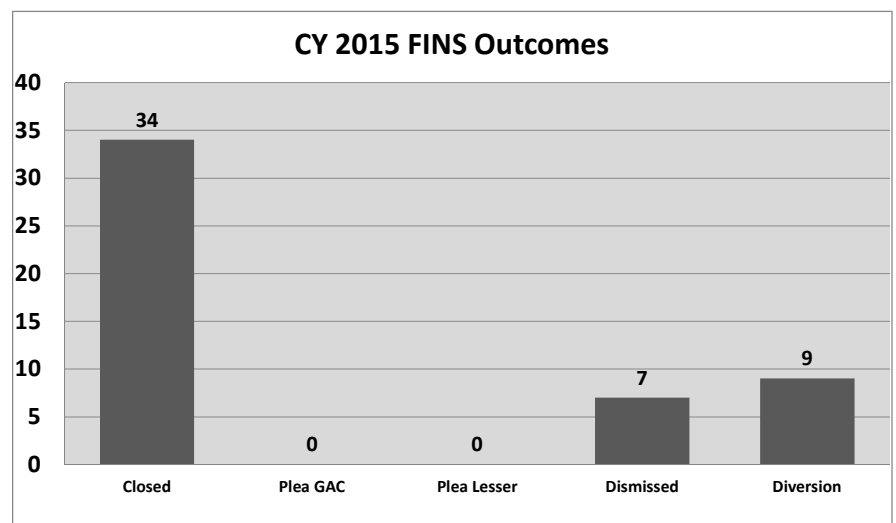
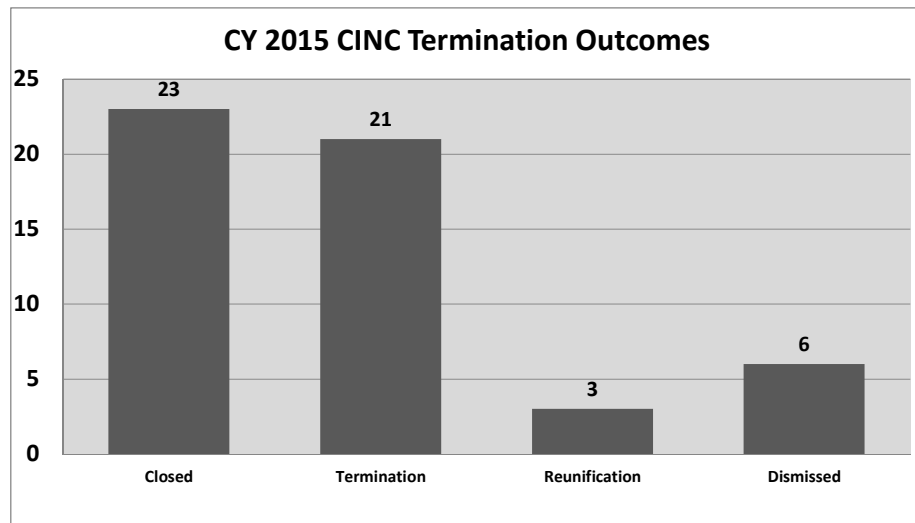
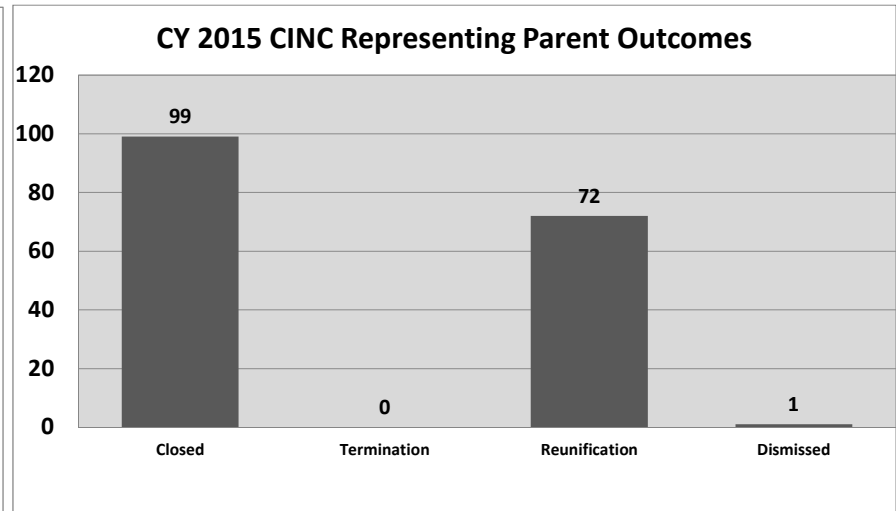
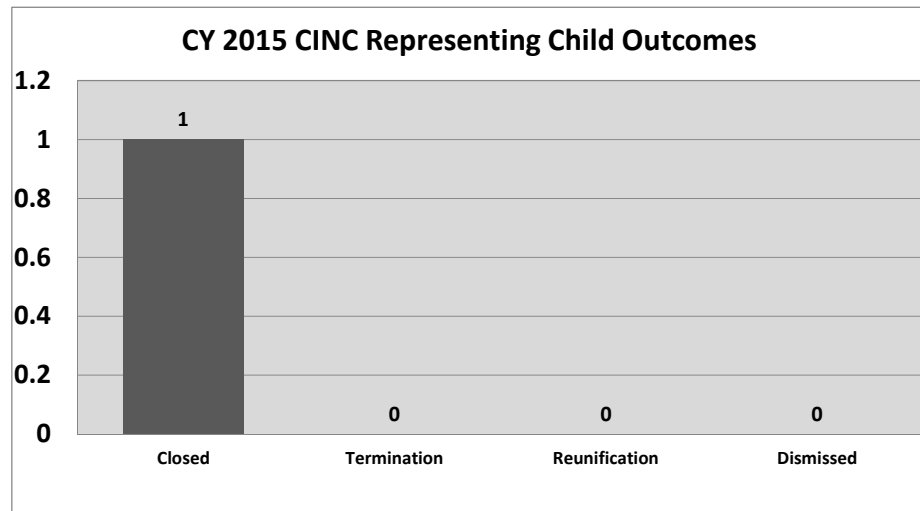
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

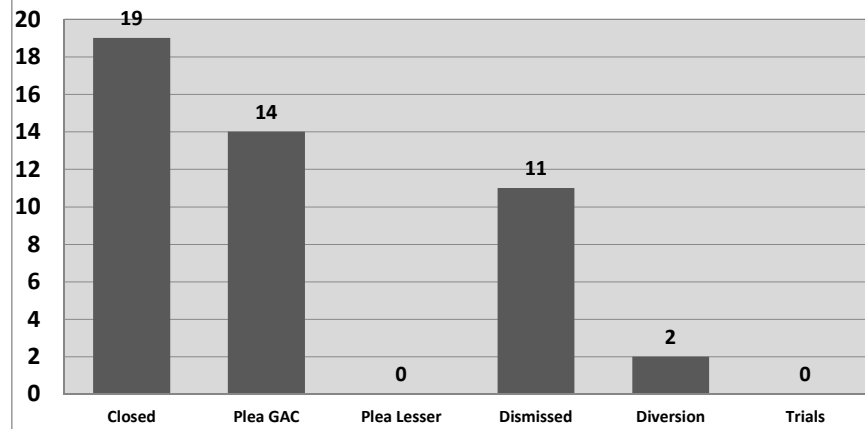
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

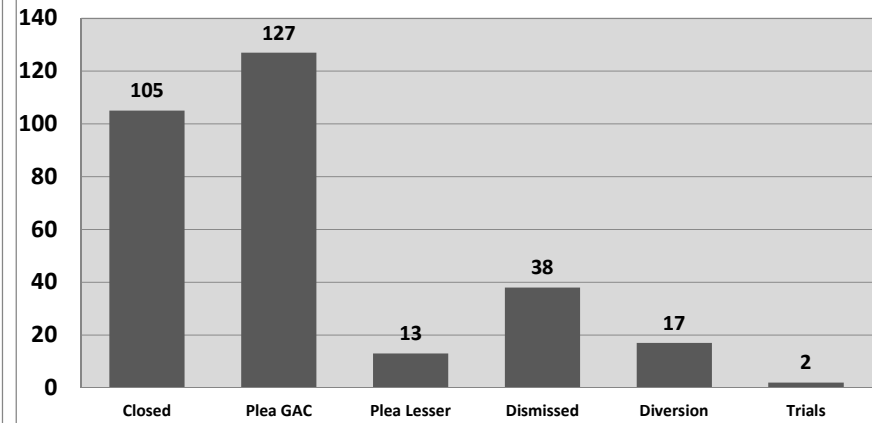




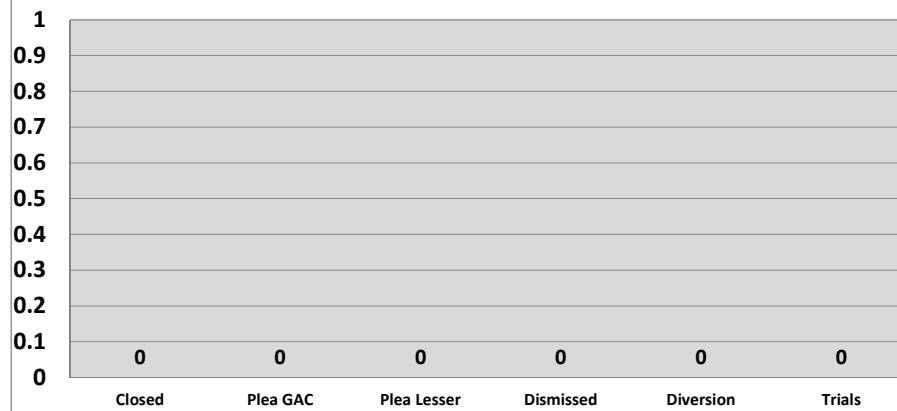
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



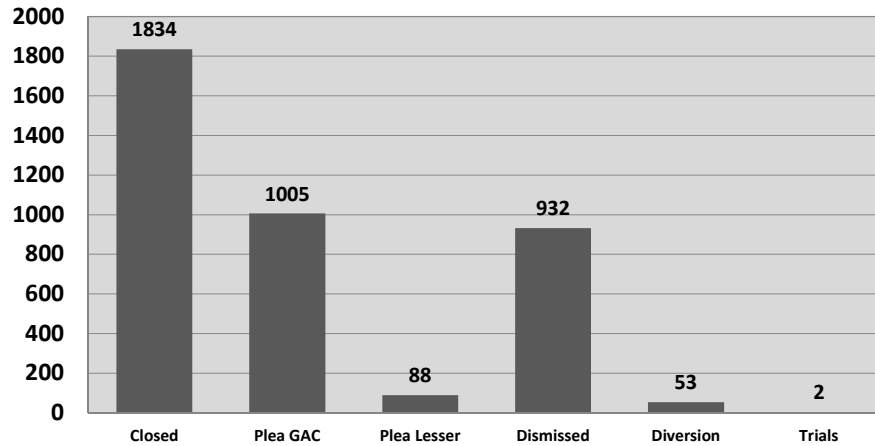
**CY 2015 Delinquency Felony-Grade Outcomes**



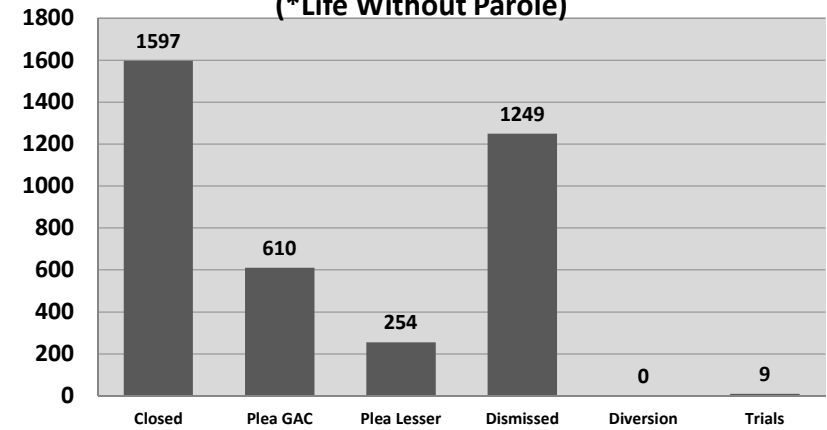
**CY 2015 Delinquency Life Outcomes**



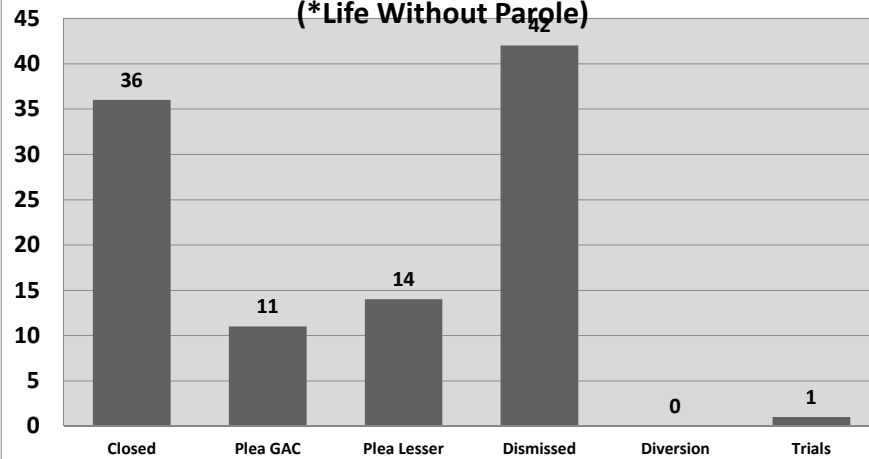
**CY 2015 Adult Misdemeanor Outcomes**



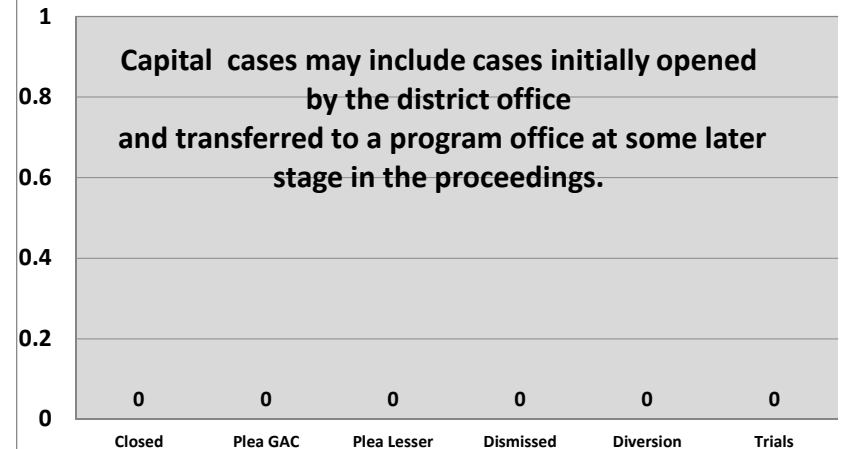
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

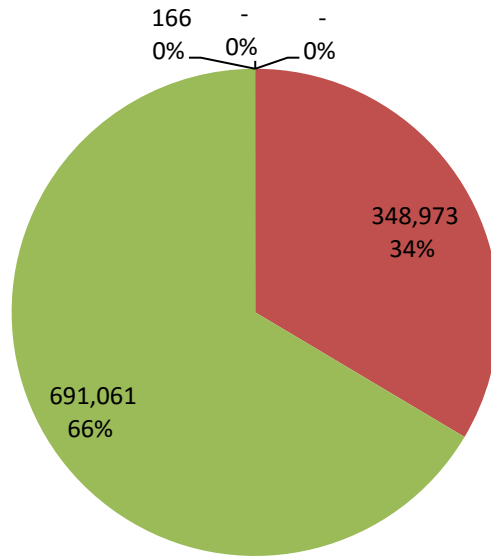


District 9 CY2015	Total CY2015
<b>District Defender: Tony Tillman, Interim</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	78,093
District Assistance Fund (DAF)	266,180
Supplemental/Emergency Funds	-
Grants	4,700
Other State Income -List source(s)	-
Total for State Government	348,973
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	80,919
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	167,179
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	577
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	329,326
Parish Courts	33,451
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	530,532
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	77,224
Partial Attorney Fees	
Reimbursements [as per 15:176]	2,385
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	79,609
Total for Local Government	691,061
Investment Earnings	
Interest Income	166
Other Investment Income - List source(s)	-
Total for Investment Earnings	166
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	-
Total for REVENUE	1,040,199

District 9 CY2015	Total CY2015
District Defender: Tony Tillman, Interim	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	338,846
Accrued Leave	-
Payroll Taxes	6,506
Hospitalization and Disability Insurance	-
Retirement	44,560
Other	-
Total for Personnel Services and Benefits	389,912
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	451
Total for Travel/Training	451
Operating Services	
Advertisements	60
Workers' Compensation	1,291
Insurance - Malpractice	18,908
Insurance - Auto/Physical Liability	-
Insurance - Other	381
Lease - Office	16,200
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	18,857
Dues and Seminars	2,070
Law Library/Journals/Subscriptions	79
Office Supplies	15,092
Total for Operating Services	72,937
Professional Services	
Audit/Accounting Expense	20,500
Contract Clerical	-
Expert Witness	5,182
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	100,600
Misdemeanor Attorney Contracts	93,345
Contract Attorneys - all other	325,017
IT/Technical Support	-
Total for Professional Services	544,644
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
Total for EXPENDITURES	1,007,945

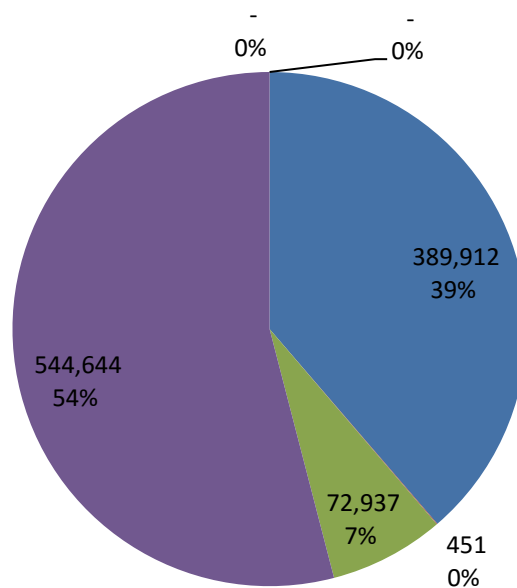
## Total CY15 Revenues

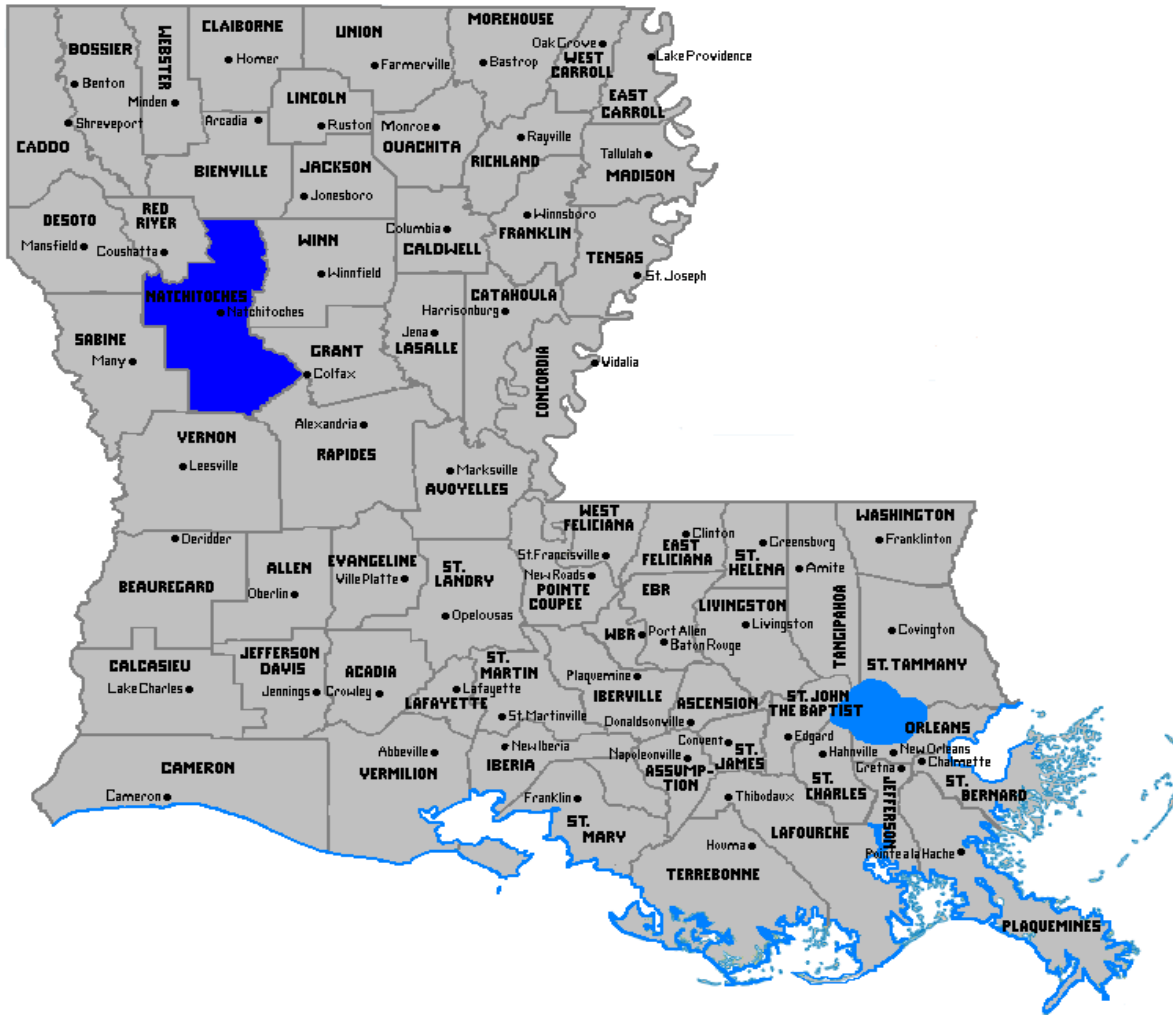
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





# THE 10<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

NATCHITOCHES (NATCHITOCHES)

DISTRICT DEFENDER: BRETT BRUNSON  
710 THIRD STREET  
NATCHITOCHES, LA 71457  
(318) 352-9311

# 10TH JUDICIAL DISTRICT : NATCHITOCHE PARISH

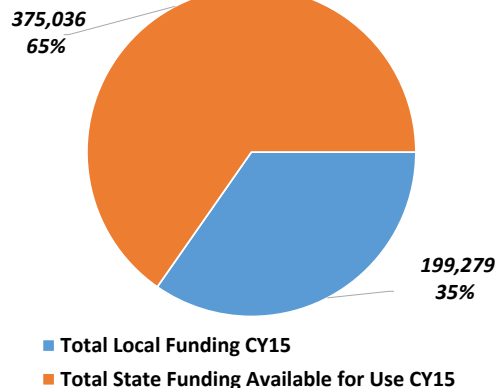
Brett Brunson  
District Defender  
710 Third Street  
Natchitoches, LA 71457  
318-352-9311

During Calendar Year 2015, the 10th Judicial District Public Defenders Office handled 1,554 cases. The office received \$574,315 in total revenues to handle these cases. As local funding is largely insufficient, approximately 65% of revenues came from state funding.

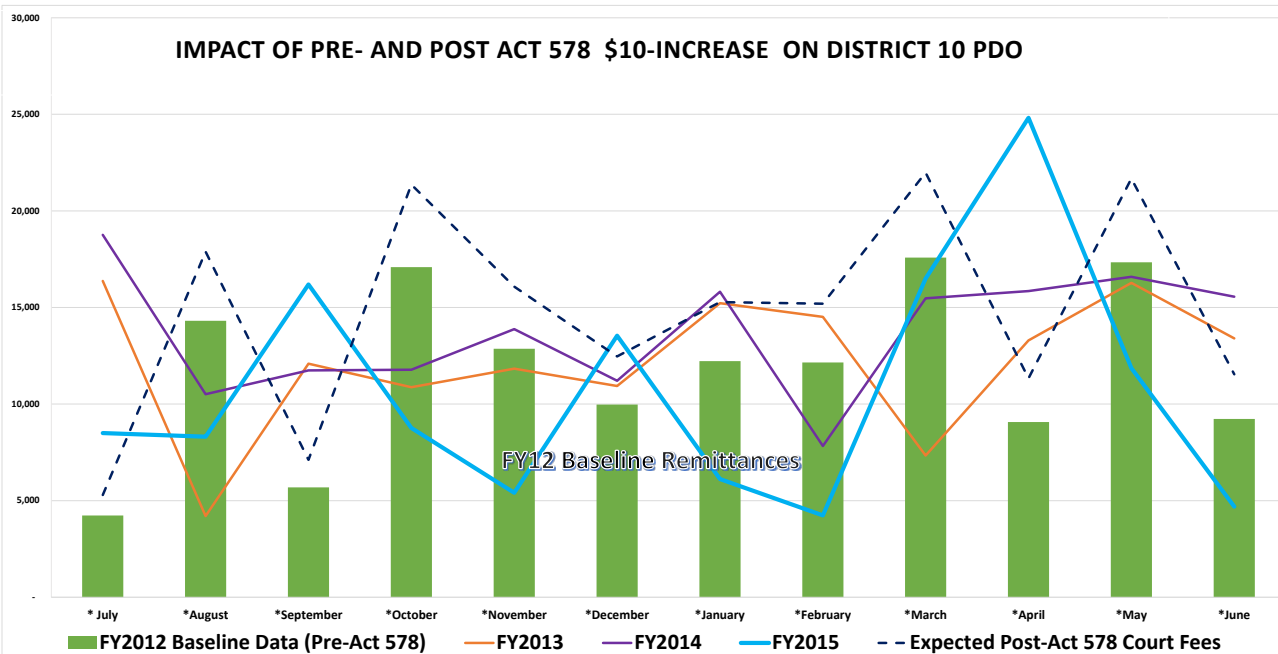
Since the inception of Act 578 (2012), local revenues associated with court costs have been unstable and erratic. As shown in the graph below, revenues have fallen below the 25% expected increase fifty percent of the time.

The 10th Judicial District office nearly exhausted its fund balance, however through proper fiscal stewardship and increased revenues the office was able to avoid insolvency and is now slightly accruing a fund balance.

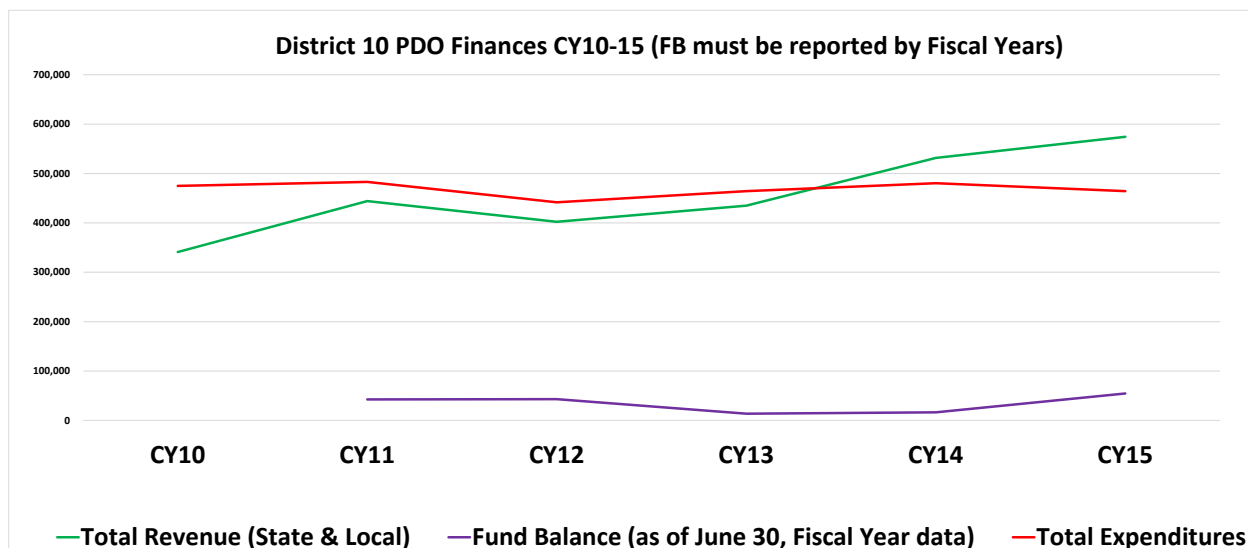
**District 10 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 10 PDO**



**District 10 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**

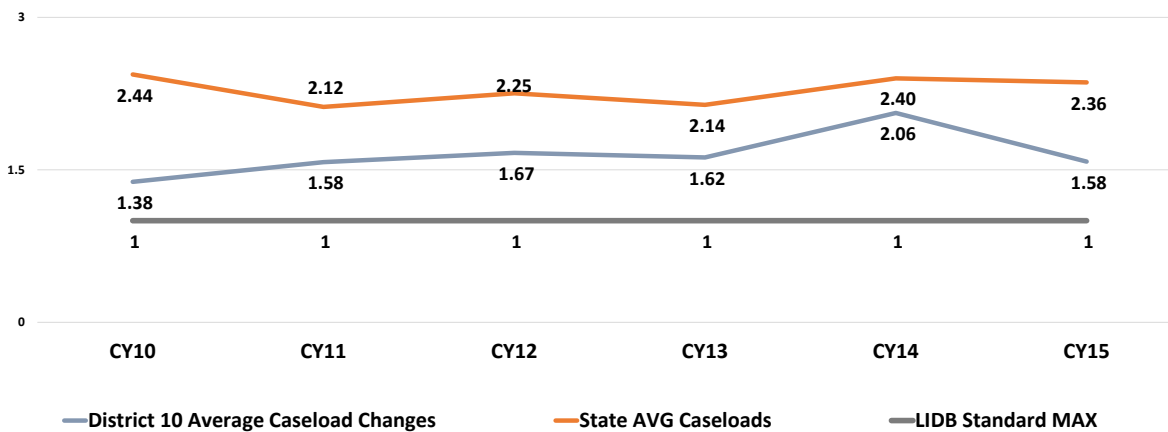




# 10TH JUDICIAL DISTRICT : NATCHITOCHE PARISH

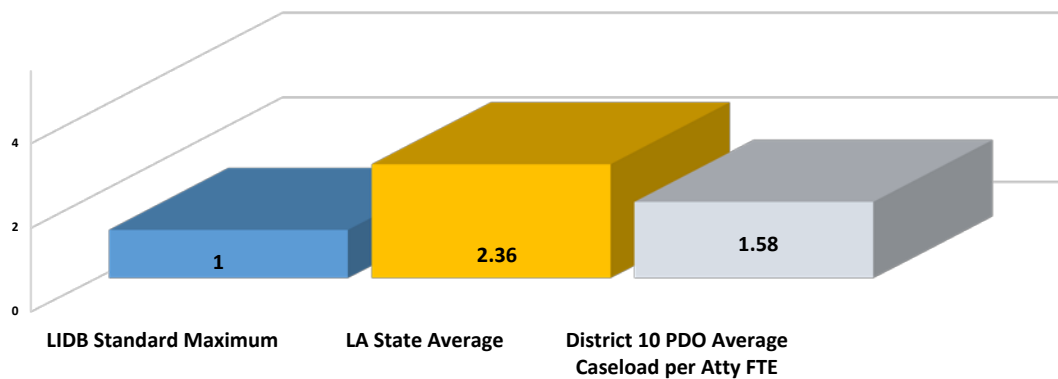
Brett Brunson  
District Defender  
710 Third Street  
Natchitoches, LA 71457  
318-352-9311

District 10 PDO Average Caseload per Atty FTE



In the 10th Judicial District, public defense attorneys maintain caseloads which exceed the recommended caseload limit for each attorney.

District 10 PDO Average Caseloads Compared to State Average & State Standard Maximums



## CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 10TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Natchitoches - Natchitoches
<b>Population</b>	39,566
<b>Juvenile Population</b>	9,600
<b>District Defender</b>	Brett Brunson
<b>Years as District Defender</b>	8.5
<b>Years in Public Defense</b>	13.5
<b>Office Manager</b>	Alice Martin
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Alice Martin, Office Manager and Morgan Washington, file clerk.
<b>Primary Office Street Address</b>	710 Third Street
<b>City</b>	Natchitoches
<b>ZIP</b>	71457
<b>Primary Phone</b>	318-352-9311
<b>Primary Mailing Address</b>	PO Box 12, Natchitoches, LA 71458
<b>Primary Fax Number</b>	318-352-8019
<b>Primary Emergency Contact</b>	Brett Brunson
<b>Primary Emergency Phone</b>	318-471-9806 - cell
<b>Secondary Emergency Contact</b>	Alice Martin
<b>Secondary Emergency Phone</b>	318-663-4522 - cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	McCoy, Roberts & Begnaud, L.L.C.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,600
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Rozier, Harrington & McKay, CPAs
<b>Courts and Locations</b>	10th Judicial District Court, Natchitoches Parish, 200 Church Street, Natchitoches, 71457; Natchitoches City Court, 314 Amulet Street, Natchitoches, 71457.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	3 - 2 District Court Division and 1 City Court
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Judges forward assignment requests to the PDO and PDO assigns contract attorneys. Volunteers are appointed in CINC and a few juvenile cases.
<b>Name of Adult Detention Facilities in This District</b>	Natchitoches Parish Detention Center, 299 Edwina Drive, Natchitoches, LA, 71457

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles Parish Detention Center, Richland Parish Jail.
<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center, Rt.1 Box 6000 (Hwy 71), Coushatta, LA 71019
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Client contact is less frequent and more costly due to travel expenses. We receive tardy notifications of out-of-parish detainment.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes. At request of counsel, they allow removal.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Van H. Kyzar
<b>Chief Judge of Criminal District Court</b>	Desiree Duhon Dyess
<b>Juvenile Court Judges (Specify District of City Court)</b>	Lala Sylvester
<b>Drug Court Judges</b>	Yes. Lala Sylvester
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	Yes. Fred Gahagan
<b>Name of Specialty and Brief Description:</b>	City Court - Adult Misdemeanor, FINS, CINC, and Juvenile Delinquency
<b>Indigency Determined by Whom and How?</b>	Administrator - application is reviewed and determination is made using the Annual Federal Poverty Guidelines. (200%)
<b>When is Assignment/Appointment of Counsel Made?</b>	If incarcerated, after 72-hour hearing; If out on bond, at arraignment
<b>What steps does your office take to ensure conflict – free representation</b>	Search of database for information re: prior appointments and co-defendant representation.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Alice Martin, Administrator
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Application is reviewed and determination is made using the Annual Federal Poverty Guidelines. (200%)
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	459
<b>How Many Application Fees Were Waived?</b>	None / Fee is always requested, but not always received.
<b>How Many Application Fees Were Reduced?</b>	None / they are given an option to pay in increments.
<b>Total Application Fee Dollars Collected in 2015</b>	6,345
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	143,645

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	They say they do, but we have observed multiple cases in which they did not. Usually those involving multiple year sentences to hard labor.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	None
<b>Who Collects the Assessed Court Fees?</b>	Sheriff & City Marshall
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Itemized Lists
<b>Who Remits the Court Fees Collected?</b>	Sheriff & City Marshall
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Itemized Lists
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	When the client is between 100% and 200% of the federal poverty guidelines, we request the court to impose a partial reimbursement. We are sending an order to the judge at arraignment, but only a few have been ordered to pay to date.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	PDO if it is imposed at arraignment. City Marshall and Sheriff if it is imposed as part of a sentence.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	City Marshall and Sheriff.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The payments are listed on the itemization and we have to distinguish between them and the \$35 assessments.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	2,000
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted. The District Defender is the only full time employee who does not represent other clients. Other attorneys are part-time contract attorneys and would not contract if they gave up private practice to do so.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Stable funding.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No. Unless our DAF is reduced.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No. But we are losing our investigator in January 2015 and are unable to replace him. Kem Jones.
<b>Immediate Critical Issue Areas</b>	Lack of reserve funds. Lack of stable revenue.

<b>Long-Term Critical Issue Areas</b>	Funding
<b>Please List All New Hires in 2015 (Name and Title)</b>	Howard Conday, contract attorney to replace Verity Bell
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	May, 2015, David Williams and Howard Conday got a not guilty verdict in a 2nd Degree Murder case. Both received LACDL Blackstone Awards. Case described last year is not being prosecuted. Kathryn Cooper received LACDL President's Award. Brett Brunson completed term as LACDL President.
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	All. New attorney is sent to LPDB, LPDA or LACDL seminars. I suggest hearings and trials to observe. I get them experience with misdemeanors and then appoint them as co-counsel with me to learn how to handle felony matters. I provide resources and advice.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	We are small, so I directly supervise all staff and contract attorneys.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	N/A 1 Full Time Employee
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No written policy, but as the only supervisory staff, the District Defender attends most court dates and observes and assists contract attorneys. All attorneys are experienced enough to handle serious felony trials. We use a team approach to jury trials, with at least two attorneys.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No.
<b>Regular Meetings for Any Staff, Please Describe</b>	Monthly meetings with all staff. LPDB meetings. Regional District Defender Meetings and LACDL Board Meetings and phone conferences.
<b>Number of NEW capital cases in CY15 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	0
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	2
<b>Number of Writs Your District Handled in 2015</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0

<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	N/A
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Gerald Long, State Senator; Kenny Cox, State Representative
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	We implemented a rotating schedule for contract attorneys to attend 72 hr. hearings and encourage them to see their clients at the Detention Center when they are out there. The District Defender has assisted contract attorneys in preparing for trial and trying cases. We have encouraged a team approach to trial preparation, particularly crime scene investigation and voir dire preparation. I share important court decisions and helpful information from the LACDL list serve with all attorneys. I continue to participate in the District Defender Group started several years ago to gain insight into what other districts are doing and to share that with our attorneys. I have tried to more closely monitor local funding, following a precipitous decline in funding last summer. I have met with the judges, DA, LPDB staff and other District Defenders in an effort to address the problem and increase local funding.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Ted Brett Brunson	318-352-9311
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Jason Methvin	318-352-7272
Kathryn Widhalm	318-352-9311
Howard Conday	318-481-0756
David Williams	318-792-2583
Edward Colbert	318-471-6692
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Charles Whitehead, III	318-352-6481
Alice Martin	318-352-9311

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Brett Brunson
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b>Operating Systems Used:</b>	
Windows 10	
Windows 8	
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b>Case Management System(s): Check all that apply</b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b>Productivity Suites Used:</b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b>Accounting Software</b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	Client Bookkeeping Solutions
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	x
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	3 provided by the District Defender
Laptops	
Video Cameras	
Digital Cameras	2
Video Conferencing Systems	1
B&W Laser Printers	2
Color Printers	1
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	cp-tel
Email Provider:	cp-tel
Please list any software or computer equipment in which you need training:	



## 10th District Defender Office CY 2015 Caseloads & Outcomes

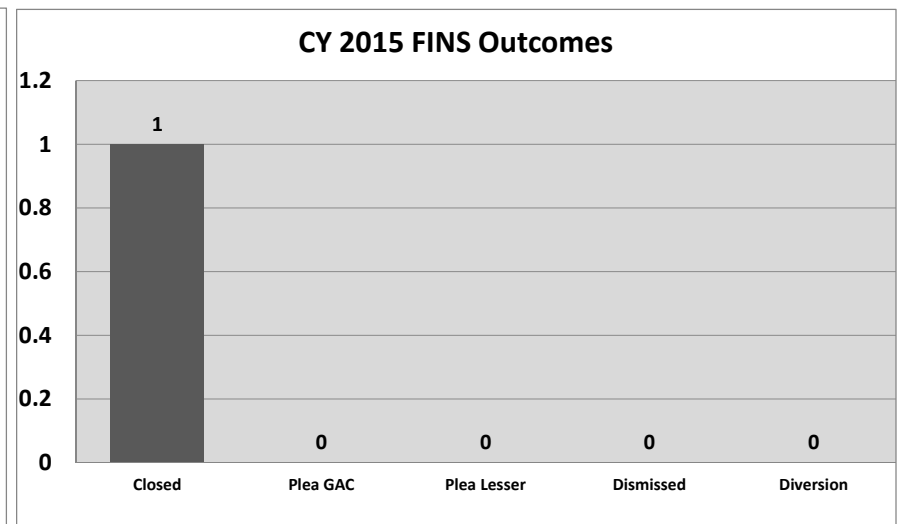
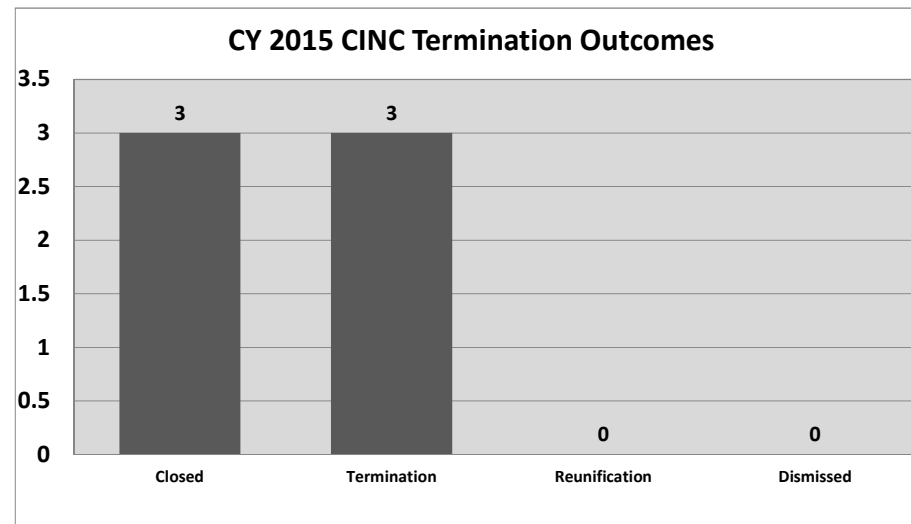
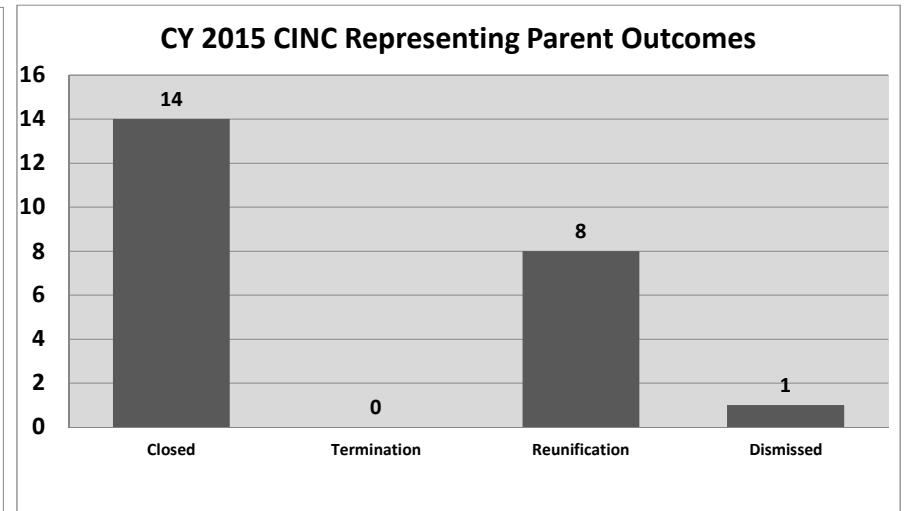
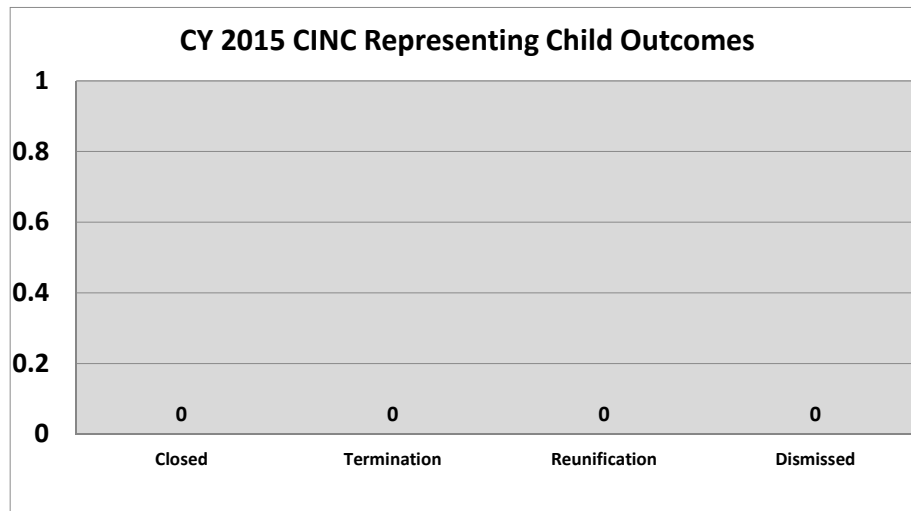
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	22	14	16	38	0	8	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
Termination	3	3	0	3	3	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	2	1	1	3	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	39	29	13	52	N/A	N/A	3	1	27	8	N/A	N/A	0	0	0
Delinquency Felony	19	12	2	21	N/A	N/A	0	2	17	6	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	227	191	103	330	N/A	N/A	39	12	210	32	0	1	0	0	1
Adult Felony Non-LWOP**	654	423	360	1014	N/A	N/A	82	53	592	46	0	1	0	3	4
Adult LWOP	0	4	7	7	N/A	N/A	0	2	3	0	1	0	0	0	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	69	55	17	86	N/A	N/A	3	0	24	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

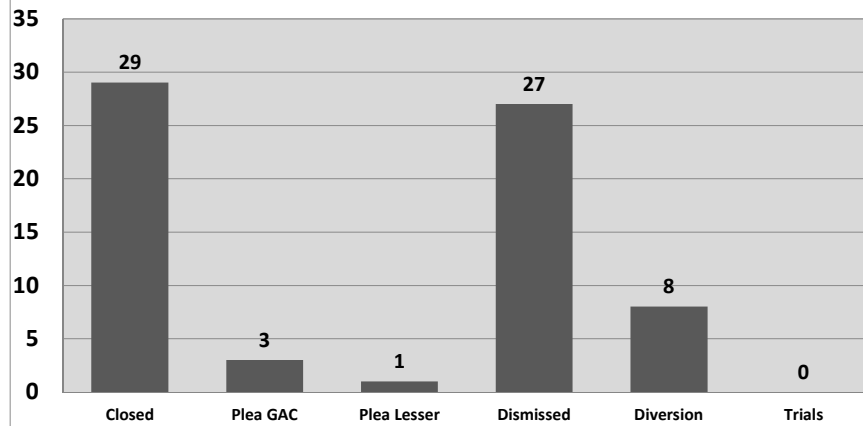
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

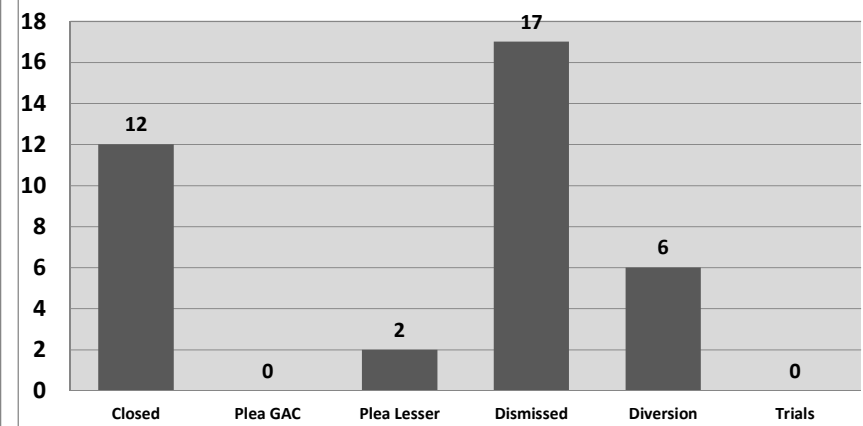
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



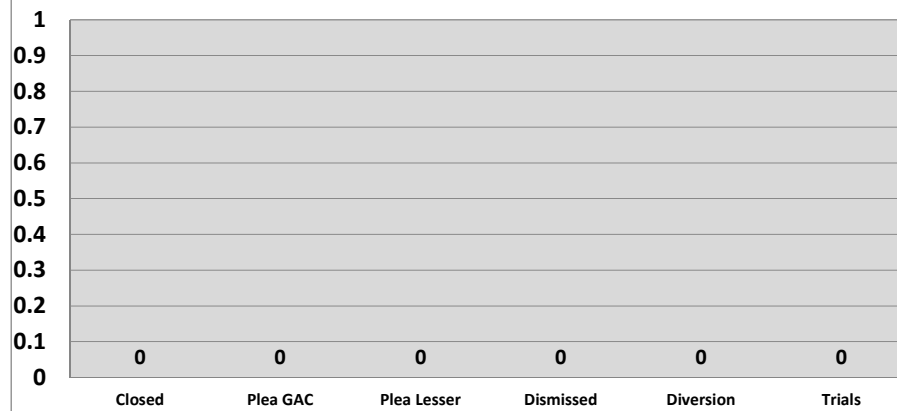
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



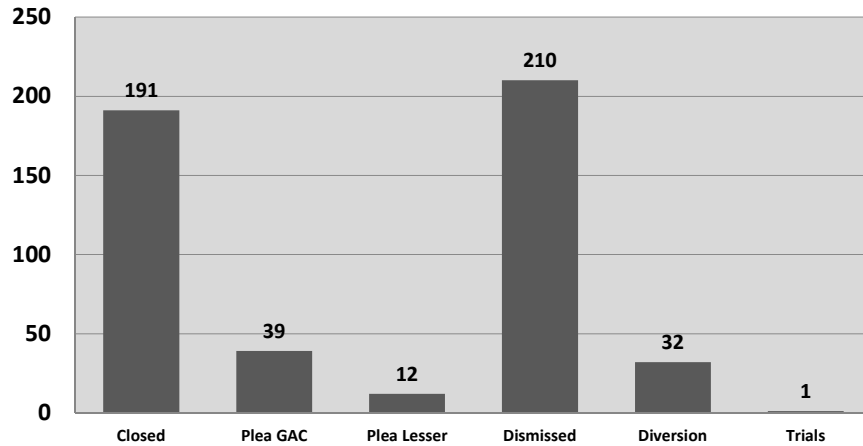
**CY 2015 Delinquency Felony-Grade Outcomes**



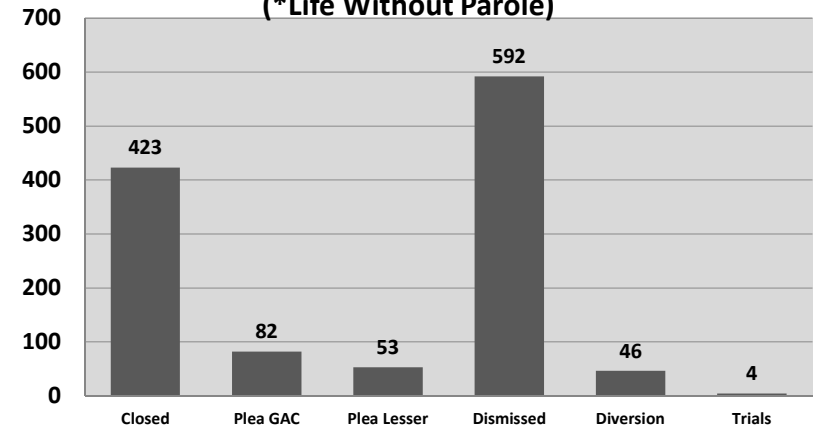
**CY 2015 Delinquency Life Outcomes**



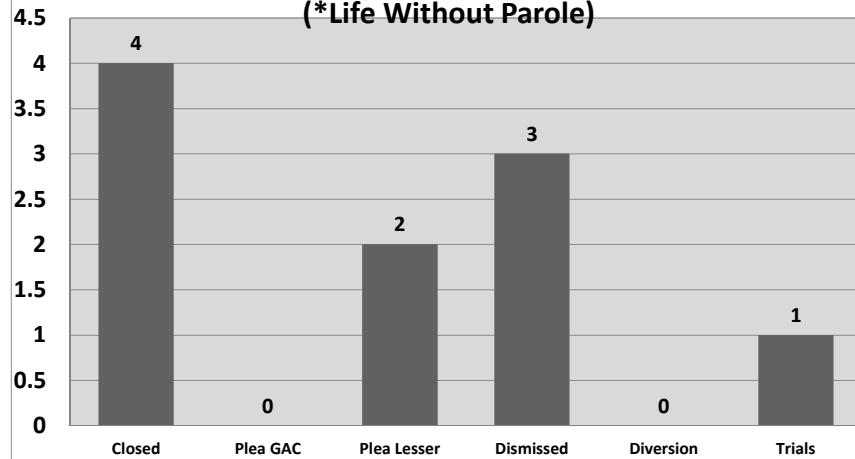
**CY 2015 Adult Misdemeanor Outcomes**



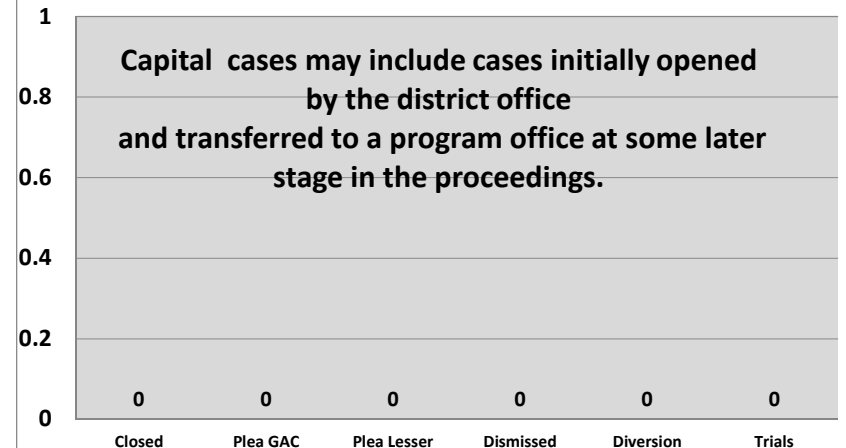
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

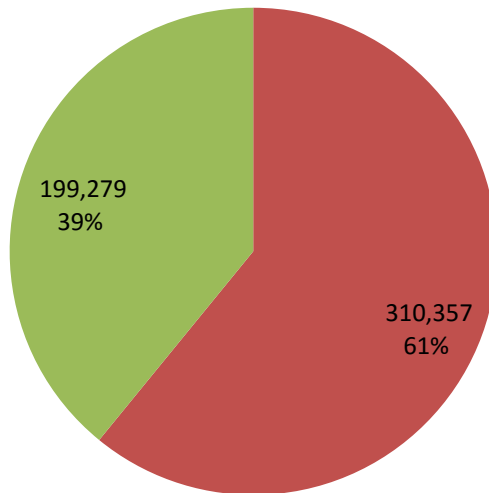


District 10 CY2015	Total CY2015
District Defender: Brett Bunson	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	4,897
District Assistance Fund (DAF)	176,101
Supplemental/Emergency Funds	129,359
Grants	-
Other State Income -List source(s)	-
Total for State Government	310,357
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	14,125
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	3,015
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	78,375
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	65,270
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	143,645
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	6,345
Partial Attorney Fees	
Reimbursements [as per 15:176]	2,000
Other Reimbursements	-
Other Local Income -List source(s)	30,148
Total for Charges For Services	38,493
Total for Local Government	199,279
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	509,636

District 10 CY2015	Total CY2015
District Defender: Brett Bunson	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	132,814
Accrued Leave	-
Payroll Taxes	10,160
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	142,974
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	2,940
Total for Travel/Training	2,940
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	7,584
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	12,000
Lease - Auto/Equipment	1,237
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	8,039
Dues and Seminars	4,760
Law Library/Journals/Subscriptions	-
Office Supplies	515
Total for Operating Services	34,135
Professional Services	
Audit/Accounting Expense	6,207
Contract Clerical	25,200
Expert Witness	400
Investigators	1,250
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	4,100
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	12,000
Contract Attorneys - all other	235,000
IT/Technical Support	-
Total for Professional Services	284,157
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	94
Total for Other Charges	94
Total for EXPENDITURES	464,300

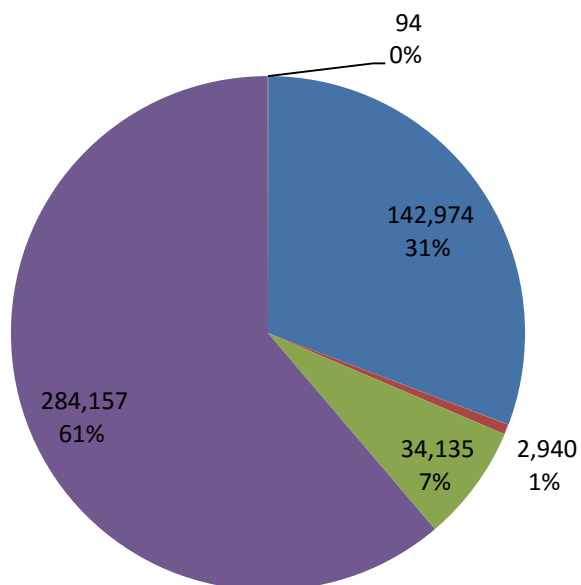
## Total CY15 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges







## 11TH JUDICIAL DISTRICT : SABINE PARISH

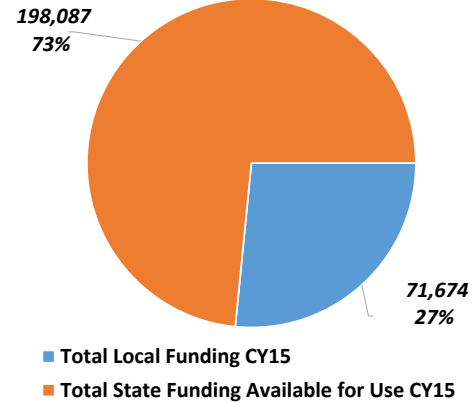
Steven R. Thomas  
District Defender  
111 North Washington  
Mansfield, LA 71052  
318-872-6250

During Calendar Year 2015, the 11th Judicial District Public Defenders Office handled 1,521 cases. The office received \$269,761 in total revenues to handle these cases. As local funding is largely insufficient, approximately 73% of revenues came from state funding.

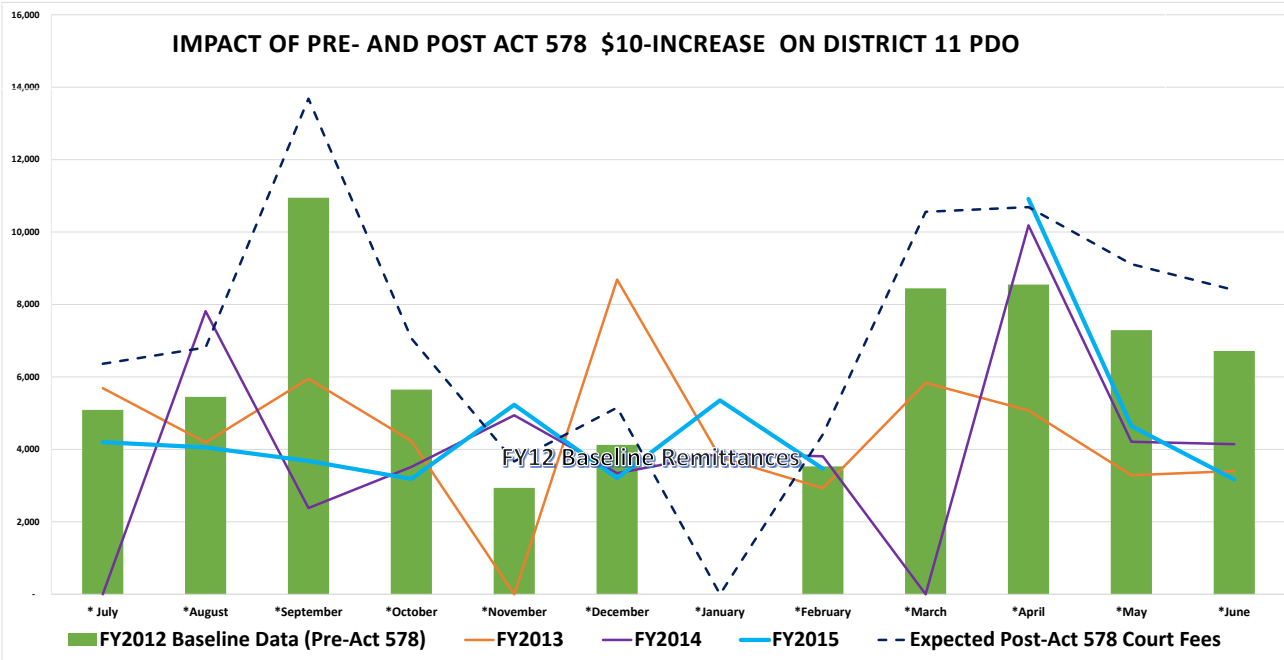
The 11th has failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012), in fact revenues are generally lower than pre-Act 578 levels.

The 11th Judicial District office's expenditures exceed the office's revenues. The district has remained solvent only due to a cooperative endeavor agreement with the 42nd Judicial District.

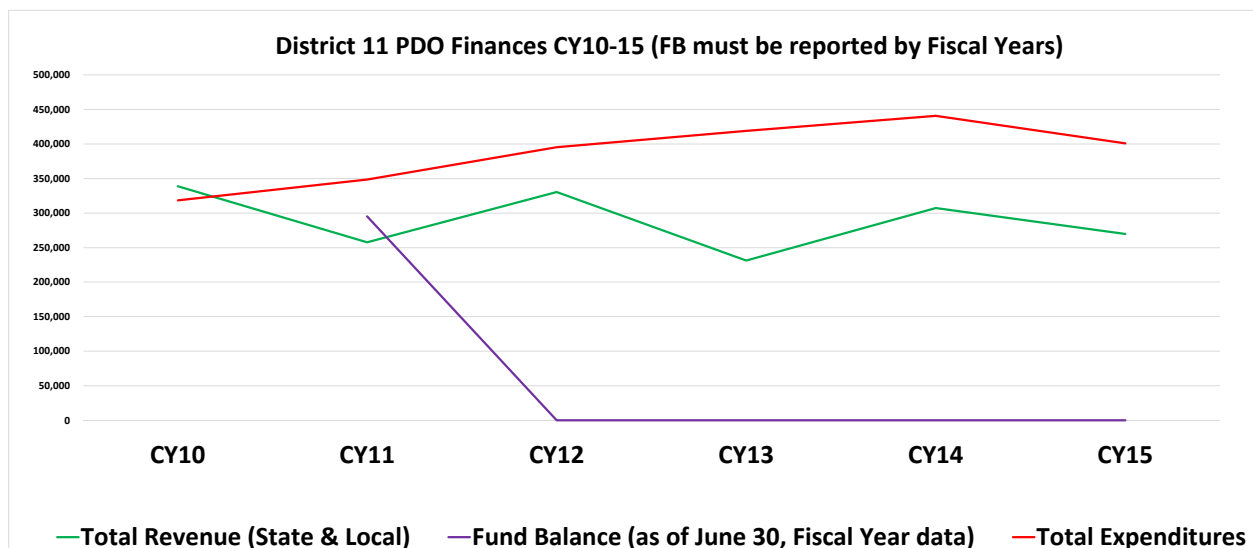
**District 11 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 11 PDO**

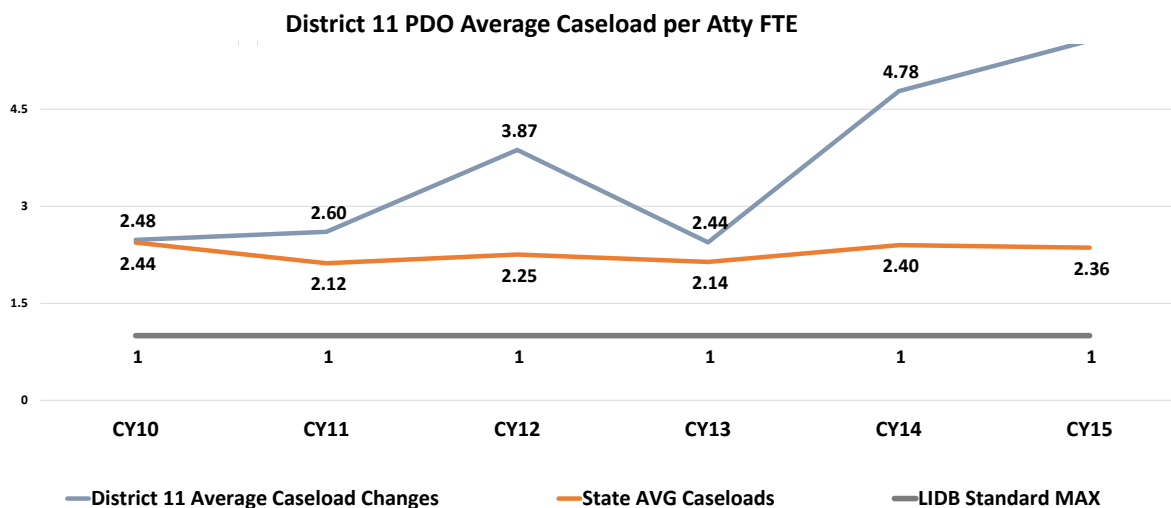


**District 11 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



## 11TH JUDICIAL DISTRICT : SABINE PARISH

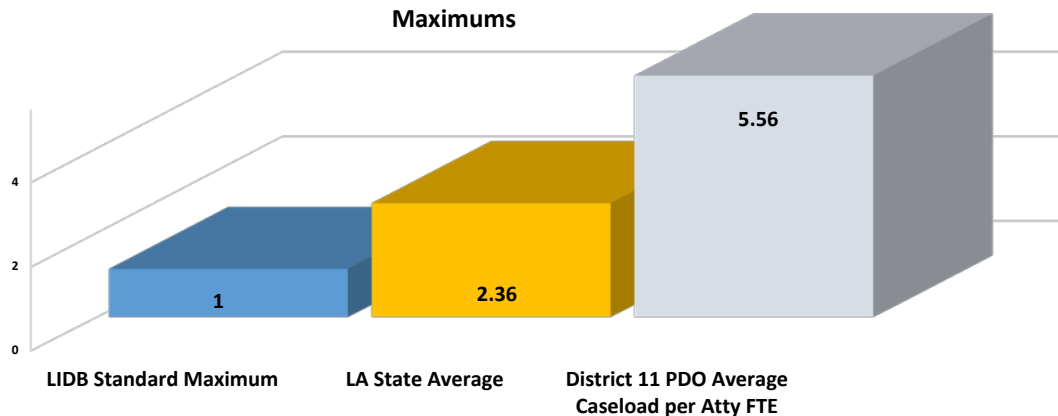
Steven R. Thomas  
District Defender  
111 North Washington  
Mansfield, LA 71052  
318-872-6250



In the 11th Judicial District, public defense attorneys maintain excessive caseloads which are five and a half times the recommended caseload limit for each attorney.

Reliance on insufficient revenues has resulted in caseloads that by far exceed established caseload limits. Excessive cases limit each defender's ability to provide effect assistance of counsel to their clients.

**District 11 PDO Average Caseloads Compared to State Average & State Standard Maximums**



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 11<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Sabine - Many
<b>Population</b>	24,233
<b>Juvenile Population</b>	5,922
<b>District Defender</b>	Steven R. Thomas
<b>Years as District Defender</b>	16
<b>Years in Public Defense</b>	35
<b>Office Manager</b>	Cheri Sewell
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Valerie Wells, Cheri Sewell & Pam Mathis
<b>Primary Office Street Address</b>	111 North Washington
<b>City</b>	Mansfield
<b>ZIP</b>	71052
<b>Primary Phone</b>	318-872-6250
<b>Primary Mailing Address</b>	P.O. Box 1004 Mansfield La. 71052
<b>Primary Fax Number</b>	318-872-6262
<b>Primary Emergency Contact</b>	Steven R. Thomas
<b>Primary Emergency Phone</b>	cell: 318-465-7001
<b>Secondary Emergency Contact</b>	Brian McRae
<b>Secondary Emergency Phone</b>	cell: 318-286-2486 Brian McRae
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	Brian McRae cell: 318-286-2486
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Steven R. Thomas
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Donated by Steven R. Thomas
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Deborah Dees CPA
<b>Courts and Locations</b>	11 JDC Sabine Parish, Many, Louisiana, Mayor's Court, Many, Louisiana
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	One division
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	All 72 hour hearing forms are sent to District Defender who assigns attorneys.
<b>Name of Adult Detention Facilities in This District</b>	Sabine Parish Detention Center, P.O. Box 1550, Many La. 71449
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	N/A

<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center, Coushatta La.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, distance from clients impacts access and greatly increases costs for attorneys, mileage, etc.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Don M. Burkett
<b>Chief Judge of Criminal District Court</b>	Stephen Beasley
<b>Juvenile Court Judges (Specify District of City Court)</b>	Stephen Beasley
<b>Drug Court Judges</b>	N/A
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Initially, at 72 hour by district judge based on poverty guidelines. Subsequently after questionnaire by district defender.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest. Within 72 hours of notice to PD office
<b>What steps does your office take to ensure conflict – free representation</b>	Careful review of indigence at 72 hour notice by DD, to identify conflicts. On going review of case developments.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Brian C. McRae, Intake Attorney.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes.
<b>Brief Explanation of Intake Process</b>	Primarily by teleconference within 72 hours of notice of appointment
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	218
<b>How Many Application Fees Were Waived?</b>	85
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	5,160
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	47,032
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Form Provided by Sabine Sheriffs Department
<b>Who Collects the Assessed Court Fees?</b>	Sabine Sheriffs Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Check stub from Sabine Sheriffs Department and copy of disbursement form.
<b>Who Remits the Court Fees Collected?</b>	Sabine Parish Sheriff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Check Stub from Sabine and copy of form from Sabine Sheriffs Office
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	District Defender makes determination
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Provided by probation office/form.
<b>Who Collects the Assessed Partial Payments?</b>	Probation office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Report from Probation office
<b>Who Remits the Partial Payments Collected?</b>	Probation Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Report from Probation Office
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	3,102
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private practice is permitted for contract attorneys. No it is not in writing.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	See attachment.
<b>Primary Immediate Needs</b>	More funding.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No, not yet
<b>Immediate Critical Issue Areas</b>	Critical shortfall in revenue. The 11th has little/no concern and is unwilling to change anything. uncertainty in revenue source makes it difficult to plan and impossible to grow/improve my program. Poor revenue from Sabine is getting progressively worse and any reduction in DAF would force us to reconsider the fairness of the agreement and practical/moral basis for continuing it.
<b>Long-Term Critical Issue Areas</b>	See above.

<b>Please List All New Hires in 2015 (Name and Title)</b>	None
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, I pay for seminars for attorneys. I also work individually with attorneys about strategies and approach on particular cases. We also train on the data base. We have quarterly training as well.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chief Defender- Steven R. Thomas, Assistant District Defender- Brian C. McRae, and staff contract attorneys.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	See attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Supervisory staff has reduced case load.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, quarterly staff meetings for attorneys, and bi-monthly staff meeting for support staff.
<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	0
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2015</b>	2
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Both. Attorneys responsible for representation in juvenile delinquency cases also handle adult felonies. The case stays with them.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Frank A. Howard, State Representative, Gerald Long, Senator
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	There seems to be little or no balance between the 307 board and staff's ever increasing demand for reports and data and micro management and recognition that these increase time and demands that should be devoted to representing indigent accused people. This increases attorney's dissatisfaction.

<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Improved house training for attorneys and staff
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Steven R. Thomas	318-872-6250
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Brian C. McRae	318-872-2973
D. Scott Kendrick	318-354-9146
Richard Woolbert	318-918-5767
Rebecca Rial	318-645-6265
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Maura Dees	318-872-3007
Cheri Sewell	318-872-6250
Pam Mathis	318-872-6250
Valerie Wells	318-872-2973

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Valerie Wells
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	



Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	1
VCR	
Desktop PCs	6
Laptops	3
Video Cameras	
Digital Cameras	
Video Conferencing Systems	2
B&W Laser Printers	
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	High
Provider Name:	cep-tel
Email Provider:	att&t
Please list any software or computer equipment in which you need training:	

## 11th District Defender Office CY 2015 Caseloads & Outcomes

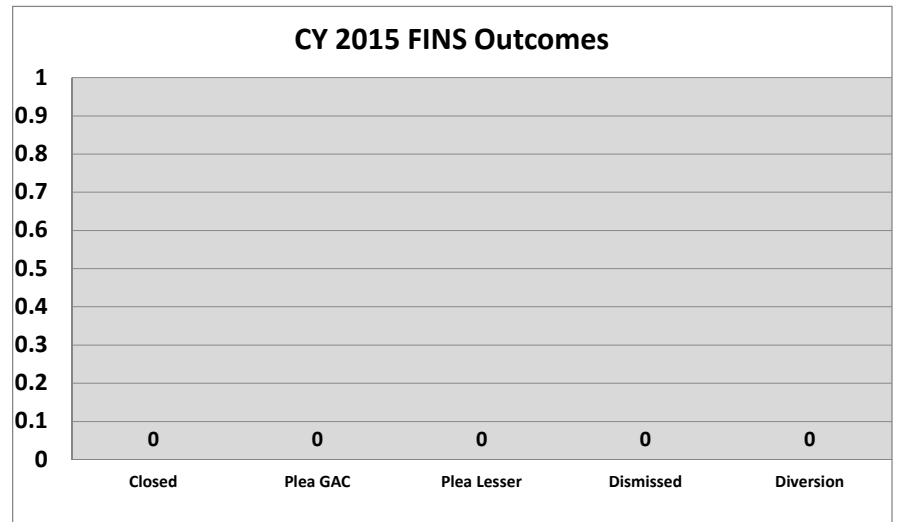
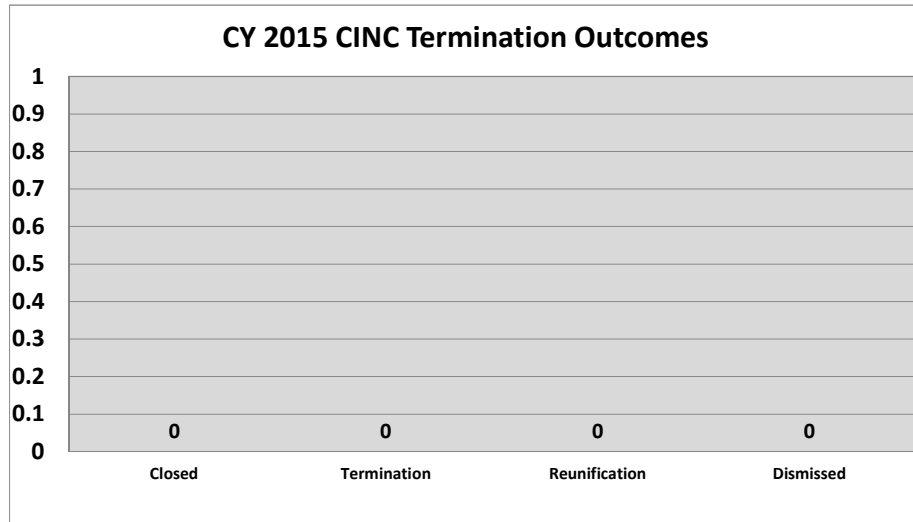
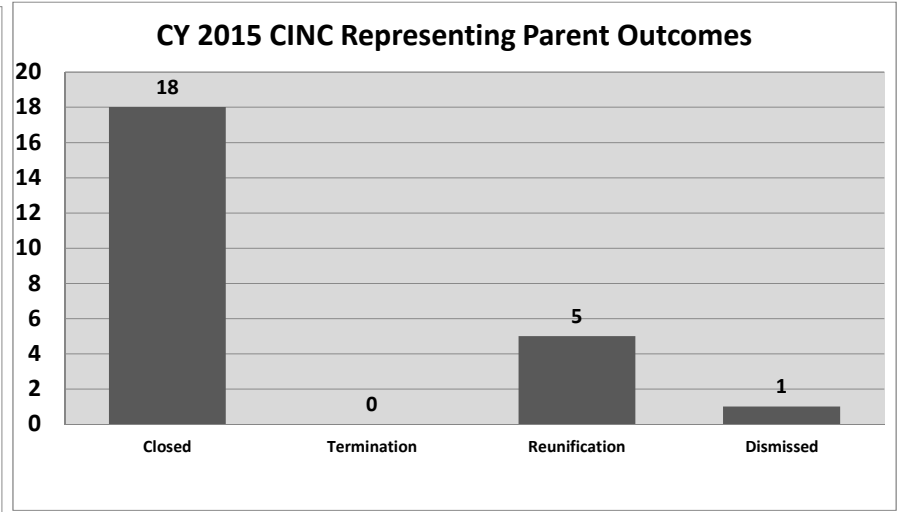
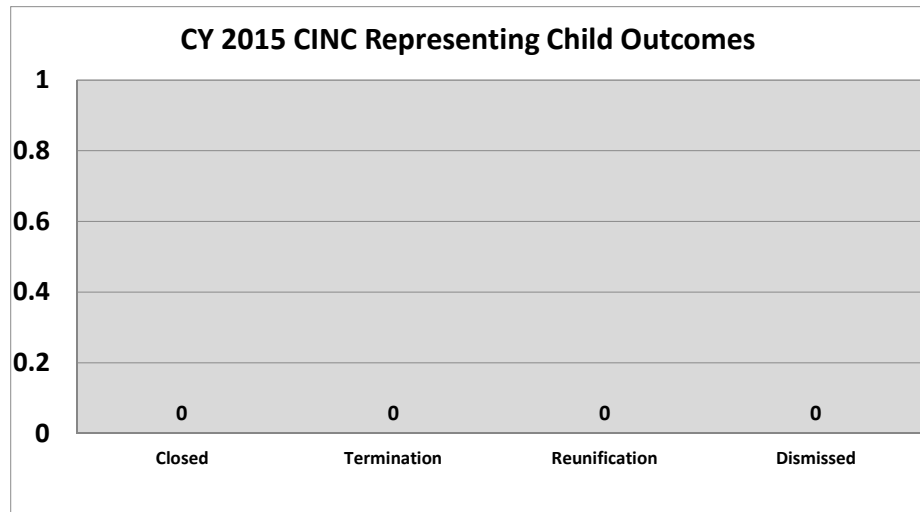
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	1	0	1	2	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	43	18	97	140	0	5	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	77	3	44	121	N/A	N/A	1	0	1	1	N/A	N/A	0	0	0
Delinquency Felony	11	4	16	27	N/A	N/A	0	0	1	0	N/A	N/A	0	0	0
Delinquency-Life	1	0	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	487	299	85	572	N/A	N/A	203	5	255	7	0	0	1	4	5
Adult Felony Non-LWOP**	370	261	150	520	N/A	N/A	128	42	115	8	0	0	2	6	8
Adult LWOP	0	2	4	4	N/A	N/A	0	1	0	0	1	0	0	0	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	119	113	14	133	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

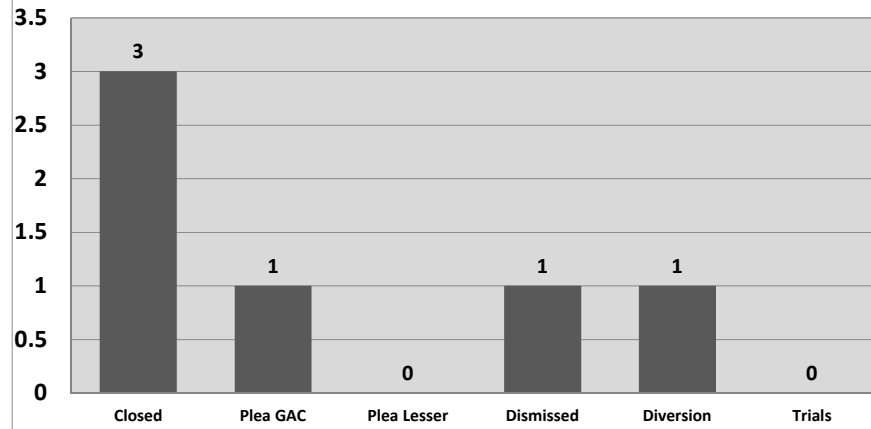
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

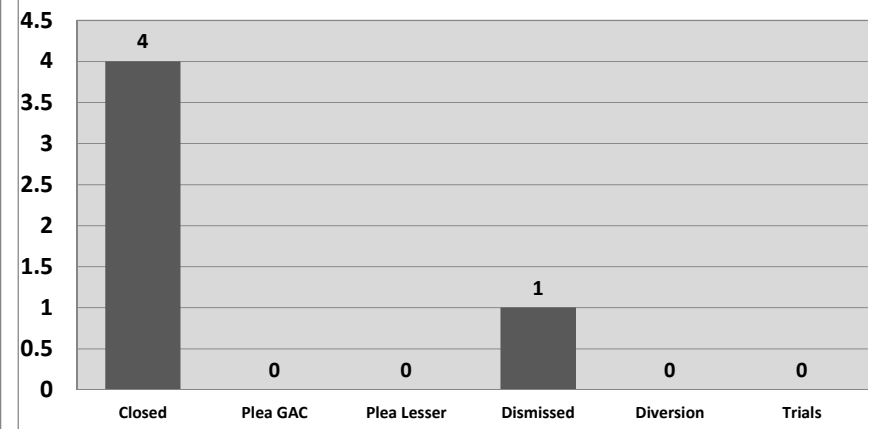
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



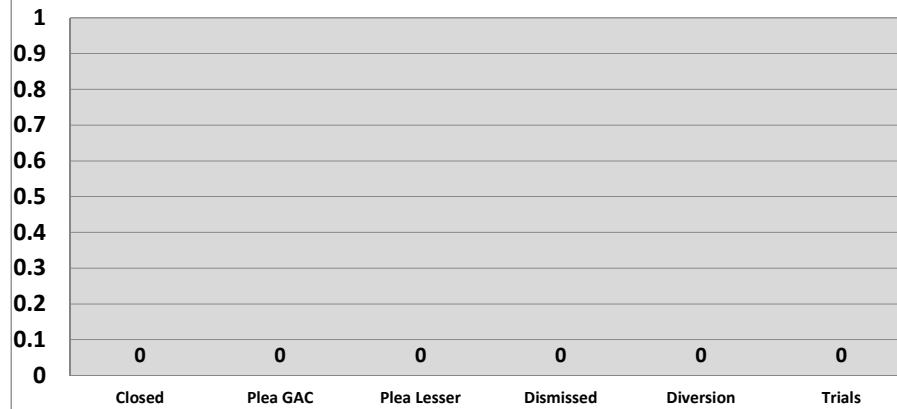
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



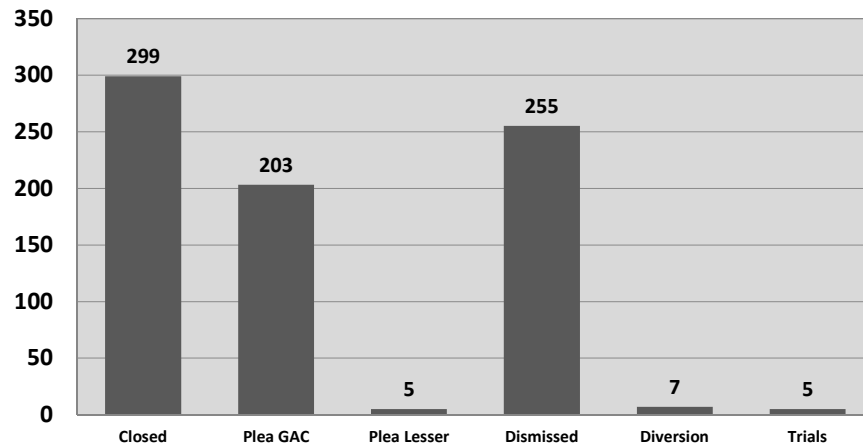
**CY 2015 Delinquency Felony-Grade Outcomes**



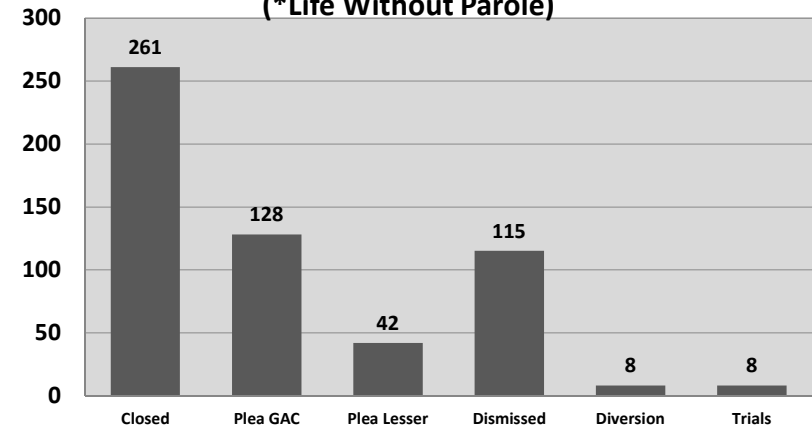
**CY 2015 Delinquency Life Outcomes**



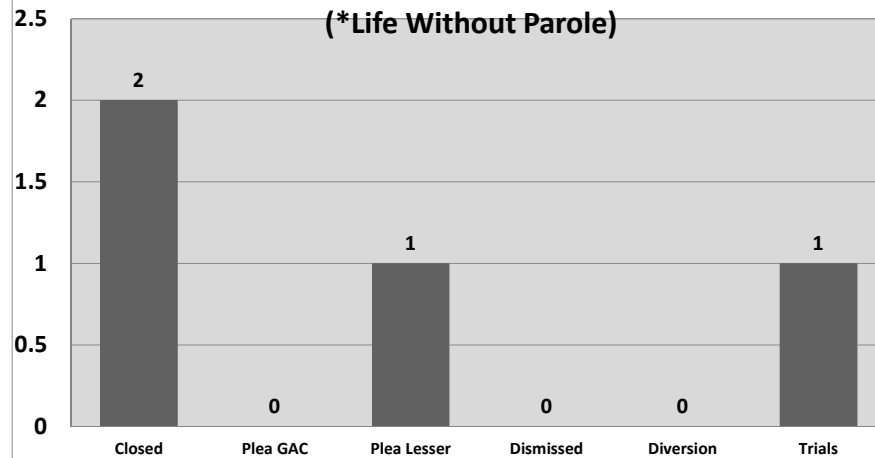
**CY 2015 Adult Misdemeanor Outcomes**



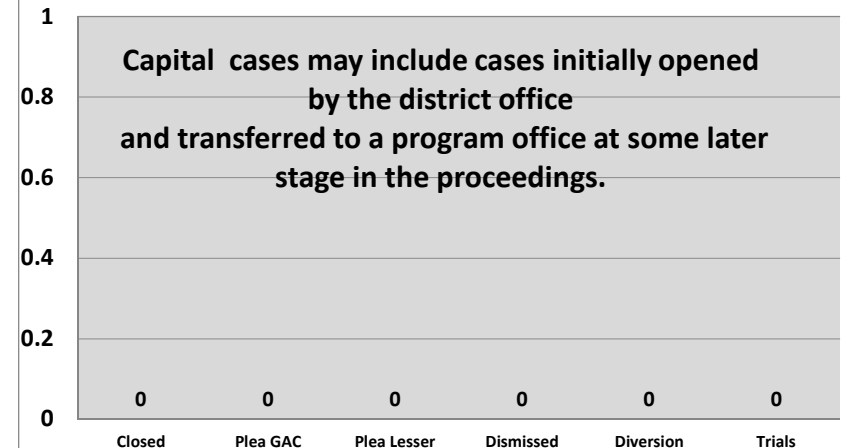
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

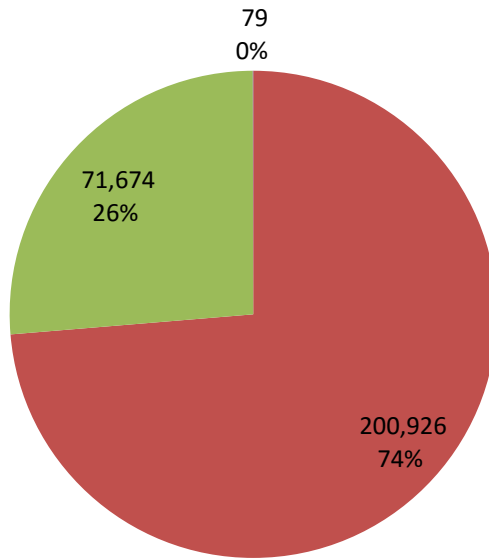


District 11 CY2015	Total CY2015
District Defender: Steven R. Thomas	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	15,192
District Assistance Fund (DAF)	185,734
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	200,926
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	11,988
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	100
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	50,239
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	50,239
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	5,720
Partial Attorney Fees	
Reimbursements [as per 15:176]	3,628
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	9,348
Total for Local Government	71,674
Investment Earnings	
Interest Income	79
Other Investment Income - List source(s)	-
Total for Investment Earnings	79
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	272,680

District 11 CY2015	Total CY2015
District Defender: Steven R. Thomas	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	48,289
Accrued Leave	-
Payroll Taxes	3,694
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	51,983
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	6,909
Total for Travel/Training	6,909
Operating Services	
Advertisements	32
Workers' Compensation	134
Insurance - Malpractice	2,322
Insurance - Auto/Physical Liability	-
Insurance - Other	649
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	4,961
Dues and Seminars	275
Law Library/Journals/Subscriptions	152
Office Supplies	3,092
Total for Operating Services	11,617
Professional Services	
Audit/Accounting Expense	9,475
Contract Clerical	-
Expert Witness	650
Investigators	3,779
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	11,187
Contract - Juvenile Attorneys or CINC	36,000
Misdemeanor Attorney Contracts	12,000
Contract Attorneys - all other	256,231
IT/Technical Support	1,107
Total for Professional Services	330,429
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	-
Total for Other Charges	
Total for EXPENDITURES	400,939

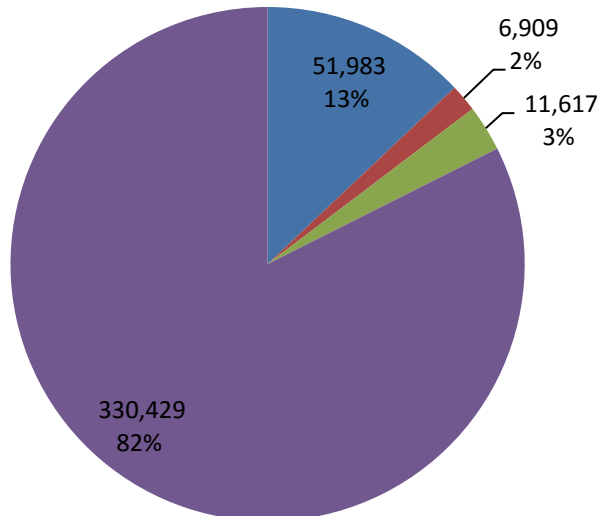
## Total CY15 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges







## THE 12<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

AVOYELLES (MARKSVILLE)

DISTRICT DEFENDER: BRADLEY P. DAUZAT  
110 E. MARK STREET  
MARKSVILLE, LA 71351  
(318) 253-0091

## 12TH JUDICIAL DISTRICT : AVOYELLES PARISH

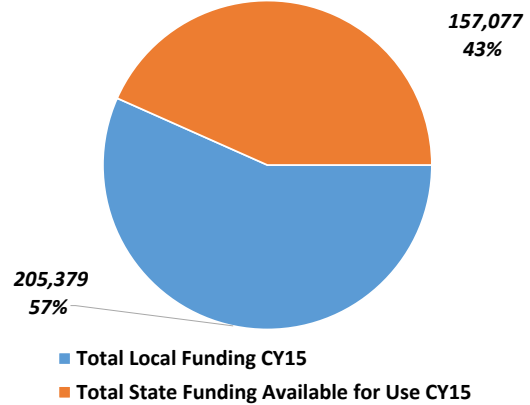
Bradley P. Dauzat  
District Defender  
110 E Mark Street  
Marksville, LA 71351  
318-253-0091

During Calendar Year 2015, the 12th Judicial District Public Defenders Office handled 2,928 cases. The office received \$362,456 in total revenues to handle these cases, approximately 57% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

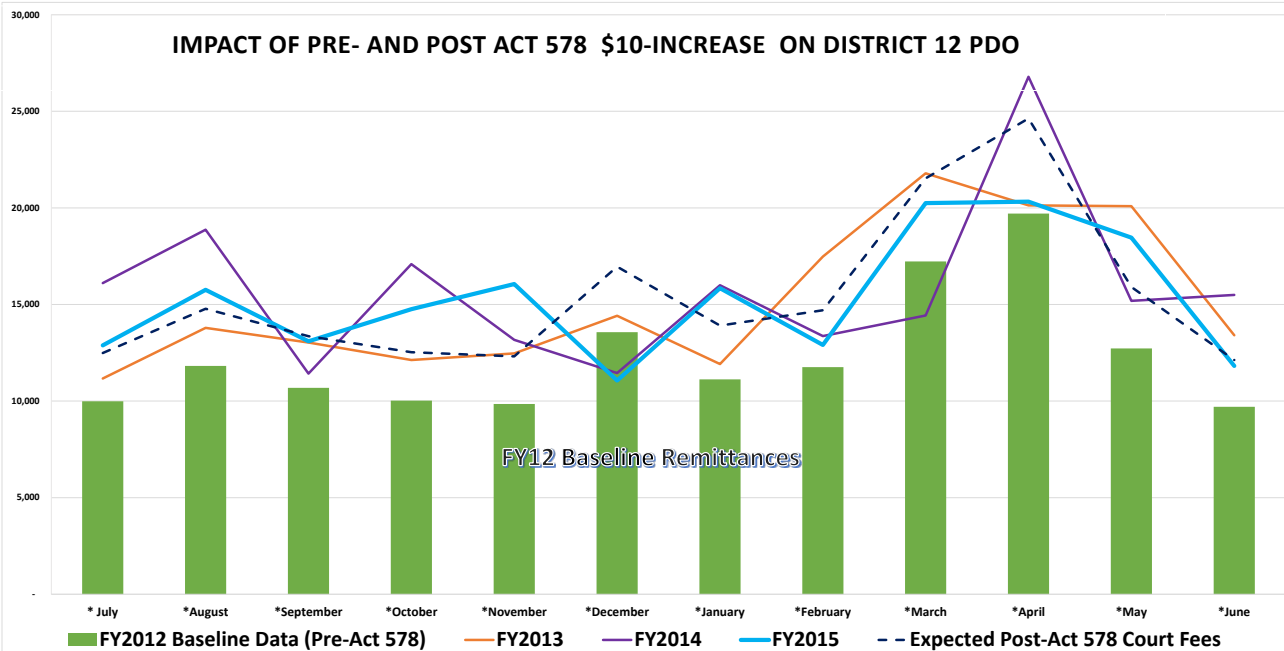
Since the inception of Act 578 (2012), local revenues associated with court costs have fallen below the 25% expected increase more than fifty percent of the time.

The 12th Judicial District office has nearly exhausted its fund balance. Additional state supplemental assistance during FY15 prevented insolvency, however without a reliable increase in revenues or reduction in expenditures, the office will deplete its relatively small fund balance and eventually become insolvent.

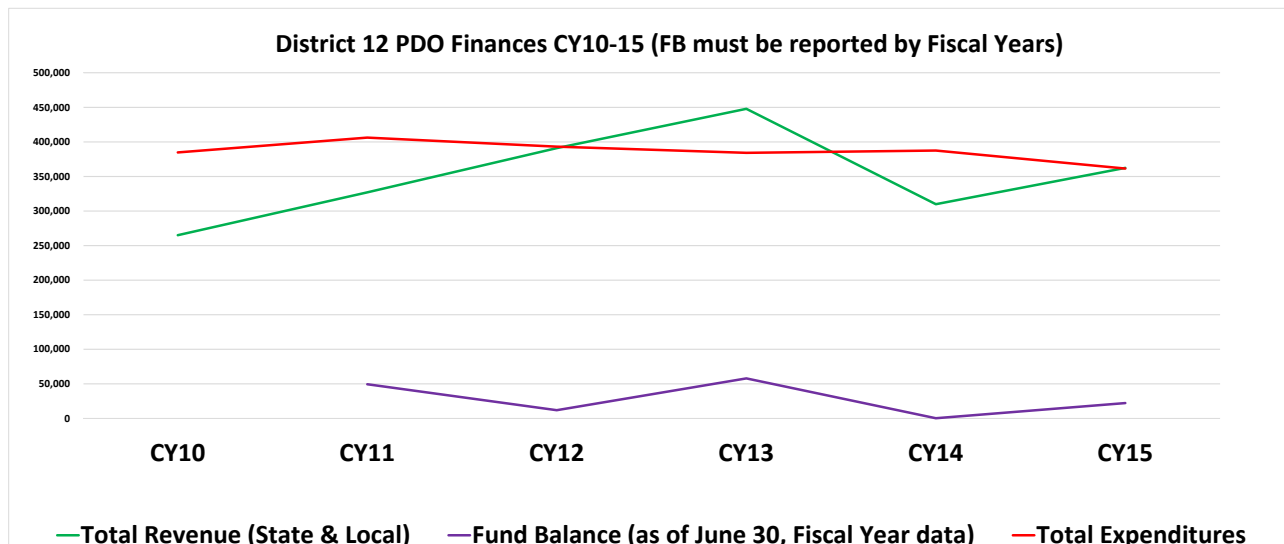
**District 12 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 12 PDO**



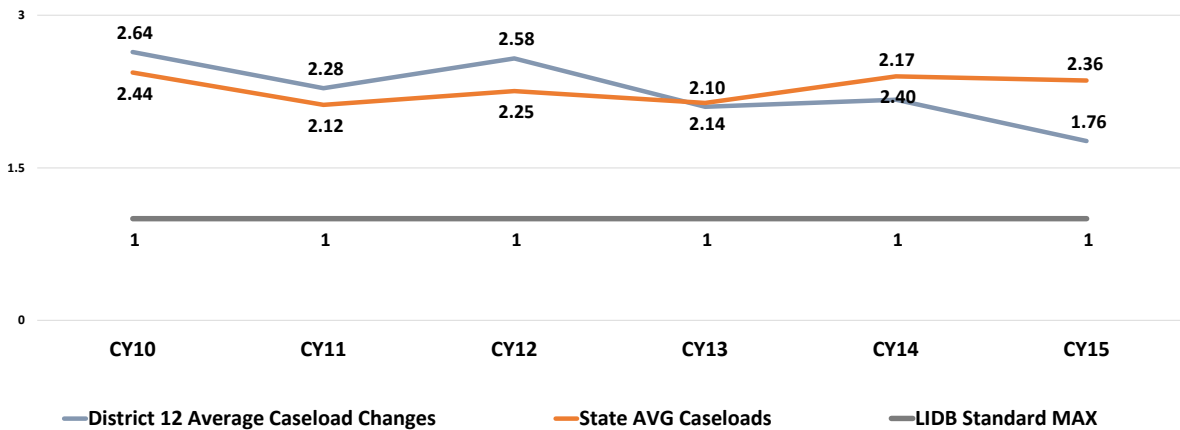
**District 12 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



## 12TH JUDICIAL DISTRICT : AVOYELLES PARISH

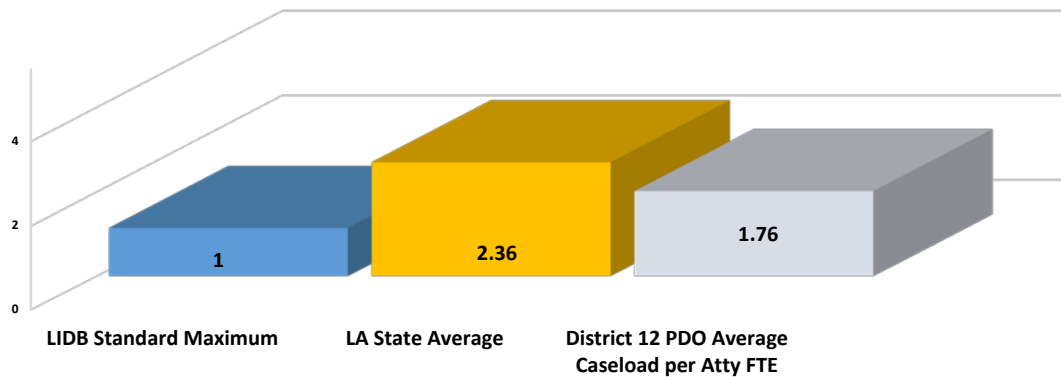
Bradley P. Dauzat  
District Defender  
110 E Mark Street  
Marksville, LA 71351  
318-253-0091

District 12 PDO Average Caseload per Atty FTE



In the 12th Judicial District, public defense attorneys maintain caseloads almost twice the recommended caseload limit for each attorney.

District 12 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 12<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Avoyelles - Marksville
<b>Population</b>	42,073
<b>Juvenile Population</b>	10,054
<b>District Defender</b>	Bradley P. Dauzat
<b>Years as District Defender</b>	8
<b>Years in Public Defense</b>	10
<b>Office Manager</b>	V. Elaine Benjamin
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	V. Elaine Benjamin
<b>Primary Office Street Address</b>	110 E Mark Street
<b>City</b>	Marksville
<b>ZIP</b>	71351
<b>Primary Phone</b>	318-253-0091
<b>Primary Mailing Address</b>	P.O. Box 111, Marksville, LA 71351
<b>Primary Fax Number</b>	318-253-0088
<b>Primary Emergency Contact</b>	Elaine Benjamin
<b>Primary Emergency Phone</b>	318-253-0091
<b>Secondary Emergency Contact</b>	Bradley Dauzat
<b>Secondary Emergency Phone</b>	318-253-7964
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	bdmanagement
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,350
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Ducote & Company
<b>Courts and Locations</b>	12th Judicial District Court, Avoyelles Parish, Marksville; Marksville City Court; Bunkie City Court.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	4- 2 district court divisions 2 city courts.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	2 criminal court divisions - 2 public defenders (contract) per division handling felonies; 1 attorney handles misd. in both divisions; 1 full time juvenile attorney - district and city courts and 2 conflict hourly attorney as needed (felony & CINC).

<b>Name of Adult Detention Facilities in This District</b>	Bunkie Detention Center; Sheriff's Office/Men's Parish Jail; Cottonport Women's Prison
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Rapides (only for special cases - rare/frequent).
<b>Name of Juvenile Detention Facilities In This District</b>	Avoyelles Parish Sheriff's Office Temporary Housing.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Rapides (only for special cases - rare/frequent).
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Marginally -- however, defense attorney are allowed any request necessary to facilitate proper representation.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No shackles before the Judge.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	None
<b>District Attorney</b>	Charles Riddle, III
<b>Chief Judge of Criminal District Court</b>	William Bennett
<b>Juvenile Court Judges (Specify District of City Court)</b>	William Bennett District Court, Kerry Spruill, District Court, Angelo Piazza III Marksville City Court; Derrick Earles Bunkie City Court.
<b>Drug Court Judges</b>	William Bennett
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Initial inquiry by Judge then by application to chief defender. Incarceration automatically qualifies.
<b>When is Assignment/Appointment of Counsel Made?</b>	At 72 hour hearing. If incarcerated - at 72 hour hearing; if on bond - at 72 hour hearing, upon application, or at arraignment - whichever occurs first.
<b>What steps does your office take to ensure conflict – free representation</b>	District Chief reviews file before appointments are made.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Bradley Dauzat, Chief Defender
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes, no change from previous form.
<b>Brief Explanation of Intake Process</b>	The chief defender is the primary counsel at 72 hour hearing. At arraignment, a more thorough intake is completed which becomes part of the client file.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	1,030
<b>How Many Application Fees Were Waived?</b>	None, applications fees waived on inmate clients.
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	9,780
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	

<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	172,222
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Collected by Sheriff & Judicial Administrator.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Monthly invoices from Sheriff and from City Courts.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff and City Court Clerks
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Itemized listing is provided each month.
<b>Who Remits the Court Fees Collected?</b>	Sheriff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	See above
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	N/A
<b>Who Collects the Assessed Partial Payments?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	N/A
<b>Who Remits the Partial Payments Collected?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	N/A
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	0
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private practice and criminal practice permitted provide no conflict.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Insure funding and continued training of personnel.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Unknown as this time
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Yes. Had to lay off Freeman Ford.
<b>Immediate Critical Issue Areas</b>	Find funding to insure continuing operations and to properly fund LWOP Cases. Provide a central file storage area for all closed P.D. files.
<b>Long-Term Critical Issue Areas</b>	Explore possibility of purchasing a building for the PDO.

<b>Please List All New Hires in 2015 (Name and Title)</b>	None
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	Due to cuts in expenditures & staff downsize, this office was able to complete the year without going into restrictions of services.
<b>Number of Expected New Attorney Hires in 2016</b>	One-Chad Guillot
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	12th JDC has 2 criminal court divisions with 2 defenders (1 senior and 1 junior) in each along with the chief. Each junior has a more experienced senior attorney upon which they can get advice and experience. Juniors are asked to sit on senior trials and seniors are asked to monitor junior trials. Chief monitors all. Juvenile defender is responsible only to the client and the chief. Chief takes criminal cases because he chooses to and each defender is assigned cases equally by the chief.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	None
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	12th JDC has 2 criminal court divisions with 2 defenders (1 senior and 1 junior) in each along with the chief. Each junior has a more experienced senior attorney upon which they can get advice and experience. Juniors are asked to sit on senior trials and seniors are asked to monitor junior trials. Chief monitors all. Juvenile defender is responsible only to the client and the chief. Chief takes criminal cases because he chooses to and each defender is assigned cases equally by the chief.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	No chart necessary
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No. See supervisory structure above.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Elaine Benjamin
<b>Regular Meetings for Any Staff, Please Describe</b>	Chief Defender Bradley Dauzat attends state board meetings each month.
<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	None
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None

<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Robert Johnson – Rep. Eric Lafleur - Senate.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Clients failure to consult with his/her counsel.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	More effort was spent in supervisory role and file review with defenders.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Bradley Dauzat	318-253-7964
Maxwell Bordelon	318-253-0091
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Keith Manuel	318-253-5126
Allen Smith	318-448-3234
Mary Helen Johnson	318-253-0935
Derrick Whittington	318-253-5852
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Elaine Benjamin	318-253-0091



## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	V. Elaine Benjamin
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	x (own excel program to monitor clients)
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	x
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	x
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	3
VCR	
Desktop PCs	1
Laptops	4
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	2
Color Printers	1
Wireless Cards	
Smartphones (Funded by Office)	2
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	AT&T
Email Provider:	AT&T
Please list any software or computer equipment in which you need training:	Power Point

## 12th District Defender Office CY 2015 Caseloads & Outcomes

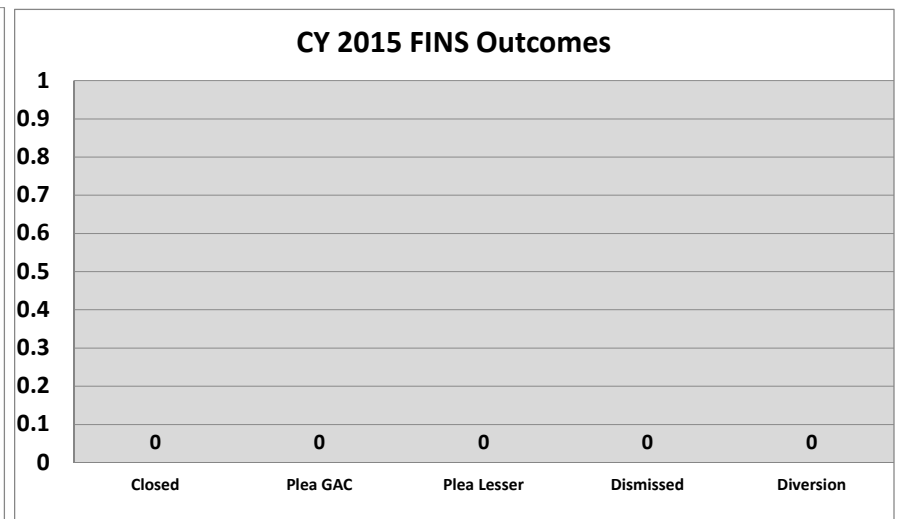
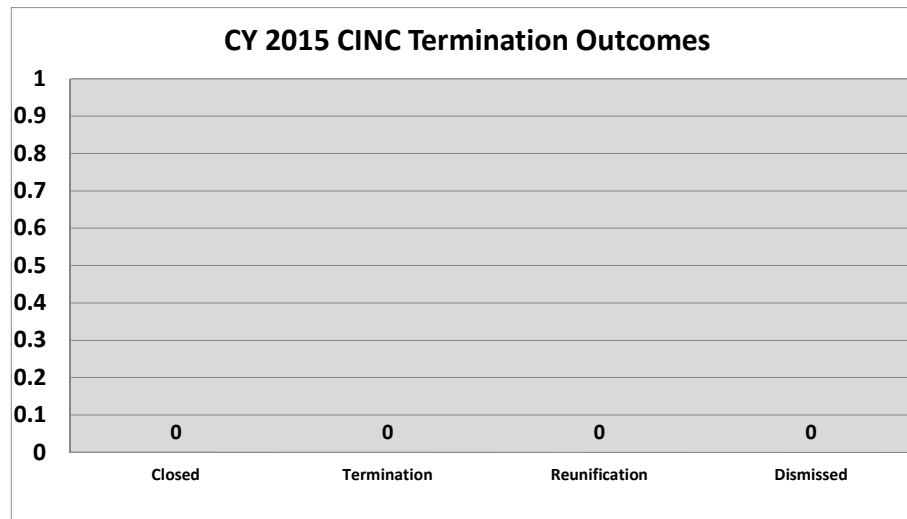
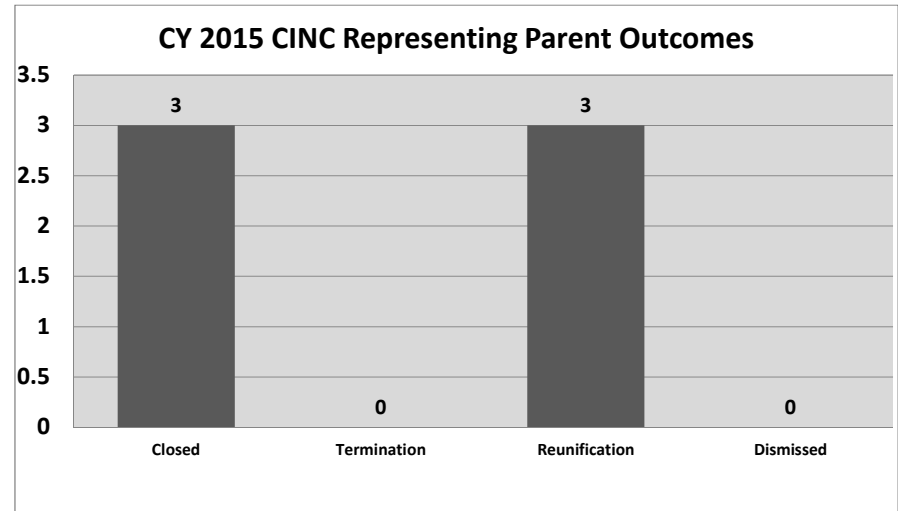
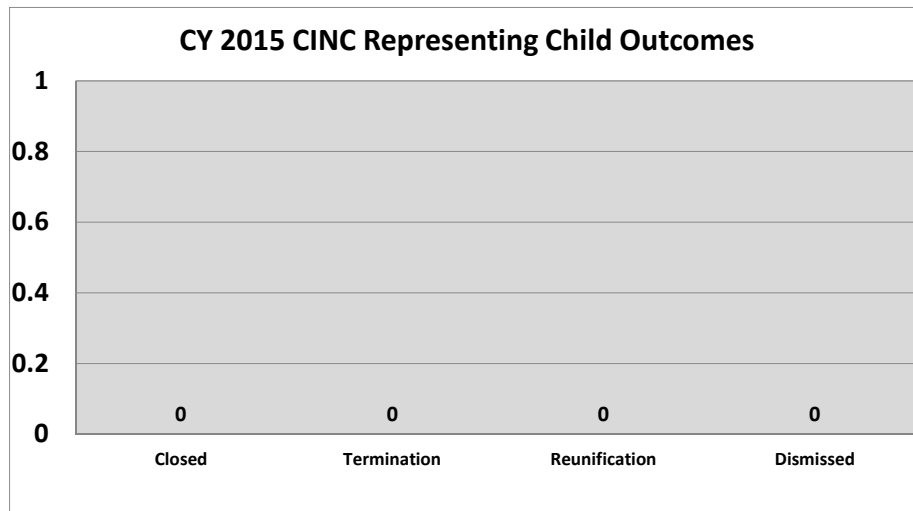
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	10	3	2	12	0	3	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	38	0	0	38	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	185	164	8	193	N/A	N/A	127	0	35	86	N/A	N/A	2	0	2
Delinquency Felony	47	39	4	51	N/A	N/A	34	3	2	0	N/A	N/A	0	0	0
Delinquency-Life	1	1	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	1352	1152	215	1567	N/A	N/A	541	45	511	84	0	0	5	12	17
Adult Felony Non-LWOP**	750	717	251	1001	N/A	N/A	337	179	122	74	0	3	1	1	5
Adult LWOP	3	1	0	3	N/A	N/A	0	1	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	62	62	0	62	N/A	N/A	37	12	0	13	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

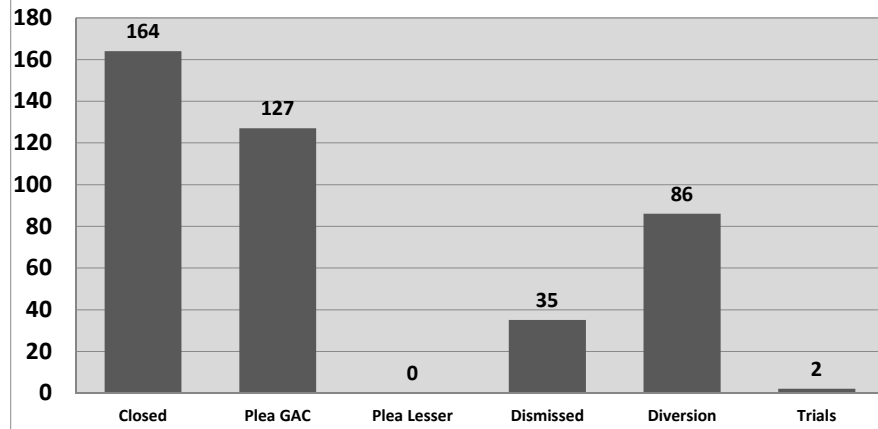
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

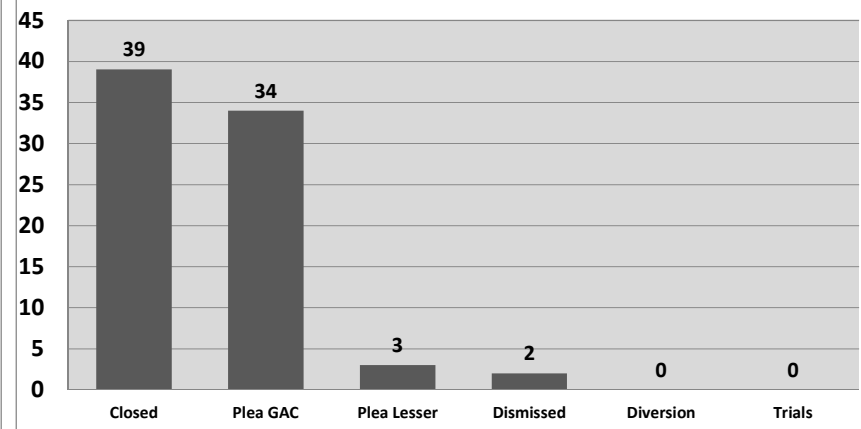
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



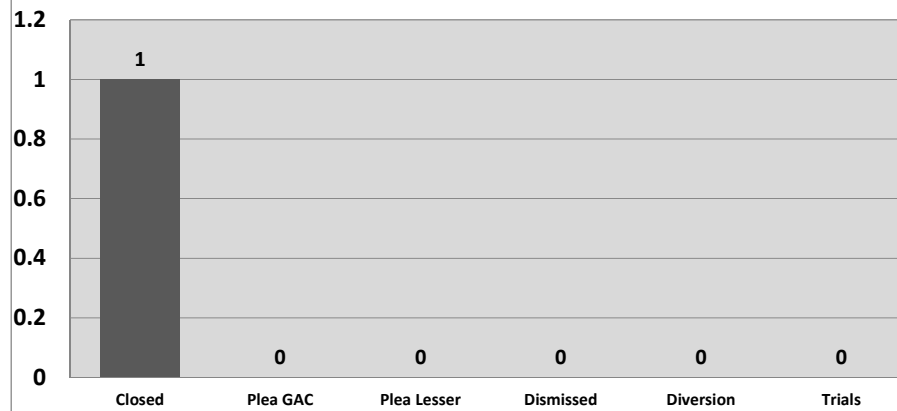
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**

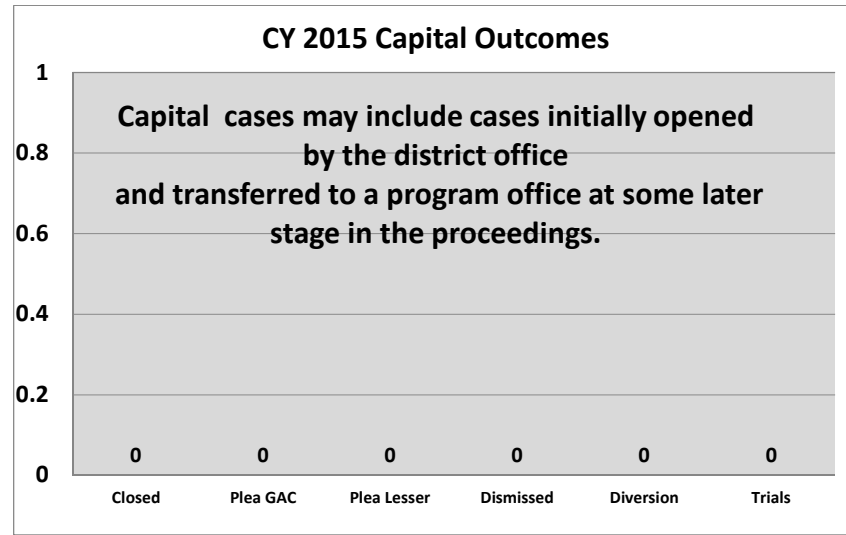
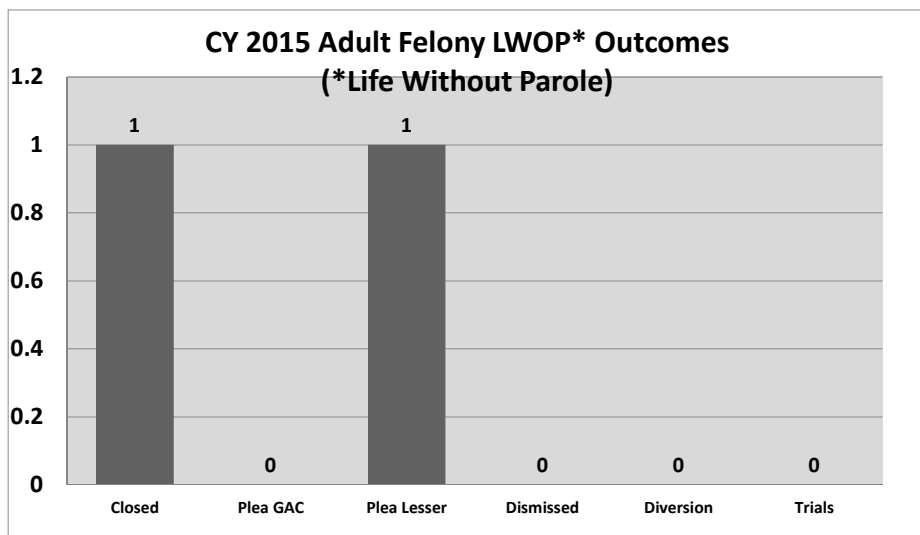
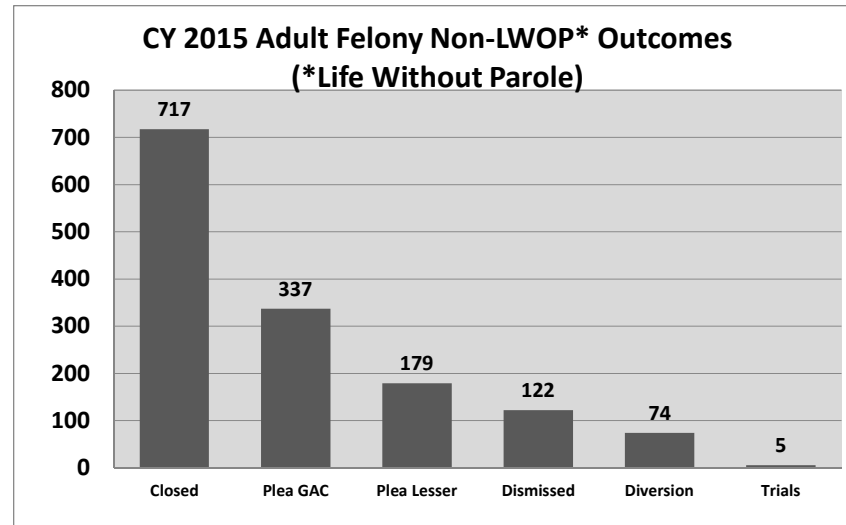
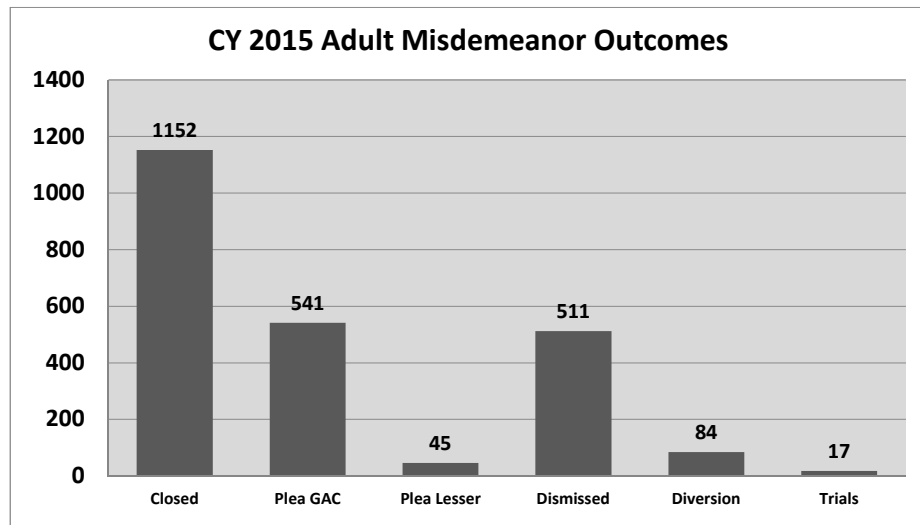


**CY 2015 Delinquency Felony-Grade Outcomes**



**CY 2015 Delinquency Life Outcomes**





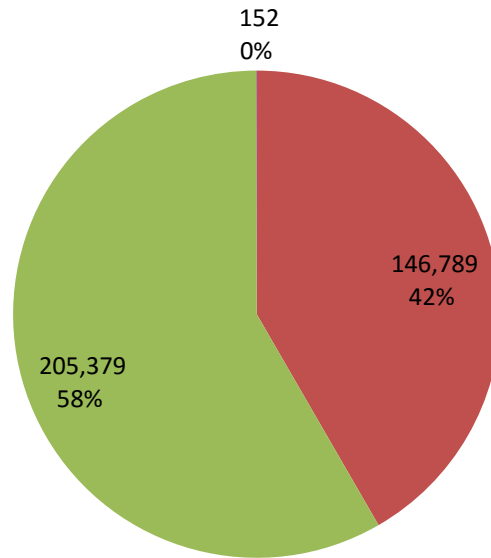
District 12 CY2015	Total CY2015
<b>District Defender: Bradley P. Dauzat</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	1,381
District Assistance Fund (DAF)	139,040
Supplemental/Emergency Funds	6,368
Grants	-
Other State Income -List source(s)	-
Total for State Government	146,789
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	19,604
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	834
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	35,924
Judicial District Courts	105,475
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	30,185
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	637
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	172,222
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	9,780
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	2,940
Total for Charges For Services	12,720
Total for Local Government	205,379
Investment Earnings	
Interest Income	152
Other Investment Income - List source(s)	-
Total for Investment Earnings	152
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	352,320

District 12 CY2015	Total CY2015
District Defender: Bradley P. Dauzat	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	137,600
Accrued Leave	-
Payroll Taxes	2,492
Hospitalization and Disability Insurance	3,379
Retirement	20,468
Other	-
Total for Personnel Services and Benefits	163,939
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	5,752
Lease - Office	7,800
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	7,605
Dues and Seminars	-
Law Library/Journals/Subscriptions	-
Office Supplies	1,061
Total for Operating Services	22,217
Professional Services	
Audit/Accounting Expense	3,080
Contract Clerical	-
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	3,054
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	27,600
Contract Attorneys - all other	141,200
IT/Technical Support	-
Total for Professional Services	174,934
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	334
Total for Other Charges	334
Total for EXPENDITURES	361,425



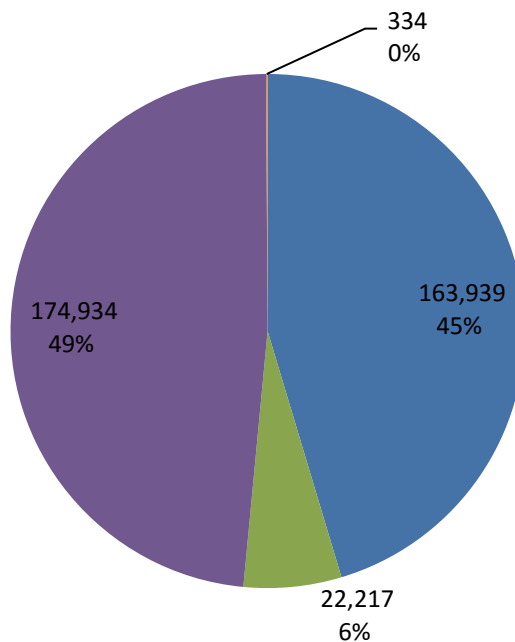
## Total CY15 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





THE 13<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
EVANGELINE (VILLE PLATTE)

DISTRICT DEFENDER: ALEX D. CHAPMAN, JR.  
801 WEST LINCOLN ROAD  
VILLE PLATTE, LA 70586  
(337) 363-2229

# 13TH JUDICIAL DISTRICT : EVANGELINE PARISH

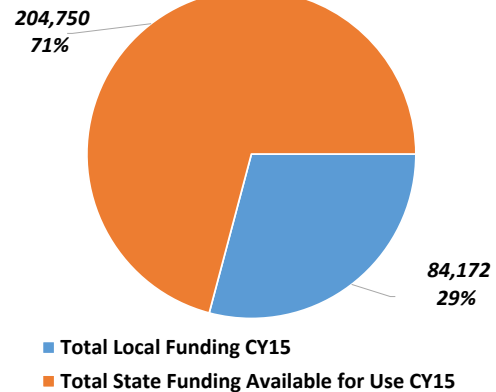
Alex D. Chapman, Jr.  
District Defender  
801 W. Lincoln Road  
Ville Platte, LA 70586  
337-363-2229

During Calendar Year 2015, the 13th Judicial District Public Defenders Office handled 1,513 cases. The office received \$288,922 in total revenues to handle these cases. As local funding is largely insufficient, approximately 71% of revenues came from state funding.

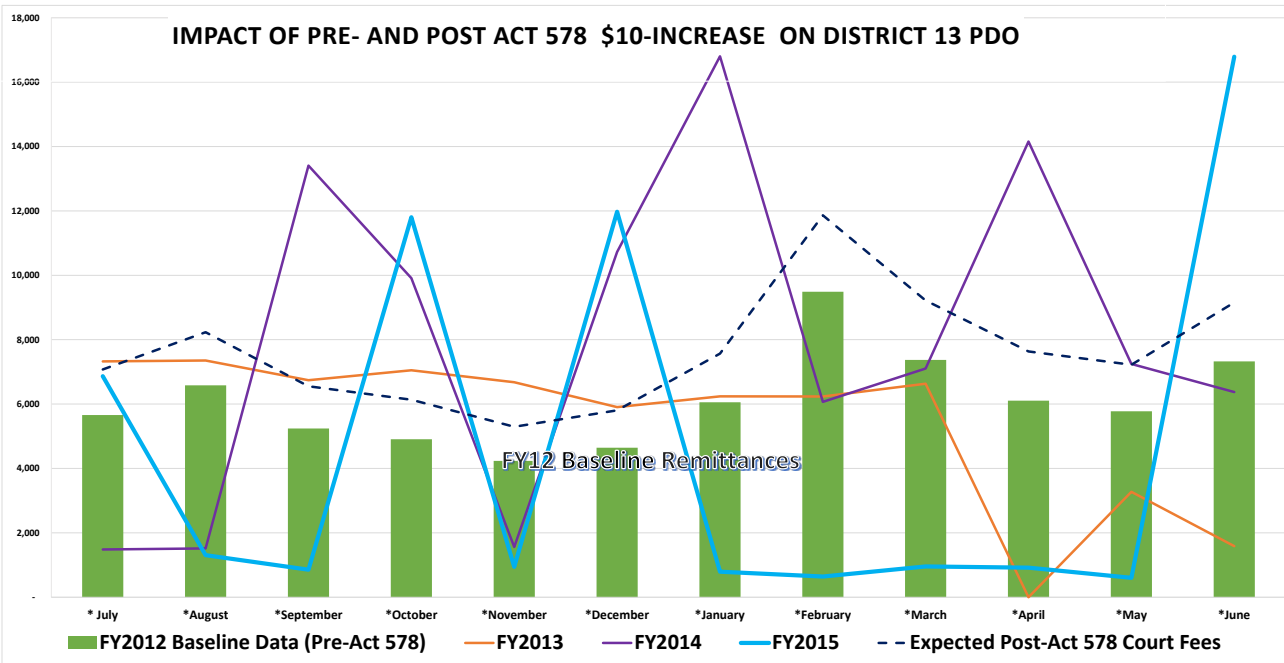
With the exception of a few months, the 13th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 13th Judicial District office nearly exhausted its fund balance during 2013, but through increased revenues and decreased expenditures the office had begun to accrue a modest fund balance in 2014 which is now in decline again.

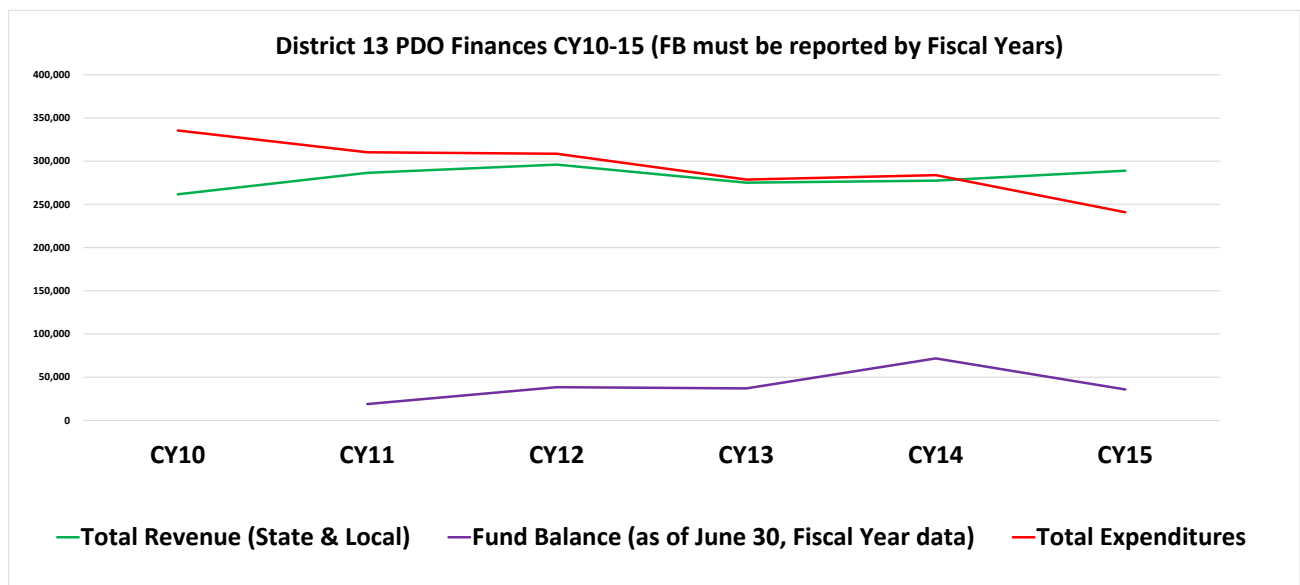
**District 13 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 13 PDO**



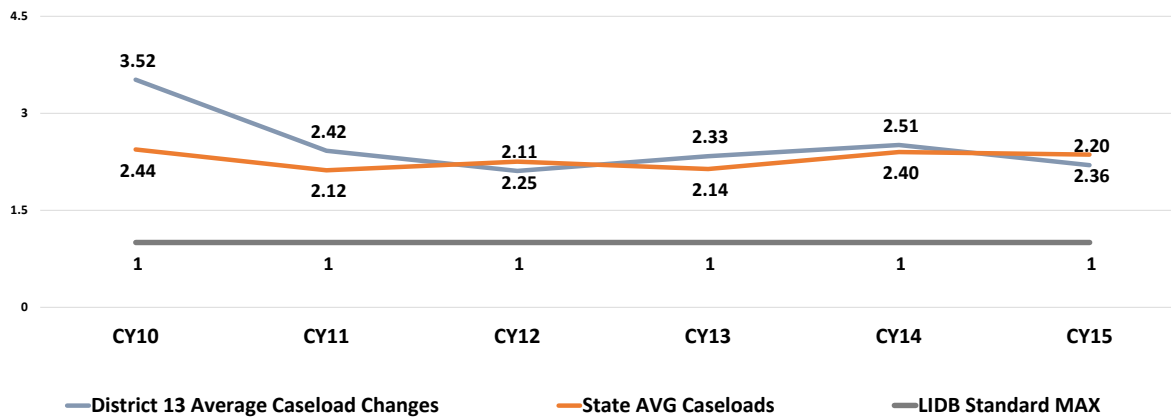
**District 13 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



## 13TH JUDICIAL DISTRICT : EVANGELINE PARISH

Alex D. Chapman, Jr.  
District Defender  
801 W. Lincoln Road  
Ville Platte, LA 70586  
337-363-2229

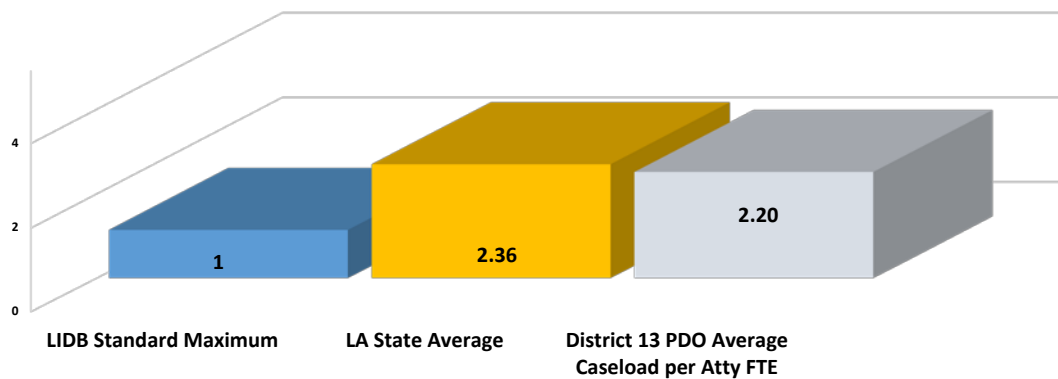
District 13 PDO Average Caseload per Atty FTE



In the 13th Judicial District, public defense attorneys maintain caseloads more than twice the recommended caseload limit for each attorney.

The 13th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.

District 13 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 13<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Evangeline - Ville Platte
<b>Population</b>	33,984
<b>Juvenile Population</b>	9,167
<b>District Defender</b>	Alex D. Chapman, Jr.
<b>Years as District Defender</b>	10
<b>Years in Public Defense</b>	17
<b>Office Manager</b>	Phyllis Lafleur
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Phyllis Lafleur - Admn. Asst/Secretary/Data Entry; Linzey Manuel - Secretary/Data Entry; Kathy Leleux - Secretary/Data Entry; Renee Brown - Secretary/Data Entry; April Landreneau - Secretary/Data Entry; Kelsi Johnston - Secretary/Data Entry.
<b>Primary Office Street Address</b>	801 W. Lincoln Road
<b>City</b>	Ville Platte
<b>ZIP</b>	70586
<b>Primary Phone</b>	337-363-2229
<b>Primary Mailing Address</b>	Same as street address.
<b>Primary Fax Number</b>	337-363-6024
<b>Primary Emergency Contact</b>	Alex D. Chapman, Jr.
<b>Primary Emergency Phone</b>	337-831-0058 - cell
<b>Secondary Emergency Contact</b>	Phyllis Lafleur
<b>Secondary Emergency Phone</b>	337-789-1176 - cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Helen Dardeau. Rent paid to Ms. Dardeau.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	2,179.50/month combined
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Kolder, Champagne, Slaven & Co.
<b>Courts and Locations</b>	13th Judicial District Court, Ville Platte, LA; Ville Platte City Court, Ville Platte, LA
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	District Court - 2 divisions; City Court - 1 division.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	In Dist. Ct. def's are sequentially appointed at arraign or 72 hr hearings. In Juv. Proceedings 1 atty handles Dist. Ct. matters and 1 atty handles City Ct. matters.
<b>Name of Adult Detention Facilities in This District</b>	Evangeline Parish Sher. Dept., Ville Platte, LA; Basile Correctional, Basile, LA; Pine Prairie Correctional, Pine Prairie, LA; Mamou City Jail, Mamou, LA; Ville Platte City Jail, Ville Platte, LA.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Allen Correctional Ctr., Kinder, LA; Avoyelles Bunkie Det. Ctr., Bunkie, LA; Avoyelles Women's Correctional, Simmesport, LA; Caldwell Parish Detention Ctr., Grayson, LA.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No. Juveniles are unshackled.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Trent S. Brignac
<b>Chief Judge of Criminal District Court</b>	Chuck R. West; Gary J. Ortego
<b>Juvenile Court Judges (Specify District of City Court)</b>	Chuck R. West and Gary J. Ortego - District Court; Gregory Vidrine - City Court.
<b>Drug Court Judges</b>	None
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Initially Judges at time of appointment of attorney.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time charges are filed. If is incarcerated - at 72 hour court hearing. If bonded out-at arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	Constant communication among attorneys.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Attorney
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	The appointments are assigned during open court proceedings and/or faxed to attorney by Sheriff's Dept. for incarcerated clients and mailed to attorney by Clerk of Court for non-incarcerated clients.
<b>Brief Explanation of Intake Process</b>	Incarcerated clients visited by assigned indigent defense attorney within 72 hours of appointment to determine bond issues, need for investigation, conflicts and family communication.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	No
<b>How Many Applications for Services Were Received?</b>	N/A

How Many Application Fees Were Waived?	N/A
How Many Application Fees Were Reduced?	N/A
Total Application Fee Dollars Collected in 2015	N/A
Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?	N/A
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
Total Revenue from \$45/\$35 Special Costs Received in 2015	Evangeline Parish Sheriff's Dept. - \$74,274; Ville Platte City Court - \$9,898; DOC - \$6,024
Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.	Private pay only.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?	Plea Bargain Agreements and Court Minutes.
Who Collects the Assessed Court Fees?	Probation and Parole, Evangeline Parish Sheriff Dept. and Ville Platte City Court.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	Evangeline Parish Sheriff Dept.
Who Remits the Court Fees Collected?	Probation and Parole, Evangeline Parish Sheriff Dept. and Ville Platte City Court.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	Evangeline Parish Sheriff Dept.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment	N/A
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?	N/A
Who Collects the Assessed Partial Payments?	N/A
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	N/A
Who Remits the Partial Payments Collected?	N/A
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	N/A
Amount, If Any, of Partial Indigence Payments Received by the Office in CY15	None
Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?	Private criminal practice by Indigent Defense Attorneys in this district is allowed but extremely rare.
For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract	Yes. See Attachment
Primary Immediate Needs	Maintain current funding and re-hiring investigators.
Was your office in ROS at any time during 2015	No

<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes. Restrict assignments.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Maintain current funding and re-hiring investigators.
<b>Long-Term Critical Issue Areas</b>	Maintain current funding and re-hiring investigators.
<b>Please List All New Hires in 2015 (Name and Title)</b>	Doug Pucheu - Juvenile attorney; Bo West - Adult attorney; Kiley Holden - Secretary/Data Entry (no longer employed); Kelsi Johnston - Secretary/Data Entry; April Landreneau - Secretary/Data Entry; Cassidy Prudhomme - Secretary/Data Entry (no longer employed); Renee Brown - Secretary/Data Entry; Linzey Manuel - Secretary/Data Entry; Kathy Leleux - Secretary/Data Entry.
<b>Please List All Promotions in 2015 (Name and Title)</b>	N/A
<b>2015 Media Coverage and/or Major Accomplishments</b>	Local radio and newspaper accounts of mistrial and Lessor Responsive Verdict.
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. Monitoring, directly and indirectly, all attorneys and investigators.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Distribute information from Louisiana Indigence Defense Board.
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Jacob Fusilier is the Supervising Attorney for District Defender.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	None
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	No
<b>Number of NEW capital cases in CY15 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	0
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None



<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	This is within the purview of the two juvenile attorneys of this district.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	State Representative – Bernard LeBas, State Senator – Eric Lafleur, Both of the 38th district
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Always tried to be fair and supportive to all district personnel.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Alex D. Chapman, Jr.	337-363-2229
Jacob Fusilier	337-363-6661
Justin West	337-363-2772
Alicia Phillips-Kelly	337-363-1955
Gilbert J. Aucoin	337-363-2223
Doug Pucheu	337-363-8589
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Phyllis Lafleur	337-363-2229
Renee Brown	337-3632772
Linzey Manuel	337-363-6661
Kathy Leleux	337-363-1955
April Landreneau	337-363-2223
Kelsi Johnston	337-363-8589

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Phyllis Lafleur and Alex Chapman
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	x

Microsoft Edge	
Firefox	x
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	
Laptops	2
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	
No Internet Connection	
Connection Speed:	1792 KB
Provider Name:	Centurylink DSL
Email Provider:	Centurylink DSL
Please list any software or computer equipment in which you need training:	

### 13th District Defender Office CY 2015 Caseloads & Outcomes

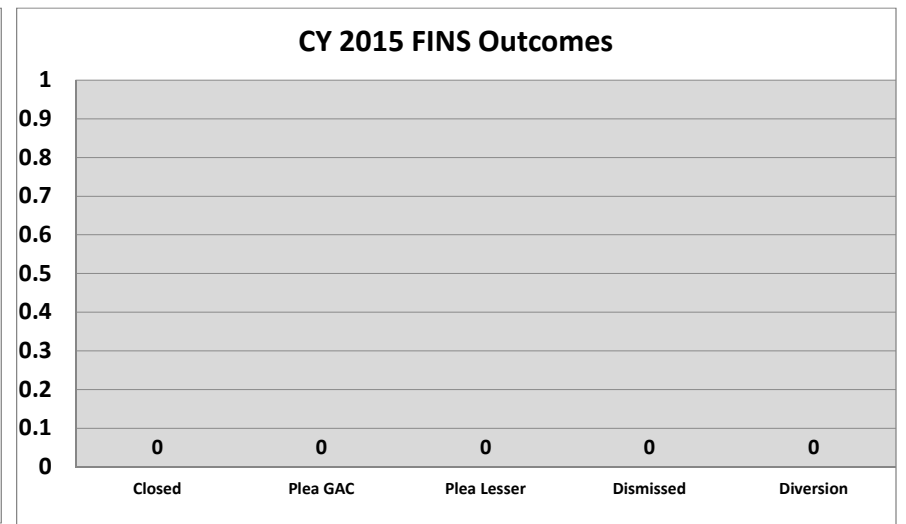
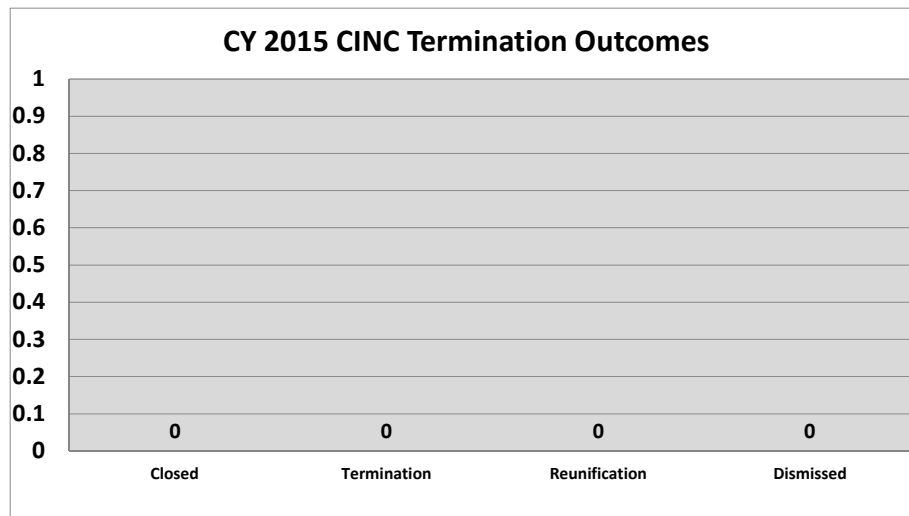
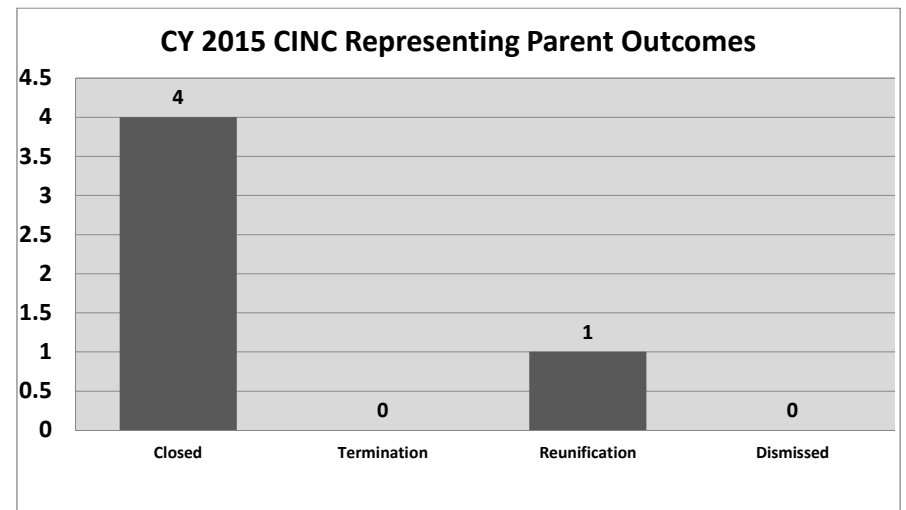
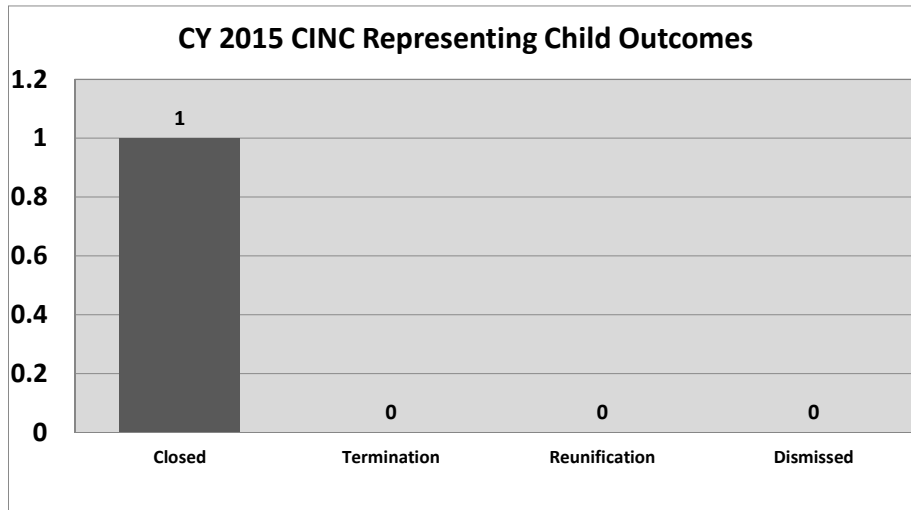
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	9	1	0	9	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	60	4	3	63	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	9	0	0	9	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	209	62	17	226	N/A	N/A	18	0	10	0	N/A	N/A	0	0	0
Delinquency Felony	8	5	0	8	N/A	N/A	2	0	4	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	210	161	138	348	N/A	N/A	138	5	47	33	0	0	1	4	5
Adult Felony Non-LWOP**	430	341	364	794	N/A	N/A	342	28	158	78	0	2	0	0	2
Adult LWOP	0	1	3	3	N/A	N/A	0	1	0	0	0	0	0	0	0
Capital***	0	0	2	2	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	40	49	10	50	N/A	N/A	0	0	1	0	N/A	N/A	N/A	N/A	0
PCR	1	0	0	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

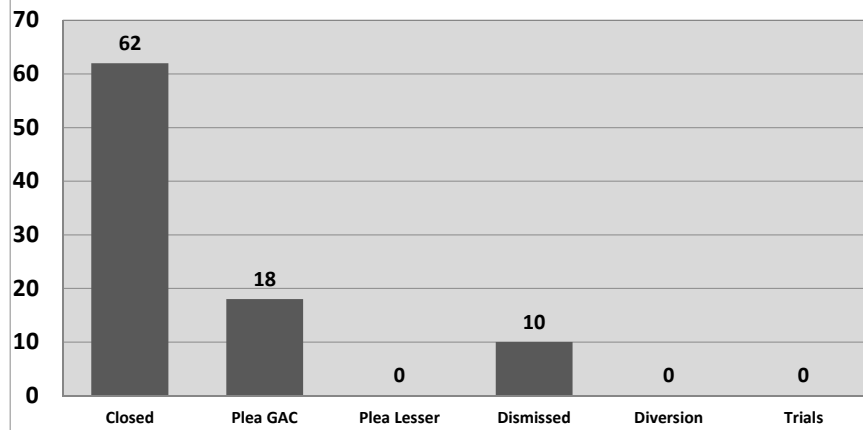
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

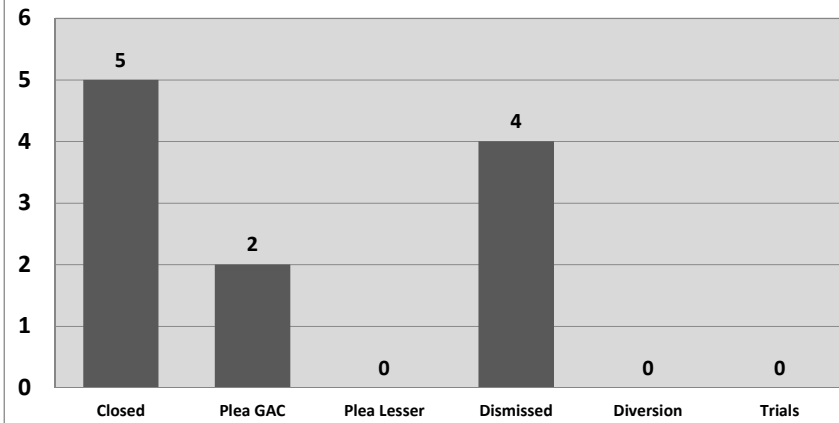
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



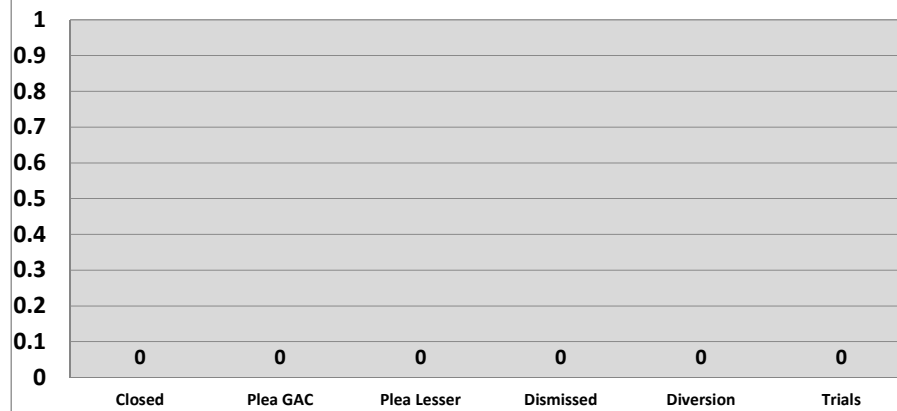
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



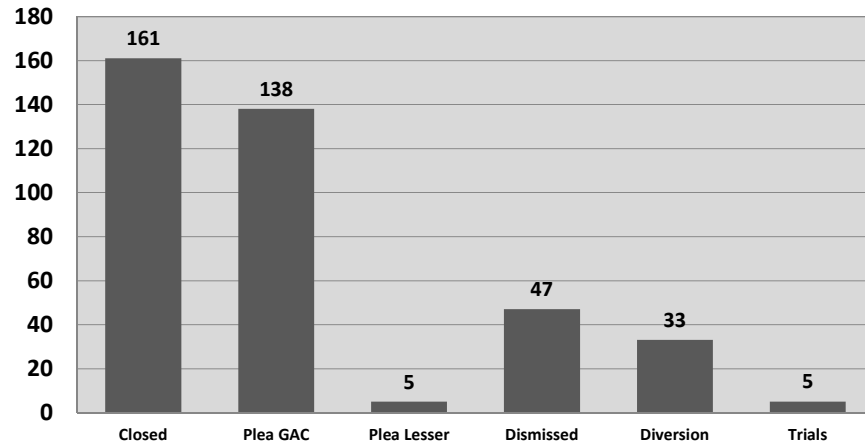
**CY 2015 Delinquency Felony-Grade Outcomes**



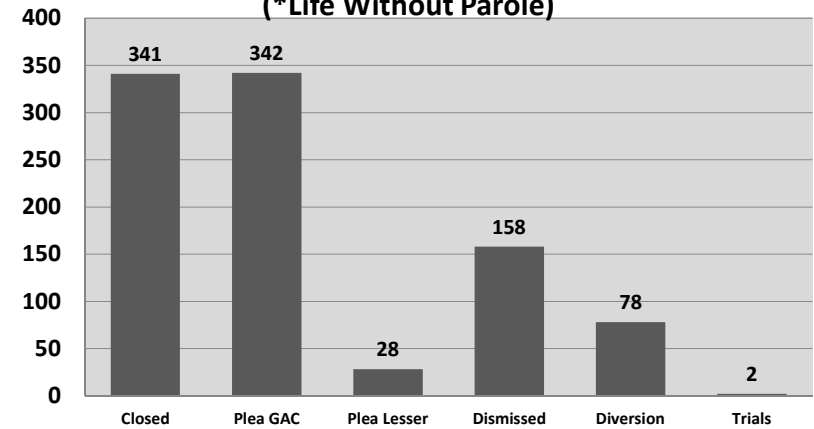
**CY 2015 Delinquency Life Outcomes**



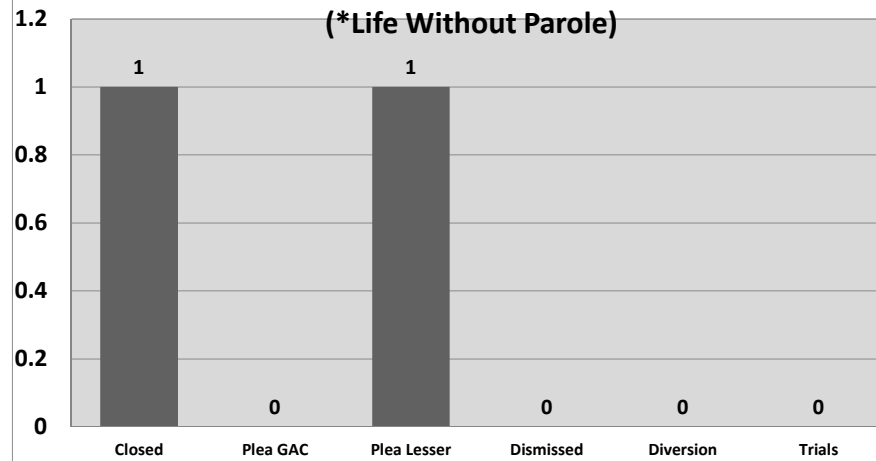
**CY 2015 Adult Misdemeanor Outcomes**



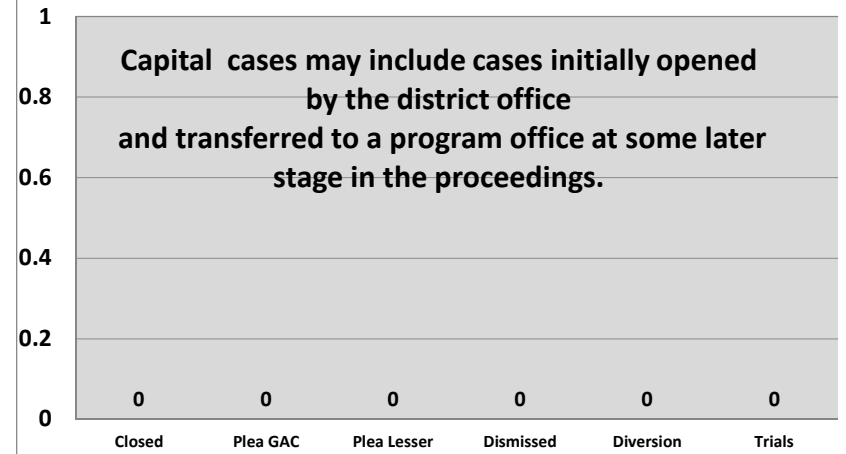
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**



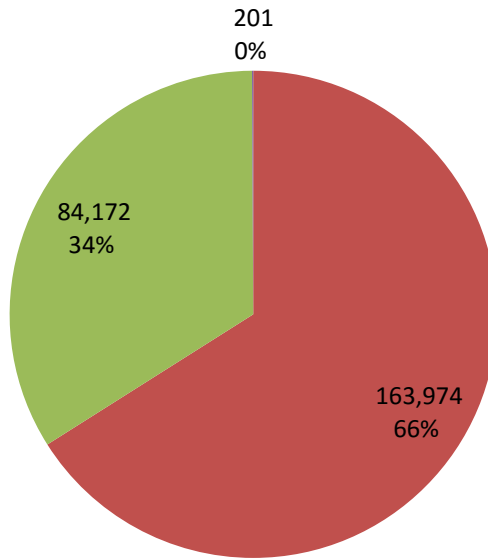
District 13 CY2015	Total CY2015
<b>District Defender: Alex D. Chapman, Jr.</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	6,124
Child in Need of Care (CINC)	377
District Assistance Fund (DAF)	63,673
Supplemental/Emergency Funds	93,800
Grants	-
Other State Income -List source(s)	-
Total for State Government	163,974
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	-
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	9,898
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	74,274
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	84,172
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	-
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	
Total for Local Government	84,172
Investment Earnings	
Interest Income	201
Other Investment Income - List source(s)	-
Total for Investment Earnings	201
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	248,346



District 13 CY2015	Total CY2015
District Defender: Alex D. Chapman, Jr.	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	14,042
Accrued Leave	-
Payroll Taxes	1,258
Hospitalization and Disability Insurance	-
Retirement	-
Other	6,487
Total for Personnel Services and Benefits	21,787
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	
Operating Services	
Advertisements	80
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	74
Dues and Seminars	64
Law Library/Journals/Subscriptions	-
Office Supplies	234
Total for Operating Services	453
Professional Services	
Audit/Accounting Expense	4,065
Contract Clerical	10,219
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	1,000
Contract - Juvenile Attorneys or CINC	38,190
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	164,962
IT/Technical Support	194
Total for Professional Services	218,629
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	12
Total for Other Charges	12
Total for EXPENDITURES	240,881

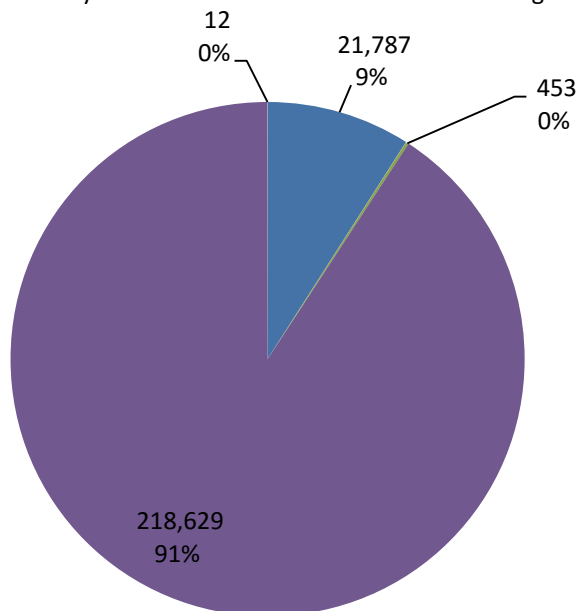
## Total CY15 Revenues

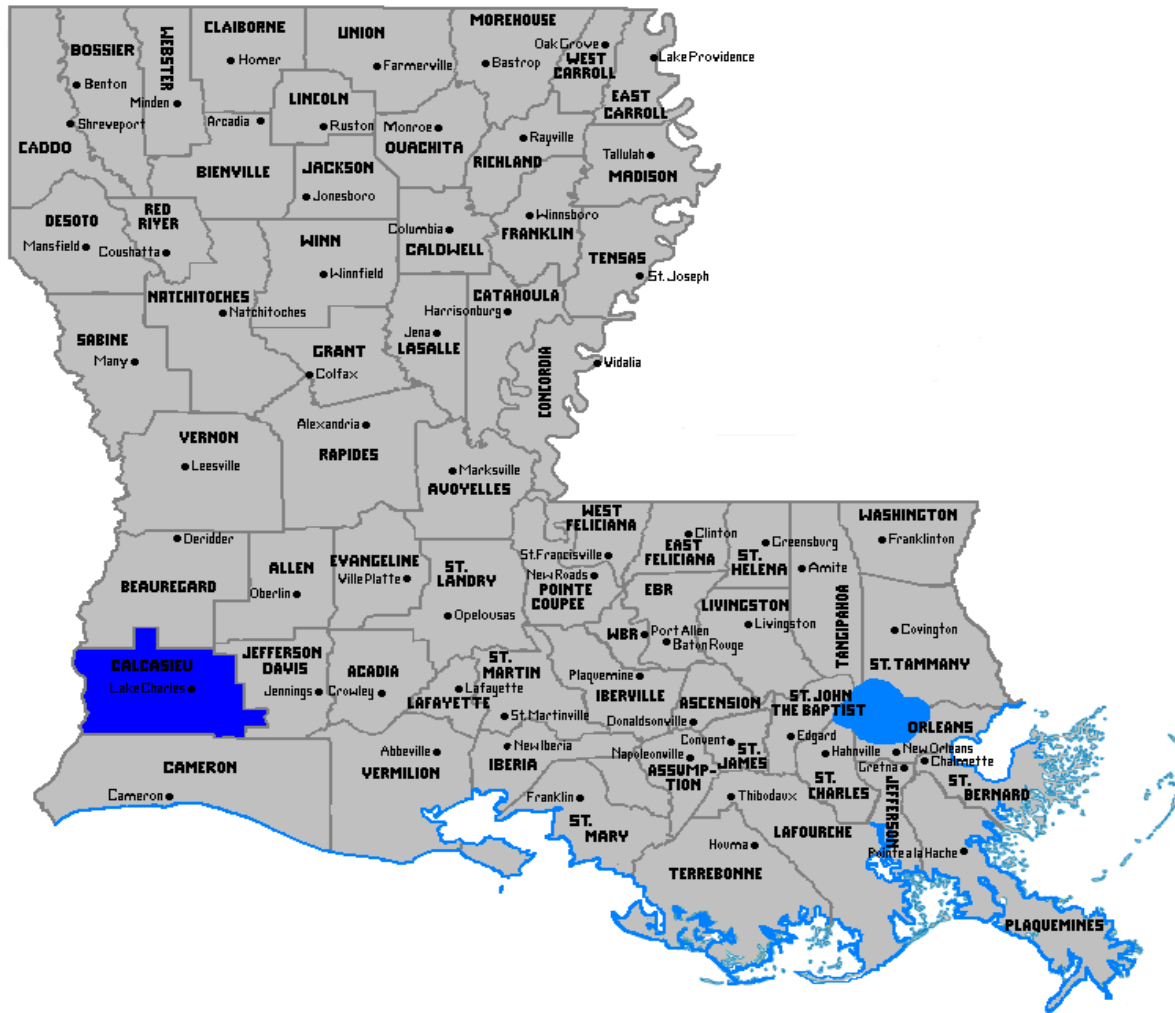
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





## THE 14<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

CALCASIEU (LAKE CHARLES)

DISTRICT DEFENDER: HARRY FONTENOT  
1032 RYAN STREET  
LAKE CHARLES, LA 70601  
(337) 436-1718

# 14th JUDICIAL DISTRICT : CALCASIEU PARISH

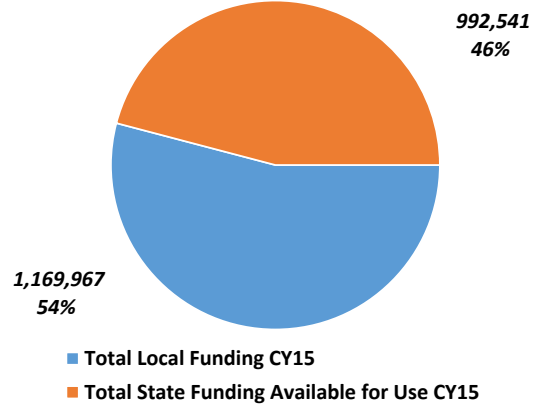
Harry Fontenot  
District Defender  
1032 Ryan Street  
Lake Charles, LA 70601  
337-436-1718

During Calendar Year 2015, the 14th Judicial District Public Defenders Office handled 14,874 cases. The office received \$2,162,508 in total revenues to handle these cases, approximately 54% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

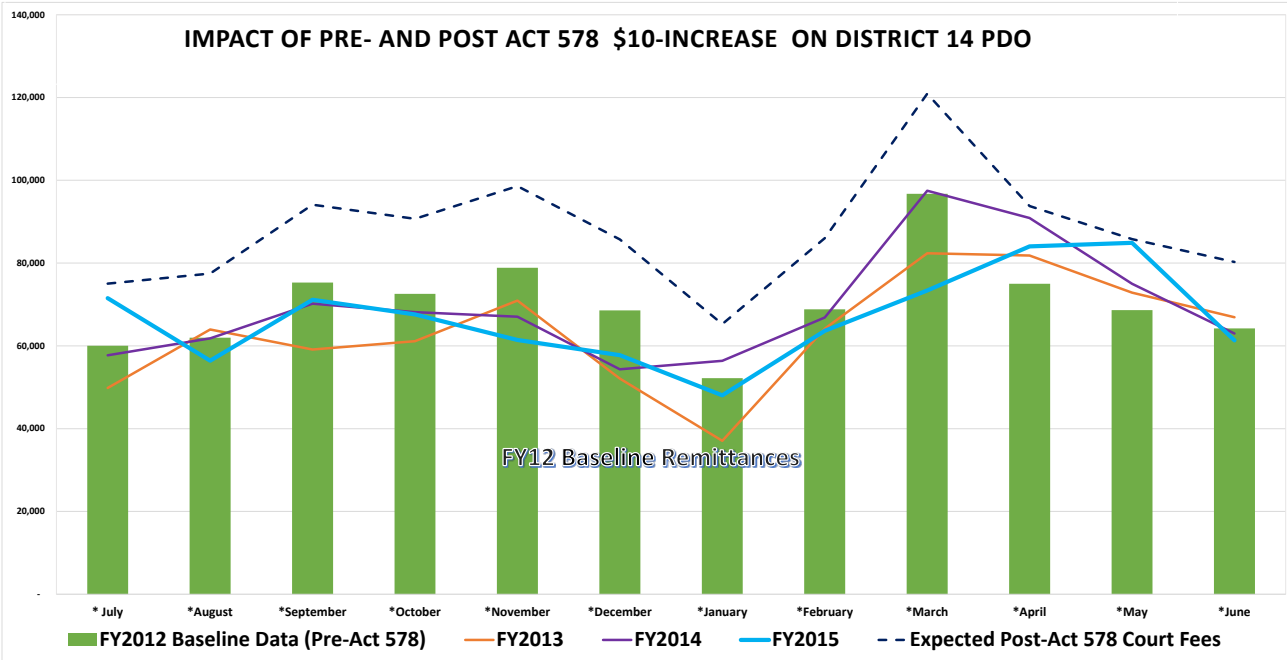
The 25% increase in local funds expected as a result of Act 578 (2012) has never materialized in the 14th Judicial District.

The 14th Judicial District office is not currently engaged in deficit spending. However revenues are largely insufficient, resulting in attorney caseloads which exceed client representation standards.

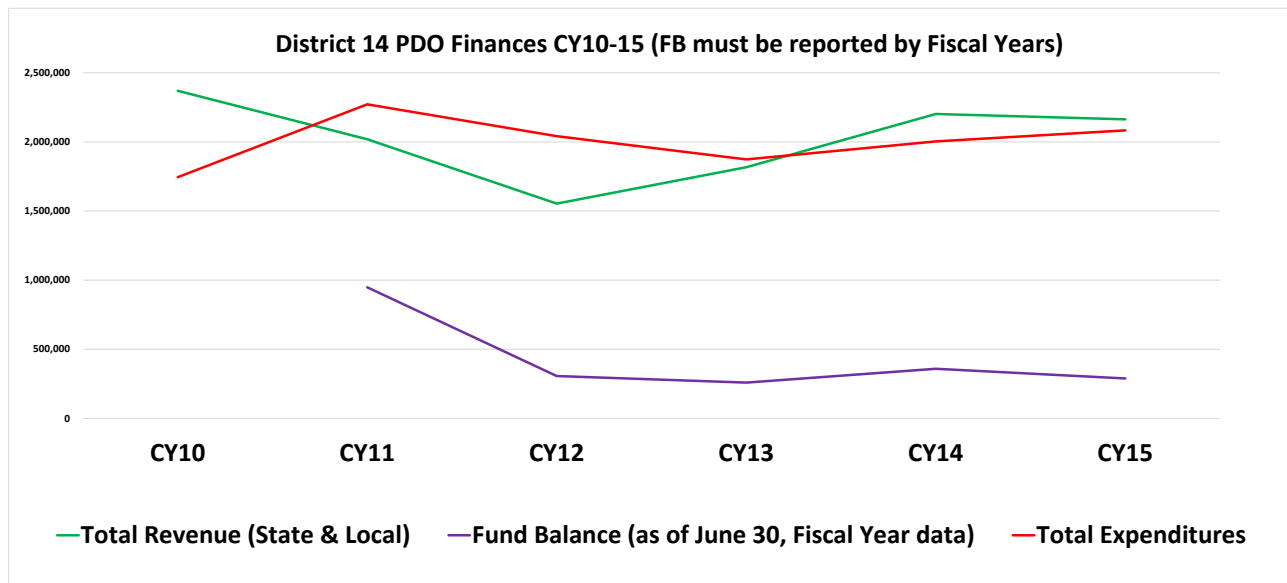
**District 14 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 14 PDO**



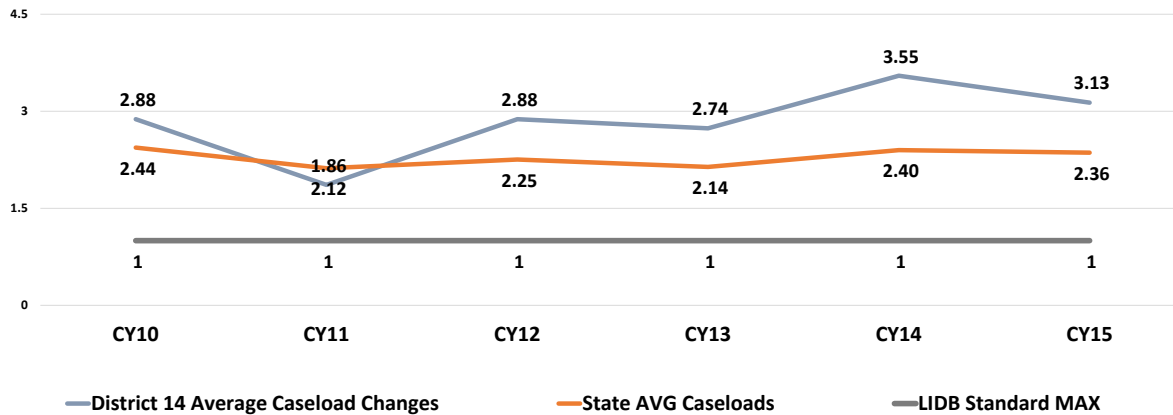
**District 14 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



# 14th JUDICIAL DISTRICT : CALCASIEU PARISH

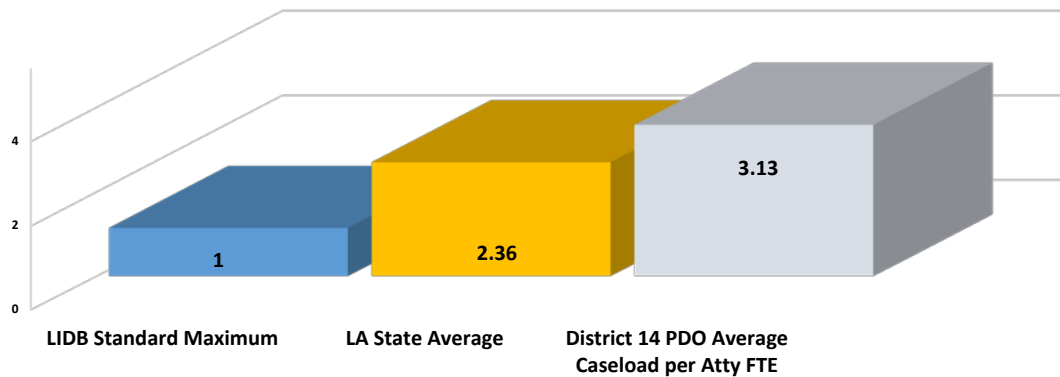
Harry Fontenot  
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1032 Ryan Street  
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District 14 PDO Average Caseload per Atty FTE



In the 14th Judicial District, public defense attorneys maintain caseloads three times the recommended caseload limit for each attorney.

District 14 PDO Average Caseloads Compared to State Average & State Standard Maximums



## CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 14TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Calcasieu - Lake Charles
<b>Population</b>	192,768
<b>Juvenile Population</b>	49,012
<b>District Defender</b>	Harry Fontenot (December 1, 2013)
<b>Years as District Defender</b>	3
<b>Years in Public Defense</b>	17
<b>Office Manager</b>	Mitchell P. Bergeron - Deputy District Defender & Chief financial Officer
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Kelly Rosteet - Secretary
<b>Primary Office Street Address</b>	1032 Ryan Street
<b>City</b>	Lake Charles
<b>ZIP</b>	70601
<b>Primary Phone</b>	337-436-1718
<b>Primary Mailing Address</b>	P.O. Box 3757, Lake Charles, LA 70602
<b>Primary Fax Number</b>	337-494-0370
<b>Primary Emergency Contact</b>	Harry Fontenot
<b>Primary Emergency Phone</b>	337-405-9771
<b>Secondary Emergency Contact</b>	Mitchell Bergeron
<b>Secondary Emergency Phone</b>	337-529-0907
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Calcasieu Parish Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	6,882
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	14th Judicial District Court, Calcasieu Parish, Lake Charles; Lake Charles City Court; and Sulphur City Court.

<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	The Supreme Court has approved having retired Judge Arthur Planchard act as a Hearing Officer. His authority is hearing arraignments for felonies and misdemeanors. He cannot accept felony pleas other than not guilty. His court is in session while the division who is scheduled for Crim II (misdemeanor and arraignments) is holding court at the same time. Because of the simultaneous court sessions, we were required to hire an attorney to attend the Hearing Officer sessions. The DA agreed to give us \$20,000 per year from his LACE fund to cover the expense.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	We have hired one part time attorney to handle the Hearing Officer felony arraignments and one misdemeanor division. We were able to hire the attorney because of an interagency agreement between our office and the District attorney, where he agreed to pay for the newly created Hearing Officer Division from his LACE funds.
<b>Name of Adult Detention Facilities in This District</b>	Calcasieu Correctional Center, Lake Charles, Louisiana
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Name of Juvenile Detention Facilities In This District</b>	Juvenile Detention Center, Lake Charles, Louisiana
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	If a juvenile is in custody and is accused of a crime of violence then they appear before the judge in shackles. If the juvenile is not accused of a violent crime or is not in custody then they do not appear in shackles.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	John DeRosier
<b>Chief Judge of Criminal District Court</b>	Clayton Davis
<b>Juvenile Court Judges (Specify District of City Court)</b>	Lilynn Cutrer, Guy Bradberry and Mitch Redd
<b>Drug Court Judges</b>	G. Michael Canaday, David Ritchie and Clayton B. Davis
<b>Mental Health Court Judges</b>	Robert Wyatt
<b>Other Specialty Court</b>	Veteran's Court
<b>Name of Specialty and Brief Description:</b>	Veteran's Court will be used to address the specific mental health or substance abuse needs of veterans who are brought into the criminal justice system.
<b>Indigency Determined by Whom and How?</b>	Upon requesting counsel, the accused is required to fill out an application for court-appointed counsel. The application is presented to the judge who makes the indigency determination.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time charges are filed. If incarcerated - at 72 hour hearing; if on bond - at arraignment.

<b>What steps does your office take to ensure conflict – free representation</b>	We do an initial review of the intake/interview forms to look for potential co-defendants, victims and witnesses. If a conflict is discovered, the case is referred to conflict free counsel. A secondary search is conducted after discovery is received on a case to verify there are no other potential conflicts that may not have been known to the client or discovered in our initial investigation. We also run that list of individuals against each of the conflict attorneys to ensure there are no potential conflicts with the conflict attorney who is appointed on a particular case.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Combination of Attorneys and/or Investigators
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Intake is done by either an attorney or investigator who is assigned to complete that work on a given week.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	4,024
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	42,446
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	778,488
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	A spreadsheet is provided by the Calcasieu Parish Sheriff's Dept. for the fees collected in the District Court. A summary sheet is provided by the Lake Charles City Court and Sulphur City Court.
<b>Who Collects the Assessed Court Fees?</b>	Calcasieu Parish Sheriff Dept. as well as Clerk's office for Lake Charles City Court and Sulphur City Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Same as above
<b>Who Remits the Court Fees Collected?</b>	Calcasieu Parish Sheriff Dept., Lake Charles City Court, and Sulphur City Court
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Same as above
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Upon reviewing an application, the judge will make a determination as to whether fees are due.



<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	The PDO receives notice from the clerk's office of the assessment of attorney fees.
<b>Who Collects the Assessed Partial Payments?</b>	The PDO collects these fees.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	We prepare and maintain that documentation.
<b>Who Remits the Partial Payments Collected?</b>	The clients, themselves.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Done in office.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	66,336
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	All attorneys employed by PD office are fulltime with no outside practice permitted. Contract attorneys are considered part-time and have their own private practices.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	See attached
<b>Primary Immediate Needs</b>	Adequate funds to maintain the attorneys at full-time.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	The Chief Investigator retired. We held off replacing him to save funds. Because of his retirement and level of his pay no longer an issue we were able to hire two (2) additional investigators/trial assistants to take his place. These 2 individuals will provide investigation and act as trial assistants so the secretaries will not have to attend court and can stay caught up on their work as the secretaries handle two (2) attorneys each and other assigned duties.
<b>Immediate Critical Issue Areas</b>	Adequate funds to maintain the attorneys as full-time employees.
<b>Long-Term Critical Issue Areas</b>	Adequate funding.
<b>Please List All New Hires in 2015 (Name and Title)</b>	Larry Pichon Part time misdemeanor attorney. John Fitzgerald part time Attorney hired to handle Magistrate Arraignments and one misdemeanor division pursuant to Interagency agreement with the DA to provide the funds from his LACE program.
<b>Please List All Promotions in 2015 (Name and Title)</b>	Andy Casanave - Line supervisor; E. King Alexander - Line supervisor; Heather Basco - Investigator.
<b>2015 Media Coverage and/or Major Accomplishments</b>	We argued the case of State vs. CJA at the 3rd circuit court of appeals and the Louisiana Supreme Court winning each time. We have won several bench and jury trials and received responsive verdicts.
<b>Number of Expected New Attorney Hires in 2016</b>	None at this time.

<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Our attorneys take advantage of free CLEs by the Bar Association. Also, King Alexander receives his CLEs by teaching at seminars. We also have attorney meeting where one attorney is asked to give a talk on a specific area of the law.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District defender Harry Fontenot oversees all aspects of the office. Deputy District defender Mitchell Bergeron has supervisory authority over all employees and is the Chief Financial Officer. LWOP attorneys Andrew Casanave and E. King Alexander were promoted to Line Supervisors and have supervisory authority over their division and support staff. All supervisors act as mentors and training officers.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	Andrew Casanave and E. King Alexander have been named Line Supervisors. Also, two (2) investigator/trial assistants have been named to replaced the retired Chief Investigator.
<b>Please Attach Your Office Organizational Chart</b>	N/A
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes. Staff provided with health, dental and life insurance without deductions from their salary.
<b>Regular Meetings for Any Staff, Please Describe</b>	Meetings are scheduled for the first Monday of every month. Other meetings are scheduled as needed. (eg. one is set for Jan. 19, 2013.)
<b>Number of NEW capital cases in CY15 handled by your office</b>	There is 1 first degree murder case in which the state will seek the death penalty. The case is being handled by BRRC.
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	None
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2015</b>	8
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	An LWOP attorney will assist the Juvenile attorney in any hearing which involves transfer.

<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Representative Brett Geymann had term limited out of office. His successor is Stephen Dwight. Rep. Charles Kleckley has term limited out of office. His successor is Mark Abraham.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	We were having problems with the DA's office supplying discovery. The DA's office would file an "authorization to permit discovery" and we would have to hunt down the discovery ourselves. After several Criminal Justice meetings the judges issued an order that we were to be given discovery a.s.a.p.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	See above. Also we routinely have meetings with the Judges, Da, Clerk Sheriff and all members of the Criminal Justice Community in an attempt to make the system more fair and run more efficiently.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Mitch Bergeron	337-436-1718
E. King Alexander	337-436-1718
Andrew Casanave	337-436-1718
Steven Coward	337-436-1718
Harry Fontenot	337-436-1718
Joshua Monroe	337-436-1718
Heath Dorsey	337-436-1718
Marsha Montgomery	337-436-1718
Elizabeth Traub	337-436-1718
Scott Rogers	337-436-1718
Mike Stratton	337-436-1718
James Flammang	337-436-1718
Necole Williams	337-436-1718
Ralph Williams	337-436-1718
Jacob Richard	337-436-1718
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Robert Shelton	337-497-0011
J. Wade Smith	337-436-8424
Shunette Thomas-Jordan	337-990-5004
Donald Guidry	337-794-1794
Elliott Cassidy	337-824-1591
Eugene Bouquet	337-433-9900
Samara Sabin	337-433-3305
Larry Pichon	337-439-3073
John E. Fitz-Gerald	337-912-4906
<b><u>Non Attorney Employees, Contractors, and Other Staff</u></b>	<b><u>Contact Information</u></b>
Heather Basco	337-436-1718
Amanda Hale	337-436-1718
Deanna Conn	337-436-1718

Sandra Reay	337-436-1718
Pam Jones	337-436-1718
Paula Nixon	337-436-1718
Kelly Rosteet	337-436-1718
Jean Jessup	337-436-1718
Amanda Welch	337-436-1718
Tori Broussard	337-436-1718
Alicia Savoy	337-436-1718
Jennifer Romero	337-436-1718

## 2015 District Office Technology Survey

<p>The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.</p>	
<b>Survey Completer's Name</b>	Harry Fontenot
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	x
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	1
DVD	
VCR	
Desktop PCs	35
Laptops	3
Video Cameras	1
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	
Color Printers	1
Wireless Cards	1
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	12mb
Provider Name:	suddenlink
Email Provider:	gmail
Please list any software or computer equipment in which you need training:	DefenderData training always useful.

### 14th District Defender Office CY 2015 Caseloads & Outcomes

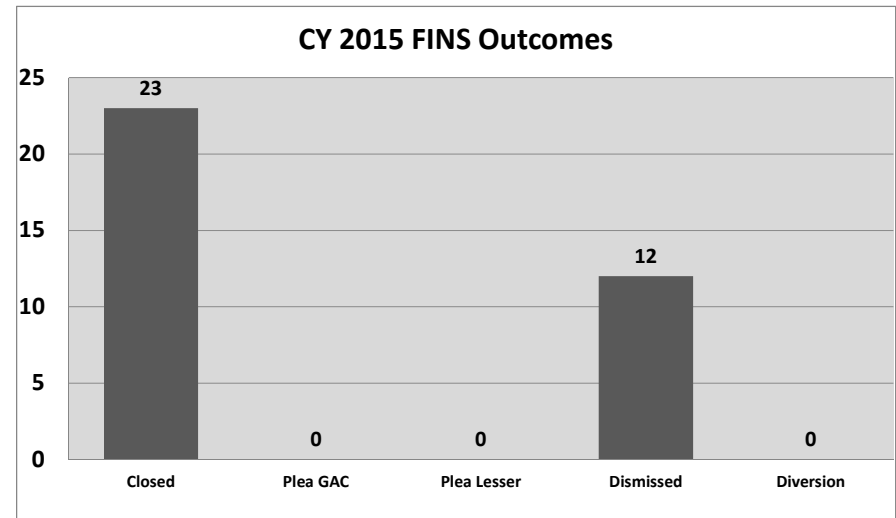
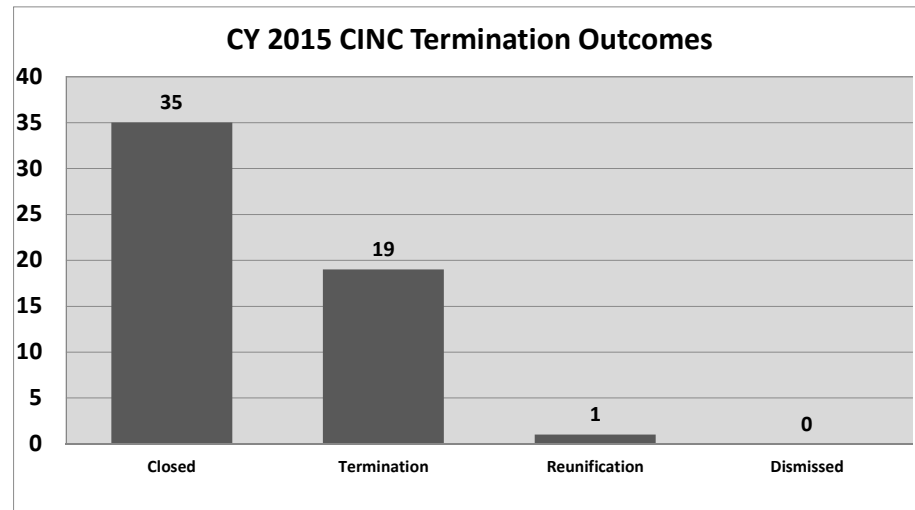
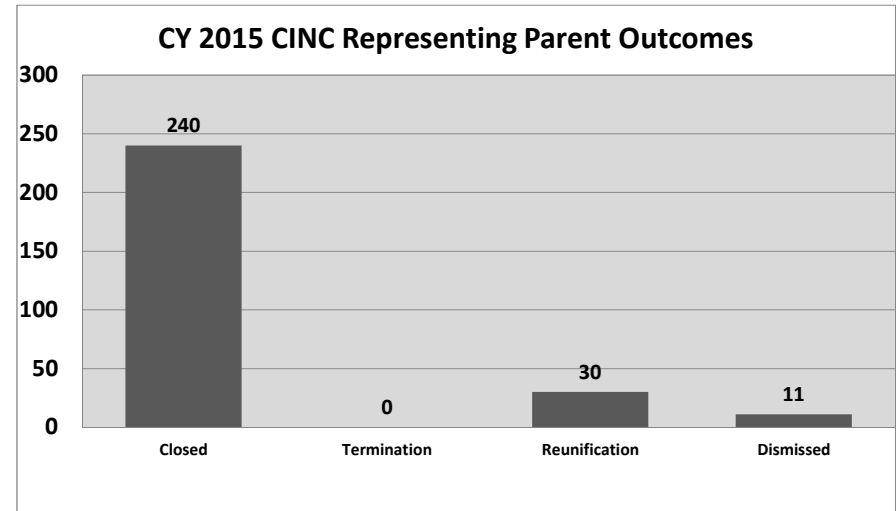
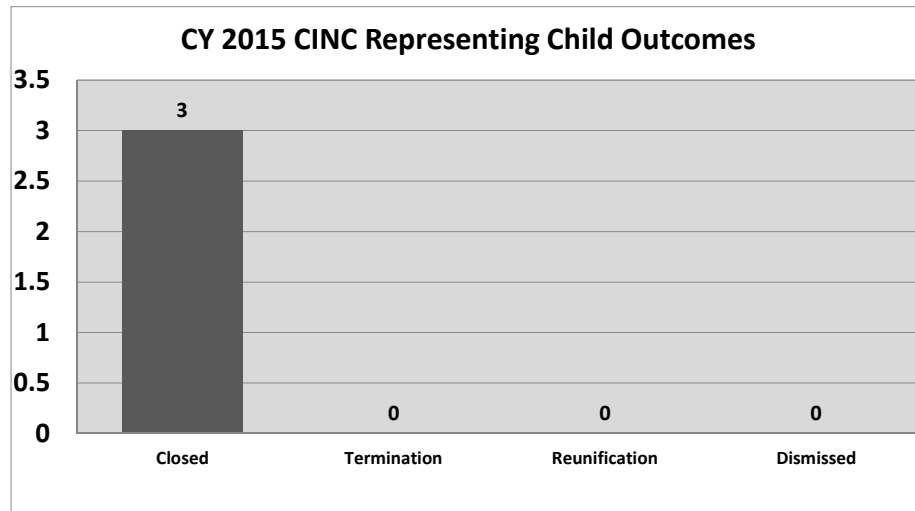
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	1	0	0	1	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	3	3	2	5	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	309	240	196	505	0	30	N/A	N/A	11	N/A	N/A	N/A	N/A	N/A	0
Termination	40	35	11	51	19	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	23	29	29	N/A	N/A	0	0	12	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	350	388	319	669	N/A	N/A	252	26	156	24	N/A	N/A	0	0	0
Delinquency Felony	140	188	192	332	N/A	N/A	140	29	124	10	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	11	113	1	12	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	2536	2882	2236	4772	N/A	N/A	1755	224	1465	8	0	4	0	10	14
Adult Felony Non-LWOP**	3374	4345	4024	7398	N/A	N/A	1544	896	3749	9	3	29	0	68	100
Adult LWOP	0	20	34	34	N/A	N/A	1	4	2	0	0	3	0	3	6
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	405	551	659	1064	N/A	N/A	1	0	1	0	N/A	N/A	N/A	N/A	0
PCR	1	2	1	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	1	1
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

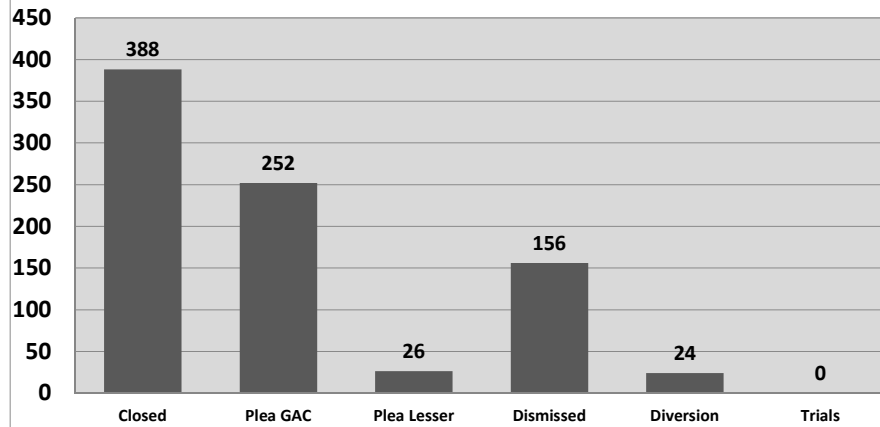
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

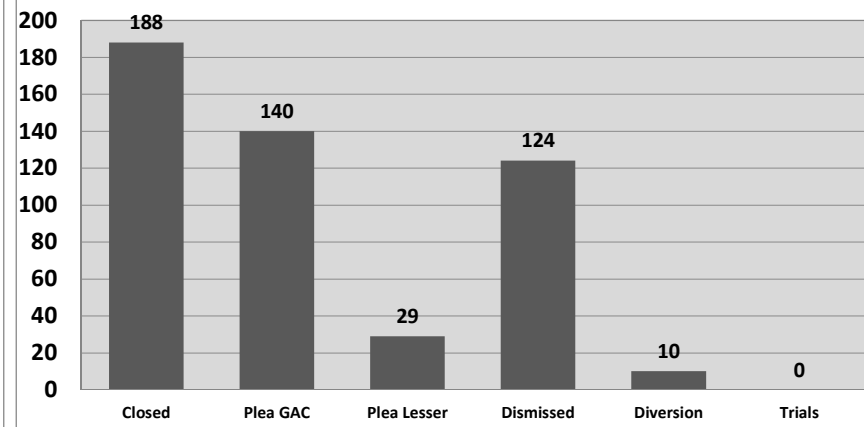




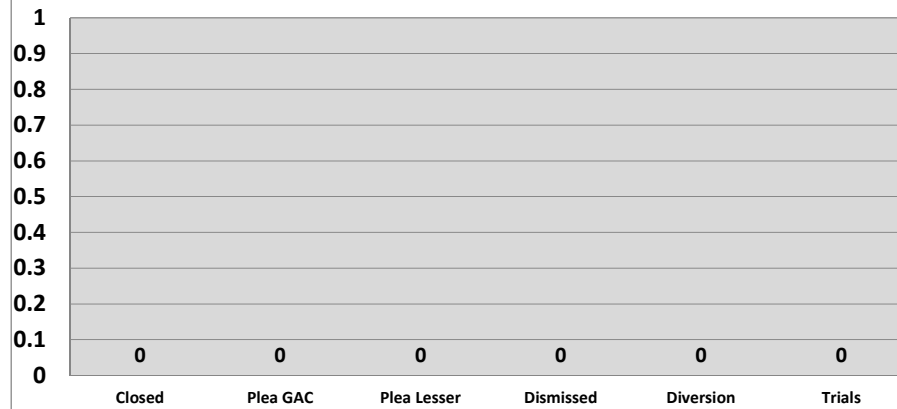
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



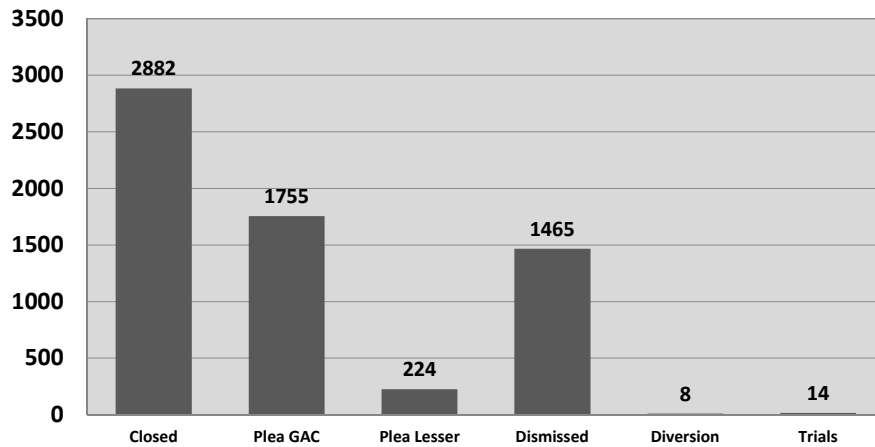
**CY 2015 Delinquency Felony-Grade Outcomes**



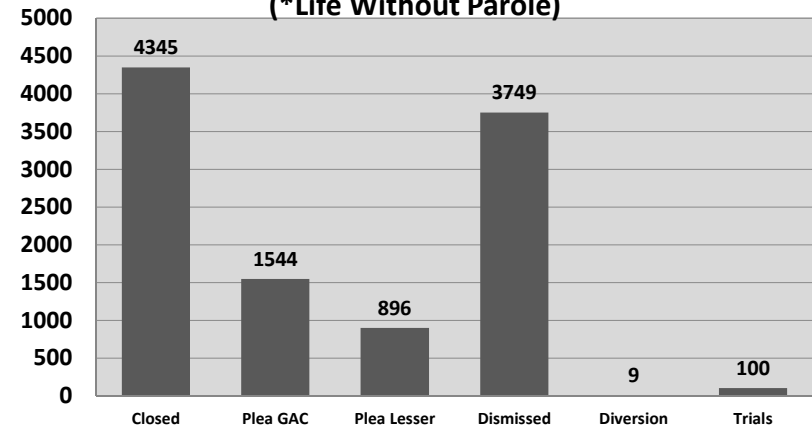
**CY 2015 Delinquency Life Outcomes**



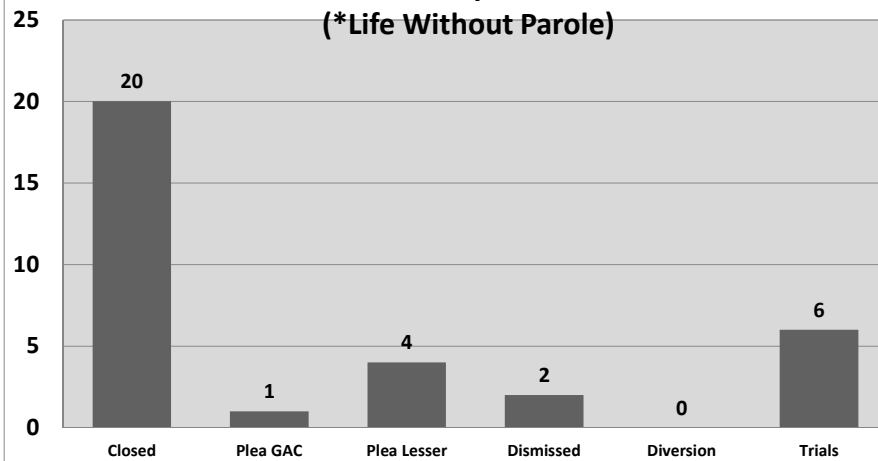
**CY 2015 Adult Misdemeanor Outcomes**



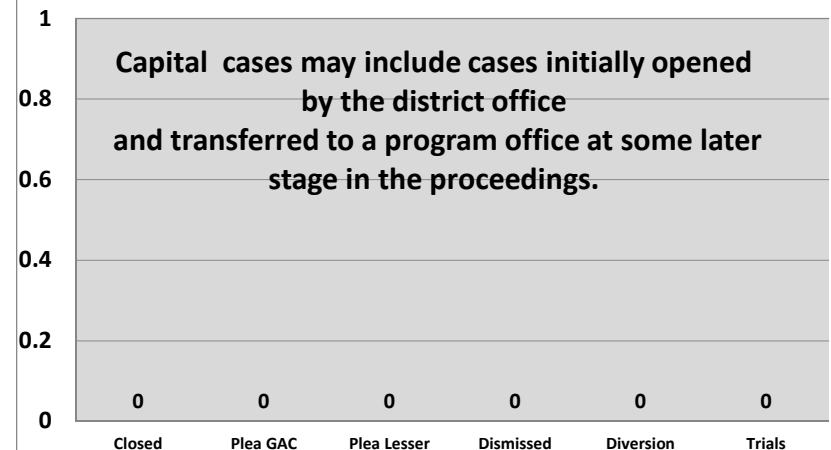
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

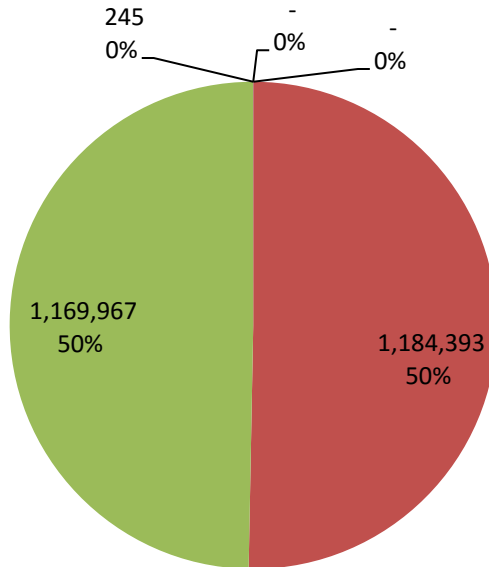


District 14 CY2015	Total CY2015
District Defender: Harry Fontenot	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	80,479
District Assistance Fund (DAF)	1,103,914
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	1,184,393
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	168,405
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	49,882
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	355,605
Judicial District Courts	120,141
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	97,070
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	202,672
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	60,482
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	835,971
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	42,446
Partial Attorney Fees	
Reimbursements [as per 15:176]	66,337
Other Reimbursements	6,092
Other Local Income -List source(s)	835
Total for Charges For Services	115,710
Total for Local Government	1,169,967
Investment Earnings	
Interest Income	245
Other Investment Income - List source(s)	-
Total for Investment Earnings	245
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	-
Total for REVENUE	2,354,605

District 14 CY2015	Total CY2015
District Defender: Harry Fontenot	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	1,172,580
Accrued Leave	-
Payroll Taxes	90,623
Hospitalization and Disability Insurance	160,799
Retirement	20,203
Other	-
Total for Personnel Services and Benefits	1,444,204
Travel/Training	
Parking/Auto Tolls	564
Travel/Lodging/Per Diem/Mileage	11,212
Total for Travel/Training	11,775
Operating Services	
Advertisements	156
Workers' Compensation	7,128
Insurance - Malpractice	15,621
Insurance - Auto/Physical Liability	1,369
Insurance - Other	-
Lease - Office	42,944
Lease - Auto/Equipment	141
Lease - Other	-
Office Repair and Maintenance	1,735
Office - Telephone/Utilities/Postage/Internet	14,900
Dues and Seminars	8,801
Law Library/Journals/Subscriptions	21,365
Office Supplies	29,986
Total for Operating Services	144,146
Professional Services	
Audit/Accounting Expense	8,000
Contract Clerical	3,702
Expert Witness	8,000
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	341,539
Contract - Juvenile Attorneys or CINC	64,000
Misdemeanor Attorney Contracts	32,733
Contract Attorneys - all other	-
IT/Technical Support	7,911
Total for Professional Services	465,886
Capital Outlay	
Major Acquisitions	14,236
Total for Capital Outlay	14,236
Other Charges	
Other Operating Expenses	2,774
Total for Other Charges	2,774
Total for EXPENDITURES	2,083,021

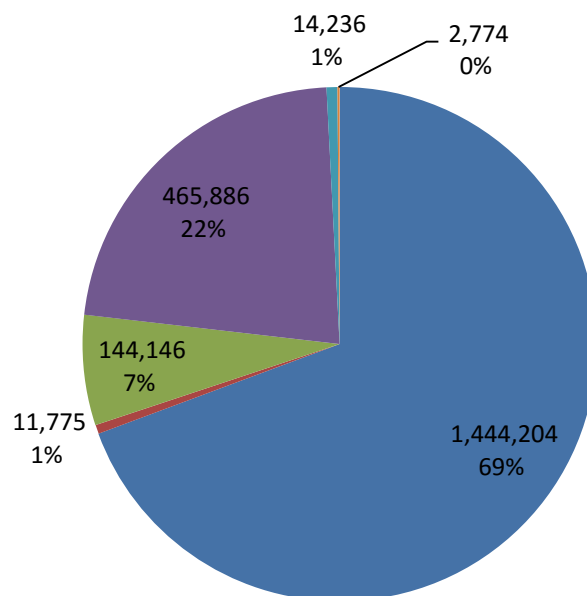
## Total CY15 Revenues

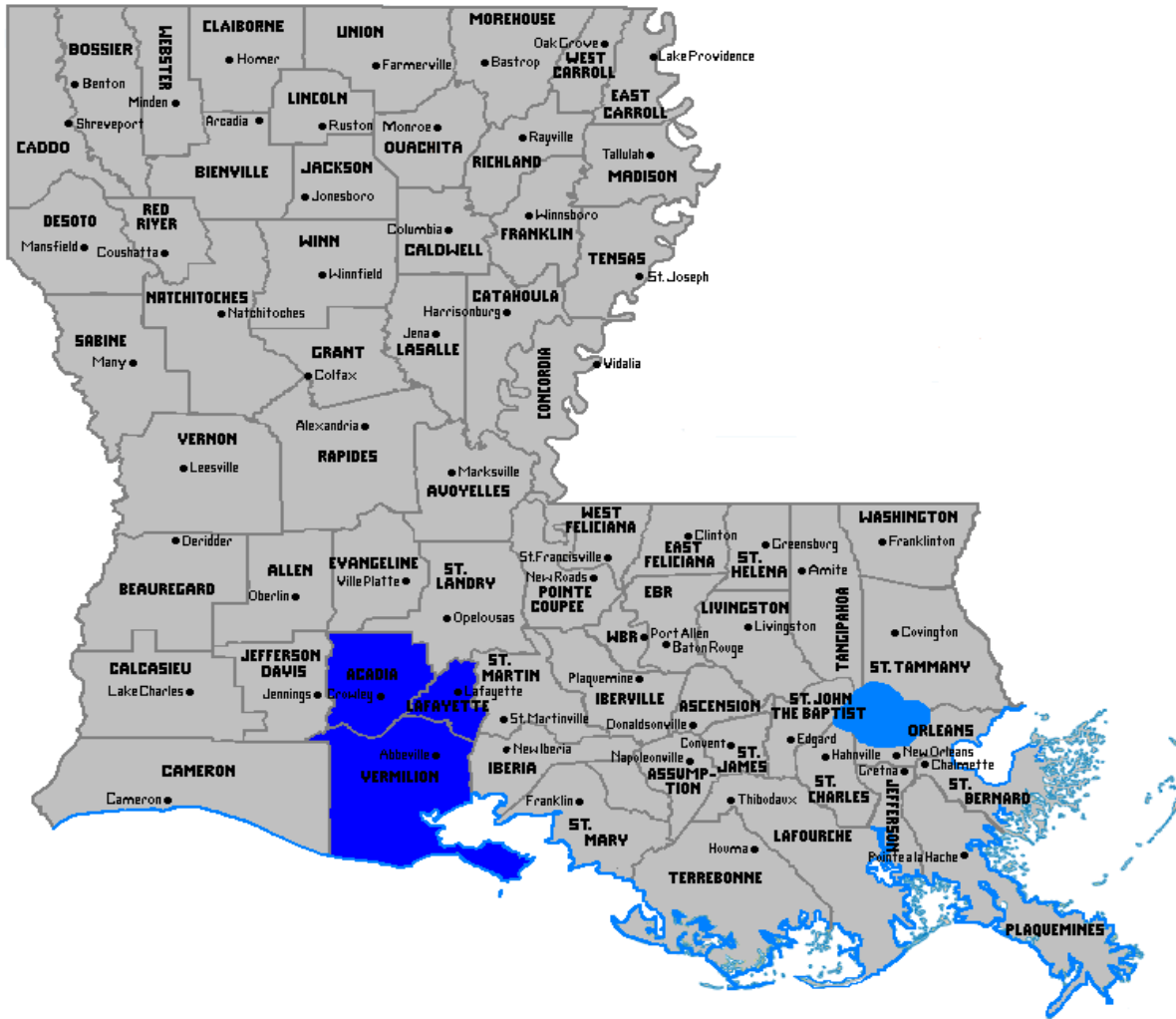
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





## THE 15<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

ACADIA (CROWLEY) - LAFAYETTE (LAFAYETTE) - VERMILION (ABBEVILLE)

DISTRICT DEFENDER: G. PAUL MARX  
600 JEFFERSON STREET, SUITE 902  
LAFAYETTE, LA 70501  
(337) 232-9345

# 15TH JUDICIAL DISTRICT : ACADIA, LAFAYETTE, VERMILLION PARISHES

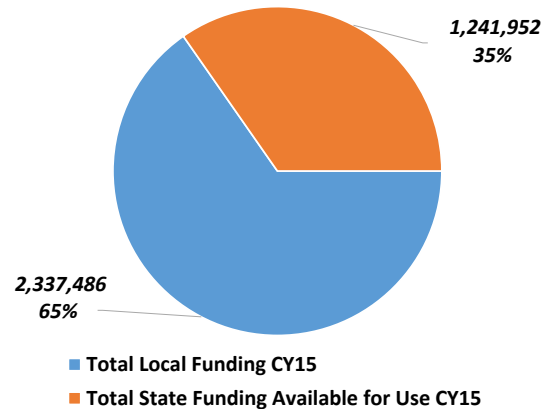
G. Paul Marx  
District Defender  
600 Jefferson Street, Suite 902  
Lafayette, LA 70501  
337-232-9345

During Calendar Year 2015, the 15th Judicial District Public Defenders Office handled 19,819 cases. The office received \$3,579,438 in total revenues to handle these cases, a decrease of more than \$300,000 from Calendar Year 2014. The office also handled more than 1,700 additional cases than the previous year. Approximately 65% of revenues came from local funding which was derived primarily from traffic tickets and special court costs.

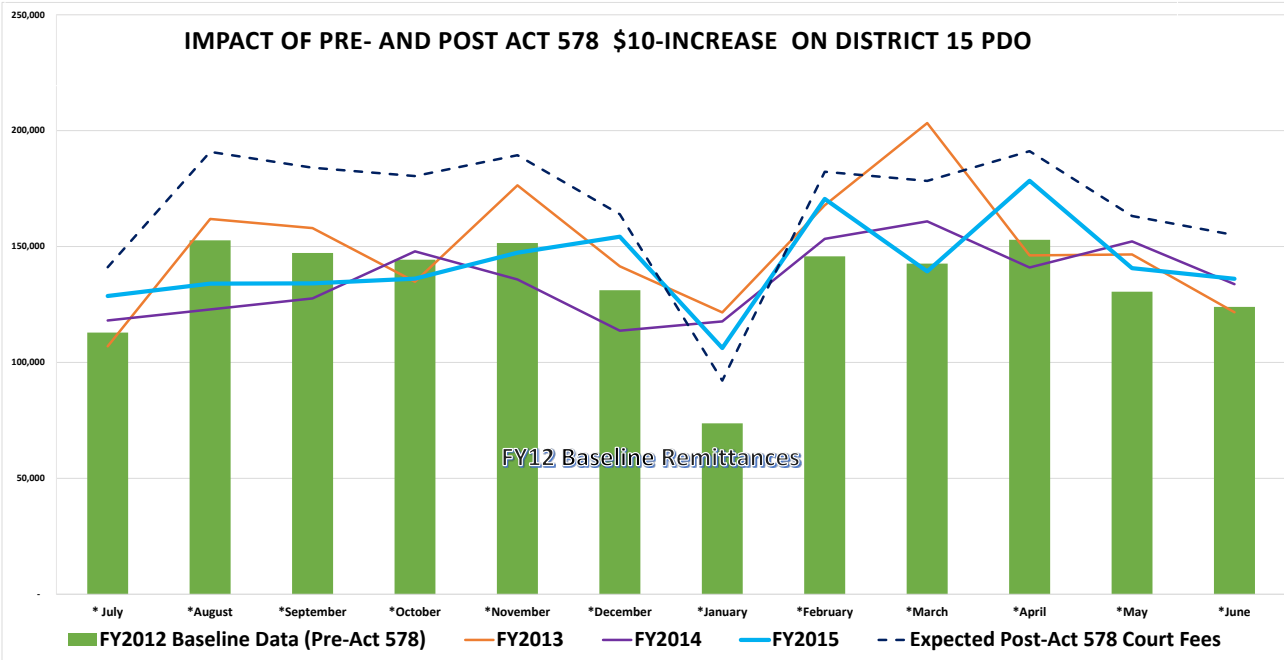
The 15th Judicial District has only realized the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012) four times.

The 15th Judicial District office has exhausted its fund balance and began restricting services on January 1, 2016.

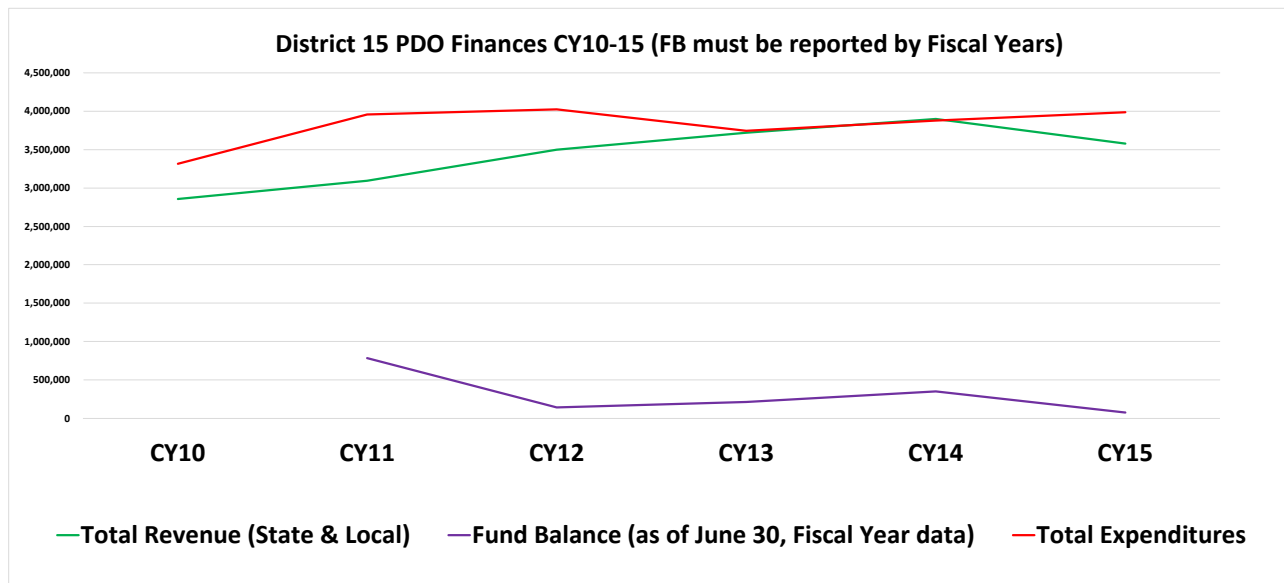
**District 15 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 15 PDO**



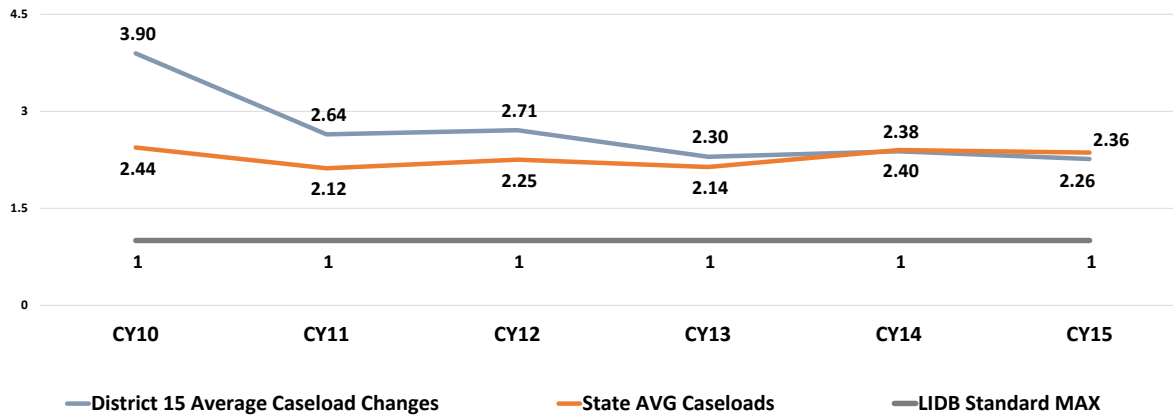
**District 15 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



# 15TH JUDICIAL DISTRICT : ACADIA, LAFAYETTE, VERMILLION PARISHES

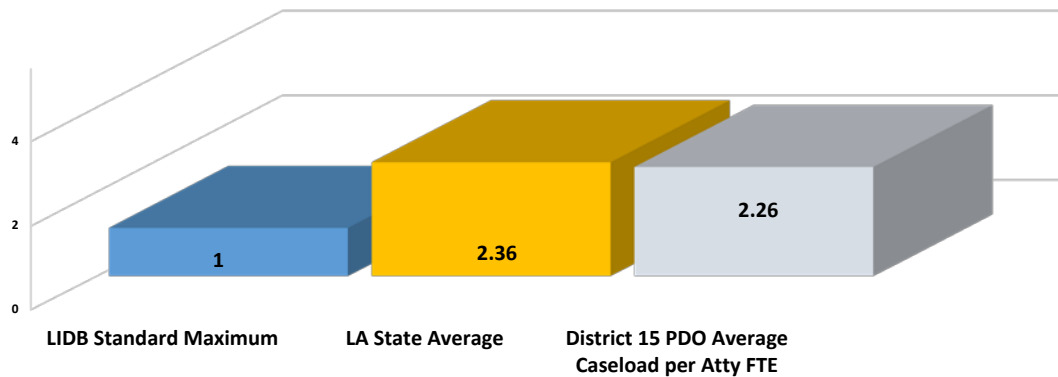
G. Paul Marx  
District Defender  
600 Jefferson Street, Suite 902  
Lafayette, LA 70501  
337-232-9345

District 15 PDO Average Caseload per Atty FTE



In the 15th Judicial District, public defense attorneys maintain caseloads more than twice the recommended caseload limit for each attorney.

District 15 PDO Average Caseloads Compared to State Average & State Standard Maximums



## CAPITAL REPRESENTATION

This PDO has capitally certified counsel on contract to handle the cases that arise in the district, however, the Board passed a Resolution in 2015 to prohibit districts in restriction of services from accepting new capital appointments. As a result, all capital cases in this high-volume capital prosecution districts fall to the state to supply capital representation because the district is facing Restriction of Services.





## THE 15<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Acadia - Crowley; Lafayette - Lafayette; Vermilion - Abbeville
<b>Population</b>	357,746
<b>Juvenile Population</b>	88,801
<b>District Defender</b>	G Paul Marx
<b>Years as District Defender</b>	Oct 2010 to present, and 1987-2000
<b>Years in Public Defense</b>	35
<b>Office Manager</b>	Chris St. Julien - Business Team Leader
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Data Clerks: April Broussard, Brittany Broussard, Annette Guidry, Jaminka Clay, Megan Delcambre, Paula Miguez, Kasandra Washington, Lindsay Bernard, Germaine Arcenceaux, Caitlin Ard, Leah Sonnier, Michelle Calloway and Chris St. Julien.
<b>Primary Office Street Address</b>	600 Jefferson Street, Suite 902
<b>City</b>	Lafayette
<b>ZIP</b>	70501
<b>Primary Phone</b>	337-232-9345
<b>Primary Mailing Address</b>	Post Office Box 3622, Lafayette, LA 70502
<b>Primary Fax Number</b>	337-232-1169
<b>Primary Emergency Contact</b>	G Paul Marx
<b>Primary Emergency Phone</b>	337-278-6518
<b>Secondary Emergency Contact</b>	Chris St. Julien
<b>Secondary Emergency Phone</b>	337-344-7488
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Acadia - 516 SE Court Circle, Crowley, P.O. Box 252, Crowley LA 70527; Vermilion - 204 Chairty Street, Abbeville, LA 70510.
<b>Other District Office Contact Personnel (Primary Only)</b>	ACADIA: Annette Guidry, Germaine Arceneaux. VERMILION: April Broussard, Brittany Broussard.
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Acadia- Legion City Hall, Inc.; Lafayette- Chase Tower, LLC; Vermilion- Area Holdings, LLC.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Acadia-1,620; Lafayette-12,440; Vermilion-900.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Accounting is internal with a CPA firm which verifies monthly accounting and provides summary report. J. L. Sonnier, CPA. This CPA has governmental accounting compliance expertise as well.

<b>Courts and Locations</b>	15th Judicial District Court, Lafayette Parish, 800 S. Buchanan, Lafayette; 15th Judicial District Court, Acadia Parish, Crowley; 15th Judicial District Court, Vermilion Parish, 100 N. State Street, Abbeville; Crowley City Court; Rayne City Court; Lafayette City Court; Abbeville City Court, 208 State Street, Abbeville; Kaplan City Court; Mayor's Courts, Lafayette Parish: Carencro, Youngsville, Scott.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Lafayette- 5 Criminal Divisions, including one for all drug offenses; 2 juvenile Divisions in addition; Acadia 2 Criminal Divisions; Vermilion 2 Criminal Divisions.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Some attorneys are cross-tracked, meaning they have clients in more than a single division. This is moving away from "judge assigned" to "client assigned".
<b>Name of Adult Detention Facilities in This District</b>	Acadia Parish Detention Center, 1061 Capital Avenue, Crowley, 70526; Acadia Parish Jail, 1037 Capital Avenue, Crowley, 70526; Lafayette Parish Correctional Center; Vermilion Parish Correctional Center - 14202 Savoy Road, Abbeville, 70510.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles Marksville Detention Center, Marksville, LA; New Iberia Correction Center, New Iberia, LA ; Richland Detention Center, Rayville, LA.
<b>Name of Juvenile Detention Facilities In This District</b>	Lafayette Juvenile Detention Center.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Lafayette Parish Juvenile Detention, PO Box 2399, Lafayette, LA; Assumption Youth Detention Center, 122 Parish Complex Rd, Napoleonville, LA 70390.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	The Criminal Justice Coordinating Committee in Lafayette Parish has been of great help in dealing with such issues, and improved client access has been the result. On occasion there is a problem with DOC prisoners as the court, over our objection, sometimes ships inmates back to their DOC home. But pre-trial facilities are accessible.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Motions have been filed and writs taken, but the practice continues.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Rarely and only when inmate is a security concern or has a Hard Labor Conviction.
<b>District Attorney</b>	Effective January 12, 2015 Keith Stutes
<b>Chief Judge of Criminal District Court</b>	David Blanchet, effective January 1.
<b>Juvenile Court Judges (Specify District of City Court)</b>	Lafayette City Court - Doug Saloom & Francie Bouillion; Kaplan City Court - Stanton Hardee; Crowley City Court - Malese Trahan; Lafayette District Court - Thomas Duplantier; Vermilion District Court - Ed Broussard, Laurie Hulin & Thomas Duplantier; Acadia District Court.
<b>Drug Court Judges</b>	Judge Jules Edwards (adult) and Thomas Duplantier (juvenile)
<b>Mental Health Court Judges</b>	Still no mental health court.
<b>Other Specialty Court</b>	Yes

<b>Name of Specialty and Brief Description:</b>	Adult DWI Treatment Court.
<b>Indigency Determined by Whom and How?</b>	Court makes initial referral in most cases. Intake then consists of review of financial statement unless incarcerated, and appointment of counsel if client is unable to afford counsel of their choice.
<b>When is Assignment/Appointment of Counsel Made?</b>	Vertical appointment based on time of offense for all felonies. Inmates appointed out of 72s or as soon as PDO is aware. Those not detained as soon as application is approved.
<b>What steps does your office take to ensure conflict – free representation</b>	Staff reviews related parties at intake. Counsel is required to continually review and request reassignment immediately upon finding conflicts that arise after initial appointment.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	April Broussard, Brittany Broussard, Annette Guidry, Jaminka Clay, Megan Delcambre, Paula Miguez, Kasandra Washington, Lindsay Bernard, Germaine Arcenceaux, Caitlin Ard, Leah Sonnier, Michelle Calloway(intake/data entry staff) and Chris St. Julien (Business Team Leader).
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes. Most applications are taken in court for the arraignment. However, some clients do come to the office to complete the application.
<b>Brief Explanation of Intake Process</b>	Clients provide basic financial information. Unless the client has exceptional resources, only the application fee is requested.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	We continue to push for client payments, and in fact have pursued collection including La Dept. of Revenue refund garnishment.
<b>How Many Applications for Services Were Received?</b>	10,781
<b>How Many Application Fees Were Waived?</b>	6,378
<b>How Many Application Fees Were Reduced?</b>	12
<b>Total Application Fee Dollars Collected in 2015</b>	129,315
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Generally no, otherwise some cases go to the Sheriff for collection without separate accounting.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	1,667,453
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Assessed as general court costs. No waiver generally but PDs are advised to move for waiver if client hardship would result from assessment.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	A disbursement detail indicating the number of cases assessed and the dollar amount collected and disbursed is provided by most of our city courts. District Court collections are reflected on the same kind of report from each Sheriff's Office.
<b>Who Collects the Assessed Court Fees?</b>	City Courts, District Court the Parish Sheriff's Office and Mayor's Courts.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	A disbursement detail indicating the number of cases assessed and the dollar amount collected and disbursed is provided by most of our city courts. District Court collections are reflected on the same kind of report from each Sheriff's Office.

<b>Who Remits the Court Fees Collected?</b>	City Courts, District Court the Parish Sheriff's Office and Mayor's Courts either the PD or the town clerk.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	A disbursement detail indicating the number of cases assessed and the dollar amount collected and disbursed is provided by most of our city courts. District Court collections are reflected on the same kind of report from each Sheriff's Office.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	District court adopted a Rule in cooperation with District Defender in 2011. Provides those over Poverty Guidelines will be assess fixed fee. In addition, clients may decide to make their own voluntary contribution.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	The court issues an Order at the beginning of the case. The PDO keeps a record of payments during litigation, and at sentencing the trial court may order the collection through the court which then informs the PDO of payments at the time those are sent to us.
<b>Who Collects the Assessed Partial Payments?</b>	The PDO keeps a record of payments during litigation, and at sentencing the trial court may order the collection through the court which the Sheriff collects and remits those payment to PDO monthly.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Lafayette Parish Sheriff reports detail for the largest parish. Other sheriffs provide less detailed reports.
<b>Who Remits the Partial Payments Collected?</b>	Clients pay during litigation and then after final judgment payment is through the presiding court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	A detailed report which includes client names, docket numbers and payments is provided by the Lafayette Parish Sheriff Office for any fees collected by that office.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	217,690
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Full time attorneys have no private practice. Contractors must limit outside practice and must treat PD clients exactly as other clients. Explicit contractual terms plus directives from District Defender.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Written contract attached, with Compensation Addendum.
<b>Primary Immediate Needs</b>	Unless the state plans to take all capital, approximately \$700 for capital staffing. Another \$2.6 million for improvement of caseload management, facilities and personnel.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	ROS starts Jan 1, 2016.

<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	We had the advantage of three attorneys working on Gideon's Promise Law School Partnership Grant, so when several contract lawyers left we were able to move full time staff in for 3 felony lawyers and saw a savings from that attrition. But no cuts as such for budget failures: some posts remain unfilled.
<b>Immediate Critical Issue Areas</b>	Funding for Capital Defense. Approximately \$500,000 in local funds would be necessary to fund capital programs in the district. Ideally the DAF would be increased by \$3 million for best practices, full staff support, and other needs.
<b>Long-Term Critical Issue Areas</b>	Continued efforts to change the culture of the office moving away from anything other than a client centered approach.
<b>Please List All New Hires in 2015 (Name and Title)</b>	Full Time: Leanna Duncan, Felony; Charles Luskin, Felony; Jeffrey Matus, law clerk Daniel Ginnetty, law clerk; Part time: Michelle Calloway, clerical; Leah Sonnier, clerical; Contractors: Burton Guidry, felony, Parker Mitchell, misdemeanors; Chris Trahan, felony, Kevin Hernandez, felony.
<b>Please List All Promotions in 2015 (Name and Title)</b>	Lilian Hangartner, Track Supervisor; Amanda Martin, Track 1 Supervisor.
<b>2015 Media Coverage and/or Major Accomplishments</b>	No significant media in 2015. Some case accounts related to trial work.
<b>Number of Expected New Attorney Hires in 2016</b>	Three Gideon Fellows.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Three to four quarterly in house CLEs, open to the bar which helps with costs. Several Capital Team members attended national training in Las Vegas sponsored by NLADA.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Growth will be slowed by ROS, but 1st Assistant and Team Leaders in each section or track are being selected and procedures for supervision are being put in place.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	Chad Ikerd as First Assistant Defender.
<b>Please Attach Your Office Organizational Chart</b>	Attached.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Team Leaders have reduced caseloads. District Defender takes a Capital Case or two because of a lack of certified counsel. Otherwise only to mentor staff counsel.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	All full time employees are enrolled for health and dental benefits after 60 days of employment.
<b>Regular Meetings for Any Staff, Please Describe</b>	Team Leaders meetings, special committees also and training exercises for new hires during first 3 months of their term.
<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	5

<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	6
<b>Number of Writs Your District Handled in 2015</b>	33
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	3
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Counsel will work with Juvenile attorney who is first assigned and preference will be given to appointment of a lawyer with Juvenile Justice expertise.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	STATE REPS: Nancy Landry (R #31); Stephen Ortego (D#39); Mickey Guillory (D#41); Jack Montoucet (D#42); Stuart Bishop (R#43); Vincent Pierre (D#44); Jean-Paul Coussan (R#45); Bob Hensgens (D#47); Taylor Barras (R#48); Blake Miguez (R#49) Terry Landry (D#96) STATE SENATORS: Fred Mills (D#22); Page Cortez (D#23); Elbert L. Guillory (D#24); Dan Morrish (D#25); Jonathan Perry (R#26); Eric LaFleur (D#28).
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	There hasn't been a community developed for Public Defenders in Louisiana since the 2007 act, and it seems we have less interaction with the profession in the state since then.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	The Criminal Justice Coordinating Committee has matured, the new District Attorney and the new Sheriff have indicated continued support. The full time component in Acadia Parish is making good headway in improving Crim Justice by infusing client centered defense practices. We have a good team culture in the law firm that is the public defender office. Our ROS plan has been framed to preserve the core values of client centered representation.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Marx, G. Paul	337-456-1643
Brown, Janet	337-232-9345
Ikerd, Chad	337-232-9345
Hogan, Jane	337-232-9345
Martin, Amanda	337-898-2090
Brown, Harry	337-232-9345
Brown, Elliott	337-232-9345
Rubin, David	337-232-9345
Roberts, Chaz	337-232-9345
DeMahy, Suzanne	337-898-2090
Donnelly, Kevin	337-232-9345
Hangartner, Lilian	337-232-9345
Graham, Caitlin	337-232-9345

Rimmer, Thomas	337-232-9345
Talaska, Jack	337-232-9345
Costales, Jorge	337-232-9345
Harang, Thomas	337-232-9345
Charles-Young, JaVonna	337-232-9345
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Block, Gerald	337-232-9396
McCann, Randle	337-232-1255
Garrett, Valerie	337-232-1600
Register, Jr., Harold	337-981-6644
Amos, Valex	337-291-9115
Alonzo, Thomas V.	337-704-2615
Gautreaux, Kay	337-232-7747
Cloutier, Monique	337-658-5245
Mose, Travis	337-232-7239
LaRue, Chris	337-291-9100
Lejeune, Clay	337-788-1505
Howie, Glenn	337-785-8500
Harrington, Thomas	337-783-8580
Landry, Michael	337-788-1850
Stefanski, John	337-783-7000
Veazey, Linda	337-893-5076
Pillette, Raven	337-898-2090
Guidry, Nicole	337-740-8885
Alexander, Xavier	337-374-1822
Register, III, Harold D.	337-988-6644
Klock, James	337-788-1505
Marquet, Edward	337-237-6841
Dangerfield, Lloyd	337-232-7041
Guidry, Burton	337-740-0834
Mitchell, Parker	337-788-0768
Lounsberry, Sr., Robert	337-223-5040
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
St. Julien, Chris	337-232-9345
McManus-Bernard, Lindsay	337-232-9345
Clay, Jaminka	337-232-9345
Broussard, April	337-232-9345
Guidry, Annette	337-232-9345
Arceneaux, Germaine	337-232-9345
Broussard, Brittany	337-232-9345
Washington, Kasandra	337-232-9345
Miguez, Paula	337-232-9345
Delcambre, Megan	337-232-9345
Caitlin Ard	337-232-9345
Calloway, Michelle	337-232-9345

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	G. Paul Marx and Chris St. Julien
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	x
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	x
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	x
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	x
Internet Explorer 11	x



Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	1
DVD	
VCR	
Desktop PCs	43
Laptops	4
Video Cameras	1
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	23
Color Printers	6
Wireless Cards	1
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	2
<b><u>INTERNET SERVICES:</u></b>	
Dialup	No
Broadband	
No Internet Connection	
Connection Speed:	125 mbps
Provider Name:	LUS & Cox
Email Provider:	Local Server through LUS Fiber
Please list any software or computer equipment in which you need training:	None

## 15th District Defender Office CY 2015 Caseloads & Outcomes

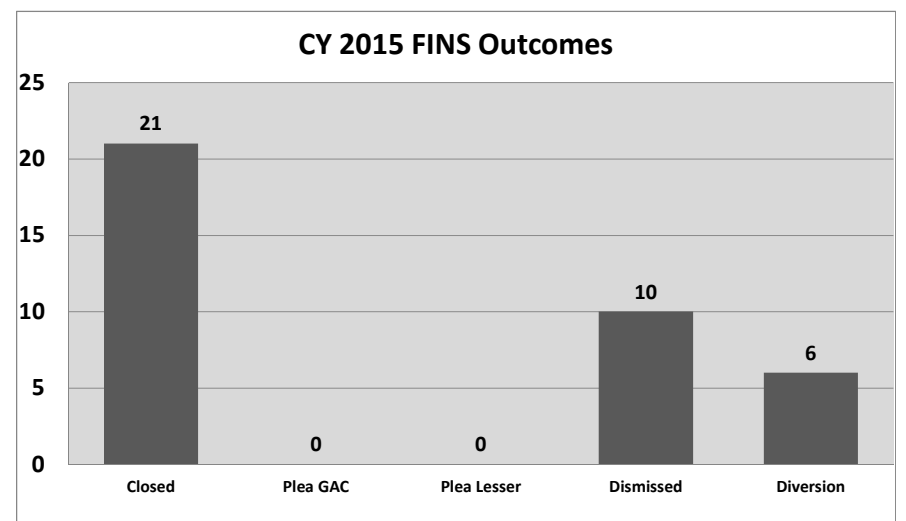
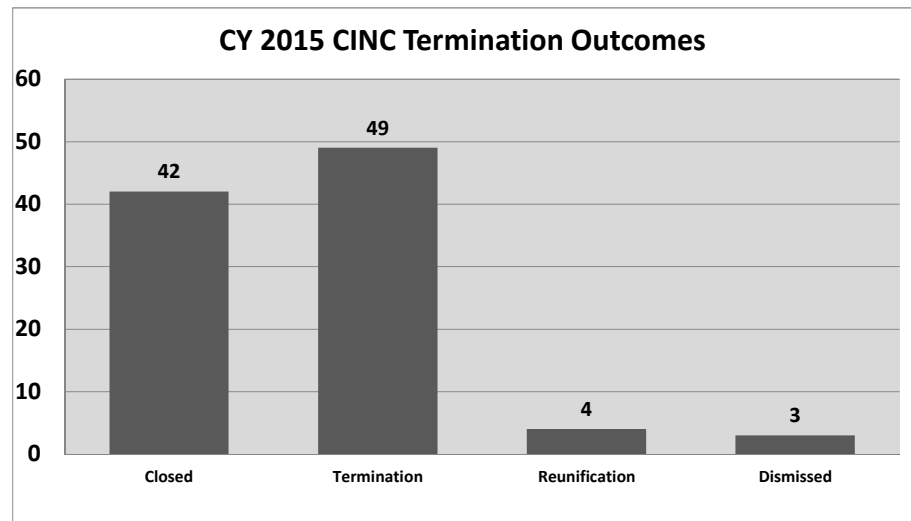
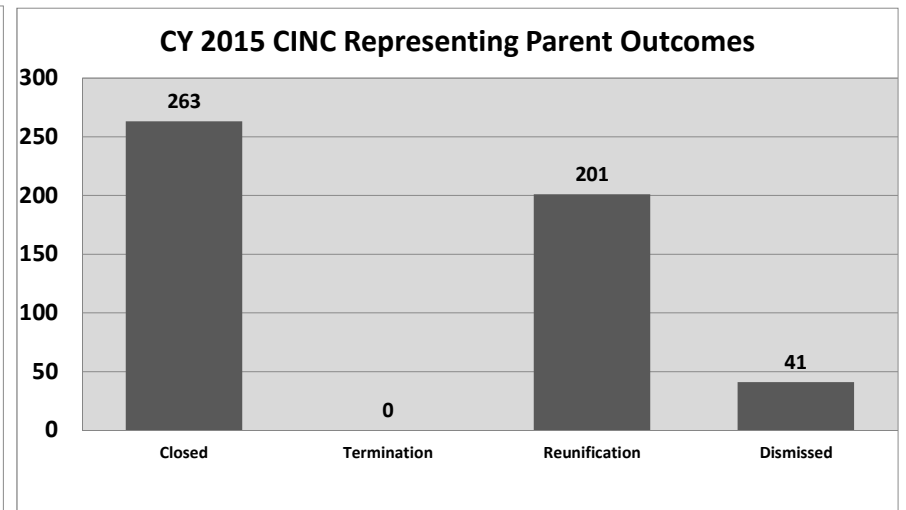
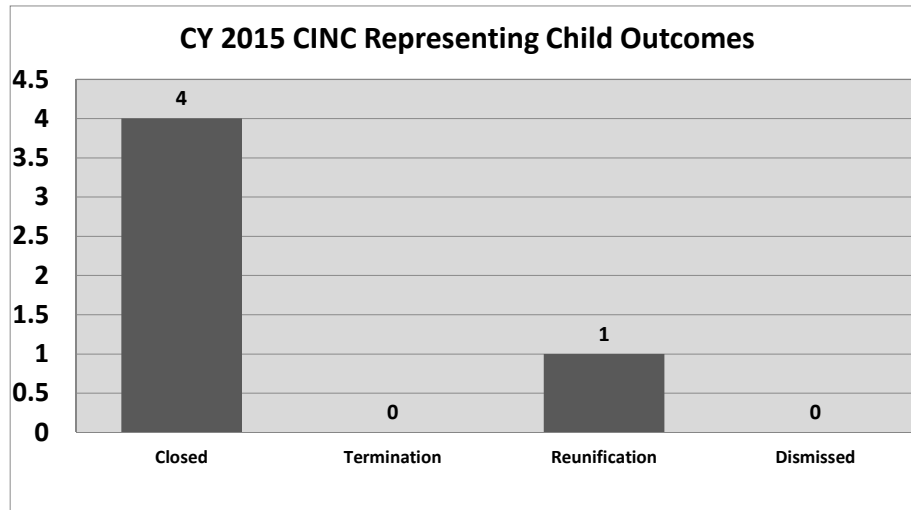
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	414	389	66	480	N/A	N/A	N/A	N/A	11	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	1	4	16	17	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	326	263	301	627	0	201	N/A	N/A	41	N/A	N/A	N/A	N/A	N/A	0
Termination	58	42	18	76	49	4	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	0
FINS	22	21	23	45	N/A	N/A	0	0	10	6	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	571	403	268	839	N/A	N/A	66	3	286	120	N/A	N/A	1	3	4
Delinquency Felony	387	212	156	543	N/A	N/A	126	8	150	23	N/A	N/A	0	4	4
Delinquency-Life	5	4	2	7	N/A	N/A	0	0	5	0	N/A	N/A	0	0	0
Juvenile Revocations	3	0	0	3	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	5219	4936	2252	7471	N/A	N/A	4030	206	2775	0	1	1	22	50	74
Adult Felony Non-LWOP**	4776	4866	4170	8946	N/A	N/A	2527	1273	4470	2	4	10	3	11	28
Adult LWOP	49	62	89	138	N/A	N/A	16	31	66	0	0	4	0	1	5
Capital***	6	2	7	13	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	415	1096	172	587	N/A	N/A	3	0	8	0	N/A	N/A	N/A	N/A	0
PCR	12	8	14	26	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	6	7
SOAP	0	0	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

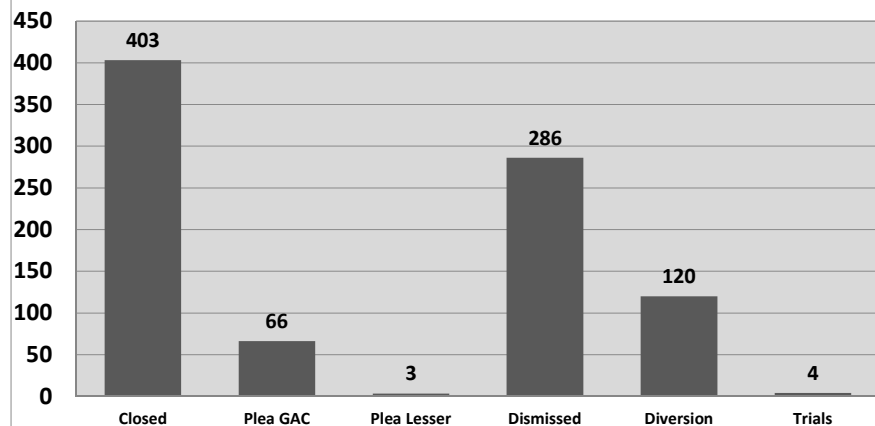
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

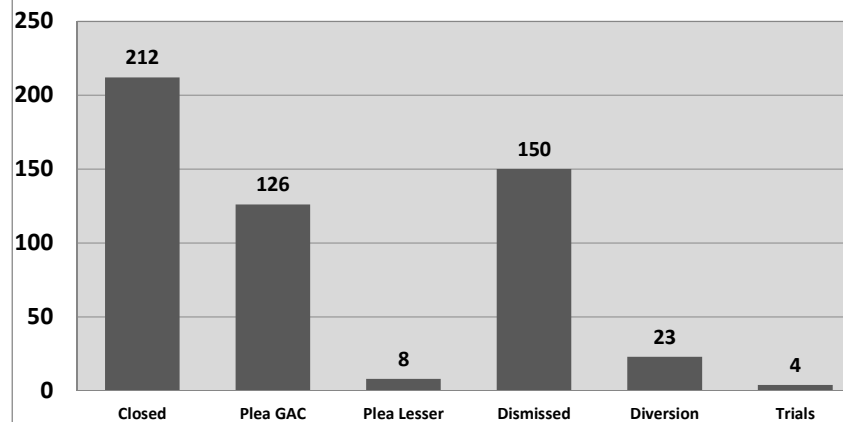
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



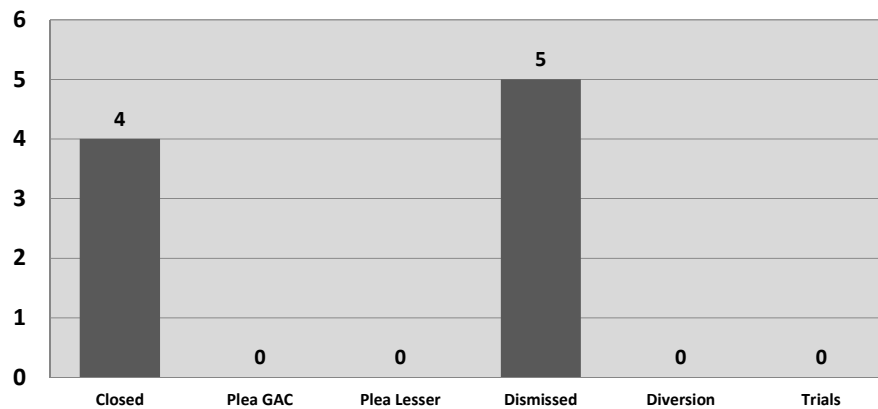
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



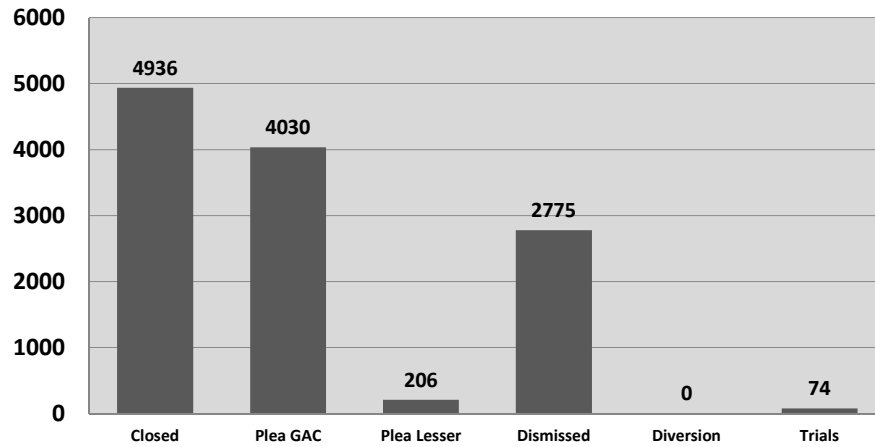
**CY 2015 Delinquency Felony-Grade Outcomes**



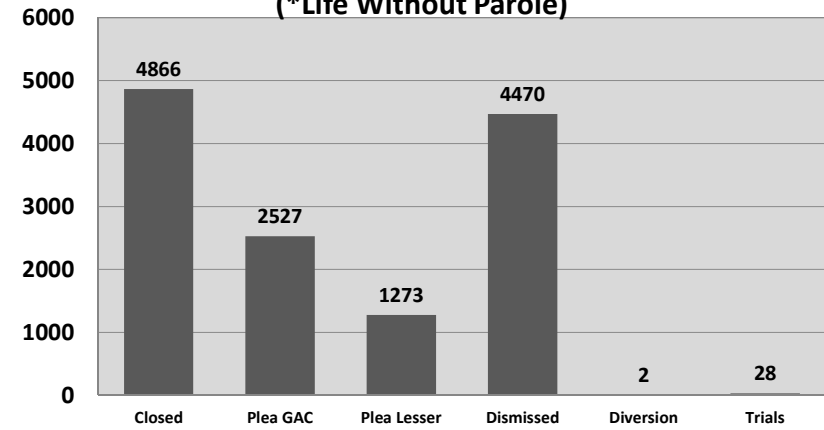
**CY 2015 Delinquency Life Outcomes**



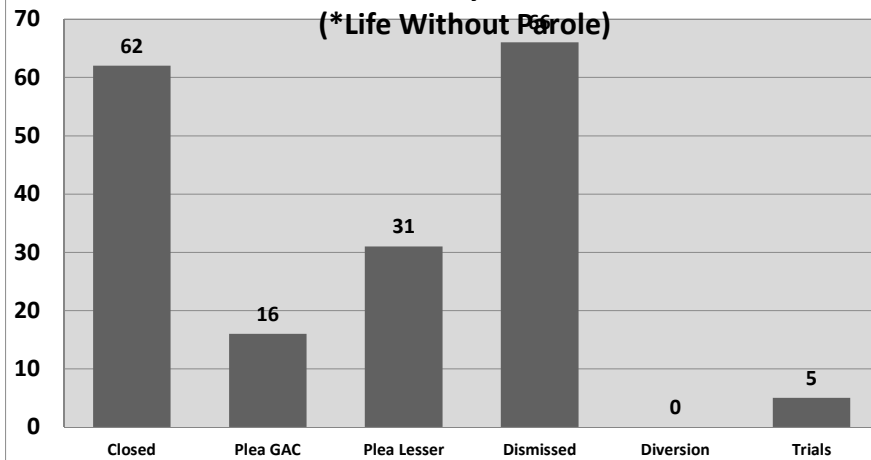
**CY 2015 Adult Misdemeanor Outcomes**



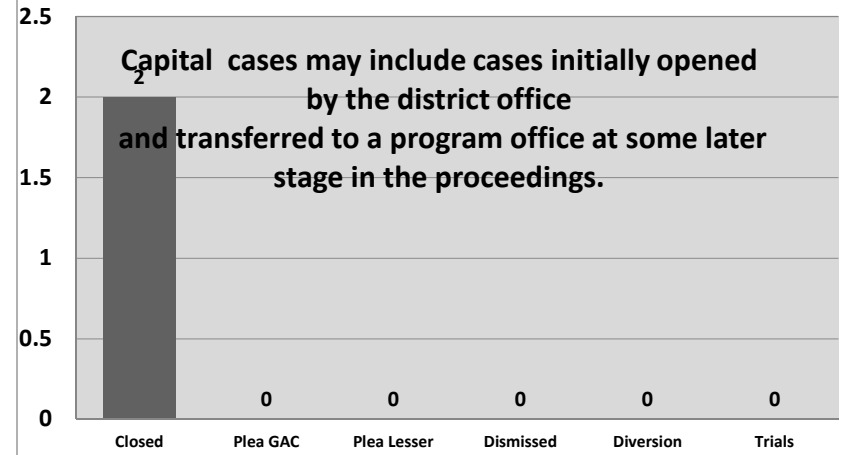
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

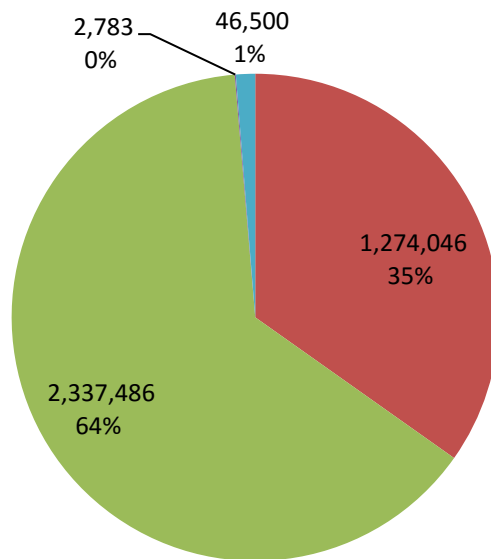


District 15 CY2015	Total CY2015
District Defender: G. Paul Marx	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	96,173
District Assistance Fund (DAF)	1,163,568
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	14,305
Total for State Government	1,274,046
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	311,998
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	1,325
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	405,311
City & City-Ward Courts	1,016,700
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	262,254
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	1,684,265
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	128,484
Partial Attorney Fees	
Reimbursements [as per 15:176]	211,415
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	339,899
Total for Local Government	2,337,486
Investment Earnings	
Interest Income	2,783
Other Investment Income - List source(s)	-
Total for Investment Earnings	2,783
Other Sources (Grants & Contributions)	
Non-Profit Organizations	46,500
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	46,500
Total for REVENUE	3,660,816

District 15 CY2015	Total CY2015
District Defender: G. Paul Marx	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	1,774,658
Accrued Leave	-
Payroll Taxes	133,080
Hospitalization and Disability Insurance	155,074
Retirement	17,506
Other	-
Total for Personnel Services and Benefits	2,080,318
Travel/Training	
Parking/Auto Tolls	157
Travel/Lodging/Per Diem/Mileage	13,903
Total for Travel/Training	14,061
Operating Services	
Advertisements	578
Workers' Compensation	8,455
Insurance - Malpractice	14,599
Insurance - Auto/Physical Liability	3,966
Insurance - Other	385
Lease - Office	176,019
Lease - Auto/Equipment	13,083
Lease - Other	10,100
Office Repair and Maintenance	2,545
Office - Telephone/Utilities/Postage/Internet	32,951
Dues and Seminars	36,934
Law Library/Journals/Subscriptions	13,106
Office Supplies	53,835
Total for Operating Services	366,556
Professional Services	
Audit/Accounting Expense	20,898
Contract Clerical	-
Expert Witness	52,557
Investigators	70,494
Interpreters	405
Social Workers	-
Capital Representation	75,584
Conflict	47,828
Contract - Juvenile Attorneys or CINC	152,866
Misdemeanor Attorney Contracts	209,669
Contract Attorneys - all other	856,437
IT/Technical Support	25,948
Total for Professional Services	1,512,685
Capital Outlay	
Major Acquisitions	5,371
Total for Capital Outlay	5,371
Other Charges	
Other Operating Expenses	5,848
Total for Other Charges	5,848
Total for EXPENDITURES	3,984,838

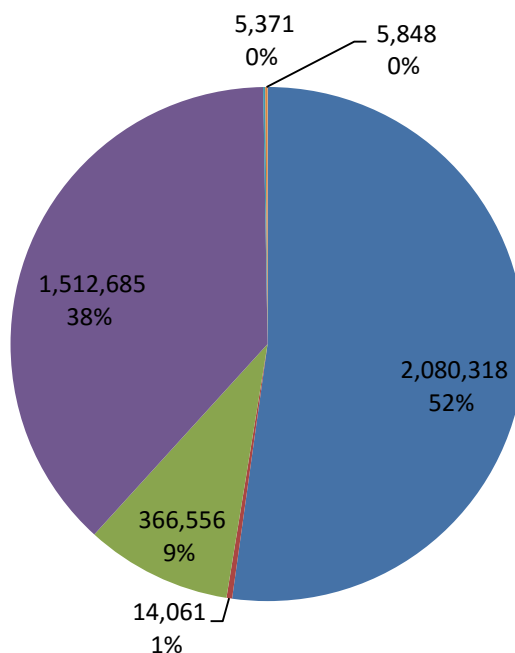
## Total CY15 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)

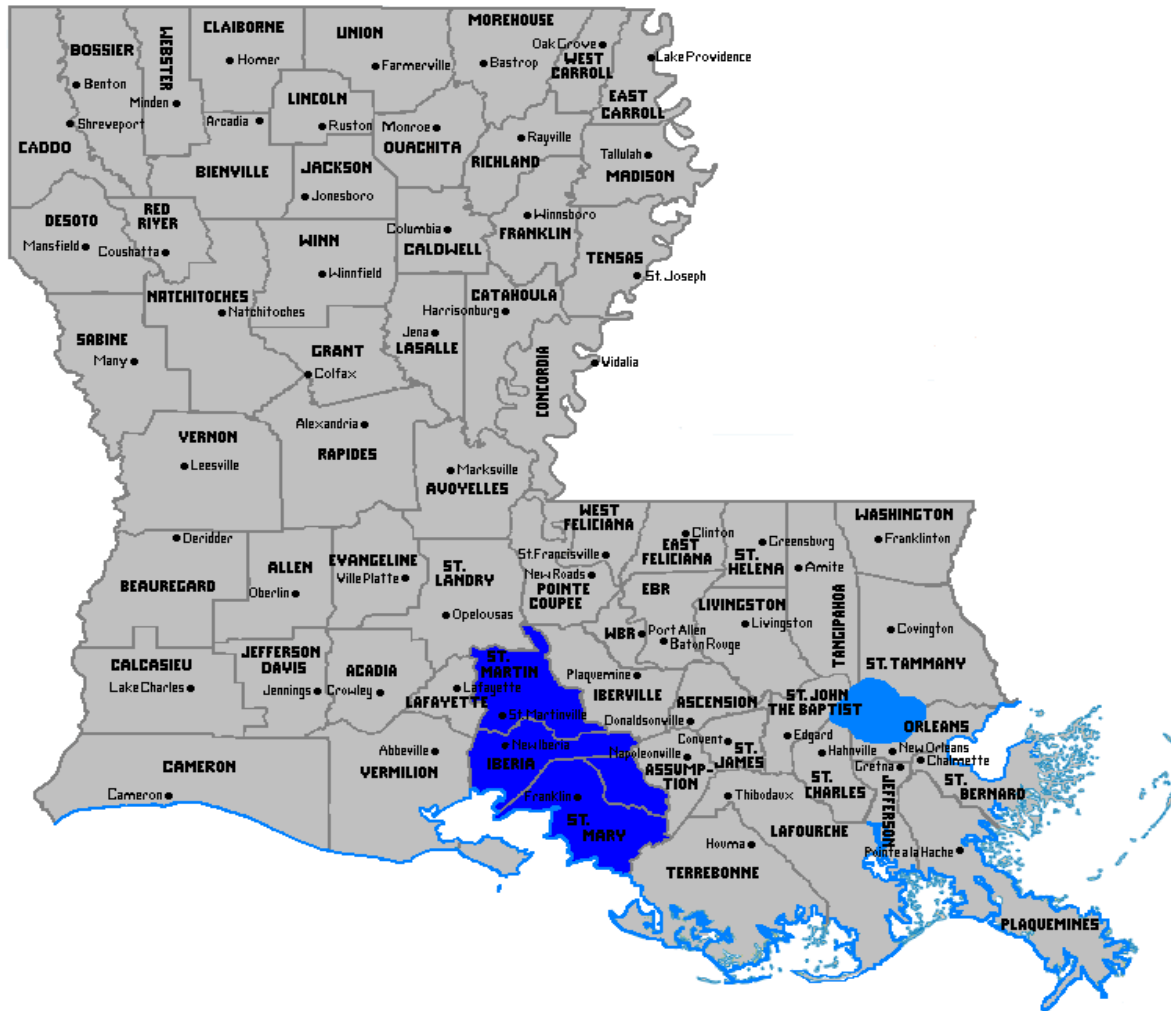


## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges







## THE 16<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

IBERIA (NEW IBERIA) - SAINT MARTIN (ST. MARTINVILLE) - SAINT MARY  
(FRANKLIN)

DISTRICT DEFENDER: CECILIA BONIN  
110 W. WASHINGTON STREET  
NEW IBERIA LA 70560  
(337) 365-4006

# 16TH JUDICIAL DISTRICT : IBERIA, ST. MARTIN, ST. MARY PARISHES

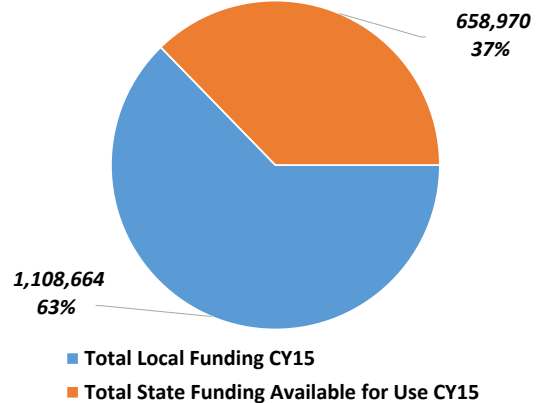
Cecelia Bonin  
District Defender  
110 W. Washington Street  
New Iberia, LA 70560  
337-365-4006

During Calendar Year 2015, the 16th Judicial District Public Defenders Office handled 10,403 cases, an increase of more than 1,600 cases from the previous year. The office received \$1,767,634 in total revenues to handle these cases, which was a decrease from the previous year. Approximately 63% of the office's revenues came from local funding which was derived primarily from traffic tickets and special court costs.

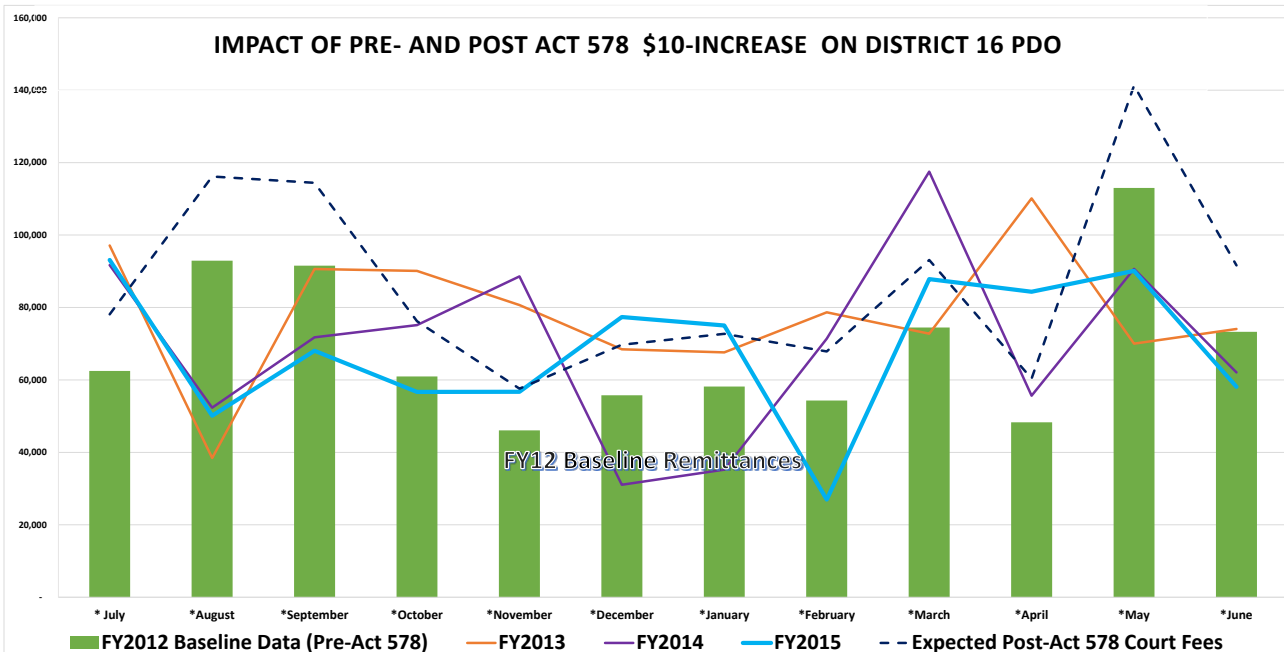
With the exception of a few anomalies, the 16th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 16th Judicial District office has virtually exhausted its fund balance. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent toward the end of FY16.

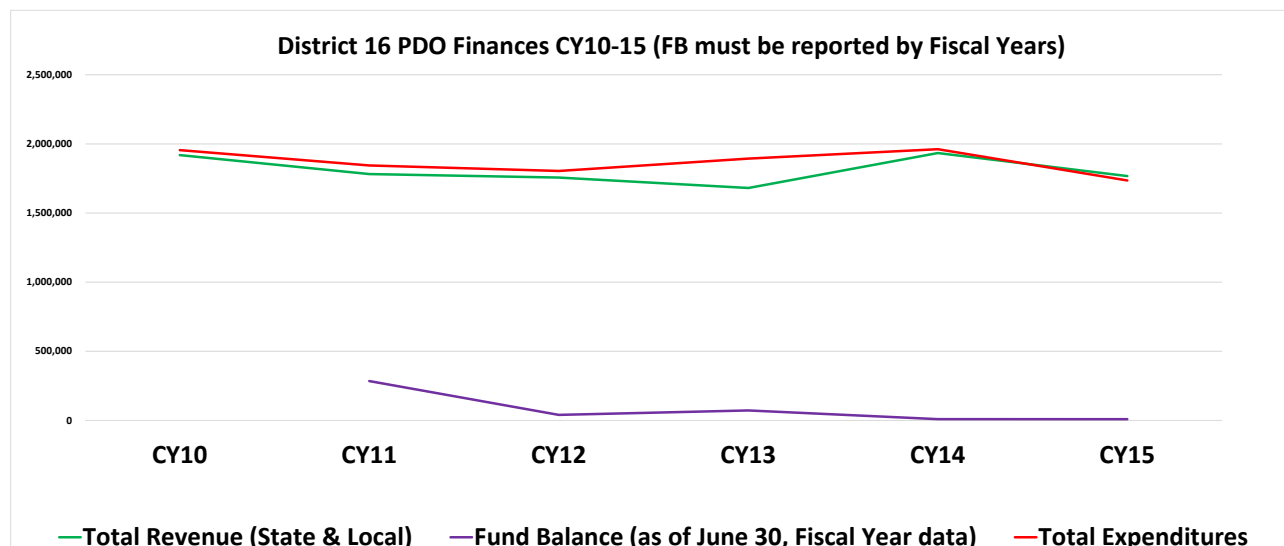
**District 16 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 16 PDO**



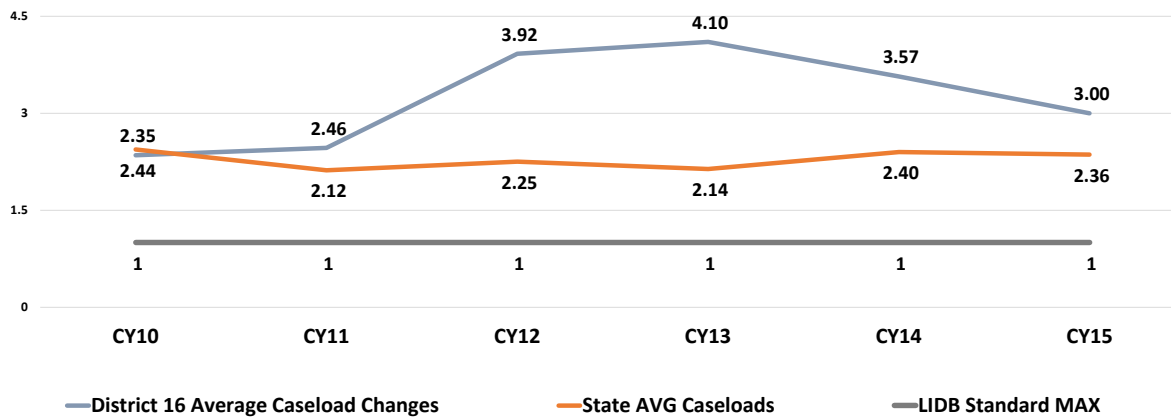
**District 16 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



# 16TH JUDICIAL DISTRICT : IBERIA, ST. MARTIN, ST. MARY PARISHES

Cecelia Bonin  
District Defender  
110 W. Washington Street  
New Iberia, LA 70560  
337-365-4006

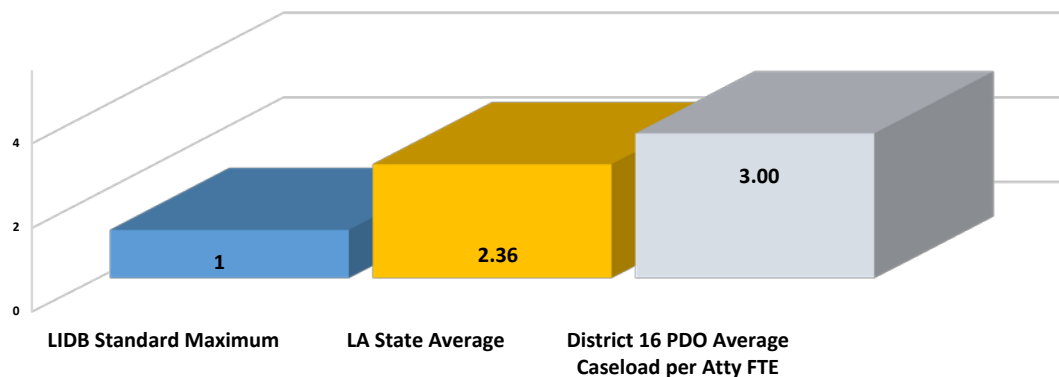
District 16 PDO Average Caseload per Atty FTE



In the 16th Judicial District, public defense attorneys maintain caseloads three times the recommended caseload limit for each attorney.

Reliance on insufficient revenues has resulted in caseloads that by far exceed established caseload limits. Excessive cases limit each defender's ability to provide effect assistance of counsel to their clients.

District 16 PDO Average Caseloads Compared to State Average & State Standard Maximums



## CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 16<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. Mary Parish, Franklin; Iberia Parish New Iberia; St. Martin Parish, St. Martinville.
<b>Population</b>	180,900
<b>Juvenile Population</b>	47,517
<b>District Defender</b>	Cecelia Bonin
<b>Years as District Defender</b>	1
<b>Years in Public Defense</b>	4
<b>Office Manager</b>	Mandy Legnon
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Tina Johnson, India Francis, Christina Lopez, Tammy Wiese, Amber Olivier, Jaraya White, Natalie Robin, Kristin Noel, Cyndil Bernard, Josie Faucheaux, Mandy Legnon.
<b>Primary Office Street Address</b>	110 W. Washington Street
<b>City</b>	New Iberia
<b>ZIP</b>	70560
<b>Primary Phone</b>	337-365-4006
<b>Primary Mailing Address</b>	110 W. Washington Street, New Iberia, La 70560
<b>Primary Fax Number</b>	337-365-0410
<b>Primary Emergency Contact</b>	Cecelia Bonin
<b>Primary Emergency Phone</b>	337-278-3641
<b>Secondary Emergency Contact</b>	Mandy Legnon
<b>Secondary Emergency Phone</b>	337-344-7402
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Franklin - 107 Wilson St., Franklin, La 70538, 337-828-3628; St. Martin - 106 W. Berard St., St. Martinville, La 70582, 337-394-1446.
<b>Other District Office Contact Personnel (Primary Only)</b>	New Iberia - Natalie Robin; St. Martinville - Josie Faucheaux; Franklin - Tina Johnson.
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	St. Mary Parish – Teche Land Rentals & Charles Prevost; Iberia Parish - Asma Malahmeh; St. Martin Parish – Estate of Kathleen Willis.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Monthly Rent for three offices - \$3,500; Monthly Utilities for three offices - \$1,300.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes

<b>Courts and Locations</b>	16th Judicial District Court (3 parishes) - St. Mary parish, Franklin, LA, Iberia Parish, New Iberia, LA, St. Martin Parish, St. Martinville, LA; Morgan City City Court, Franklin City Court, Jeanerette City Court, New Iberia City Court, Breaux Bridge City Court; Patterson Mayor Court, St. Martinville Mayor Court.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	8 Criminal Divisions of 16th Judicial District Court; 1 Division in each of the above listed city courts.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Attorneys are assigned to a specific section of court. Some also handle conflict cases in sections other than the assigned parish section.
<b>Name of Adult Detention Facilities in This District</b>	St. Mary Parish Law Enforcement Center, Centerville, LA; Berwick City Jail, Berwick, LA; Morgan City City Jail, Morgan City, LA; Jeanerette City Jail, Jeanerette, LA; Patterson City Jail, Patterson, LA; Iberia Parish Jail, Iberia Parish, LA; New Iberia City Jail, New Iberia, LA; St. Martin Parish Jail, St. Martinville, LA.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Lafayette Parish Jail, St. Landry Parish Jail, Avoyelles Parish Jail, Caldwell Correctional Center, Claiborne Parish Detention Center.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Assumption, Terrebonne, Lafayette Detention Centers, Jeanerette City Jail (if no adults are in it).
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes. Attorneys are having a hard time visiting their out-of-district clients.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Often St. Mary Parish Law Enforcement has situations which require jail closings. And Iberia Parish Correctional Facility often has lockdowns which may last a weekend.
<b>District Attorney</b>	Bo Duhe as of 01/12/2015
<b>Chief Judge of Criminal District Court</b>	Gregory Aucoin
<b>Juvenile Court Judges (Specify District of City Court)</b>	There are no elected juvenile judges, however the following judges handle juvenile cases within the district: 16th Judicial District Court – Vincent Borne, Curtis Sigur, Lori Landry; New Iberia City Court – Trey Haik; Franklin City Court – Jim Supple; Jeanerette City Court – Cameron Simmons; Morgan City City Court – Kim Stansbury; Breaux Bridge City Court – Randy Angelle.
<b>Drug Court Judges</b>	Keith Comeaux, Vincent Borne, Anthony Thibodeaux
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	DWI Court in St. Mary Parish
<b>Name of Specialty and Brief Description:</b>	Handles DWI 2nd, 3rd, & 4th Offenders
<b>Indigency Determined by Whom and How?</b>	By the chief defender upon receiving notice of appointment.

<b>When is Assignment/Appointment of Counsel Made?</b>	Initial appearance and arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	The office has developed a conflict - free procedure to determine if a case has conflicts. The office now utilizes attorneys from a different parish to represent conflict cases. The office has also contracted with three conflict free attorneys to do cases around the district.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Incarcerated clients - Kristin Noel for St. Martin and Iberia Parish, Tammy Wiese for St. Mary Parish; Attorneys conduct initial intake for all other clients.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Incarcerated clients - within 72 hours of appointment, intake specialist/investigator will go to the jail to conduct the initial client intake. Clients that are appointed but not incarcerated - are given an appointment letter at the arraignment to meet with the attorney at a later date in which the initial client intake is conducted.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	6,515
<b>How Many Application Fees Were Waived?</b>	0
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2015</b>	49,666
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	798,287
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Minute entries from the clerk of court and documentation sent by respective collection agency.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Respective agency sends invoice along with the monthly check.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	When the sheriff's office sends us a check they attach a receipt of all fees collected and disbursed.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Felony and Misdemeanor judges will evaluate a defendant's ability to pay reduced rate when applicable.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Minute entries provided by the clerk of each respective court.

<b>Who Collects the Assessed Partial Payments?</b>	Probation.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Documentation with client's name.
<b>Who Remits the Partial Payments Collected?</b>	Probation.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Documentation with client's name.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	47,137
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Attorneys are not allowed to have a private practice within the section of court they are assigned.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Some have written contracts.
<b>Primary Immediate Needs</b>	Conflict free counsel and more attorneys to share the excessive caseload.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes this district intends to enter ROS within 1-1 1/2 months based on excessive caseload. And enter ROS based of deficit financial situation within 5 months. This office is preparing a plan which may call for wait listing clients and declining appointments. This office may have to withdraw from certain attorney contracts.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Terminated 2 administrative assistants, 1 revocation attorney.
<b>Immediate Critical Issue Areas</b>	Necessity of full time attorneys and stable funding.
<b>Long-Term Critical Issue Areas</b>	Providing adequate attorney coverage in all sections of court and reducing excessive caseload of attorneys.
<b>Please List All New Hires in 2015 (Name and Title)</b>	Mandy Legnon - Office Manager; Cyndil Bernard - Legal Assistant; India Francis - Legal Assistant; Tammy Wiese - Investigator; Dewanna Stewart - Felony Attorney; Heather Duhon - Misdemeanor Attorney; Laura Randall - Misdemeanor Attorney.
<b>Please List All Promotions in 2015 (Name and Title)</b>	Renee Louviere - 1st Assistant to District Defender.
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	1
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Office provided a gratuitous 5.25 hours of CLE and provides group trial strategy sessions for any attorney who is preparing for trial.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chief District Defender, Office Manager, Paralegal.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	Natalie Robin - Trainer.

<b>Please Attach Your Office Organizational Chart</b>	
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Yes. Tracks the state board regulations for restriction of services.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Health (high deductible), dental, and vision plan - pays 100% of employee premium; A low deductible option is available for the health plan in which the employee must pay the difference in the premium from the high deductible option. The employee is responsible for any dependent premiums for the health, dental, and vision plans.
<b>Regular Meetings for Any Staff, Please Describe</b>	Quarterly.
<b>Number of NEW capital cases in CY15 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	1 being handled by conflict counsel.
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	None transferred.
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	No formal procedures to date but would have juvenile attorney work with felony attorney or take the case if qualified.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Representative Mike Huval, Representative Taylor Barras, Representative Blake Miguez, Representative Terry Landry, Representative Sam Jones, Representative Joe Harrison, Senator Fred Mills, Senator Bret Allain, Senator Rick Ward, III, Senator Elbert L. Guillory.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	The court calendar is extremely unwieldy with numerous courts in three parishes. There are often conflicting schedules. Not enough full time attorneys. St. Mary Parish houses clients in several different jails.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Conflict free attorney procedure. New more efficient office procedures have been recently instituted.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Cecelia Bonin	337-278-3641
Renee Louviere	337-365-4006
Ian Alpha	337-394-1446
Dewanna Stewart	337-828-3628
Maggie Anne Simon	337-519-0791
Nancy Dunning	337-893-6182



<b><u>Part-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Michael Caffery	337-828-3628
Kay Clark	337-365-3800
Robert Duffy	985-397-3779
Heather Duhon	337-365-4006
Edward Jones	985-397-0271
Gary LeGros	337-519-4621
Margaret Simon	337-359-8701
Laura Randall	337-365-4006
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Shentell Brown	337-335-7882
Alicia Butler	337-380-8824
Ferdinand Valteau	337-828-9545
Natalie Broussard	337-365-9000
Lynden Burton	337-367-1779
Suzanne deMahy	337-321-6535
Jocelin Sias	337-365-4006
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Christina Lopez	337-828-9545
Tina Johnson	985-412-6093
Josie Fauchaux	337-230-2118
Natalie Robin	337-365-4006
Amber Olivier	337-365-4006
Kristen Noel	337-365-4006
Jaraya White	337-365-4006
India Francis	337-828-3628
Tammy Wiese	337-828-3628
Mandy Legnon	337-365-4006
Cyndil Bernard	337-394-1446

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Mandy Legnon/Office Manager
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	Mas 90
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	18 + 2 servers
Laptops	9
Video Cameras	
Digital Cameras	2
Video Conferencing Systems	
B&W Laser Printers	7
Color Printers	2
Wireless Cards	
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	1
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	AT&T Uverse
No Internet Connection	
Connection Speed:	14.90 Mbps
Provider Name:	AT&T
Email Provider:	tekhead.biz
Please list any software or computer equipment in which you need training:	

## 16th District Defender Office CY 2015 Caseloads & Outcomes

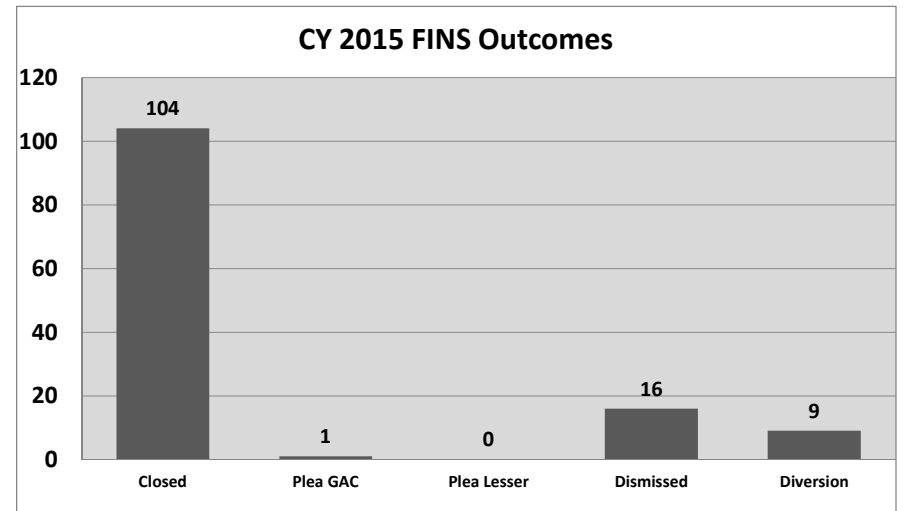
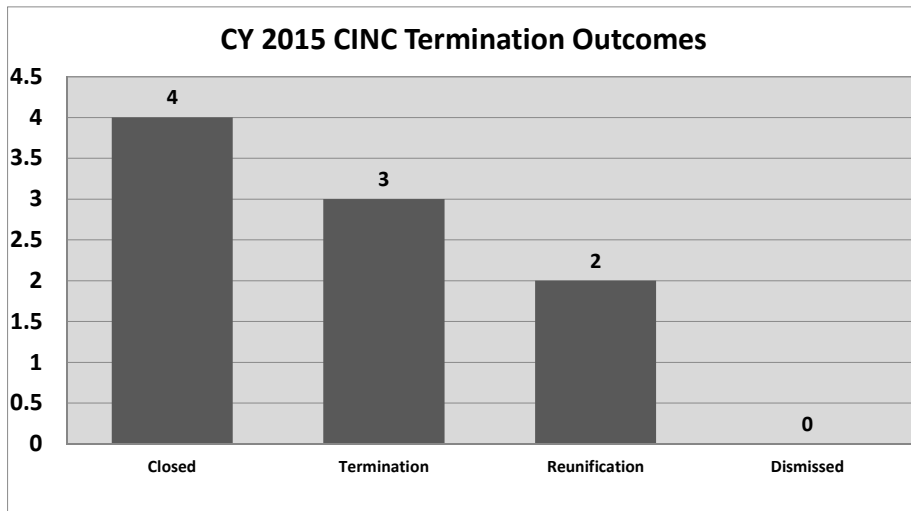
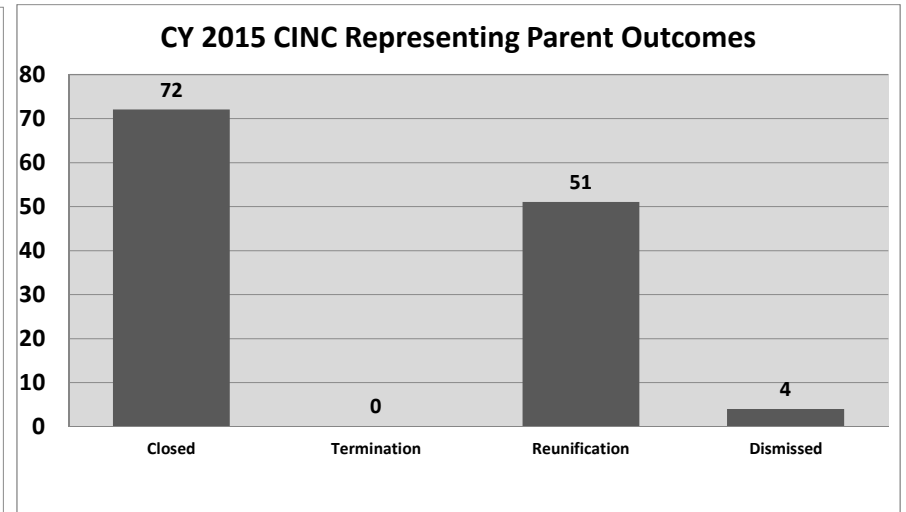
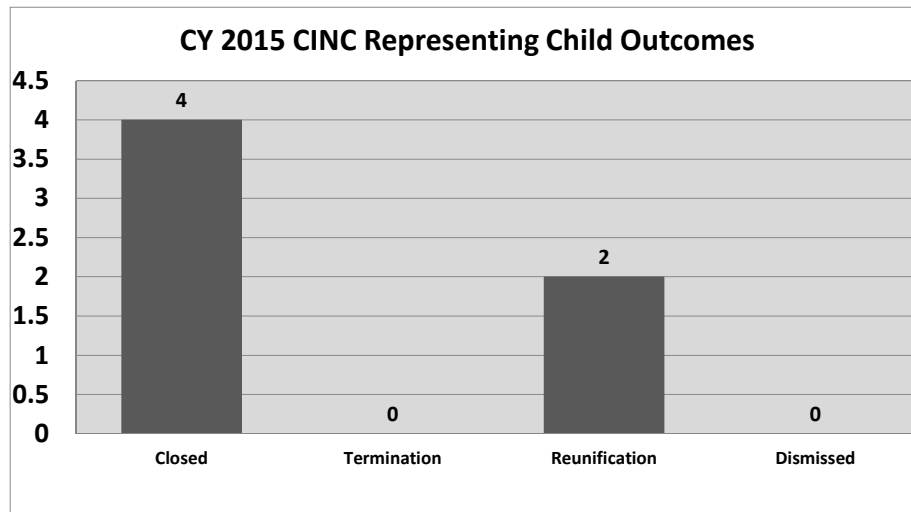
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	3	4	4	7	0	2	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	107	72	54	161	0	51	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	0
Termination	8	4	0	8	3	2	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	104	104	35	139	N/A	N/A	1	0	16	9	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	363	310	51	414	N/A	N/A	160	16	125	45	N/A	N/A	1	11	12
Delinquency Felony	88	68	26	114	N/A	N/A	31	15	35	2	N/A	N/A	0	9	9
Delinquency-Life	10	9	0	10	N/A	N/A	6	2	2	0	N/A	N/A	0	0	0
Juvenile Revocations	0	1	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	3274	3502	1477	4751	N/A	N/A	2295	174	2425	30	0	5	22	62	89
Adult Felony Non-LWOP**	2354	2754	2138	4492	N/A	N/A	1195	480	2140	26	0	8	0	14	22
Adult LWOP	5	2	23	28	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	1	3	3	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	218	410	51	269	N/A	N/A	0	0	4	0	N/A	N/A	N/A	N/A	0
PCR	3	1	4	7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	1	1
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

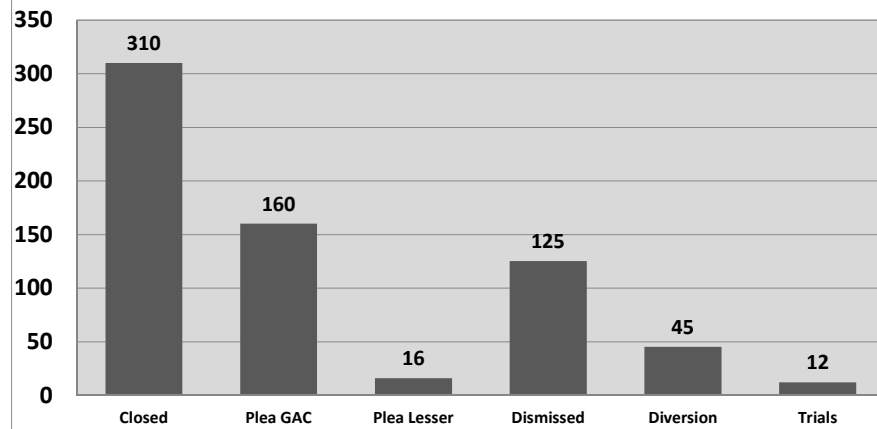
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

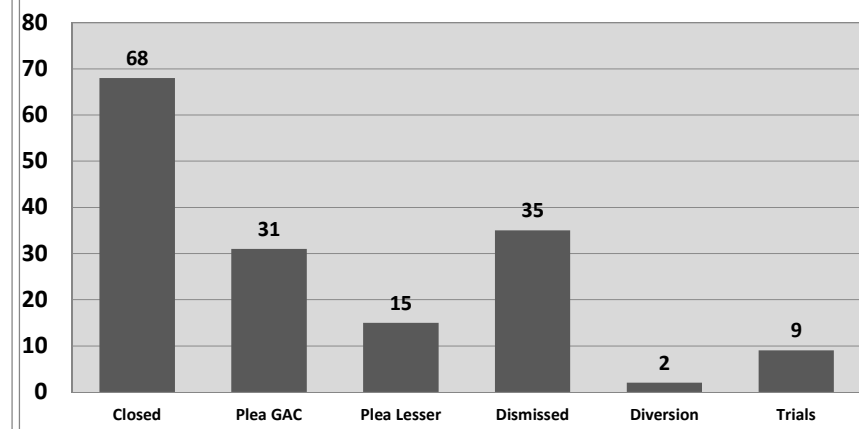
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



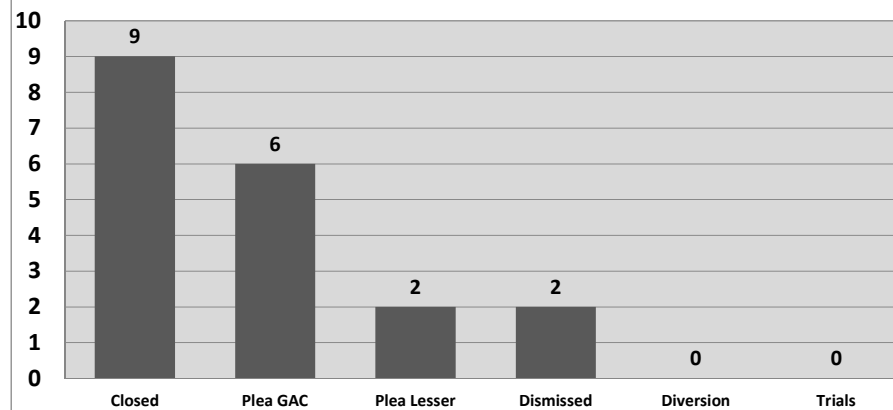
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**

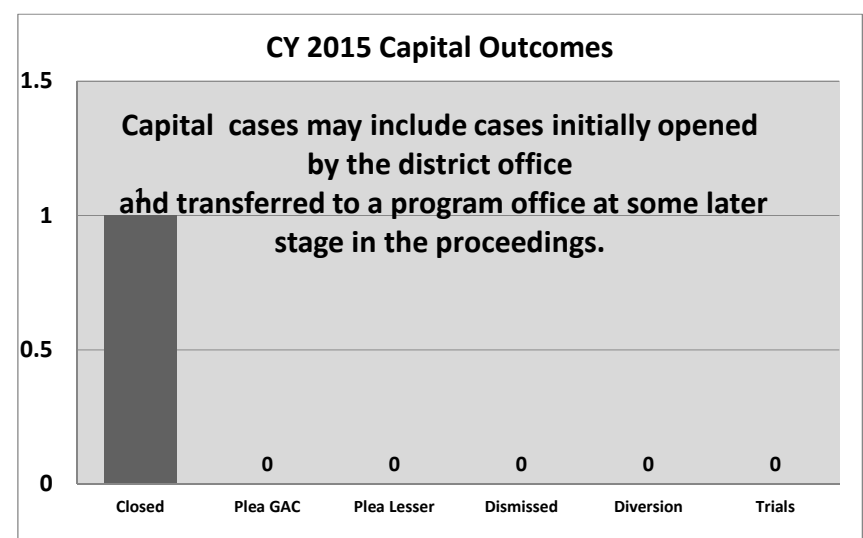
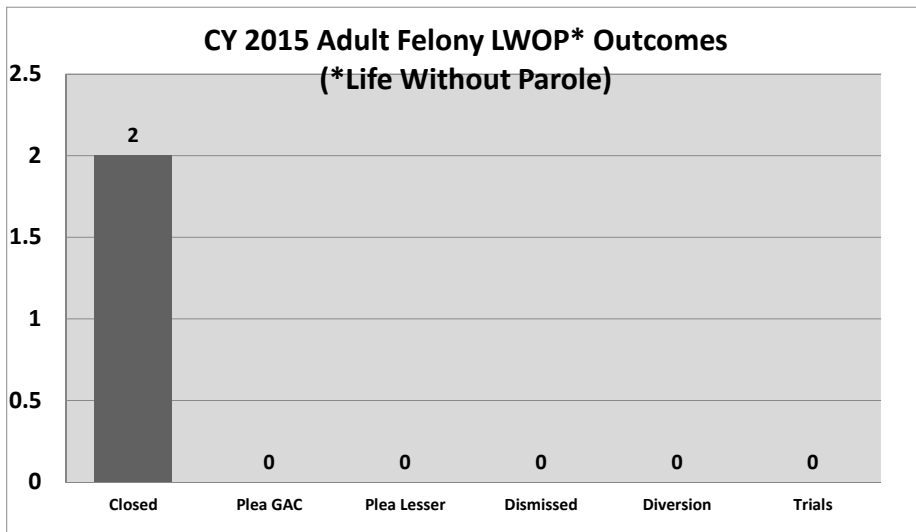
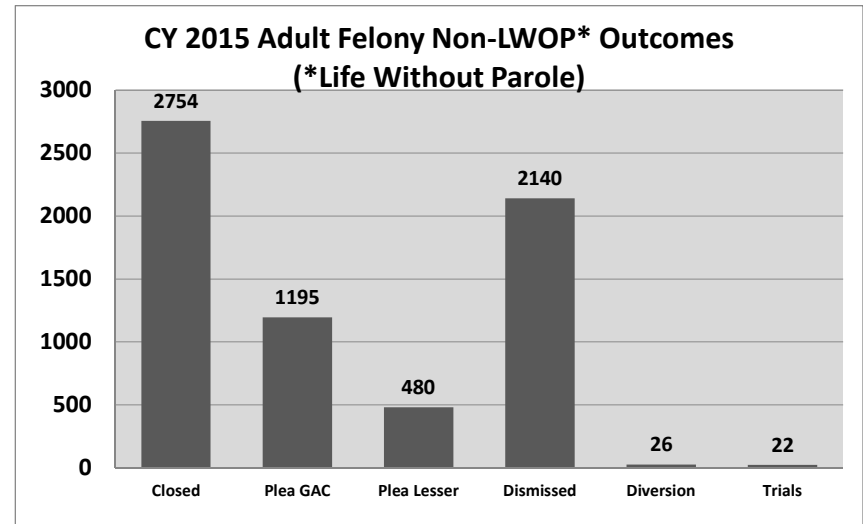
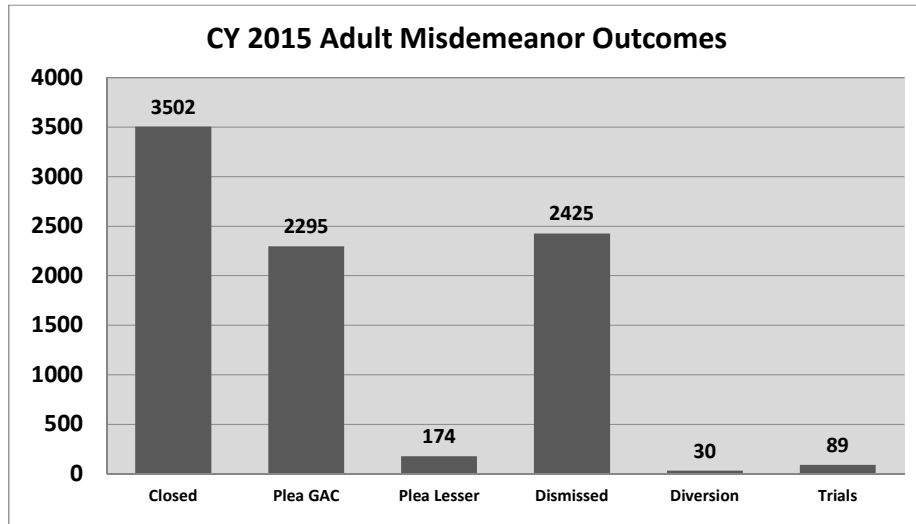


**CY 2015 Delinquency Felony-Grade Outcomes**



**CY 2015 Delinquency Life Outcomes**





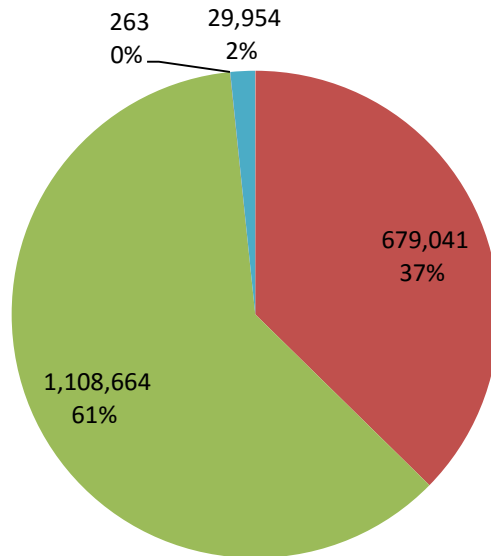
District 16 CY2015	Total CY2015
District Defender: Cecelia Bonin	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	22,850
District Assistance Fund (DAF)	592,806
Supplemental/Emergency Funds	33,237
Grants	-
Other State Income -List source(s)	30,148
Total for State Government	679,041
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	47,137
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	190,888
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	22,686
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	263,731
Judicial District Courts	486,533
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	48,023
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	798,287
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	49,666
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	49,666
Total for Local Government	1,108,664
Investment Earnings	
Interest Income	263
Other Investment Income - List source(s)	-
Total for Investment Earnings	263
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	29,954
Total for Other Sources (Grants & Contributions)	29,954
Total for REVENUE	1,817,923



District 16 CY2015	Total CY2015
District Defender: Cecelia Bonin	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	960,626
Accrued Leave	12,176
Payroll Taxes	80,424
Hospitalization and Disability Insurance	103,122
Retirement	18,492
Other	-
Total for Personnel Services and Benefits	1,174,840
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	5,473
Total for Travel/Training	5,473
Operating Services	
Advertisements	125
Workers' Compensation	4,770
Insurance - Malpractice	9,242
Insurance - Auto/Physical Liability	-
Insurance - Other	124
Lease - Office	45,760
Lease - Auto/Equipment	7,141
Lease - Other	-
Office Repair and Maintenance	12,372
Office - Telephone/Utilities/Postage/Internet	36,322
Dues and Seminars	3,528
Law Library/Journals/Subscriptions	7,430
Office Supplies	16,183
Total for Operating Services	142,998
Professional Services	
Audit/Accounting Expense	25,241
Contract Clerical	336
Expert Witness	29,846
Investigators	19,193
Interpreters	431
Social Workers	-
Capital Representation	9,552
Conflict	49,990
Contract - Juvenile Attorneys or CINC	142,815
Misdemeanor Attorney Contracts	46,615
Contract Attorneys - all other	71,573
IT/Technical Support	12,732
Total for Professional Services	408,323
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	3,775
Total for Other Charges	3,775
Total for EXPENDITURES	1,735,408

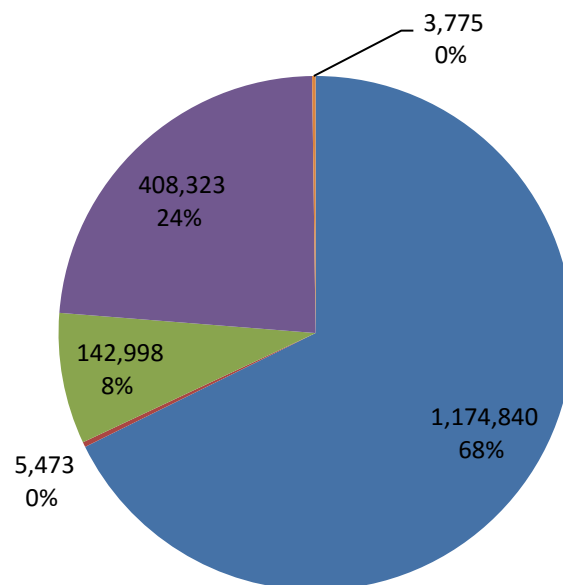
## Total CY15 Revenues

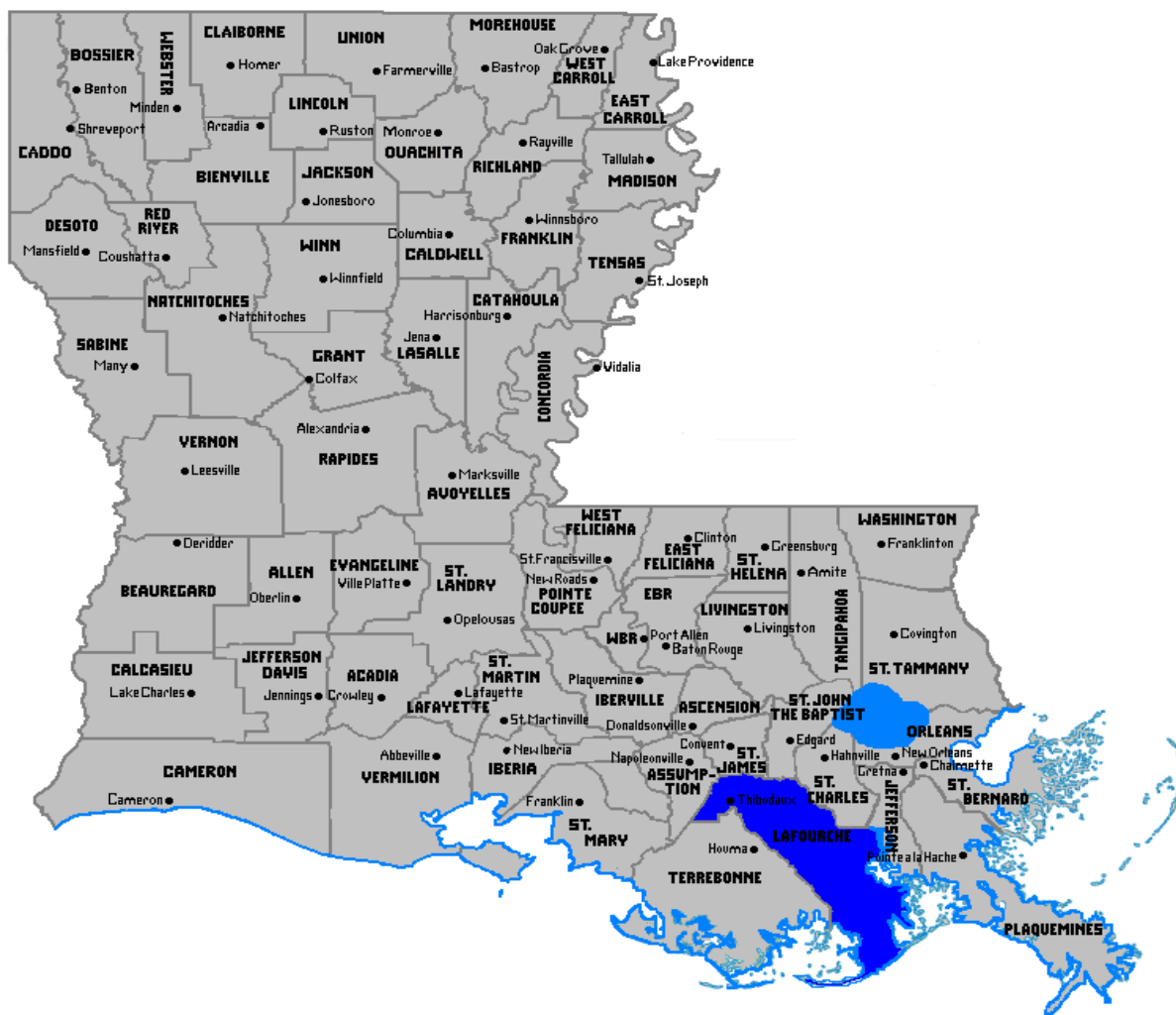
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





THE 17<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
LAFOURCHE (THIBODAUX)

DISTRICT DEFENDER: MARK D. PLAISANCE  
204 GREEN STREET  
THIBODAUX, LA 70301  
(985) 446-8808

# 17TH JUDICIAL DISTRICT : LAFOURCHE PARISH

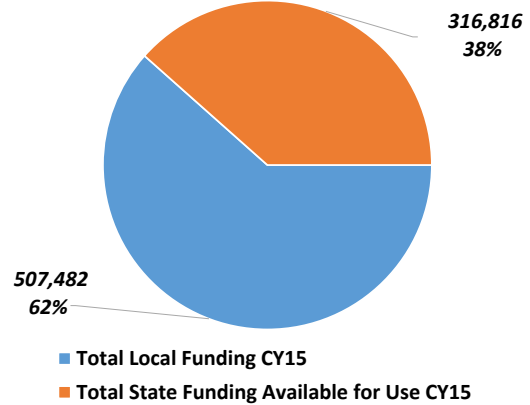
Mark D. Plaisance  
District Defender  
204 Green Street  
Thibodaux, LA 70301  
985-446-8808

During Calendar Year 2015, the 17th Judicial District Public Defenders Office handled 4,982 cases. The office received \$824,298 in total revenues to handle these cases, approximately 62% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

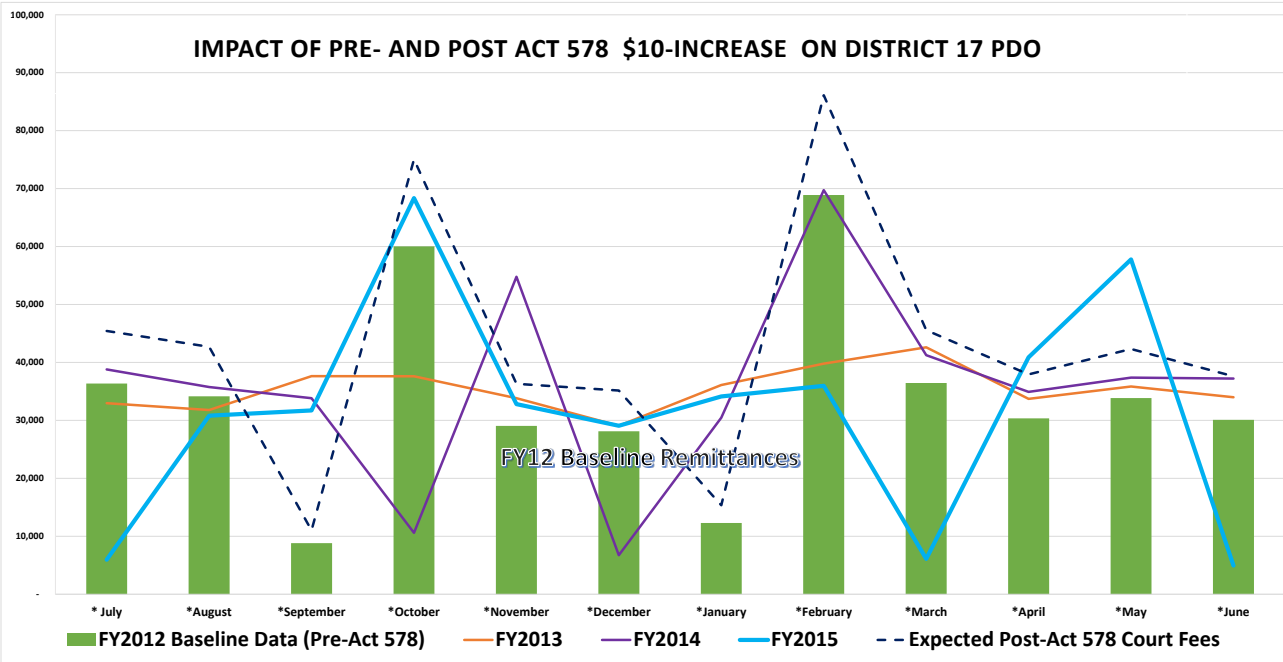
With very few exceptions, the 17th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 17th Judicial District office's expenditures generally exceed the office's revenues yet in the past two years, revenues have surpassed expenditures slightly. As a result, the fund balance is growing modestly.

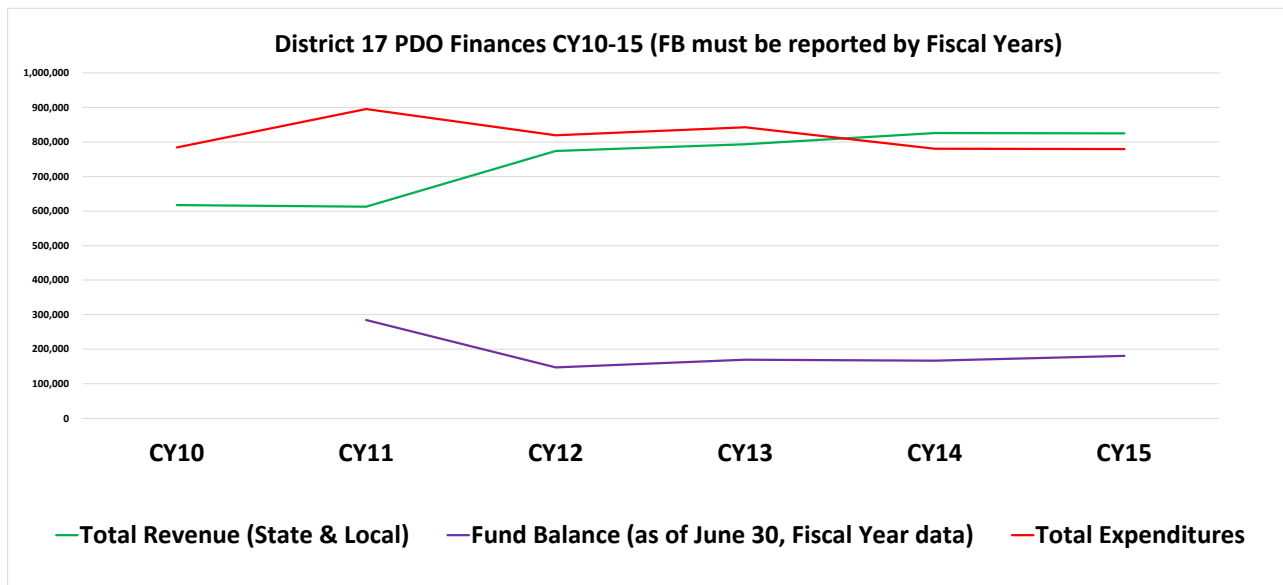
**District 17 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 17 PDO**



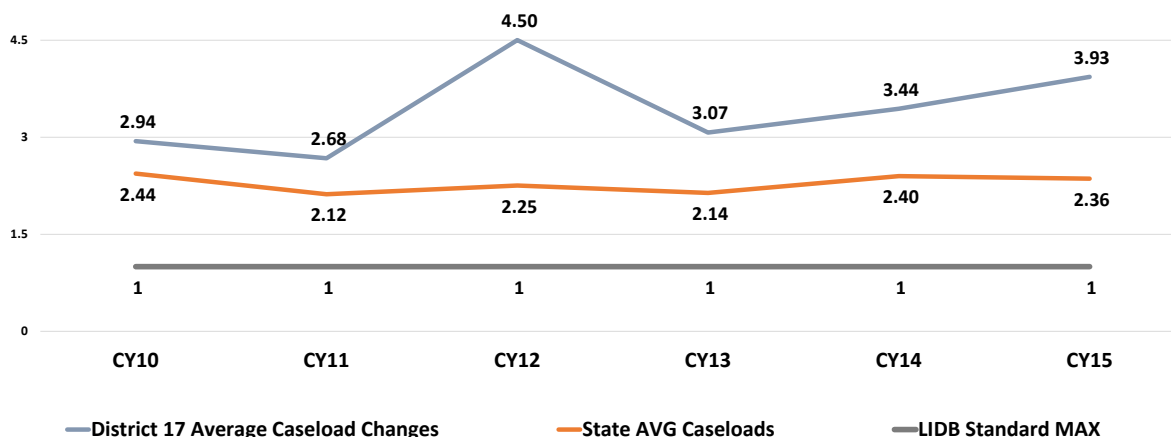
**District 17 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



## 17TH JUDICIAL DISTRICT : LAFOURCHE PARISH

Mark D. Plaisance  
District Defender  
204 Green Street  
Thibodaux, LA 70301  
985-446-8808

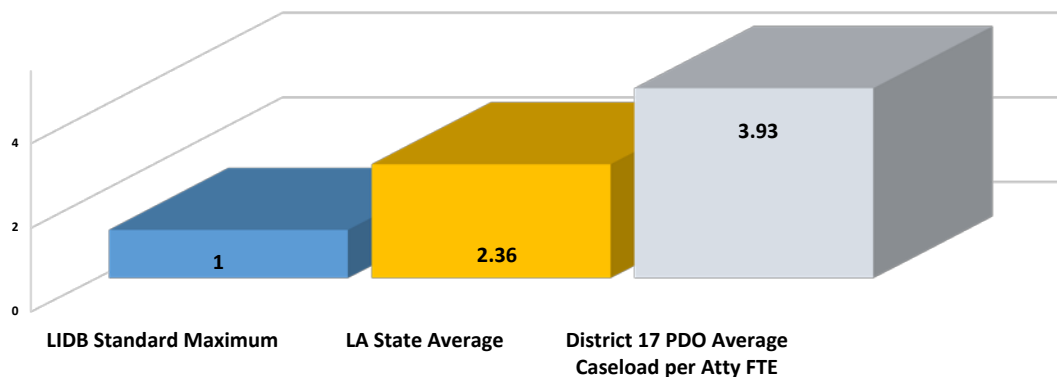
District 17 PDO Average Caseload per Atty FTE



In the 17th Judicial District, public defense attorneys maintain caseloads almost four times the recommended caseload limit for each attorney.

Reliance on insufficient revenues has resulted in caseloads that by far exceed established caseload limits. Excessive cases limit each defender's ability to provide effect assistance of counsel to their clients.

District 17 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 17<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Lafourche-Thibodaux, LA
<b>Population</b>	97,891
<b>Juvenile Population</b>	24,012
<b>District Defender</b>	Mark D. Plaisance
<b>Years as District Defender</b>	1
<b>Years in Public Defense</b>	7
<b>Office Manager</b>	Christie Boudreaux
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Christie C. Boudreaux, Lisa J. Washington. Charity R. Taylor
<b>Primary Office Street Address</b>	204 Green Street
<b>City</b>	Thibodaux
<b>ZIP</b>	70301
<b>Primary Phone</b>	985-446-8808
<b>Primary Mailing Address</b>	204 Green Street, Thibodaux, LA 70301
<b>Primary Fax Number</b>	985-446-8818
<b>Primary Emergency Contact</b>	Mark D. Plaisance
<b>Primary Emergency Phone</b>	985-227-4588
<b>Secondary Emergency Contact</b>	Lawrence Autin
<b>Secondary Emergency Phone</b>	985-413-0284
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	204 Green Street, Thibodaux, LA 70301 phone: 985-446-8808 fax: 985-446-8818
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Amy B. Roth
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	2,550
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	In-House
<b>Courts and Locations</b>	17th Judicial District Court, Lafourche Parish, Div. A-E, 201 Green St. & 303 West 3rd Street, Thibodaux, 70301; Thibodaux City Court, 1309 Canal Blvd. Thibodaux, 70301
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	A, B, C, D, & E only (1) division in City Court
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Each section of court is assigned an attorney. A duty attorney handles magistrate. The defendant is then appointed the division attorney at arraignment.

<b>Name of Adult Detention Facilities in This District</b>	Lafourche Parish Detention Center
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	East Carroll; St.Charles; Riverbend; Avoyelles Markville & Simmesport
<b>Name of Juvenile Detention Facilities In This District</b>	Lafourche Parish Juvenile Justice Facility
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Camille A. Morvant, II
<b>Chief Judge of Criminal District Court</b>	John E. Leblanc
<b>Juvenile Court Judges (Specify District of City Court)</b>	Mark Chiasson, City Court; John E. Leblanc, F.Hugh Larose; Steve Miller; Christopher J. Boudreaux; Walter Lanier,III.
<b>Drug Court Judges</b>	Walter I. Lanier,III
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	None
<b>Indigency Determined by Whom and How?</b>	A public defender is appointed. Some defendants are ordered to apply.
<b>When is Assignment/Appointment of Counsel Made?</b>	At magistrate.
<b>What steps does your office take to ensure conflict – free representation</b>	Appointed Defendant names are cross referenced through the database.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Attorney, Charles Caillouet
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	At detention center within 72 hours or if they are not in jail a registered letter is sent immediately for them to come to our office.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes, when possible
<b>How Many Applications for Services Were Received?</b>	252
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	10,112
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	391,684

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	City court provides a printout.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff for District Court/City Clerk for City
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Court orders additional payment if and when requested by counsel, or on courts own motion
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	Our office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	None
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	No restriction on private practice. Duties of indigent defense take priority over private practice.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	No written contract
<b>Primary Immediate Needs</b>	Additional funding for additional staff attorneys and investigators.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No investigator; less 1 girl in the office.
<b>Immediate Critical Issue Areas</b>	Funding for adequate salary and Hospitalization.
<b>Long-Term Critical Issue Areas</b>	Remove the cost of capital cases from this office.
<b>Please List All New Hires in 2015 (Name and Title)</b>	No
<b>Please List All Promotions in 2015 (Name and Title)</b>	No



<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Trained by District Defender
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District Defender for attorneys, Office Manager for non attorney staff.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	Lawrence Autin -- Business Manager
<b>Please Attach Your Office Organizational Chart</b>	Office employees are supervised by Christie Boudreaux, who reports to the District Defender.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	When necessary called for by District Defender.
<b>Number of NEW capital cases in CY15 handled by your office</b>	1
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	1
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senators -- Troy Brown, Gary Smith, Norby Chabert, Bret Allain Beryl Amedee; Representatives -- Jerome Zeringue Tanner Magee, Jerry Gisclair, Jerome Richard.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Inadequate jail facilities delay contact with inmates.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Attorneys have attended CLE and training.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Andrew Wise	985-446-8808
Garyland Wallis	985-446-8808

George Ledet	985-446-8808
Julie Erny	985-446-8808
Maria E. Dugas	985-446-8808
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Andrea Stentz	985-446-8808
Benjamin Comeaux	985-446-8808
L. Charles Caillouet	985-446-8808
Carlton J. Cheramie	985-446-8808
Wilbert Billiot	985-446-8808
Annie Chaisson	985-446-8808
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Christie Boudreaux	985-446-8808
Lisa Washington	985-446-8808
Charity Taylor	985-446-8808
Mark D. Plaisance	985-446-8808
Lawrence Autin	985-446-8808

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Mark D. Plaisance
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b>Operating Systems Used:</b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b>Case Management System(s): Check all that apply</b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b>Productivity Suites Used:</b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b>Accounting Software</b>	
QuickBooks	
Quicken	x
Intuit	
Other (list here):	
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	1
DVD	
VCR	1
Desktop PCs	8
Laptops	2
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	5
Color Printers	1
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	X
No Internet Connection	
Connection Speed:	6
Provider Name:	Charter Business
Email Provider:	Charter Business
Please list any software or computer equipment in which you need training:	

## 17th District Defender Office CY 2015 Caseloads & Outcomes

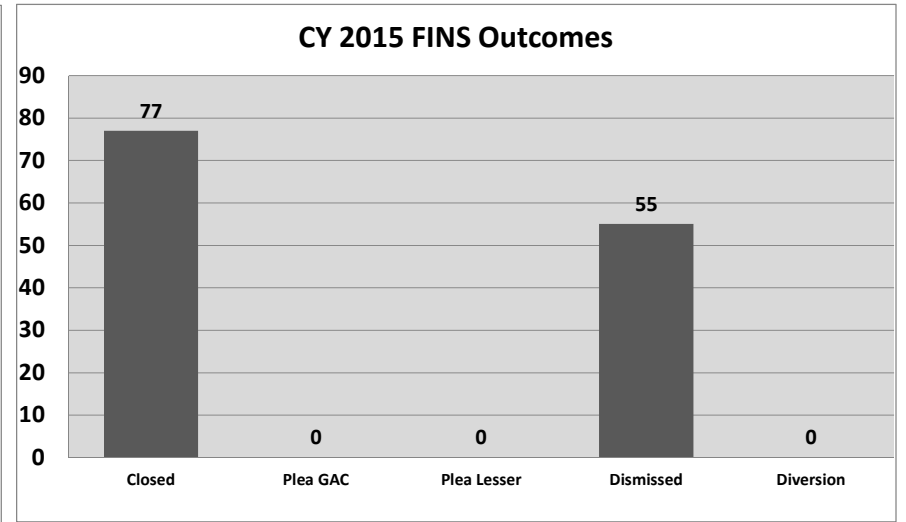
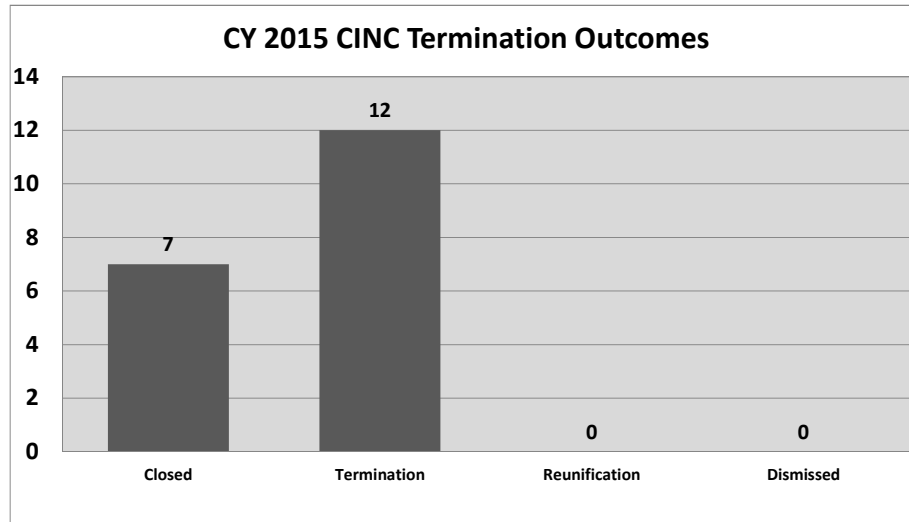
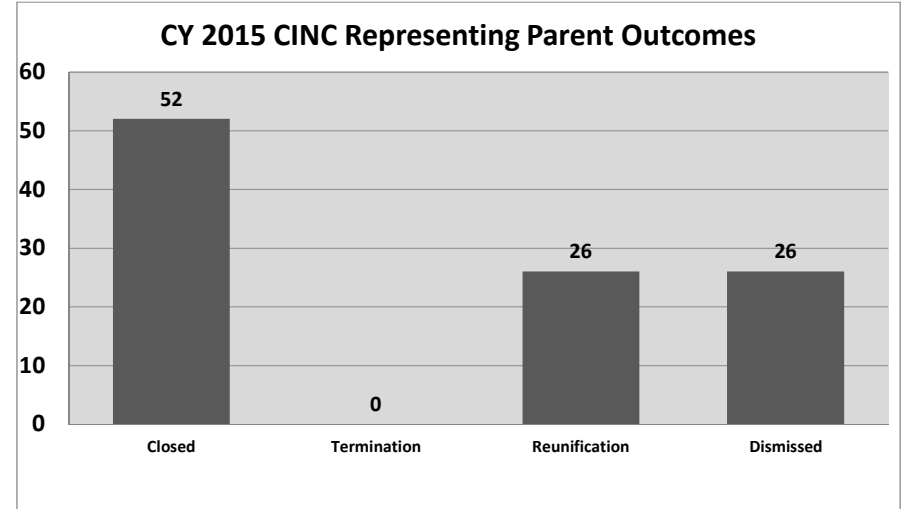
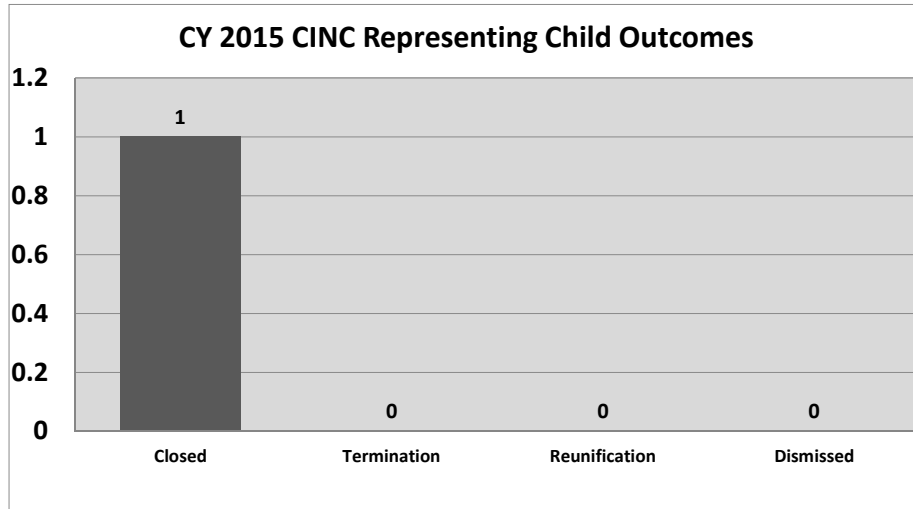
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	1	1	4	5	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	121	52	54	175	0	26	N/A	N/A	26	N/A	N/A	N/A	N/A	N/A	0
Termination	10	7	0	10	12	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	63	77	30	93	N/A	N/A	0	0	55	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	223	273	85	308	N/A	N/A	258	12	157	0	N/A	N/A	1	0	1
Delinquency Felony	55	69	28	83	N/A	N/A	66	12	69	0	N/A	N/A	0	1	1
Delinquency-Life	1	2	1	2	N/A	N/A	0	1	0	0	N/A	N/A	0	0	0
Juvenile Revocations	29	71	0	29	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	1999	1899	502	2501	N/A	N/A	1623	62	959	0	0	0	2	2	4
Adult Felony Non-LWOP**	1129	1107	505	1634	N/A	N/A	736	236	581	3	0	4	0	8	12
Adult LWOP	34	15	9	43	N/A	N/A	7	3	9	0	0	0	0	0	0
Capital***	0	1	1	1	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	71	191	23	94	N/A	N/A	1	0	7	0	N/A	N/A	N/A	N/A	0
PCR	2	3	2	4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	2	3
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

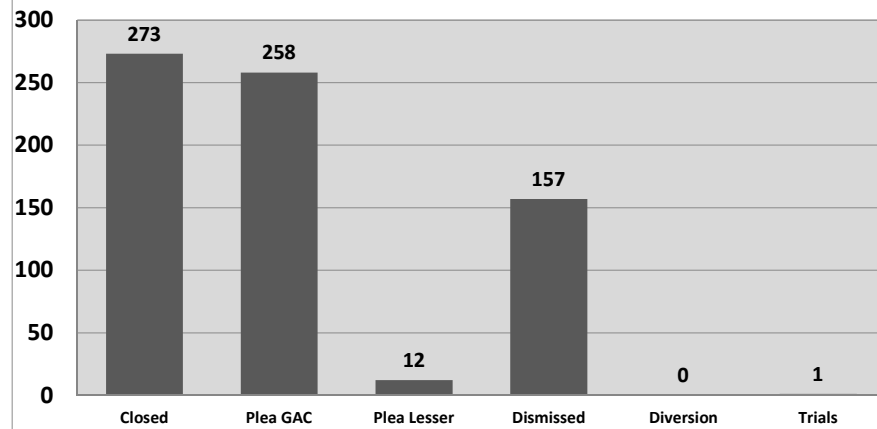
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

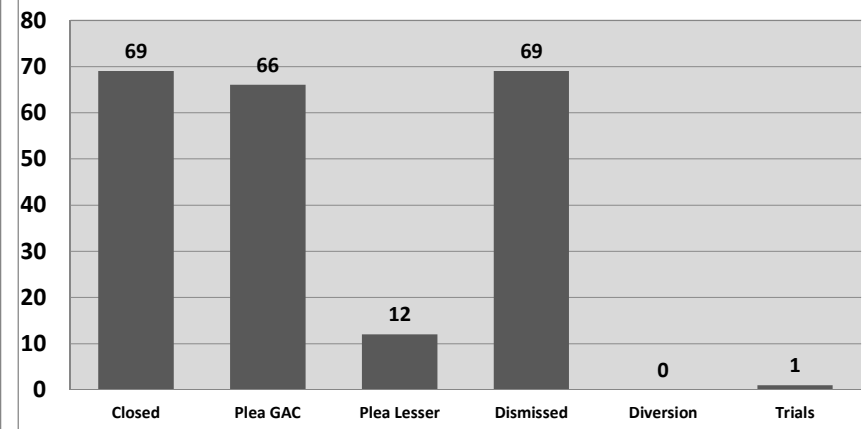
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



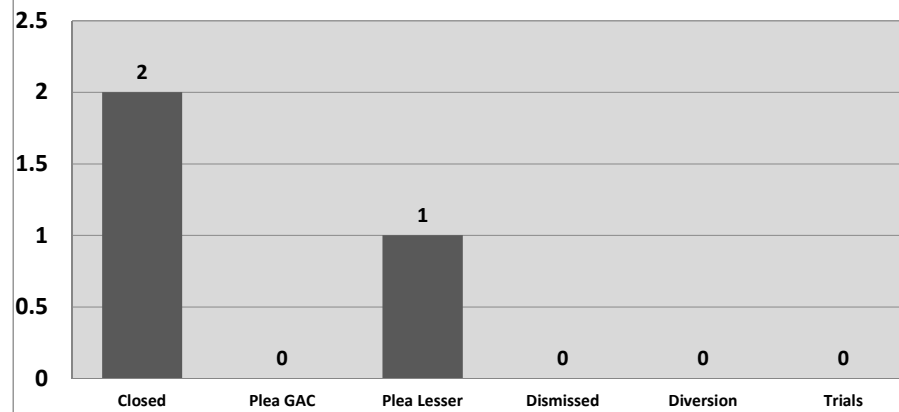
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**

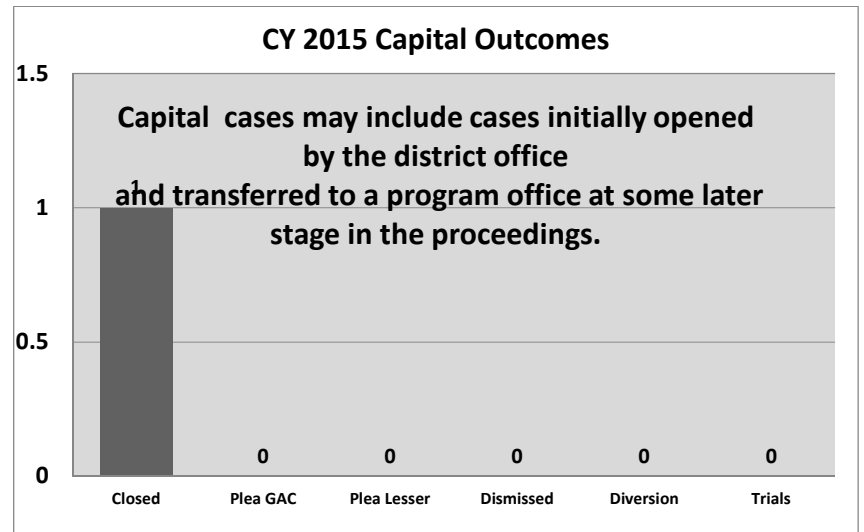
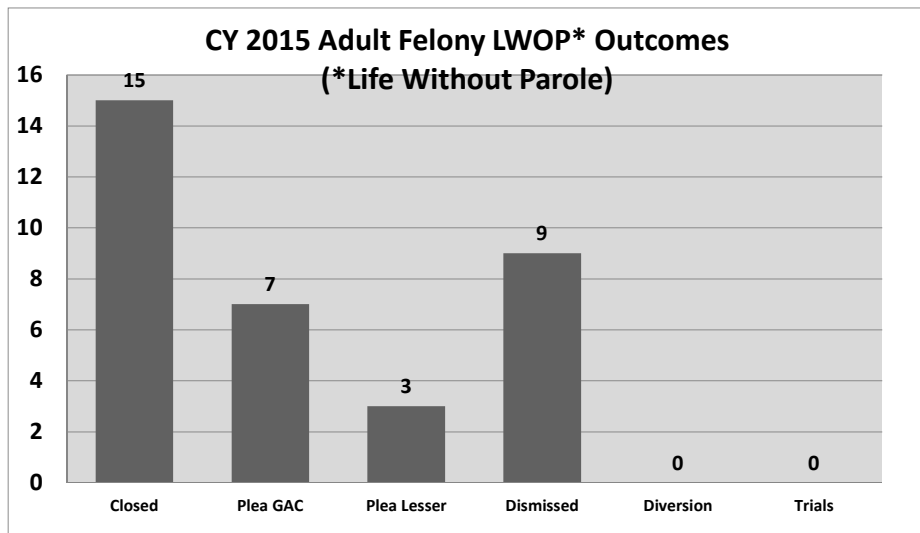
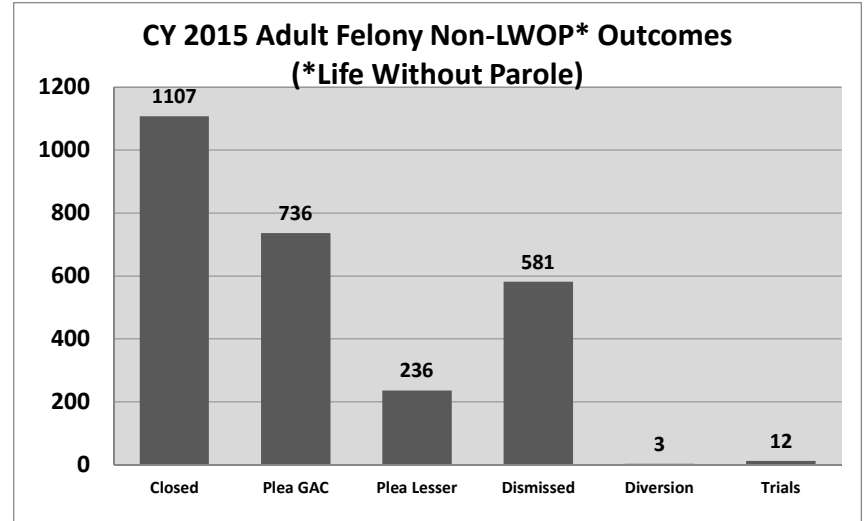
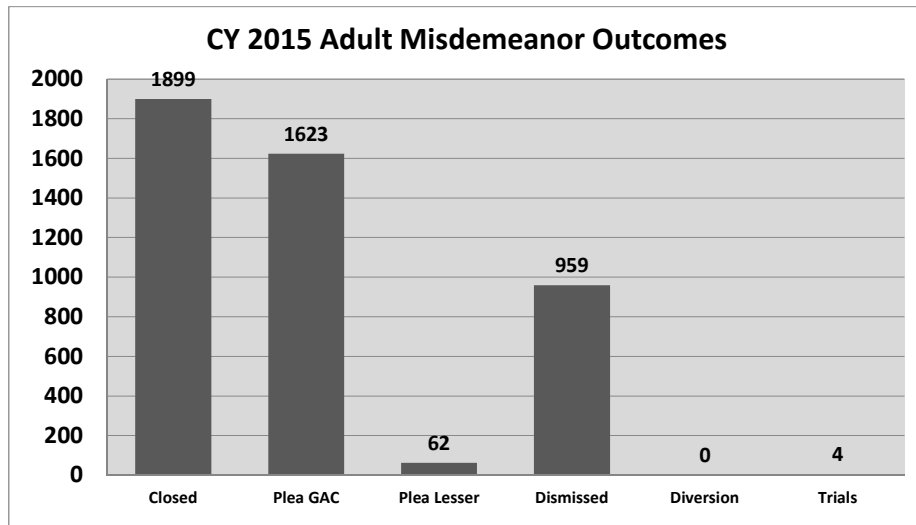


**CY 2015 Delinquency Felony-Grade Outcomes**



**CY 2015 Delinquency Life Outcomes**





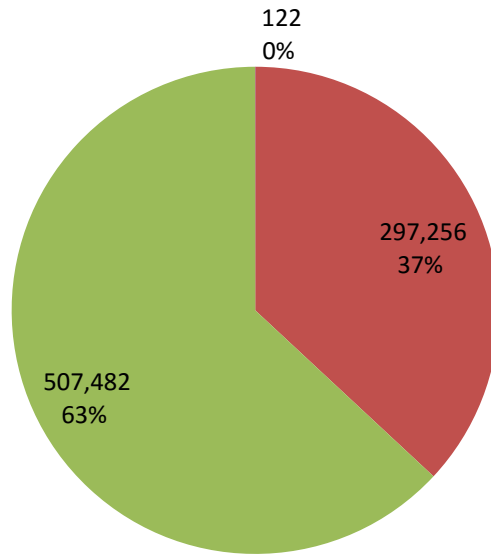


District 17 CY2015	Total CY2015
District Defender: Mark Plaisance	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	12,555
District Assistance Fund (DAF)	272,593
Supplemental/Emergency Funds	12,108
Grants	-
Other State Income -List source(s)	-
Total for State Government	297,256
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	58,679
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	6,481
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	355,480
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	68,270
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	423,750
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	11,052
Partial Attorney Fees	-
Reimbursements [as per 15:176]	5,252
Other Reimbursements	-
Other Local Income -List source(s)	2,268
Total for Charges For Services	18,572
Total for Local Government	507,482
Investment Earnings	
Interest Income	122
Other Investment Income - List source(s)	-
Total for Investment Earnings	122
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	804,860

District 17 CY2015	Total CY2015
District Defender: Mark Plaisance	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	407,472
Accrued Leave	-
Payroll Taxes	32,137
Hospitalization and Disability Insurance	-
Retirement	50,409
Other	-
Total for Personnel Services and Benefits	490,018
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	1,017
Total for Travel/Training	1,017
Operating Services	
Advertisements	841
Workers' Compensation	2,757
Insurance - Malpractice	7,325
Insurance - Auto/Physical Liability	-
Insurance - Other	866
Lease - Office	24,000
Lease - Auto/Equipment	-
Lease - Other	1,314
Office Repair and Maintenance	1,375
Office - Telephone/Utilities/Postage/Internet	9,938
Dues and Seminars	2,116
Law Library/Journals/Subscriptions	9,277
Office Supplies	6,217
Total for Operating Services	66,026
Professional Services	
Audit/Accounting Expense	300
Contract Clerical	-
Expert Witness	-
Investigators	1,902
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	73,118
Contract - Juvenile Attorneys or CINC	44,336
Misdemeanor Attorney Contracts	41,664
Contract Attorneys - all other	59,924
IT/Technical Support	1,026
Total for Professional Services	222,271
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	34
Total for Other Charges	34
Total for EXPENDITURES	779,366

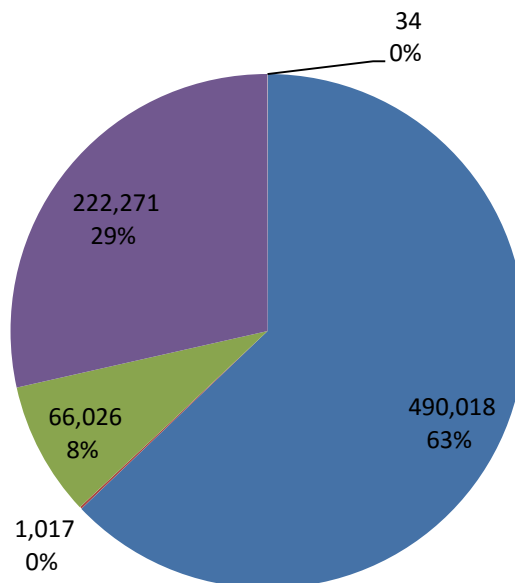
## Total CY15 Revenues

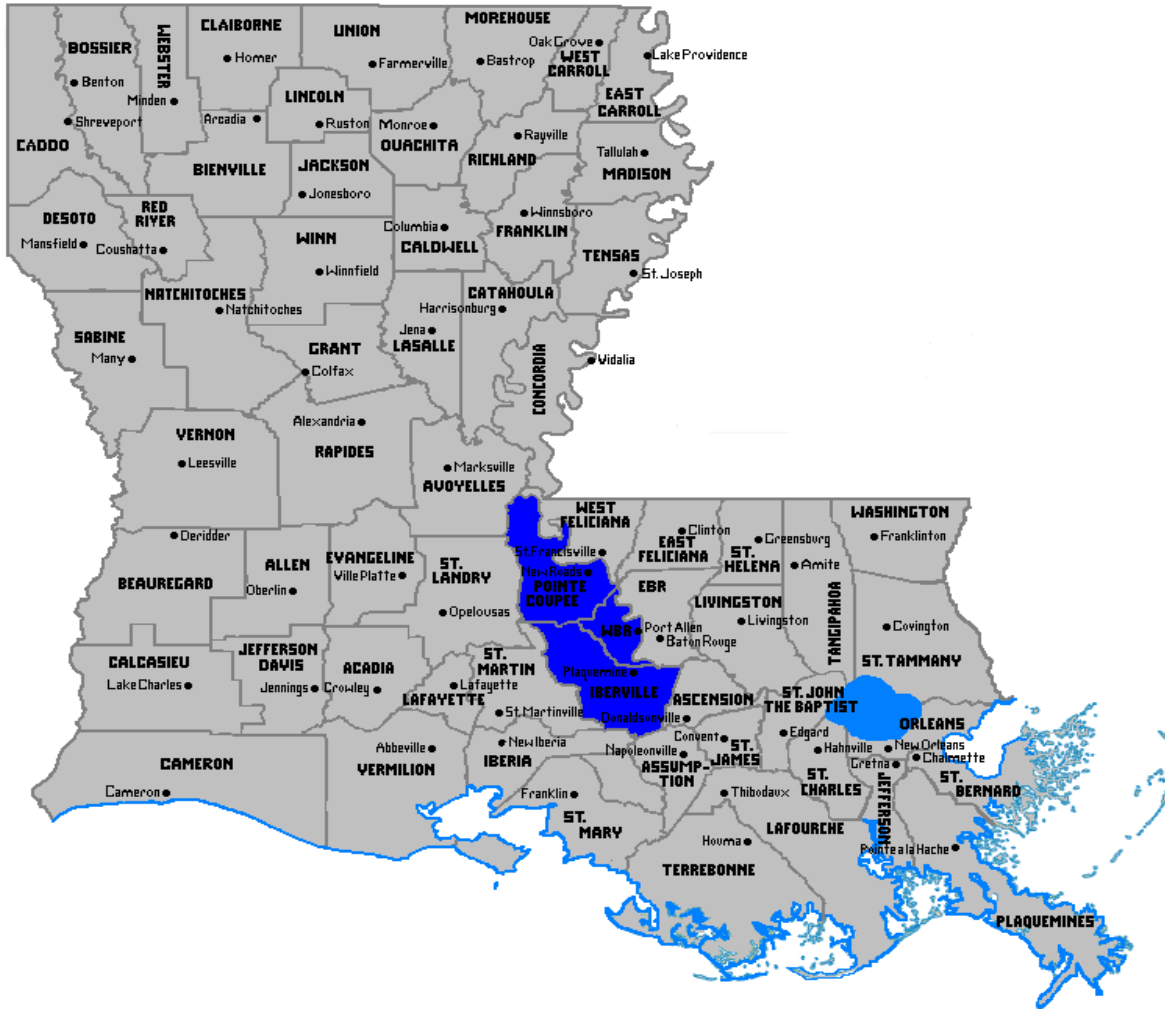
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





## THE 18<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

IBERVILLE (PLAQUEMINE) - POINTE COUPEE (NEW ROADS) - WEST BATON  
ROUGE (PORT ALLEN)

DISTRICT DEFENDER: C. JEROME D'AQUILA  
308 E. MAIN STREET  
NEW ROADS, LA 70764  
(225) 683-9083

# 18TH JUDICIAL DISTRICT : IBERVILLE, POINTE COUPEE, AND WEST BATON ROUGE PARISHES

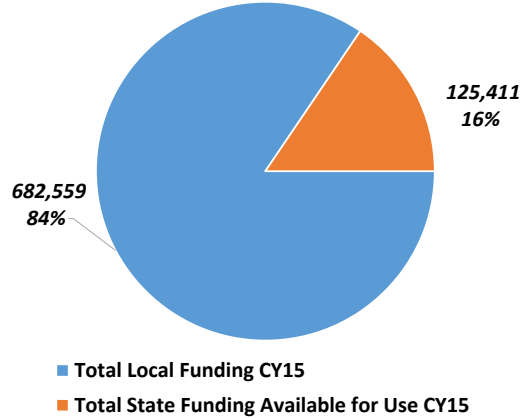
C. Jerome D'Aquila  
District Defender  
308 E. Main St.  
New Roads, LA 70764  
225-683-9083

During Calendar Year 2015, the 18th Judicial District Public Defenders Office handled 2,530 cases. The office has traditionally been self-reliant as 100% of its revenues were derived from local funding which came primarily from traffic tickets and special court costs. Between FY11 and FY14, local revenues have decreased to the extent that in FY14, for the first time, the State began providing financial assistance to help cover the gap between the district's revenues and expenditures. During FY15, 84% of the district's revenues were derived from local funding.

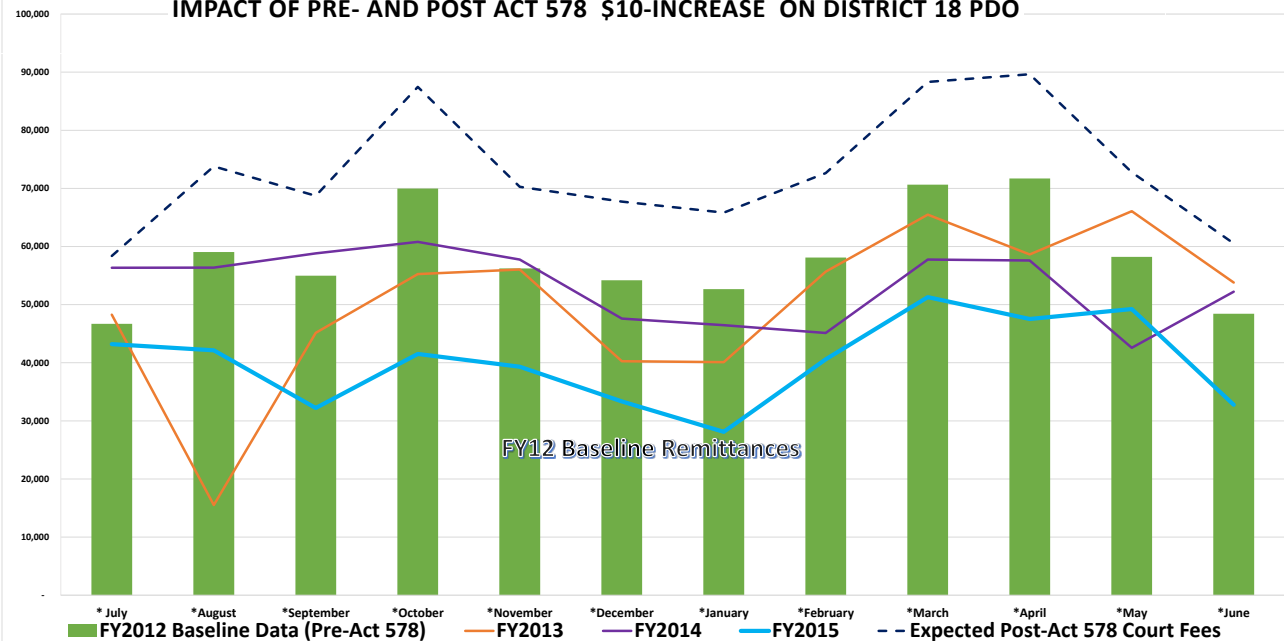
Since the passage of Act 578 (2012) in the 18th Judicial District, the expected 25% increase in local revenues (dotted blue line, below) has never materialized. As shown in the graph below, during August 2012, almost immediately following the passage of Act 578, local revenues plummeted to their lowest levels in three years (orange line).

The long-term shortfall in local revenues has forced the fund balance into a sharp and continuous decline.

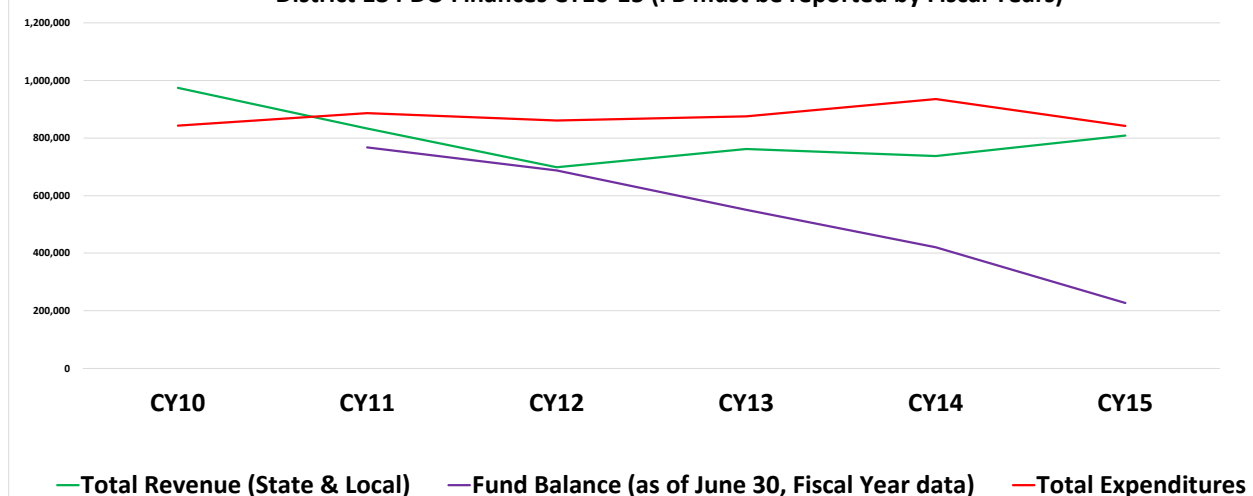
District 18 PDO Revenue Sources CY15



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 18 PDO

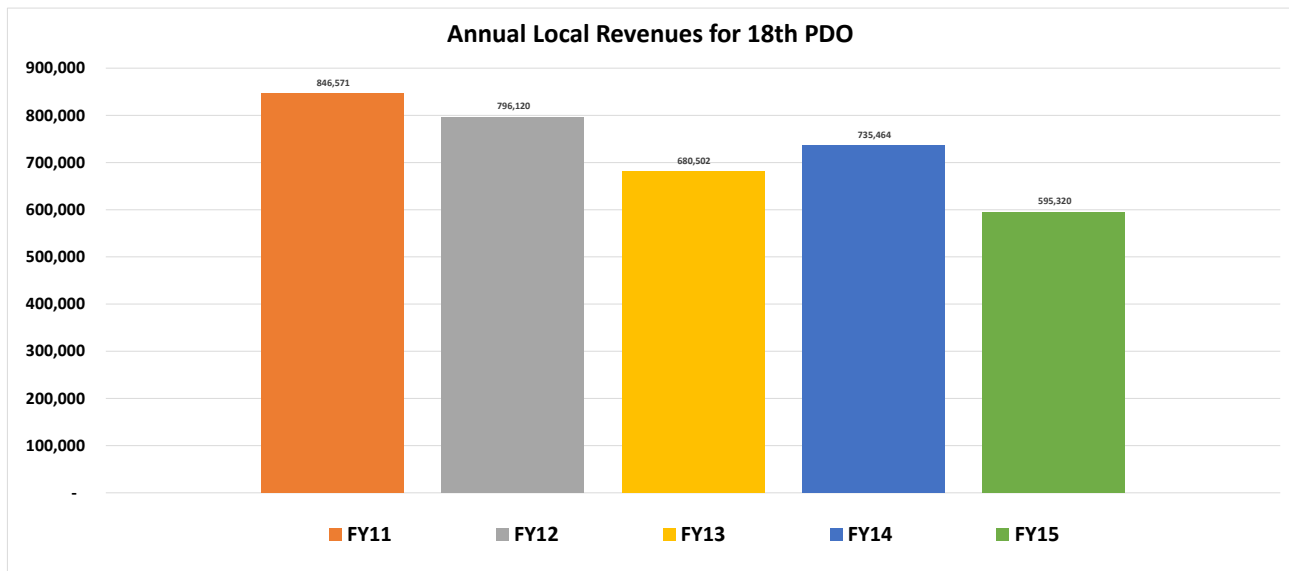


District 18 PDO Finances CY10-15 (FB must be reported by Fiscal Years)



**18TH JUDICIAL DISTRICT :  
IBERVILLE, POINTE COUPEE, AND WEST  
BATON ROUGE PARISHES**

**C. Jerome D'Aquila  
District Defender  
308 E. Main St.  
New Roads, LA 70764  
225-683-9083**



Between FY11 and FY15, the 18th Judicial District Public Defender Office's local revenues have decreased while expenditures have remained relatively constant.

Local revenues have decreased to the extent that in FY14, for the first time, the State began providing DAF money to help cover the gap between the district's revenues and expenditures.

**CAPITAL REPRESENTATION**

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 18<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Iberville - Plaquemine; Pointe Coupee - New Roads; West Baton Rouge - Port Allen
<b>Population</b>	80,818 using 2014 estimates from US Census Quick Facts
<b>Juvenile Population</b>	18,430 using 2014 estimates from US Census Quick Facts
<b>District Defender</b>	C. Jerome D'Aquila
<b>Years as District Defender</b>	43
<b>Years in Public Defense</b>	43
<b>Office Manager</b>	None
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Support Staff - Cheryl Stewart(Iberville), Dana Kirkland(Pointe Coupee) Bridgette Berndt & Casey Scalise(WBR).
<b>Primary Office Street Address</b>	308 E. Main St.
<b>City</b>	New Roads
<b>ZIP</b>	70764
<b>Primary Phone</b>	225-683-9083
<b>Primary Mailing Address</b>	P. O. Box 866, New Roads LA 70760
<b>Primary Fax Number</b>	225-638-7227
<b>Primary Emergency Contact</b>	C. Jerome D'Aquila
<b>Primary Emergency Phone</b>	225-638-9083 (O) 225-931-6956 (Cell)
<b>Secondary Emergency Contact</b>	Thomas Nelson
<b>Secondary Emergency Phone</b>	225-638-9083 (O) 225-718-2708 (Cell)
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Iberville Parish - 58050 Meriam St., Courthouse Bldg., 3rd Floor; Plaquemine 70765, 225-687-5215; Pointe Coupee Parish - 308 E. Main St., New Roads 70764, 225-638-9083; West Baton Rouge Parish - 850 8th St., Courthouse Bldg. Room #27, 2nd Floor, Port Allen 70767, 225-387-6209.
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Iberville Parish(Iberville Courthouse) no rent paid WBR Parish(WBR Courthouse) no rent paid C Jerome D'Aquila (Pointe Coupee office) no rent paid.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	No rent and/or utilities are paid at any location.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Not handled in-house, accounting contracted with Accountant Chris Guerin.

<b>Courts and Locations</b>	18th Judicial District Court, Iberville, Pointe Coupee, West Baton Rouge Parishes; Port Allen City Court.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	18th JDC four(4) divisions; Port Allen City Court(1) division.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Contract felony attorneys are assigned to a particular division and contract misdemeanor attorneys are appointed to share juvenile and misdemeanor cases. The contract attorneys decide amongst themselves how to allocate the cases.
<b>Name of Adult Detention Facilities in This District</b>	WBR Detention Center - Port Allen Pointe Coupee Detention Center - New Roads Iberville Parish Jail - Plaquemine
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	N/A
<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	St James Parish Youth Center closed, now using Assumption Juvenile Detention Center in Napoleonville LA
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Affects office budget by putting strain on travel budget.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Richard "Ricky" Ward
<b>Chief Judge of Criminal District Court</b>	J. Robin Free
<b>Juvenile Court Judges (Specify District of City Court)</b>	J. Robin Free West Baton Rouge Parish James J. Best Pointe Coupee Parish Alvin Batiste & William Dupont Iberville Parish
<b>Drug Court Judges</b>	Alvin Batiste Iberville Parish James J. Best Pointe Coupee Parish West Baton Rouge Parish (no drug court)
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	William T. Kleinpeter
<b>Name of Specialty and Brief Description:</b>	City Court of Port Allen Hearing Officer for Non-Support Court
<b>Indigency Determined by Whom and How?</b>	Interrogation by the Court
<b>When is Assignment/Appointment of Counsel Made?</b>	At the 72 hour hearing or arraignment date.
<b>What steps does your office take to ensure conflict – free representation</b>	All PD's maintain their own law offices, all PD's are independent contractors & if necessary outside attorneys are contracted.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Support Staff Cheryl Stewart(Iberville), Dana Kirkland(Pointe Coupee), Bridgette Berndt & Casey Scalise(WBR) & Investigator Larry Jones.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes



<b>Brief Explanation of Intake Process</b>	If client is in jail, intake is conducted by investigator at the 72 hour hearing. If client is bonded, intake is conducted by support staff and then interviewed by an attorney on appointment date. Only attorneys gather facts about the case.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	640
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	25,600
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	537,458
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Court Fees are assessed based on Appointed Cases not on Case Convictions.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	See attached documents.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's Office in respective Parishes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	See attached documents.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Office in respective Parishes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	See attached documents.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	N/A
<b>Who Collects the Assessed Partial Payments?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	N/A
<b>Who Remits the Partial Payments Collected?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	N/A
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private practice permitted. Duties as Public Defender take priority. Criminal practice/representation permitted if retained prior to appointment as Public Defender.

<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes, contract attached.
<b>Primary Immediate Needs</b>	Increased funding to bring PD staff & related compensation back to pre-ROS levels.
<b>Was your office in ROS at any time during 2015</b>	Yes
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	N/A
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Two PD contracts were not renewed @ 7/1/2015 and the District Defender & all retained PD's incurred 10% reductions in compensation.
<b>Immediate Critical Issue Areas</b>	Increased funding to bring PD staff & related compensation back to pre-ROS levels.
<b>Long-Term Critical Issue Areas</b>	Increased funding to bring PD staff & related compensation back to pre-ROS levels.
<b>Please List All New Hires in 2015 (Name and Title)</b>	None
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Newly contracted attorneys are initially assisted/helped by an experienced contract attorney.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Since the attorneys are independent contractors very little hands-on supervision is required, only exception is supervisory requirements imposed by the LPDB.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	To be provided.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes. Two(2) contract attorneys receive \$250 monthly to offset healthcare costs.
<b>Regular Meetings for Any Staff, Please Describe</b>	No regular staff meetings are held.
<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	None
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	All cases transferred to LAP.
<b>Number of Writs Your District Handled in 2015</b>	None

<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Due to funding 18th JDC has one Public Defender handling all Juvenile cases and transfers.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Major Thibaut Representative; Karen St. Germain Representative; Edward Price Representative; Regina Barrow Representative; Rick Ward Senator; Troy Brown Senator.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
C Jerome D'Aquila	225-638-9083
Thomas Nelson	225-638-9083
John Aydele	225-336-3000
Kevin Kimball	225-344-0220
Lagretta Lazard	225-344-7000
Michael Parks	225-638-3516
Tonya Lurry	225-387-6209
Tommy Thompson	225-389-1234
David Marquette	225-928-0310
Greg Rome	225-938-5724
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Larry Jones	225-387-6209
Dana Kirkland	225-638-9083
Bridgette Berndt	225-387-6209
Cheryle Stewart	225-687-5215
Chris Guerin	225-505-4093
Casey Scalise	225-387-6209

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Chris Guerin
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	x
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	x

Microsoft Edge	x
Firefox	
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	3
DVD	3
VCR	
Desktop PCs	4
Laptops	11
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	
Color Printers	3
Wireless Cards	11
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	3
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	Cox Communications
Email Provider:	Various
Please list any software or computer equipment in which you need training:	

## 18th District Defender Office CY 2015 Caseloads & Outcomes

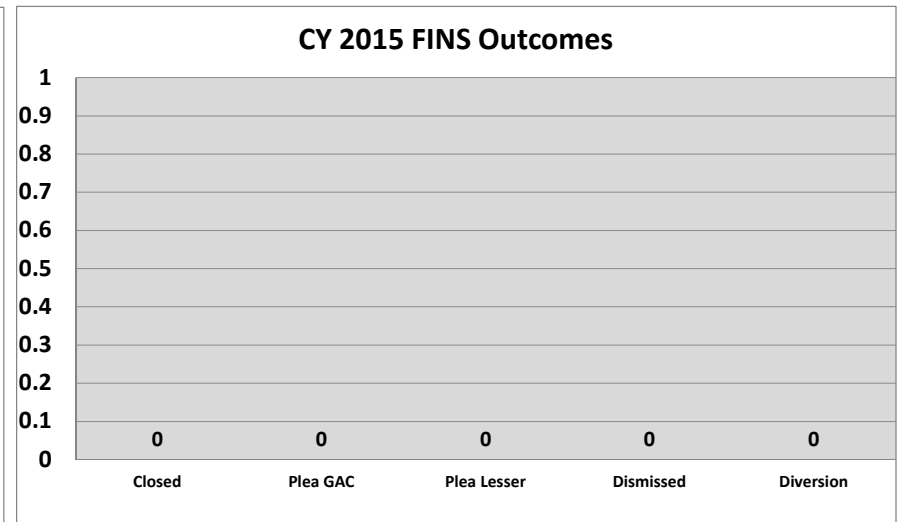
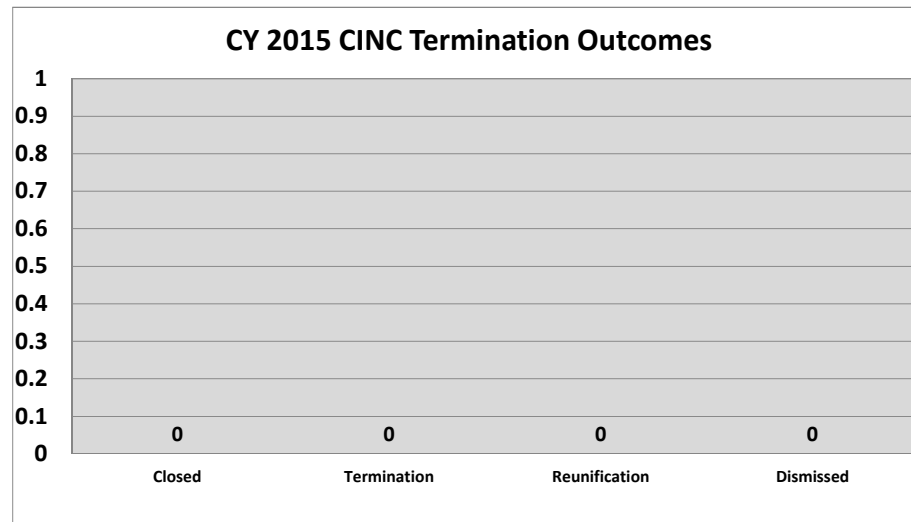
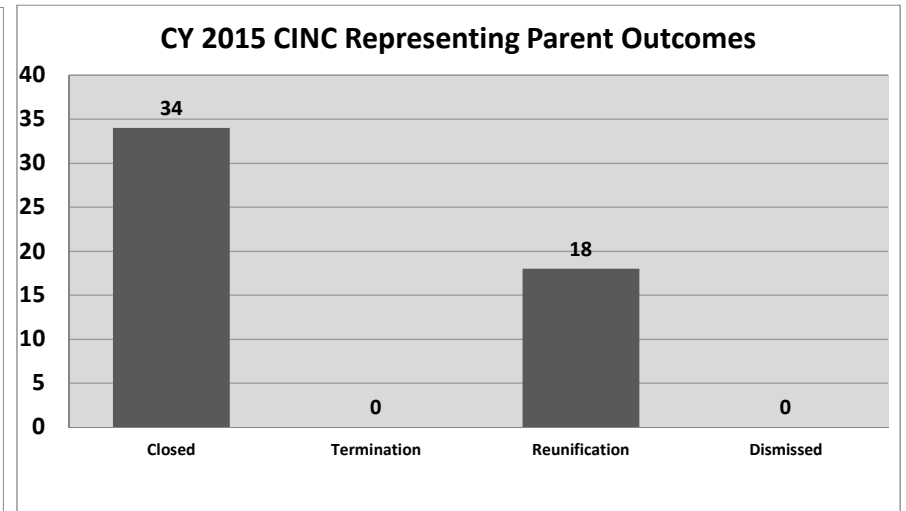
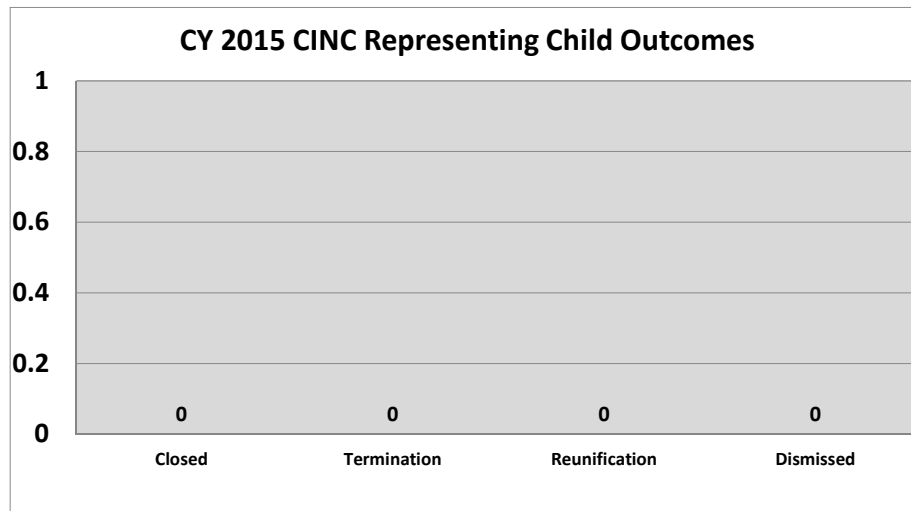
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	9	9	80	89	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	3	3	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	61	34	29	90	0	18	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	209	187	18	227	N/A	N/A	53	9	37	105	N/A	N/A	0	1	1
Delinquency Felony	32	30	9	41	N/A	N/A	20	8	25	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	659	544	168	827	N/A	N/A	360	29	403	0	0	0	10	9	19
Adult Felony Non-LWOP**	849	764	396	1245	N/A	N/A	418	277	229	0	0	2	0	1	3
Adult LWOP	2	1	6	8	N/A	N/A	0	0	0	0	0	1	0	0	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

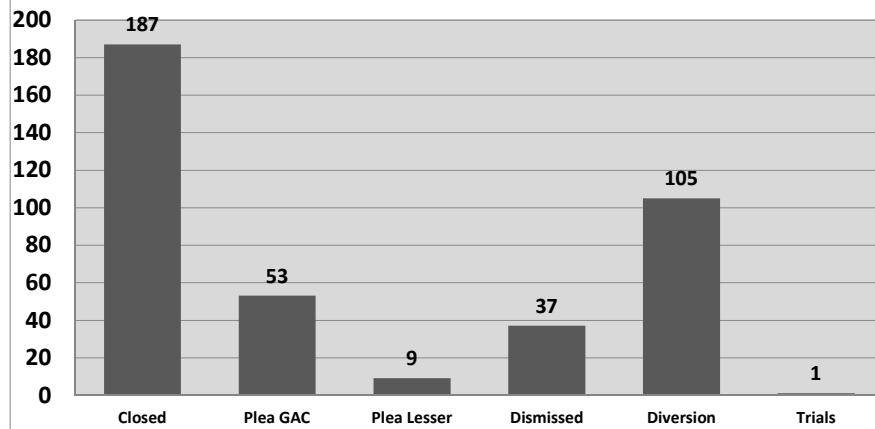
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

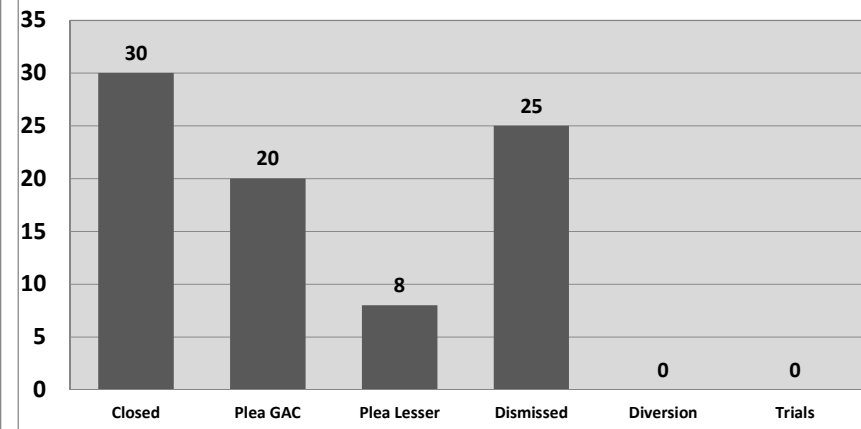
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



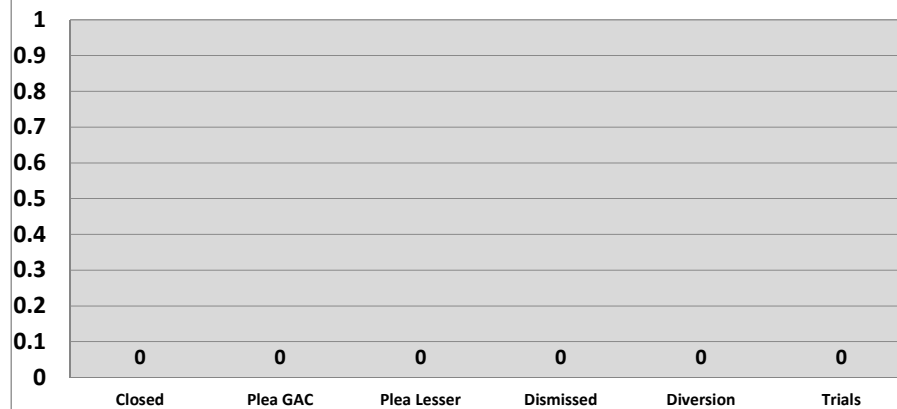
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



**CY 2015 Delinquency Felony-Grade Outcomes**

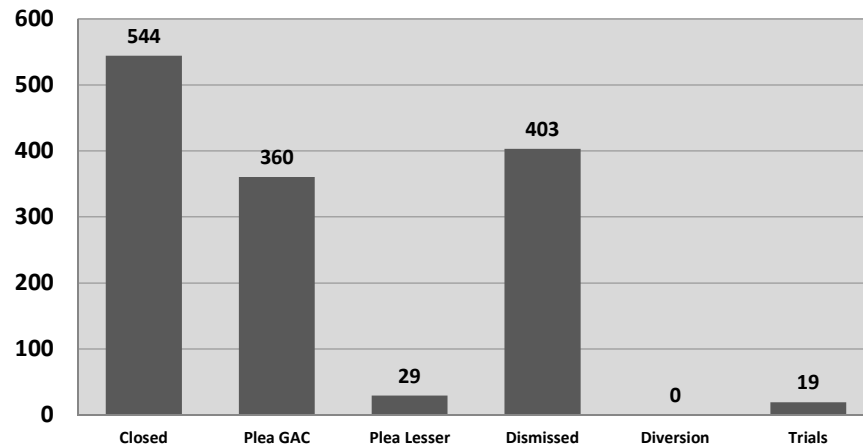


**CY 2015 Delinquency Life Outcomes**

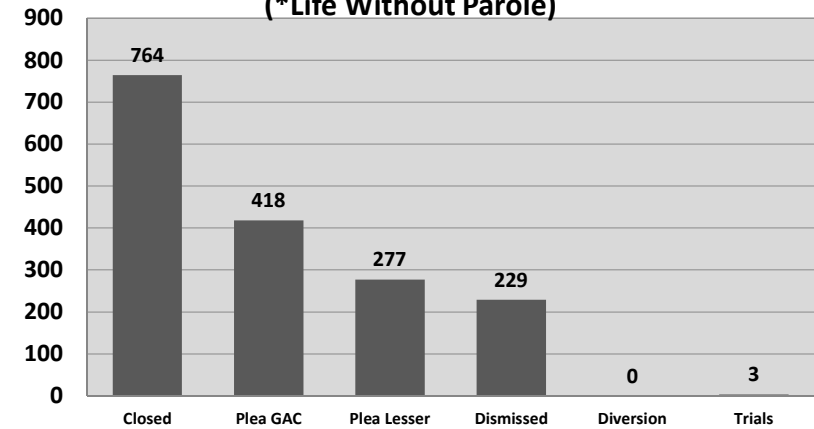




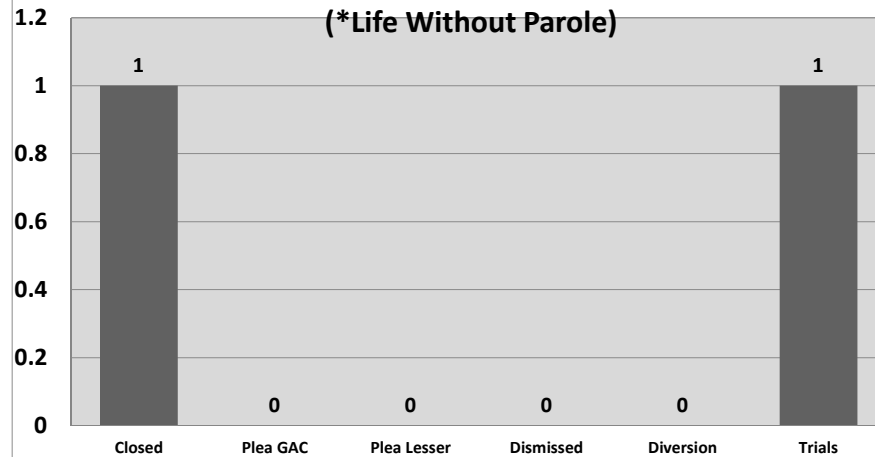
**CY 2015 Adult Misdemeanor Outcomes**



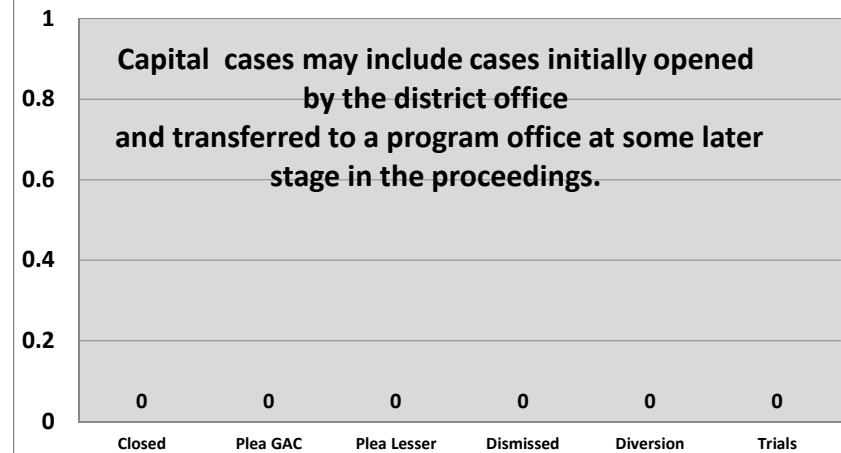
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

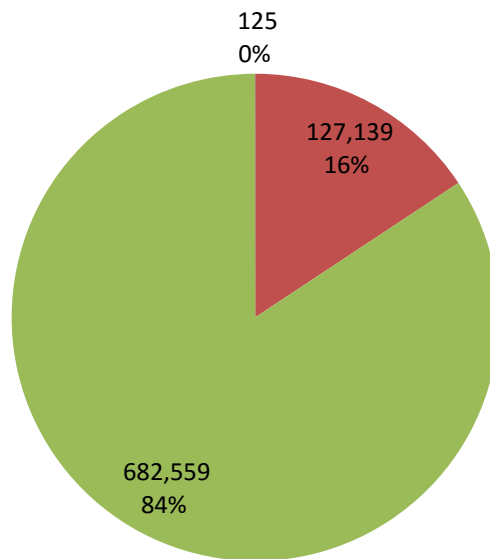


District 18 CY2015	Total CY2015
<b>District Defender: Jerome D'Aquila</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	14,062
District Assistance Fund (DAF)	113,077
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	127,139
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	93,449
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	23,961
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	181,059
Judicial District Courts	346,058
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	527,116
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	25,617
Partial Attorney Fees	
Reimbursements [as per 15:176]	11,316
Other Reimbursements	-
Other Local Income -List source(s)	1,100
Total for Charges For Services	38,033
Total for Local Government	682,559
Investment Earnings	
Interest Income	125
Other Investment Income - List source(s)	-
Total for Investment Earnings	125
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	809,823

District 18 CY2015	Total CY2015
District Defender: Jerome D'Aquila	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	186,046
Accrued Leave	-
Payroll Taxes	18,584
Hospitalization and Disability Insurance	6,981
Retirement	-
Other	-
Total for Personnel Services and Benefits	211,610
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	4,200
Total for Travel/Training	4,200
Operating Services	
Advertisements	1,030
Workers' Compensation	1,437
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	100
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	3,960
Office Repair and Maintenance	1,175
Office - Telephone/Utilities/Postage/Internet	7,425
Dues and Seminars	-
Law Library/Journals/Subscriptions	27,299
Office Supplies	2,080
Total for Operating Services	44,506
Professional Services	
Audit/Accounting Expense	20,622
Contract Clerical	-
Expert Witness	5,000
Investigators	52,924
Interpreters	138
Social Workers	-
Capital Representation	-
Conflict	3,135
Contract - Juvenile Attorneys or CINC	58,277
Misdemeanor Attorney Contracts	38,658
Contract Attorneys - all other	397,590
IT/Technical Support	625
Total for Professional Services	576,967
Capital Outlay	
Major Acquisitions	2,559
Total for Capital Outlay	2,559
Other Charges	
Other Operating Expenses	1,453
Total for Other Charges	1,453
Total for EXPENDITURES	841,296

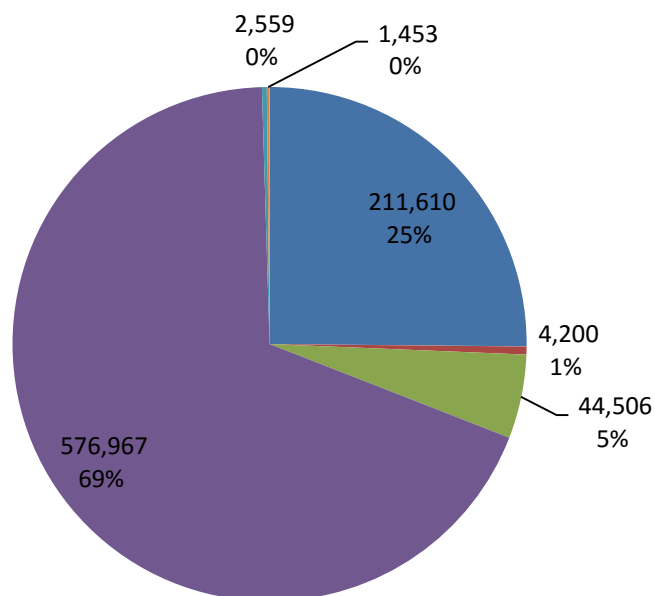
## Total CY15 Revenues

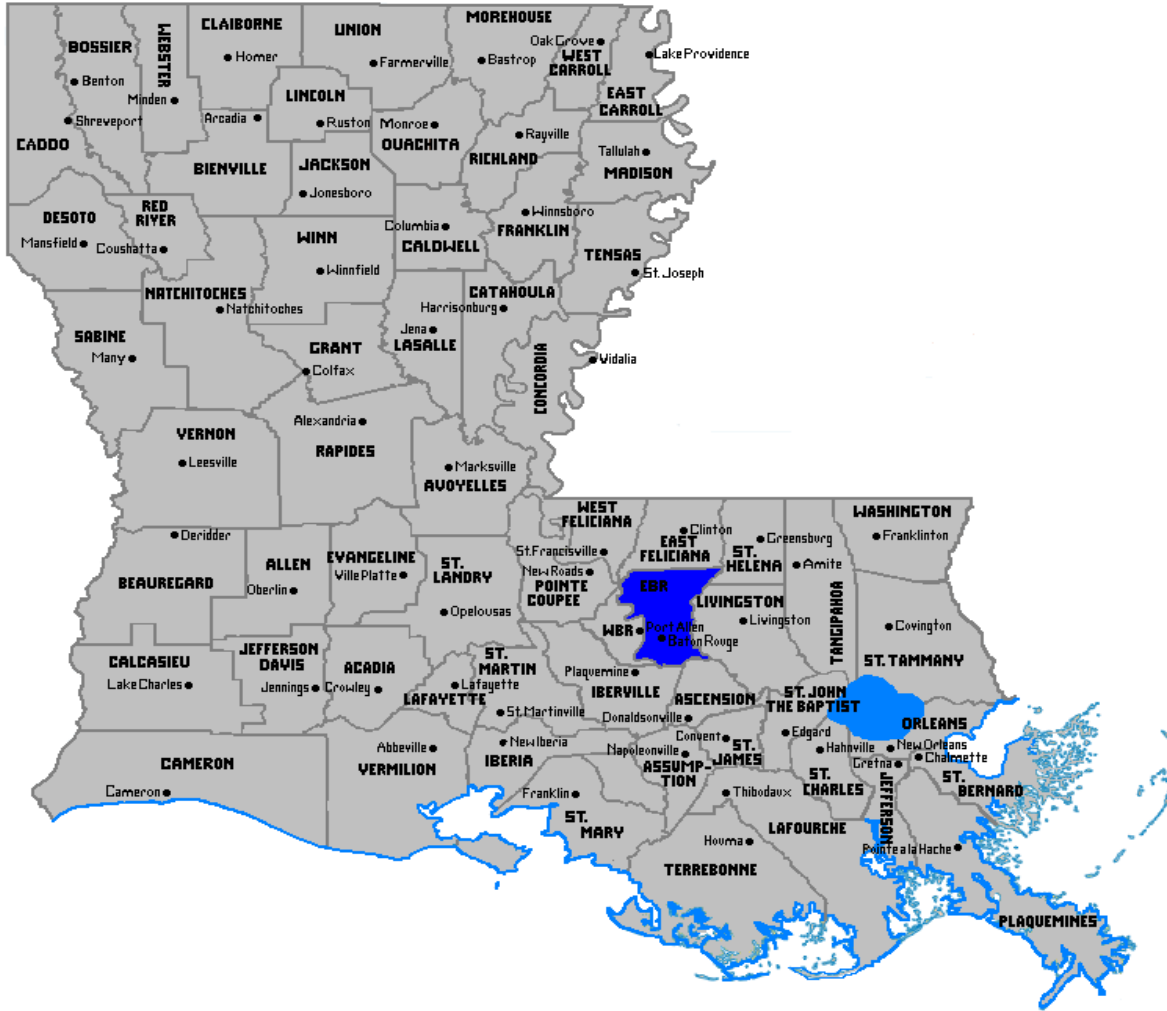
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





# THE 19<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE EAST BATON ROUGE (BATON ROUGE)

DISTRICT DEFENDER: MICHAEL A. MITCHELL  
300 LOUISIANA AVENUE  
BATON ROUGE, LA 70802  
(225) 389-3150

## 19TH JUDICIAL DISTRICT : EAST BATON ROUGE PARISH

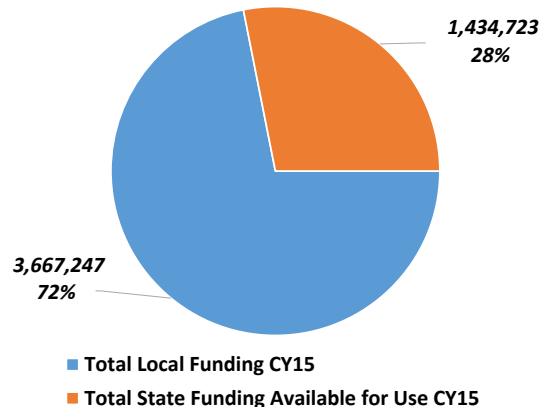
Michael A. Mitchell  
District Defender  
300 Louisiana Avenue  
Baton Rouge, LA 70802  
225-389-3150 (w)

During Calendar Year 2015, the 19th Judicial District Public Defenders Office handled 20,384 cases. The office received \$5,101,970 in total revenues to handle these cases, approximately 72% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

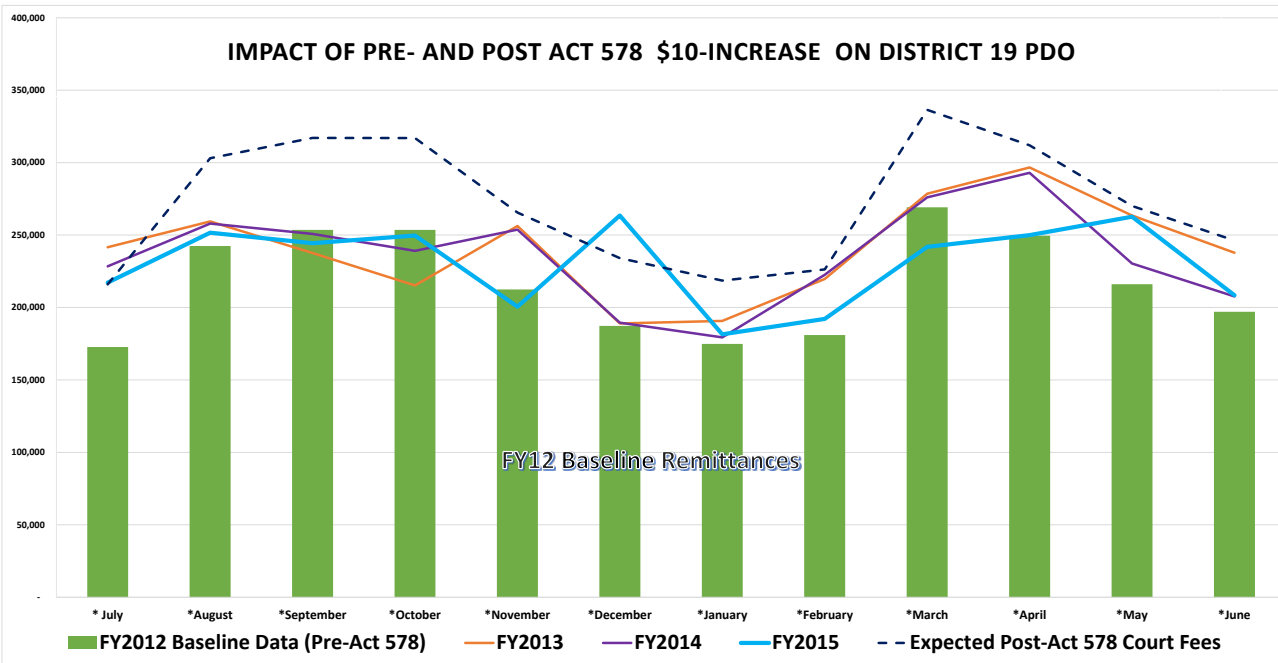
The 19th Judicial District has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 19th Judicial District office nearly exhausted its fund balance and was forced to begin restricting services on March 1, 2015.

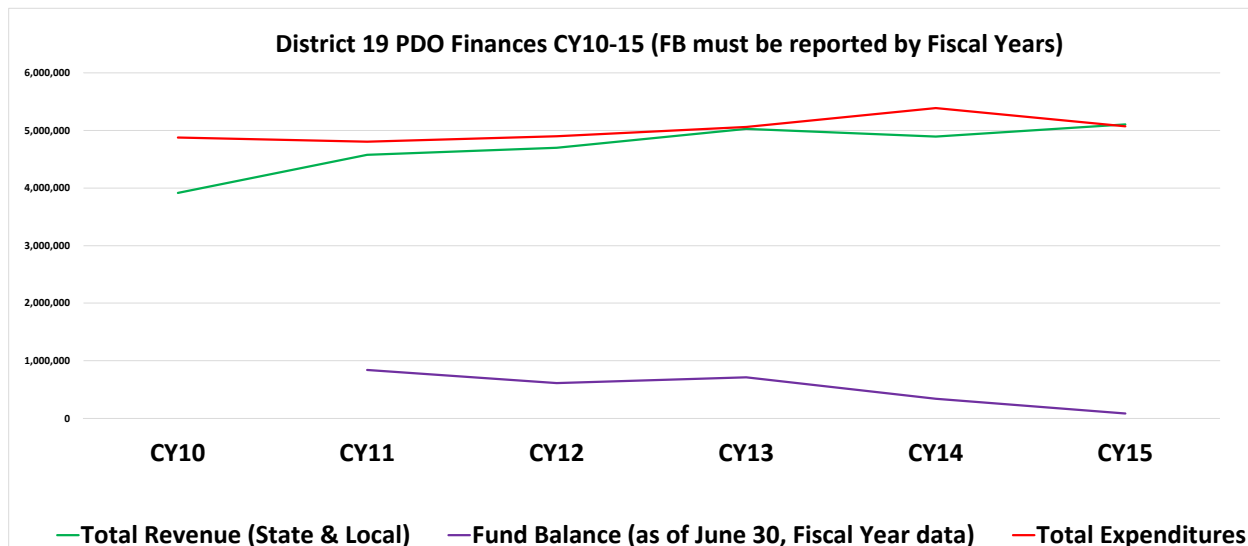
**District 19 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 19 PDO**



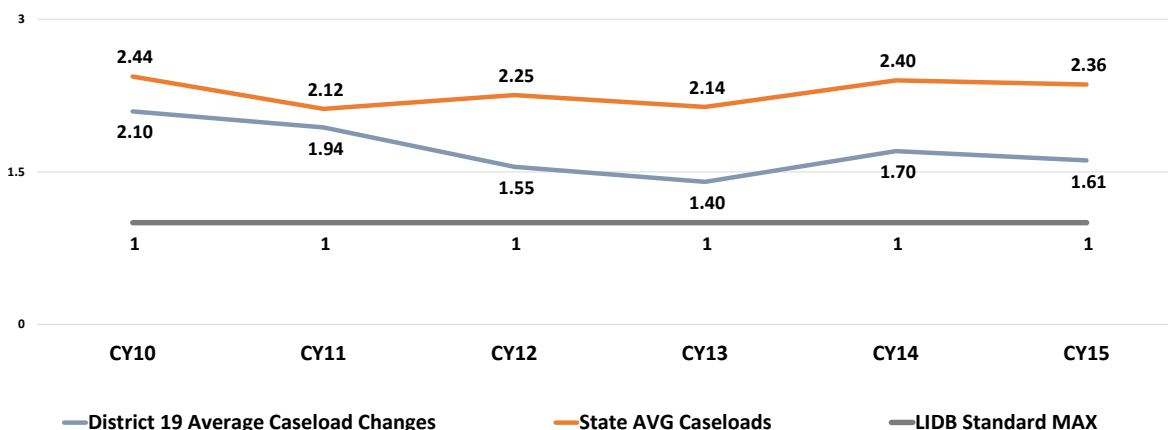
**District 19 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



## 19TH JUDICIAL DISTRICT : EAST BATON ROUGE PARISH

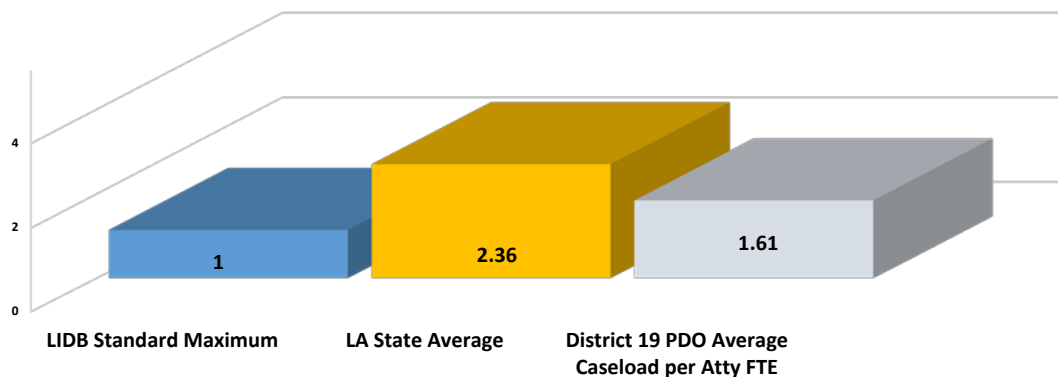
Michael A. Mitchell  
District Defender  
300 Louisiana Avenue  
Baton Rouge, LA 70802  
225-389-3150 (w)

District 19 PDO Average Caseload per Atty FTE



In the 19th Judicial District, public defense attorneys maintain caseloads in excess of recommended caseload limits for each attorney. A nine percent reduction in cases handled by the office from CY14 to CY15 may account for the office's slight reduction in average caseload per attorneys although attorney positions were eliminated as part of the office's restriction of services plan.

District 19 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has limited capacity to accept capital cases as it does not have two certified counsel or otherwise does not have capacity to provide core team members as required by the Capital Performance Standards. Further, the Board passed a Resolution in 2015 to prohibit districts in restriction of services from accepting new capital appointments. As a result, all capital cases in this high-volume capital prosecution districts fall to the state to supply capital representation because the district is facing a Restriction of Services.



## THE 19<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	East Baton Rouge - Baton Rouge
<b>Population</b>	446,042
<b>Juvenile Population</b>	101,698
<b>District Defender</b>	Michael A. Mitchell
<b>Years as District Defender</b>	22
<b>Years in Public Defense</b>	30
<b>Office Manager</b>	Beulah Decuir/ Dawn D. George
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Stephanie Dangerfield, Sec.; Melanie Davis, Sec.; Monica Dickerson, Sec.; Fannie Dorsey, Sec.; Mildred Ewing, Sec.; D. Delisle George, Exe. Assist.; Shalyn Lewis, Sec.; Darlene Reiff, Sec.; Florence Roberson, Sec.; Veronica Robillard, Sec.; Lori Trosclair, Sec.; Shannanqua Wright, Sec.
<b>Primary Office Street Address</b>	300 Louisiana Avenue
<b>City</b>	Baton Rouge
<b>ZIP</b>	70802
<b>Primary Phone</b>	225-389-3150 (w)
<b>Primary Mailing Address</b>	Post Office Box 3356 Baton Rouge, LA 70821-3356
<b>Primary Fax Number</b>	225-389-5418
<b>Primary Emergency Contact</b>	Michael A. Mitchell
<b>Primary Emergency Phone</b>	225-937-7990 cell
<b>Secondary Emergency Contact</b>	D. Delisle George
<b>Secondary Emergency Phone</b>	225-241-2402 (c)
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	East Baton Rouge City Parish building.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$172,079 Rent Annually + \$21,149 Utilities Annually = \$16,103 Monthly.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Handled In-House utilizing Paychex Online, QuickBooks, with Monthly Review by John McKowen, CPA.
<b>Courts and Locations</b>	19th Judicial District Court (Criminal), East Baton Rouge Parish, Baton Rouge; Baton Rouge City Court; Baker City Court; Zachary City Court; Juvenile Court of Baton Rouge (2); Child Support Court (4).
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	District Court-8 Criminal Divisions; Baton Rouge City Court- 5 Divisions; Baker and Zachary City Court-1 Division each ; Juvenile Court-2 Divisions; Child Support Court-4 Divisions.



<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Attorneys are assigned cases based on their experience, caseload and interest. Currently 32 Staff attorneys, District Court positions ; 1 Staff attorneys (unfunded); 5 (vacant - unfunded) Serious Case positions; 7 Staff attorneys Baton Rouge City Court positions, 3 (unfunded-unfilled) ; 1 Staff attorney Baker City Court position; 1 Contract attorney Zachary City Court position; 1 Child Support attorney positions, ; 5 Staff Attorney Juvenile Court positions, (1 unfilled); 2 CINC Attorney Contract positions; 6 Contract Conflict Attorneys – District Court; 2 Conflict Contract Attorney positions - Baton Rouge City Court.
<b>Name of Adult Detention Facilities in This District</b>	East Baton Rouge Parish Prison
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Catahoula Correctional Center, Concordia; Dequincy; East Carroll; LaSalle Correctional; Pine Prairie, West Baton Rouge Parish Prison.
<b>Name of Juvenile Detention Facilities In This District</b>	East Baton Rouge Juvenile Detention Center.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	N/A
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes. It is inefficient. Investigators and attorneys travel long distances to meet with clients who are housed in facilities out of parish; on occasions the client will have been transferred to another facility. The monetary cost (mileage etc.) time and inefficiency is substantial. Travel time limits the number of clients who may be seen on any given visit, thus requiring repeat trips.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes, Shackling is placed at the ankles, not the hands.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No; except for the time limitation associated with travel.
<b>District Attorney</b>	Hillar Moore, III
<b>Chief Judge of Criminal District Court</b>	Donald R. Johnson, Judge 19th JDC
<b>Juvenile Court Judges (Specify District of City Court)</b>	Adam Haney, Judge ; Pamela Taylor Johnson, Judge.
<b>Drug Court Judges</b>	Anthony Marabella, Judge 19th JDC.
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Determined by the District Public Defender after review of the client's application for services, interview and verification.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest; Time Charges are filed. Depends: at 48 hour hearing or arraignment or any point in the interim at client's request.

<b>What steps does your office take to ensure conflict – free representation</b>	Check in the state database for conflict of interest regarding witnesses, co-defendants, relatives and other cases you are representing. This can be preformed using Name search with as much information you have available in the lookup area, next, selecting related people and utilizing the duplicate function. If conflict exist transfer the case to Contract Conflict Attorneys Panel. The office provided Conflict Attorneys and Staff Attorneys are restricted from viewing the others work product in the State's DefenderData Database.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	(1) Developed uniform Investigation Request Form with distribution and centralization of records. (2) Hired Law students to assist the investigators primarily in the area of initial Client Intake, under Supervision. (3) Established a monthly Homicide and Serious Case List distribution report, it is published on or about the 20th of each month, providing all dates and actions upcoming for the following month, with a dual breakdown of chronological order, and section of court along with Defense Attorney identifiers. (4) Established an enhanced current status board for the Homicide & Serious case designation to include conflict Information concerning both victim, Co-defendants and witnesses. (5) Implemented enhanced Discovery procedure for all City Court cases where documentation is presented to the Defense at least two weeks prior to court date.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes.
<b>Brief Explanation of Intake Process</b>	Please see response above. Question: Initial Client Intake
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	7,252
<b>How Many Application Fees Were Waived?</b>	1
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	159,638
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	2,620,143
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Itemized list is provided by the EBRP Accounting Department for District Court. Baton Rouge City Court Accounting Department provide itemized reports for City Court. Itemized list is provided by EBRP Juvenile Courts: Itemize list are provided by Baker and Zachary City Courts.

<b>Who Collects the Assessed Court Fees?</b>	EBRP Public Defender Office, Baker City Court, Zachary City Court, EBR City & District Courts, also EBRP Juvenile Courts.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Baker City court, East Baton Rouge City Court and District Courts, EBRP Juvenile court, and Zachary City Court each provide a list of collections associated with received OPD funds. EBR Parish Finance Department generates a monthly report for each day's deposited funds for the EBRP City Court and EBRP Sheriff Office which are forwarded by them to the Public Defender Office. Non-Support court received funds report is handled in the Public Defender Office.
<b>Who Remits the Court Fees Collected?</b>	Baker City Court Finance Dept., Zachary City Court Finance Dept., EBRP Juvenile Accounting Dept., and City Parish Finance Department handles EBRP City Court and District Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Baker City Court, EBRP Juvenile Court, and Zachary City Courts, each provide a list of collections associated with received OPD funds. C/P Finance generates a monthly report for each day's transactions for EBRP City Court and EBRP Sheriff Office for received OPD funds. EBRP City Court and EBRP Clerk of Court (District Court) provide a list of collections associated with received OPD funds. Non-Support court report is handled in the Public Defender Office.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Determination and amount is made by the Judge presiding over the case.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Attorney's court minutes and notes; also Clerk of Court Minutes and Records.
<b>Who Collects the Assessed Partial Payments?</b>	Partial Indigency payments are collected, generally, by the District Defender Office. However, the Court may order that the client pay through the collector for that Court,i.e., Sheriff, B.R. City Court Clerk, etc...
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	EBRP Sheriff, Baker City Court, EBR City Court Accounting Department, EBRP Juvenile Court, and Zachary City Court provides itemized list of funds collected.
<b>Who Remits the Partial Payments Collected?</b>	Baker City Court Finance Dept., Zachary City Court Finance Dept., EBRP Juvenile Accounting Dept., and City Parish Finance Department handles EBRP City Court and District Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Partial Indigency payments are collected, generally, by the District Defender Office. However, the Court may order that the client pay through the collector for that Court,i.e., Sheriff, B.R. City Court Clerk, etc.. The EBRP Clerk of Court Information group provides detail information on all Partial payment collected by EBR District Court. EBR City Court information is available by utilizing their Sustain Justice System.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	137,826

<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Attorneys may be allowed to have a very limited (non-criminal within the District) private practice. The attorney must demonstrate an ability to handle his/her caseload responsibly. The policy is under constant review. The practice is monitored and the general rule is that the private practice is acceptable so far as it does not interfere with the attorneys public defender duties.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Increase in Attorneys and Support Personnel. Additional office space. Update technical hardware resources, computer hardware, software and communication equipment and facilities.
<b>Was your office in ROS at any time during 2015</b>	Yes
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes, implementation of the ROS Plan did occur, and is in effect during FY 15-16. Reduction of Contractual and Staff personnel occurred in 2015. Presently we are working with LPDB, and monitoring revenue and expenditures, with the possibility of future reductions in expenditures as required.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Yes, 2 Contract Attorneys resigned, Ronald Johnson and Tarvard Smith. Not Replace under ROS.
<b>Immediate Critical Issue Areas</b>	Financial Assistance is needed for additional attorneys and corresponding support staff and office space for Serious case Representation ( highest class felonies). In addition funding is needed for salary increasing, not only for COLAs, but also adjustments in salaries in order to bring them closer in line with other like agencies and positions.
<b>Long-Term Critical Issue Areas</b>	"Immediate Critical Issue Areas" which continue to remain the same (funding). This deficiency leads to high turn over of trained staff personnel and higher training cost.
<b>Please List All New Hires in 2015 (Name and Title)</b>	8 Attorneys resigned, 3 hired JacieSaunders, Cody Brown initially hired as P/T Intake Interviewer, then accepted an Attorney position, Bevan Sabo initially hired as P/T Intake Interviewer, then accepted an Attorney position then resigned, also Vernon Thomas returned from military leave ; 6 P/T Intake Interviewer resigned, 3 hired Angelina Valuri, Lacie Lemoine, and Eric Vincent; 5 Secretaries resigned, 3 Secretaries hired Chandia Burks , Lori Trosclair, and Cheryl Ricard was hired as P/T Clerical Assistant, then accepted F/T Secretarial position and then resigned; 1 P/T Seasonal hired Azhia Sanchez; 1 Conflict Assistant hired Karl Ludwig
<b>Please List All Promotions in 2015 (Name and Title)</b>	Cheryl Ricard from P/T Clerical Assistant to Staff Secretary; Cody Brown from P/T Intake Interviewer to Attorney.

<b>2015 Media Coverage and/or Major Accomplishments</b>	Maintain the workload proficiency, education level and competency, of the Public Defender Office; while reducing the overall individual attorney case load.
<b>Number of Expected New Attorney Hires in 2016</b>	Replacement of existing personnel who resigned; filling one required positions (see line 27) and funding for eight required positions but unfunded.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. Periodic In-House Training Sessions. Coaching and Mentoring by Section Chiefs and other experienced attorneys. SPDTC Training and NCDC Training.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	There are 8 sections of District Court - Each section has a Chief who is responsible for the supervision of the attorneys in the section and is the direct contact with the court; Section Chief -Juvenile Court; Chief of Baton Rouge City Court; Office Manager/Executive Assistant supervises other support staff. District Defender is responsible for overall supervision including all contract attorneys.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	See Attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No. Supervisors may carry a reduced felony and/or Capital caseloads depending on section needs.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes, Blue Cross Blue Shield Medical and Always Dental Care. Approximately 60% of the Premium (cost) will be paid from the District Defender Fund, due to the Affordable Care Act legislation. The balance is paid by the Employee. The cost of this benefit is increasing by 5% beginning in CY16 due to meeting ACA requirements and larger employee deductions.
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes. All Staff have regular meetings. Section Meetings daily or weekly, Full Attorney Staff Meetings bi-weekly.
<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	2, Tillman, Jerry;Turner, Lee
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	3
<b>Number of Writs Your District Handled in 2015</b>	20
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	20

<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	The Juvenile Attorney will co-counsel with or at minimum act as consultant to the Attorney assigned to handle the Juvenile matter transferred to the District Court
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senators: Dan Claitor; Yvonne Dorsey; Sharon Weston Broome; Dale Erdey; Rick Ward, III; Mack 'Bodi' White, Jr. Representatives: Regina Barrow; Stephen Carter; Franklin Foil; Kenneth Havard; Valarie Hodge; Dalton Honore; Barry Ivey; Edward 'Ted' James; Darrell Ourso; Patricia Smith; Vacant - District 66; Alfred Williams.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Limited access to clients housed in the Parish Prison.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Continued to develop and improve upon changes previously implemented.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Shawn Bray	225-354-1297
Jason Chatagnier	225-389-3150
Scott Collier	225-389-3150
Laurie Tate	225-389-3150
Monique Fields	225-389-3150
Sonya Hall	225-389-3150
Susan Hebert	225-389-3150
Herman Holmes	225-354-1297
Margaret Lagattuta	225-389-3150
Jodi Lejeune	225-389-3150
Sclynski Legier	225-389-3150
Barry Milligan	225-389-3150
Erin Mullen	225-389-3150
Adekunle Obebe	225-389-3150
Darryl Robertson	225-389-3150
Alan Rome	225-389-3150
Shea Smith	225-389-3150
Stephen Sterling	225-389-3150
Jonathan Augustine	225-389-3150
Wren'nel Gibson	225-354-1250
Max Guthrie	225-389-3150
Kinasiyumki Kimble	225-389-3150
Oscar Magee	225-389-3150
Hafiz Folami	225 389 3150
Teresa Hatfield	225 389 3150
Arvind Viswanathan	225 389 3150
Todd Tyson	225 389 3150
Brown, Cody	225-389-3150

<u>Part-Time Contract Attorneys</u>	<u>Contact Information</u>
Audrey Lamb	225-387-0576
Mark Plaisance	225-389-3150
Gail Horne Ray	225-356-5252
Francis Rougeau	225-761-7890
David Rozas	225-343-0010
Greg Rozas	225-343-0010
Robert Tucker	225-346-4000
Kenneth Womack	601-542-3556
<u>Non Attorney Employees and Contractors and Other Staff</u>	<u>Contact Information</u>
Clyde Brandon	225-389-3150
Jackie Culotta	225-389-3150
Melanie Davis	225-389-3150
D. Delisle George	225-389-3150
Beulah Decuir	225-389-3150
Fannie Dorsey	225-389-3150
Mildred Ewing	225-389-3150
Alfred Heroman	225-389-3150
Barbara LeBlanc	225-389-3150
Robert Matthews	225-389-3150
Dawn Moore	225-354-1264
Darleen Rieff	225-389-3150
Veronica Robillard	225-389-3150
Mark Sanchez	225-389-3150
Rosa Sellers	225-354-1264
Debra Terrell	225-389-3150
Jack Harrison	225-354-1264
Jason Hessick	225-389-3150
James Murray	225-389-3150
Robert Ray	225-389-3150
Joshua Newville	225-389-3150
Robert Ray	225-389-3150
Vernon Thomas	225-389-3150
Carson Marcantel	225-709-9000
Monica Dickerson	225-389-3150
Shalyn Lewis	225-389-3150
Florence Roberson	225-389-3150
Jacie Saunders	225-346-3000
Don Zuelke	225-389-3150
Shanaquoa Wright	225-389-3150
Denise Bolden	225-761-7890
Ashley Edward	225-709-9000
Lucia Hill	225-346-3000
Jane Thomas	225-767-6225
Melody George	225-767-6225
Theophile Jones	225-389-3150

Stephanie Dangerfield	225 389 3150
Pamela Hart	225 389 3150
Nelvil Hollingsworth	225 389 3150
Raushanah Hunter	225-356-5252
Jarvis Joseph	225 389 3150
Donna Pearson	225 389 3150
Russell Rice	225 3893150
Anthony Stewart	225 389 3150
Elizabeth Warner	225 389 3150
Burks, Chandra	225-389-3150
Lemoine, Lacie	225-389-3150
Sanchez, Azhia	225-389-3150
Trosclair, Lori	225-389-3150
Valuri, Angelina	225-389-3150
Vincent, Eric	225-389-3150
Ludwig, Karl	205-767-5886



## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Michael A. Mitchell
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b>Operating Systems Used:</b>	
Windows 10	x
Windows 8	x
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	x
Mac OSX	
<b>Case Management System(s): Check all that apply</b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b>Productivity Suites Used:</b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	x
Corel Word Perfect	x
Other	
<b>Accounting Software</b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b>Internet Browsers Used:</b>	
Internet Explorer 6	x
Internet Explorer 7	x
Internet Explorer 8	x
Internet Explorer 9	x
Internet Explorer 10	x
Internet Explorer 11	x

Microsoft Edge	x
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	1
DVD	1
VCR	1
Desktop PCs	21
Laptops	51
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	23
Color Printers	13
Wireless Cards	9
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	6 MB Down / 420 KB UP
Provider Name:	AT&T
Email Provider:	In House
Please list any software or computer equipment in which you need training:	DefenderData, Windows Server 2008

## 19th District Defender Office CY 2015 Caseloads & Outcomes

Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	157	189	561	718	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	6	5	4	10	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	160	77	67	227	0	22	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	8	5	2	10	2	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	28	18	15	43	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	429	264	124	553	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	363	188	94	457	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	1	0	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	6111	7282	5102	11213	N/A	N/A	1995	1214	3766	0	1	8	12	12	33
Adult Felony Non-LWOP**	3442	3023	3133	6575	N/A	N/A	1050	855	1409	1	0	11	1	6	18
Adult LWOP	32	33	50	82	N/A	N/A	3	14	6	0	0	1	0	1	2
Capital***	7	5	2	9	N/A	N/A	0	0	3	0	0	1	0	0	1
Revocations	262	262	224	486	N/A	N/A	4	3	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

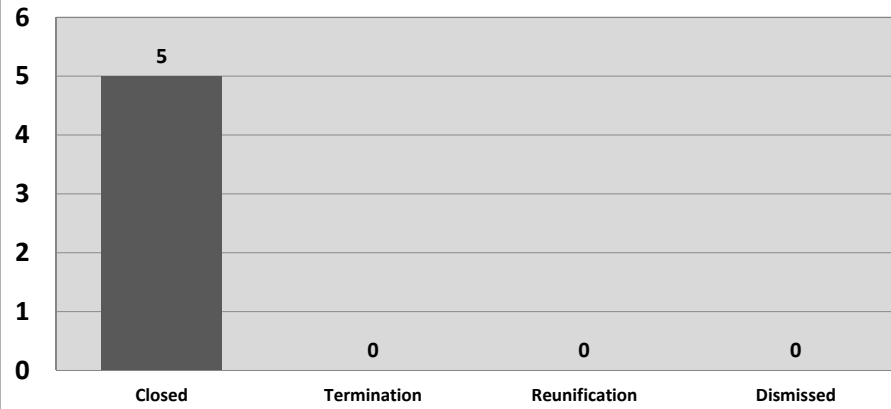
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

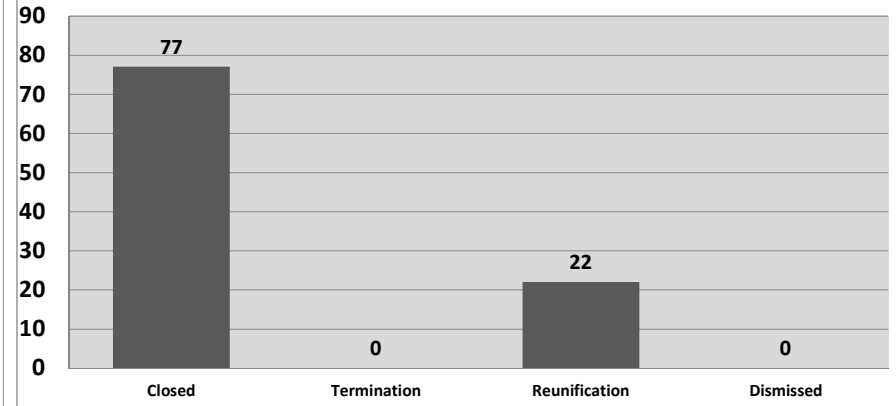
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

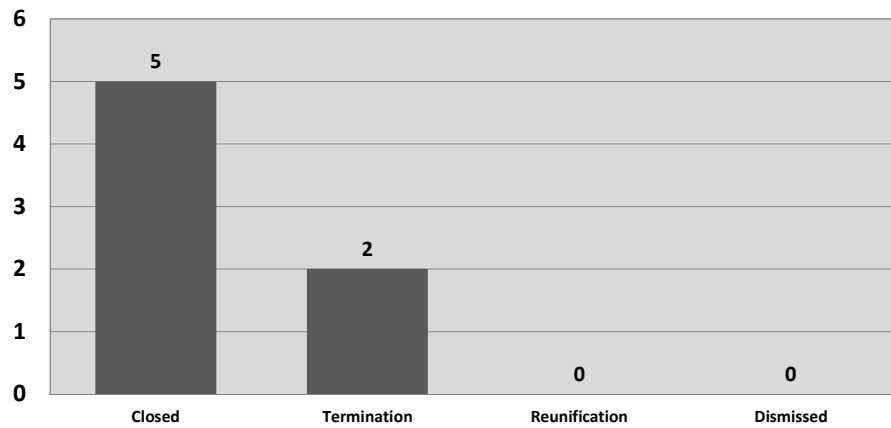
**CY 2015 CINC Representing Child Outcomes**



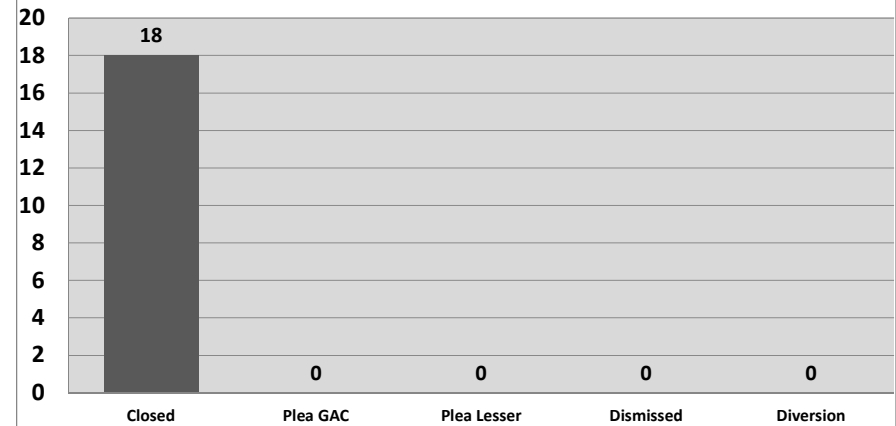
**CY 2015 CINC Representing Parent Outcomes**



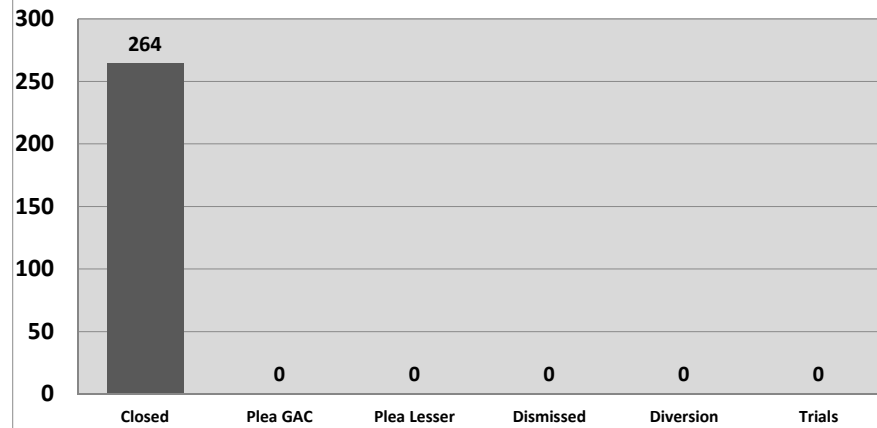
**CY 2015 CINC Termination Outcomes**



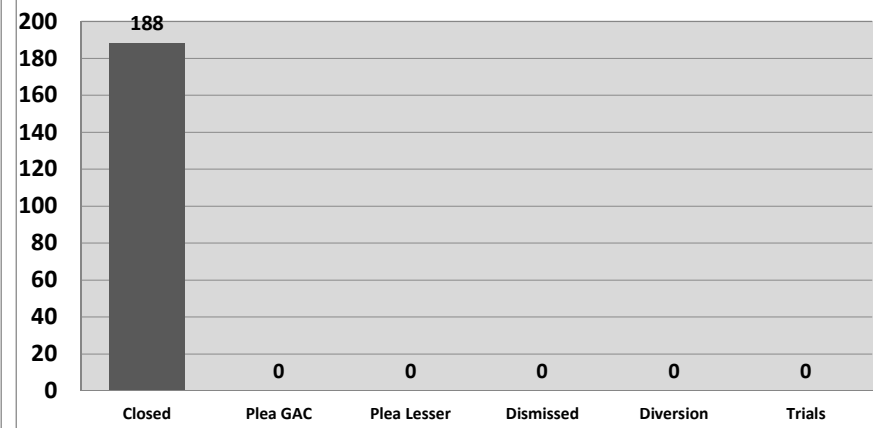
**CY 2015 FINS Outcomes**



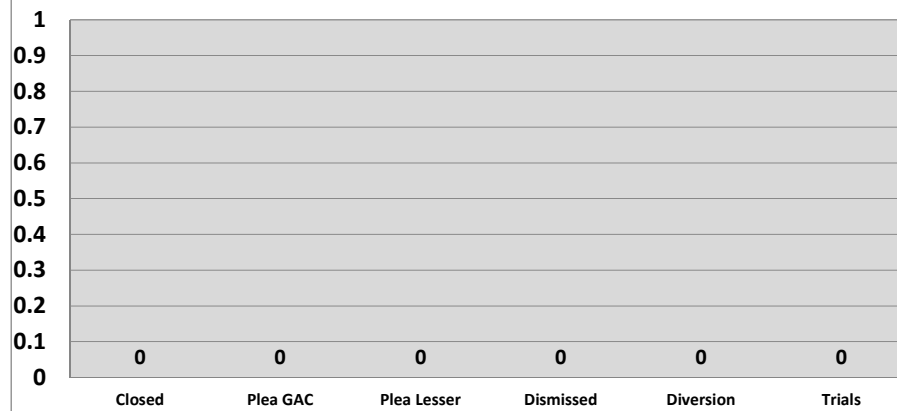
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



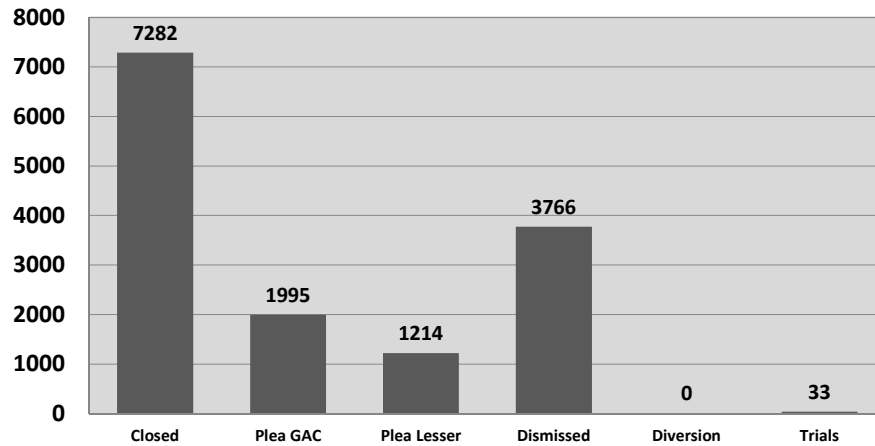
**CY 2015 Delinquency Felony-Grade Outcomes**



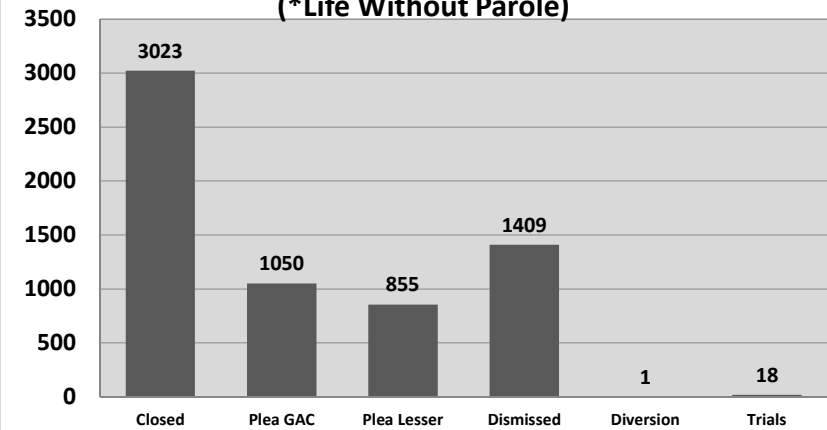
**CY 2015 Delinquency Life Outcomes**



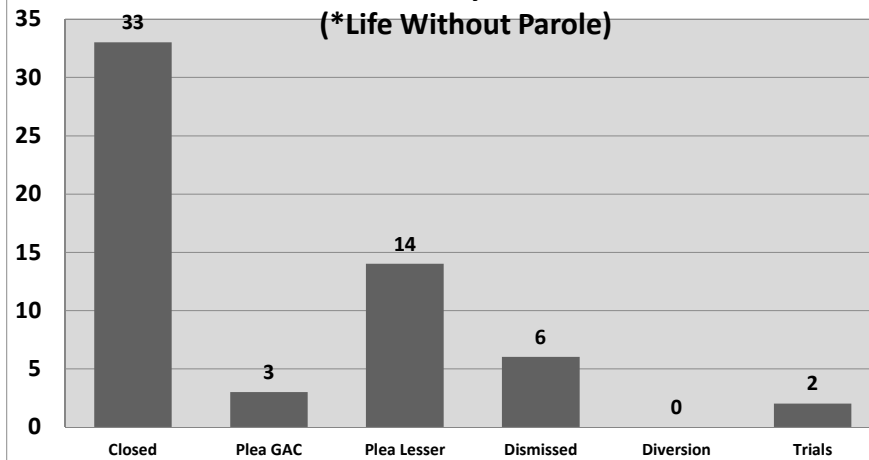
**CY 2015 Adult Misdemeanor Outcomes**



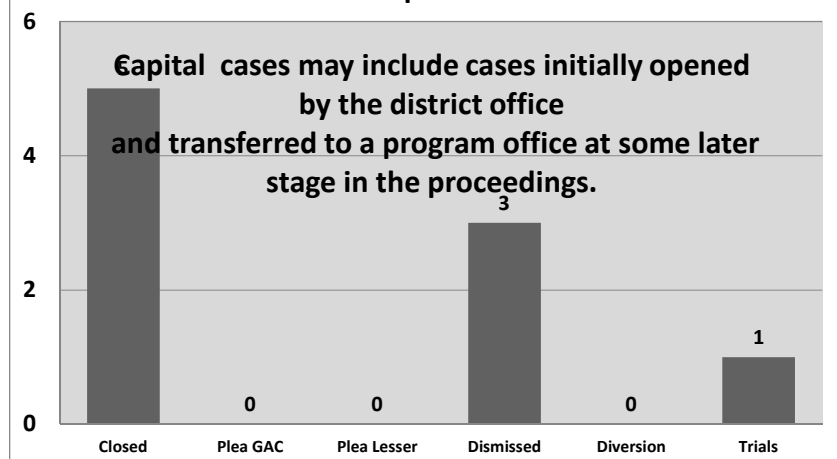
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**



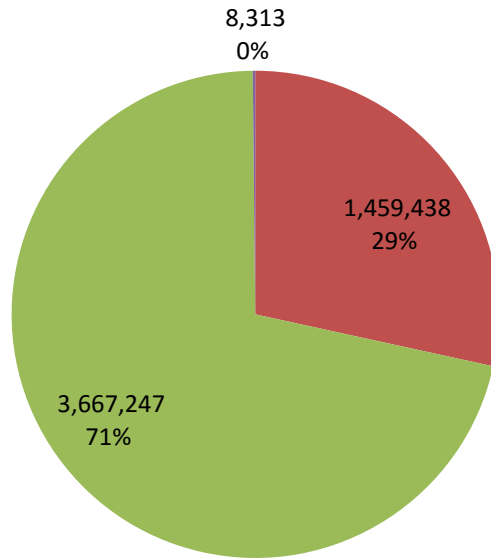
District 19 CY2015	Total CY2015
District Defender: Michael Mitchell	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	4,286
Child in Need of Care (CINC)	25,989
District Assistance Fund (DAF)	1,336,291
Supplemental/Emergency Funds	92,872
Grants	-
Other State Income -List source(s)	-
Total for State Government	1,459,438
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	565,026
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	5
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	962,672
Juvenile Court	15,653
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	1,638,363
Parish Courts	-
Traffic Court	3,455
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	2,620,143
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	159,638
Partial Attorney Fees	
Reimbursements [as per 15:176]	137,826
Other Reimbursements	184,609
Other Local Income -List source(s)	-
Total for Charges For Services	482,073
Total for Local Government	3,667,247
Investment Earnings	
Interest Income	8,313
Other Investment Income - List source(s)	-
Total for Investment Earnings	8,313
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	5,134,999

District 19 CY2015	Total CY2015
District Defender: Michael Mitchell	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	3,023,074
Accrued Leave	-
Payroll Taxes	38,472
Hospitalization and Disability Insurance	406,574
Retirement	202,427
Other	-
Total for Personnel Services and Benefits	3,670,547
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	34,962
Total for Travel/Training	34,962
Operating Services	
Advertisements	-
Workers' Compensation	13,339
Insurance - Malpractice	18,299
Insurance - Auto/Physical Liability	-
Insurance - Other	2,193
Lease - Office	171,892
Lease - Auto/Equipment	23,132
Lease - Other	10,559
Office Repair and Maintenance	31,918
Office - Telephone/Utilities/Postage/Internet	21,339
Dues and Seminars	15,676
Law Library/Journals/Subscriptions	31,088
Office Supplies	23,484
Total for Operating Services	362,919
Professional Services	
Audit/Accounting Expense	8,946
Contract Clerical	21,123
Expert Witness	224,711
Investigators	45,646
Interpreters	-
Social Workers	-
Capital Representation	442
Conflict	-
Contract - Juvenile Attorneys or CINC	124,074
Misdemeanor Attorney Contracts	106,187
Contract Attorneys - all other	382,400
IT/Technical Support	48,539
Total for Professional Services	962,067
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	37,194
Total for Other Charges	37,194
Total for EXPENDITURES	5,067,690



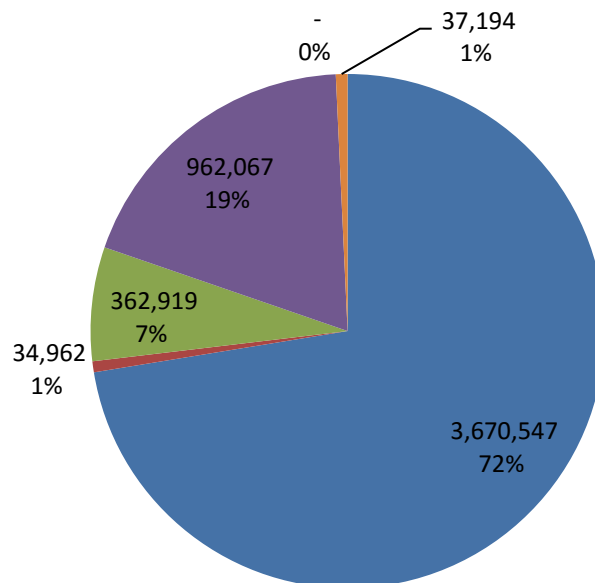
## Total CY15 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





## THE 20<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

EAST FELICIANA (CLINTON) - WEST FELICIANA (SAINT FRANCISVILLE)

DISTRICT DEFENDER: RHONDA B. COVINGTON  
12213 JACKSON STREET  
CLINTON, LA 70722  
(225) 683-3620

# 20TH JUDICIAL DISTRICT : EAST FELICIANA AND WEST FELICIANA PARISHES

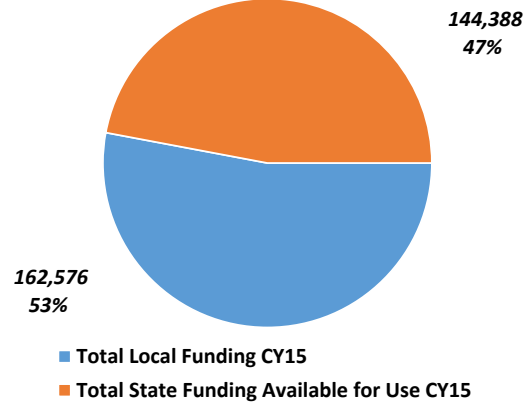
Rhonda B. Covington  
District Defender  
12213 Jackson St.  
Clinton, La., LA 70722  
225-683-3620

During Calendar Year 2015, the 20th Judicial District Public Defenders Office handled 943 cases. The office received \$306,964 in total revenues to handle these cases, approximately 53% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

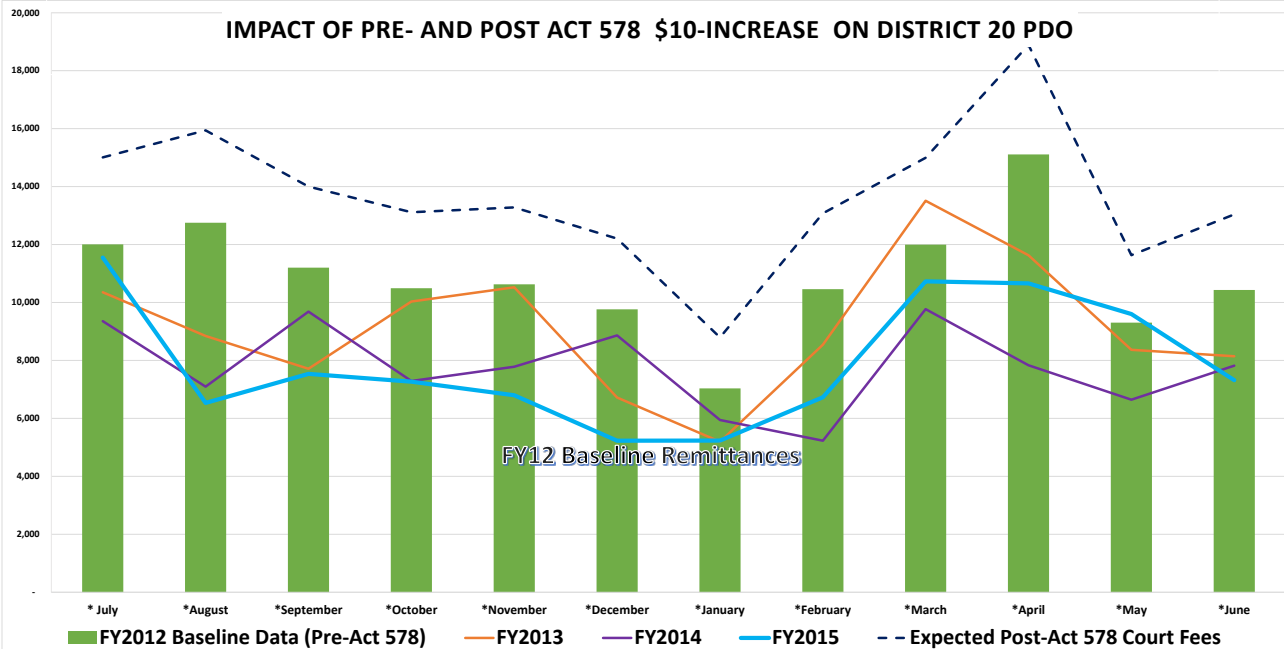
The 20th Judicial District has never realized the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012). In fact, revenues have been generally lower than 2012 levels almost every month since the inception of Act 578.

The 20th Judicial District office nearly exhausted its fund balance which has been in steep decline since CY10 forcing the office to enter service restriction on January 1, 2015. Expenditure reductions and increased revenues have allowed the district to begin accruing a fund balance. LPDB and the 20th district PDO will continue to monitor the office's revenues and expenditures to determine if the office can exit service restriction.

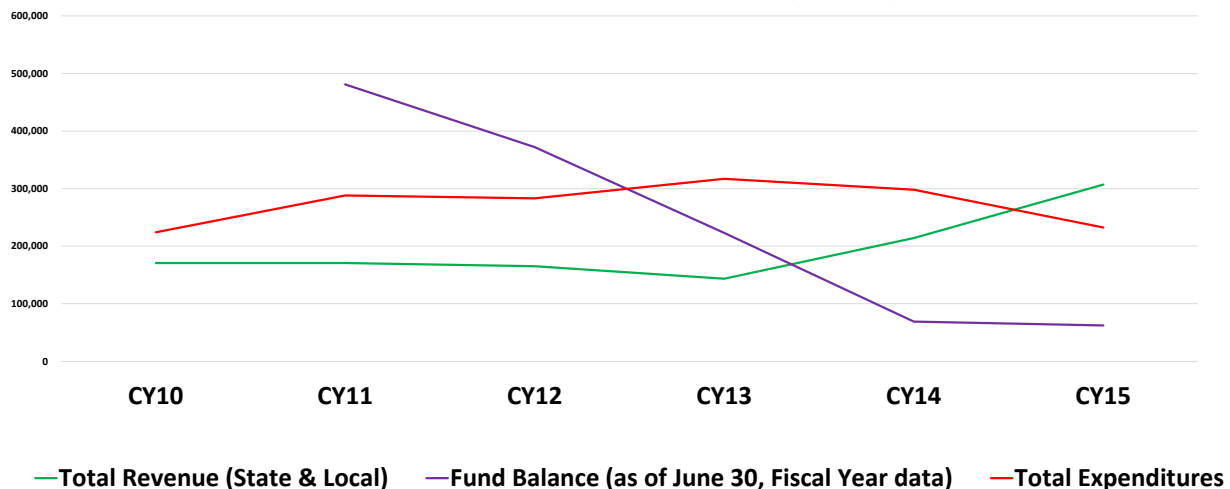
**District 20 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 20 PDO**

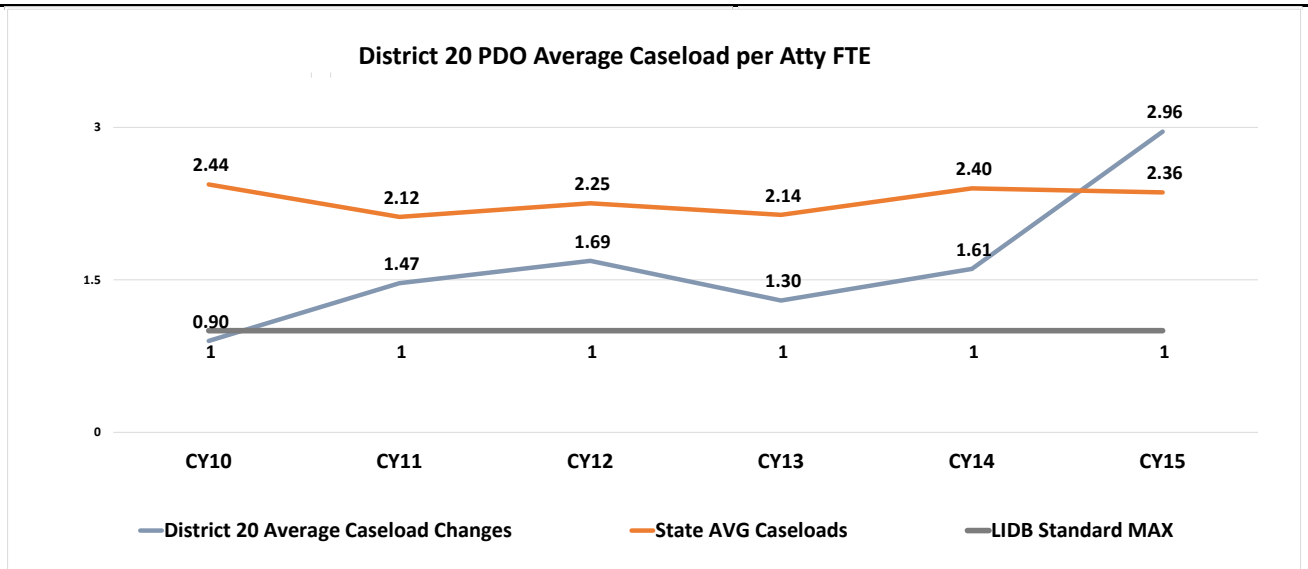


**District 20 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



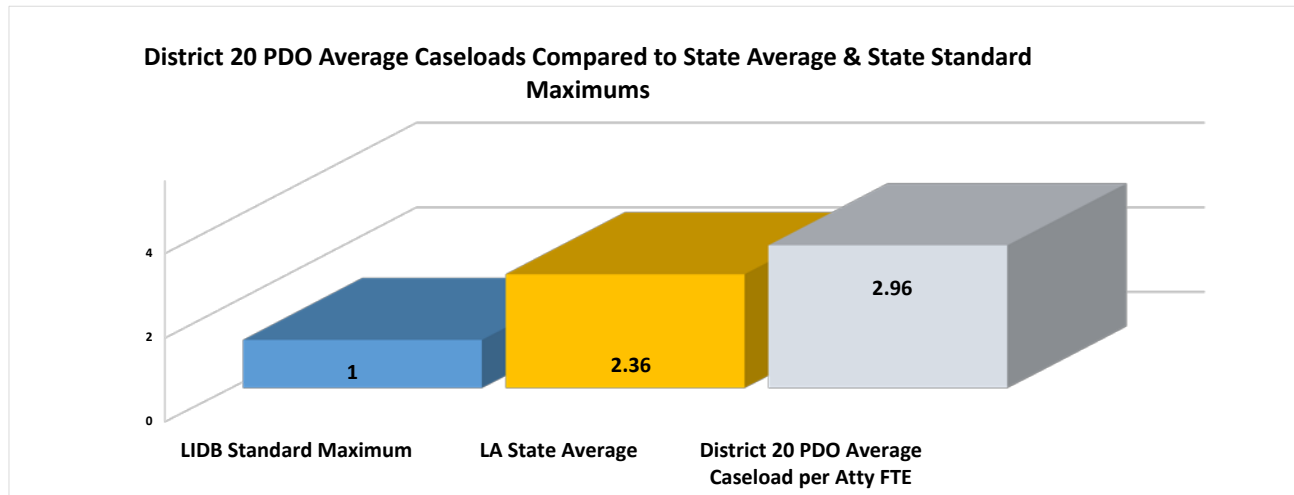
## 20TH JUDICIAL DISTRICT : EAST FELICIANA AND WEST FELICIANA PARISHES

Rhonda B. Covington  
District Defender  
12213 Jackson St.  
Clinton, La., LA 70722  
225-683-3620



In the 20th Judicial District, public defense attorneys maintain caseloads near the recommended caseload limit for each attorney.

The 20th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 20<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	East Feliciana – Clinton, LA; West Feliciana - St. Francisville, LA
<b>Population</b>	35,892
<b>Juvenile Population</b>	6,910
<b>District Defender</b>	Rhonda B. Covington
<b>Years as District Defender</b>	5.5
<b>Years in Public Defense</b>	14
<b>Office Manager</b>	None
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Kelly Edwards, part-time East Feliciana and Ashley Armand, part-time in West Feliciana.
<b>Primary Office Street Address</b>	12213 Jackson St.
<b>City</b>	Clinton, La.
<b>ZIP</b>	70722
<b>Primary Phone</b>	225-683-3620
<b>Primary Mailing Address</b>	P.O. Box 68, Clinton, La. 70722
<b>Primary Fax Number</b>	225-683-3669
<b>Primary Emergency Contact</b>	Rhonda B. Covington
<b>Primary Emergency Phone</b>	225-719-1249
<b>Secondary Emergency Contact</b>	Ashley Armand
<b>Secondary Emergency Phone</b>	225-718-0575
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	4789 Prosperity St., P.O. Box 575, St. Francisville, La. 70775 225-784-3730
<b>Other District Office Contact Personnel (Primary Only)</b>	Kelly Edwards
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Felician Builders, LLC & West Feliciana Parish Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,100
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	In-House
<b>Courts and Locations</b>	20th Judicial District Court – Clinton, La.; 20th Judicial District Court-St. Francisville, La.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	2 divisions

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	At 72 hour rule the jail Notifies the district defender and office manager by phone and fax. The district defender then assigns cases to individual contract attorneys on a rotating basis. All other clients are assigned by the district defender at arraignment.
<b>Name of Adult Detention Facilities in This District</b>	East Feliciana Parish Detention Center; West Feliciana Parish Detention Center
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Cottonport, Marksville, Avoyelles Parish Correctional, Richland Parish, Livingston Parish and St. Helena Parish.
<b>Name of Juvenile Detention Facilities In This District</b>	No juvenile facilities
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Assumption Parish Juvenile Facility
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	It is difficult to contact clients who are housed in other parishes except by phone which limits the content of the conversation. Additionally, we spend time traveling.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No -- Juveniles are not shackled.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Sometimes in East Feliciana -- the jail is understaffed and they have no one to get the inmate for us and no one to remain outside the door when we talk to them.
<b>District Attorney</b>	Samuel C. D'Aquila
<b>Chief Judge of Criminal District Court</b>	William G. Carmichael
<b>Juvenile Court Judges (Specify District of City Court)</b>	William G. Carmichael, 20th J.D. and Kathryn Betsy Jones, 20th J.D.
<b>Drug Court Judges</b>	No Drug court
<b>Mental Health Court Judges</b>	No Mental Health Court
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	None
<b>Indigency Determined by Whom and How?</b>	After judge makes the initial determination, they fill out an application and we review their financial information to determine whether or not they qualify.
<b>When is Assignment/Appointment of Counsel Made?</b>	72 hour rule and arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	Our attorneys are contract and maintain files in their own private offices.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Ashley Armand, Kelly Edwards, Rhonda Covington
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes, see attachment
<b>Brief Explanation of Intake Process</b>	In addition, client & Judge are Notified when they do not qualify
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes - collection began in August 2010.
<b>How Many Applications for Services Were Received?</b>	649
<b>How Many Application Fees Were Waived?</b>	7
<b>How Many Application Fees Were Reduced?</b>	2

<b>Total Application Fee Dollars Collected in 2015</b>	5,646
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Probation and Parole will collect some of these fees
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	93,340 - These are funds collected by the parishes from December 2014 through November, 2015. They are remitted to us from January 2015 through December 2015.
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	No - People who are sentenced to prison without any probation time or suspension in sentence are Not assessed court cost or any other fees.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	East and West Feliciana Parish Sheriff's Office sends a check with the report each month.
<b>Who Collects the Assessed Court Fees?</b>	East and West Feliciana Sheriff's Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Both parishes send a report with the check which outlines the fees collected.
<b>Who Remits the Court Fees Collected?</b>	East and West Feliciana Parish Sheriff's Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	East Feliciana will not provide the sheet created by the state.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	The Judge will charge the client a fee for legal services if the client is capable to pay.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	The Sheriff's Dept collects the fees ordered by the judge.
<b>Who Collects the Assessed Partial Payments?</b>	East Feliciana Parish Sheriff's Office and West Feliciana Sheriff's Office will collect fees and forward them to us. Also, the Office of Probation and Parole will collect the fees and pay them to the Sheriff's Office and they in turn will remit them to us.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	West Feliciana Sheriff's Office gives us the name and amount on the sheet provided by the state. East Feliciana provides us with a printout of names and fees collected and we must determine which fees are court cost, bond fees, and partial payments.
<b>Who Remits the Partial Payments Collected?</b>	The Sheriff's Office in East Feliciana and West Feliciana.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	West Feliciana submits the form provided by the state along with the check. East Feliciana provides a printout of names and amounts collected by the department. We must then determine what the fees were collected for.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	\$22,811 -- Once again these are fees collected by the sheriff's depts for the months of Dec. 2014 through Nov. 2015 and remitted to us Jan 2015 through Dec. 2015.
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	No -- all attorneys are contract attorneys

<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Money & adequate staff
<b>Was your office in ROS at any time during 2015</b>	Yes
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Will probably discontinue ROS.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Yes - Terminated 1 contract attorney -- terminated one secretary -- reduced another secretary to part-time, and eliminated the office cleaning staff.
<b>Immediate Critical Issue Areas</b>	Money & Staff
<b>Long-Term Critical Issue Areas</b>	Money & Staff
<b>Please List All New Hires in 2015 (Name and Title)</b>	Kelly Edwards -- part-time secretary for East Feliciana.
<b>Please List All Promotions in 2015 (Name and Title)</b>	No promotions.
<b>2015 Media Coverage and/or Major Accomplishments</b>	Acquired funding from the Parish of East Feliciana to provide for our contract attorney and to pay the rent for our office as well as to cur the grass.
<b>Number of Expected New Attorney Hires in 2016</b>	0
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	The DD works with all attorneys and supervises all cases. the DD helps plan strategy, engage in research, locate experts, talk to witnesses, etc. and is very active in every case that goes before a jury. We hired one new attorney this year. In addition to working with him one on one, he also "shadowed" an experienced attorney and worked with him on a number of cases.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	We have no office manager, so I supervise everyone as well as all of my many other duties.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No new jobs titles.
<b>Please Attach Your Office Organizational Chart</b>	Attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No policy -- tackle each situation as it emerges.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	Meetings are periodic when needed.
<b>Number of NEW capital cases in CY15 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	0
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2015</b>	0 -- no time to file writs.



<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	All attorneys handle juvenile matters as well as adult cases. They are assigned on a rotating basis.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Kenny Havard, Rick Ward, Neil Riser, Major Tibeaut
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Cooperation from the jail in EF. We do not receive 72 hour appointments timely, nor do we receive Affidavits of Probable Cause timely. We are turned away from the jail many times because our visits are NEVER a good time for them.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	No new changes for 2015.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Rhonda B. Covington	225-719-1249
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Michelle Duncan	225-268-8350
Cy J. D'Aquila, Jr.	225-718-0506
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Ashley Armand	225-718-0575
Edwards, Kelly	225-205-4681

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Rhonda B. Covington
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	x
Windows 7	x
Windows Vista	x
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	X
Internet Explorer 8	X
Internet Explorer 9	X
Internet Explorer 10	
Internet Explorer 11	X

Microsoft Edge	
Firefox	
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	5
Television	
DVD	
VCR	
Desktop PCs	1
Laptops	4
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	3
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	1
	Projector
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	uverse
No Internet Connection	
Connection Speed:	18mb
Provider Name:	AT&T
Email Provider:	AT&T
Please list any software or computer equipment in which you need training:	

## 20th District Defender Office CY 2015 Caseloads & Outcomes

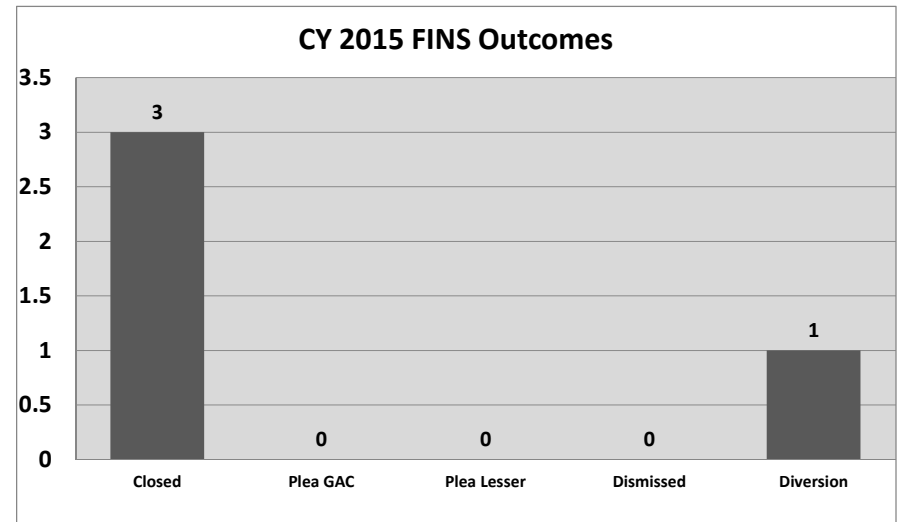
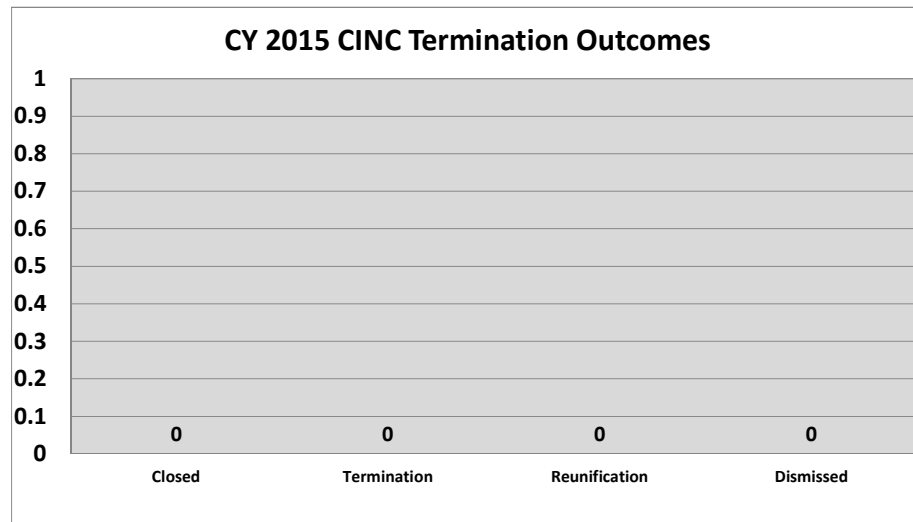
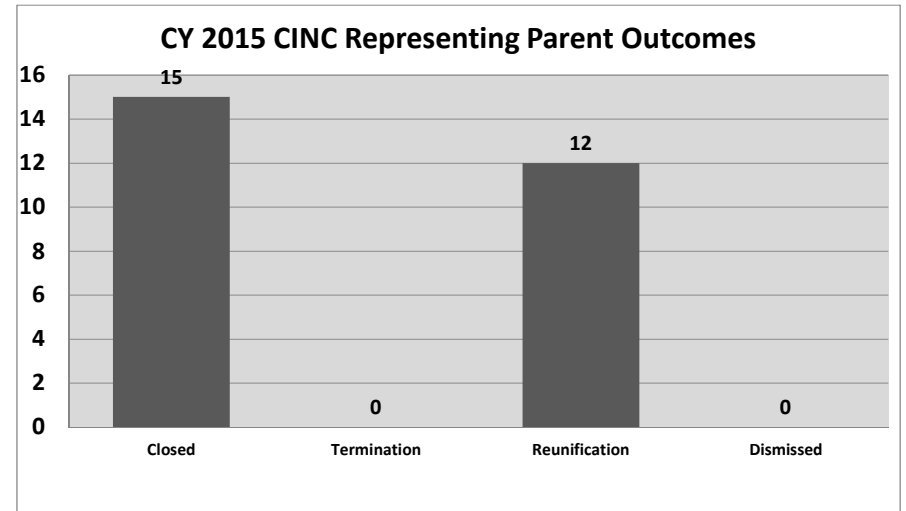
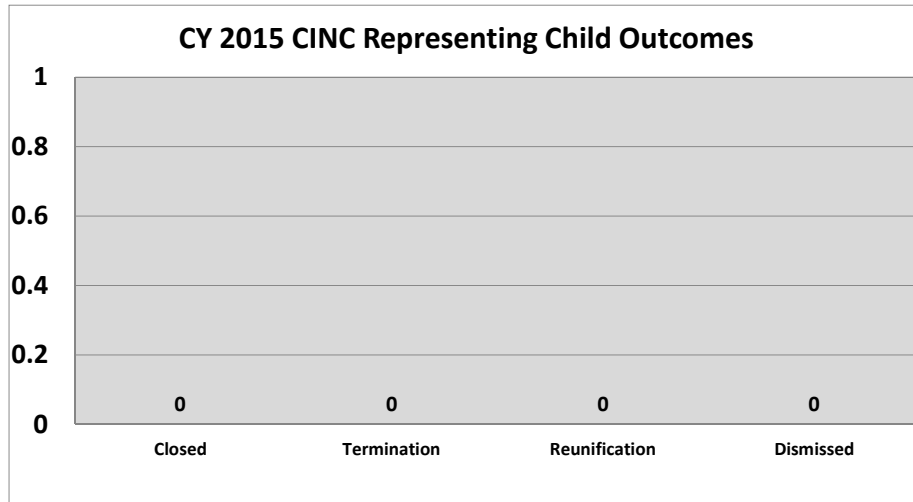
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	7	15	22	29	0	12	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	2	3	2	4	N/A	N/A	0	0	0	1	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	12	11	8	20	N/A	N/A	2	0	1	5	N/A	N/A	0	0	0
Delinquency Felony	6	6	7	13	N/A	N/A	1	2	2	2	N/A	N/A	0	0	0
Delinquency-Life	2	2	2	4	N/A	N/A	0	1	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	324	268	85	409	N/A	N/A	211	8	18	0	0	0	7	6	13
Adult Felony Non-LWOP**	274	293	181	455	N/A	N/A	196	50	15	0	1	0	5	0	6
Adult LWOP	2	0	4	6	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	2	1	0	2	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	1	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

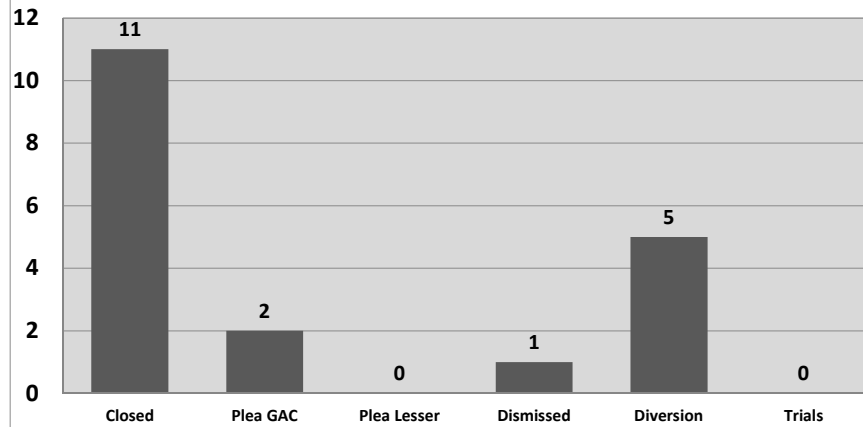
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

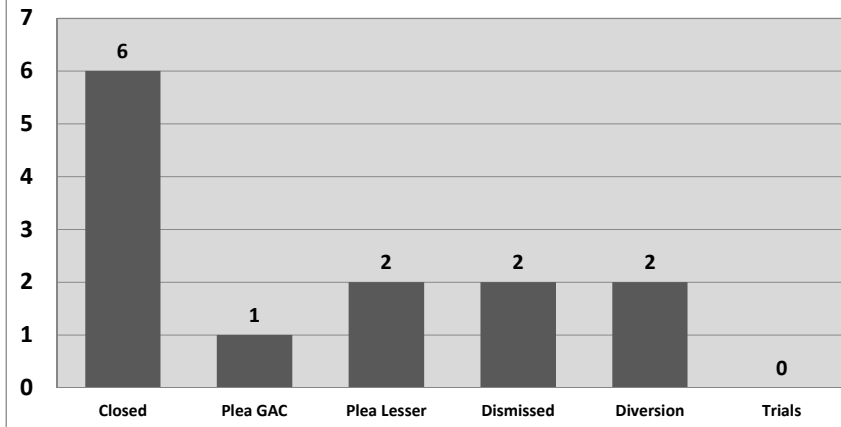
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



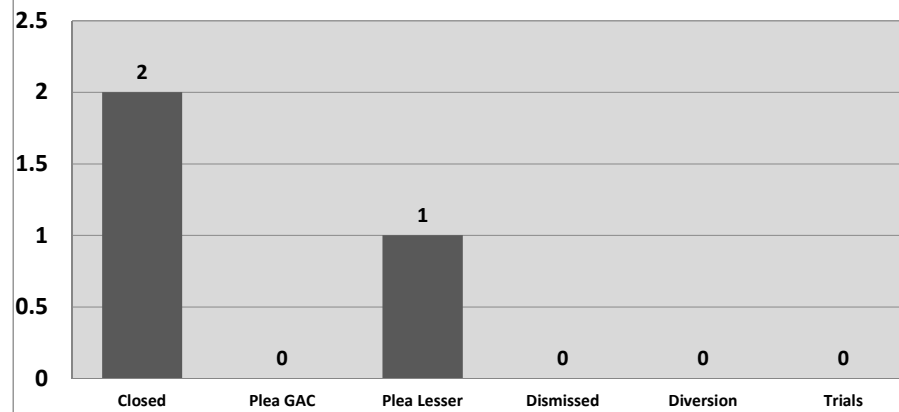
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**

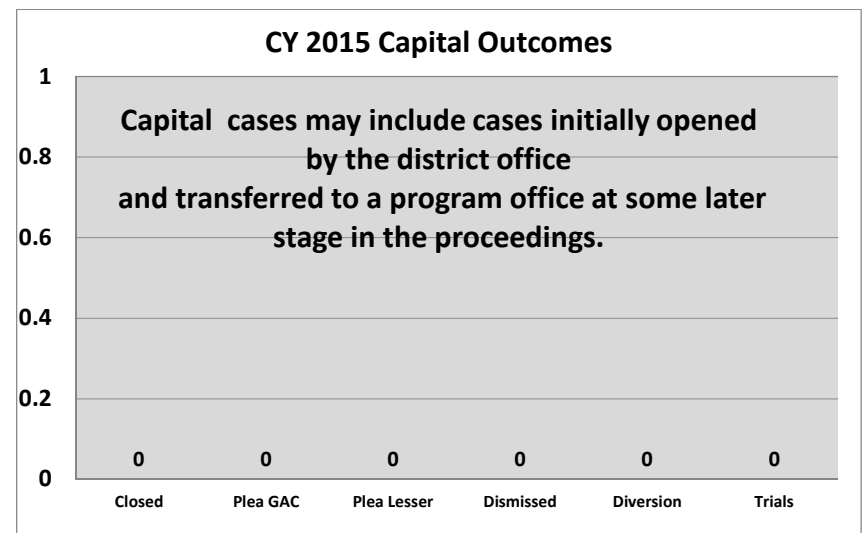
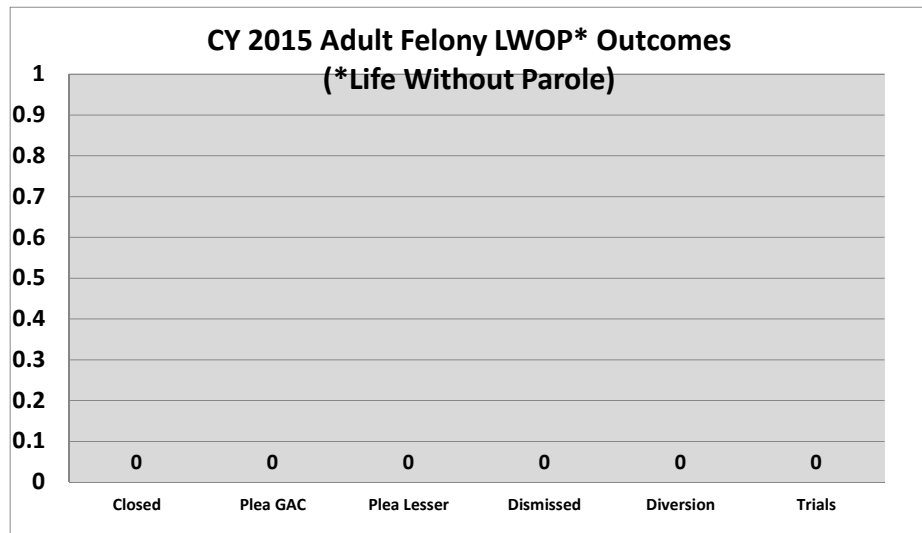
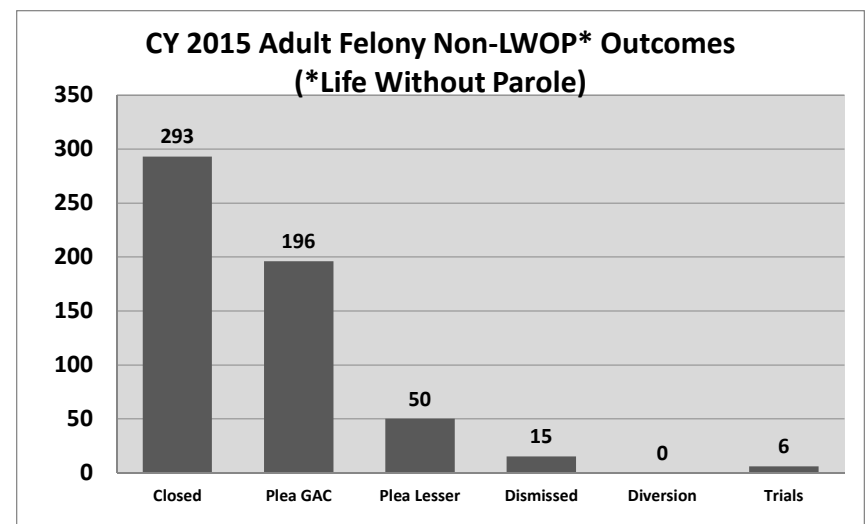
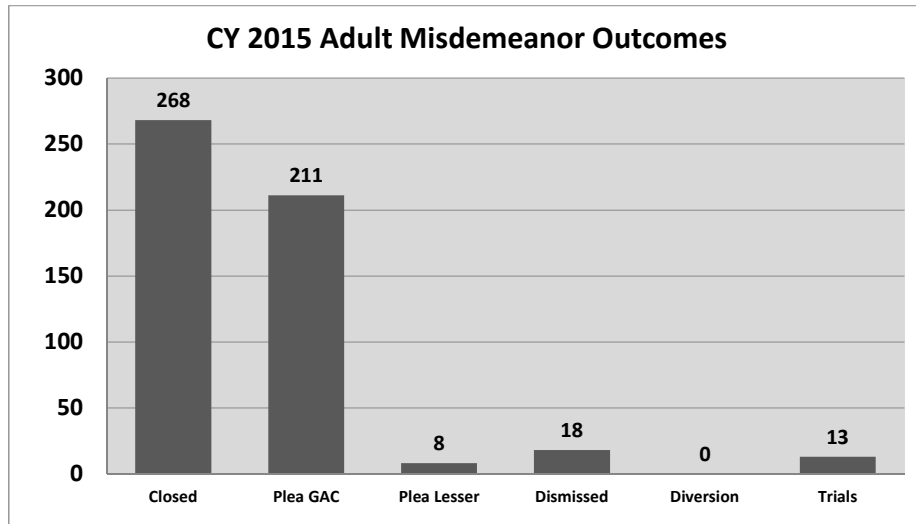


**CY 2015 Delinquency Felony-Grade Outcomes**



**CY 2015 Delinquency Life Outcomes**





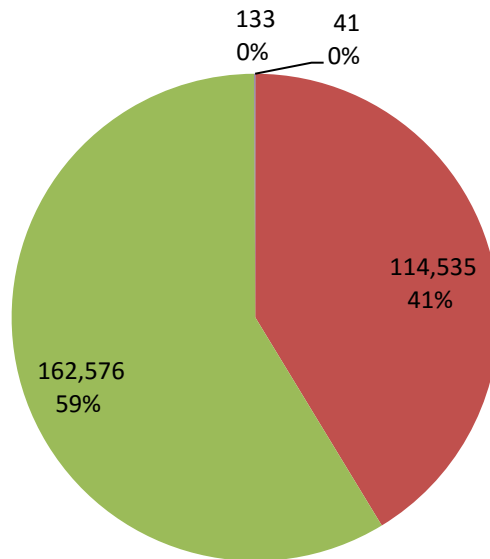
District 20 CY2015	Total CY2015
<b>District Defender: Rhonda Covington</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	6,120
Child in Need of Care (CINC)	2,385
District Assistance Fund (DAF)	-
Supplemental/Emergency Funds	106,030
Grants	-
Other State Income -List source(s)	-
Total for State Government	114,535
Local Government	
Appropriations - General	-
Appropriations - Special	18,750
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	18,148
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	95,455
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	95,455
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	5,646
Partial Attorney Fees	
Reimbursements [as per 15:176]	23,827
Other Reimbursements	750
Other Local Income -List source(s)	-
Total for Charges For Services	30,223
Total for Local Government	162,576
Investment Earnings	
Interest Income	133
Other Investment Income - List source(s)	-
Total for Investment Earnings	133
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	41
Total for Other Sources (Grants & Contributions)	41
Total for REVENUE	277,285



District 20 CY2015	Total CY2015
<b>District Defender: Rhonda Covington</b>	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	117,857
Accrued Leave	-
Payroll Taxes	9,551
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	127,407
Travel/Training	
Parking/Auto Tolls	69
Travel/Lodging/Per Diem/Mileage	2,820
Total for Travel/Training	2,890
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	505
Insurance - Other	-
Lease - Office	9,750
Lease - Auto/Equipment	-
Lease - Other	1,003
Office Repair and Maintenance	325
Office - Telephone/Utilities/Postage/Internet	5,557
Dues and Seminars	1,065
Law Library/Journals/Subscriptions	4,200
Office Supplies	1,977
Total for Operating Services	24,382
Professional Services	
Audit/Accounting Expense	2,125
Contract Clerical	112
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	74,758
IT/Technical Support	410
Total for Professional Services	77,404
Capital Outlay	
Major Acquisitions	204
Total for Capital Outlay	204
Other Charges	
Other Operating Expenses	318
Total for Other Charges	318
Total for EXPENDITURES	232,605

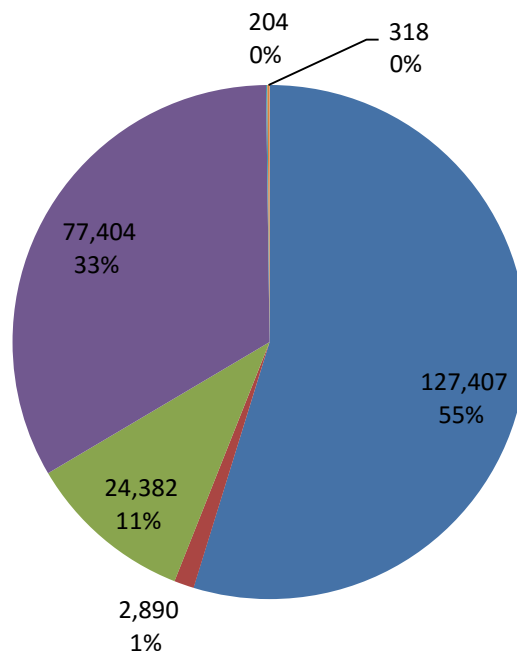
## Total CY15 Revenues

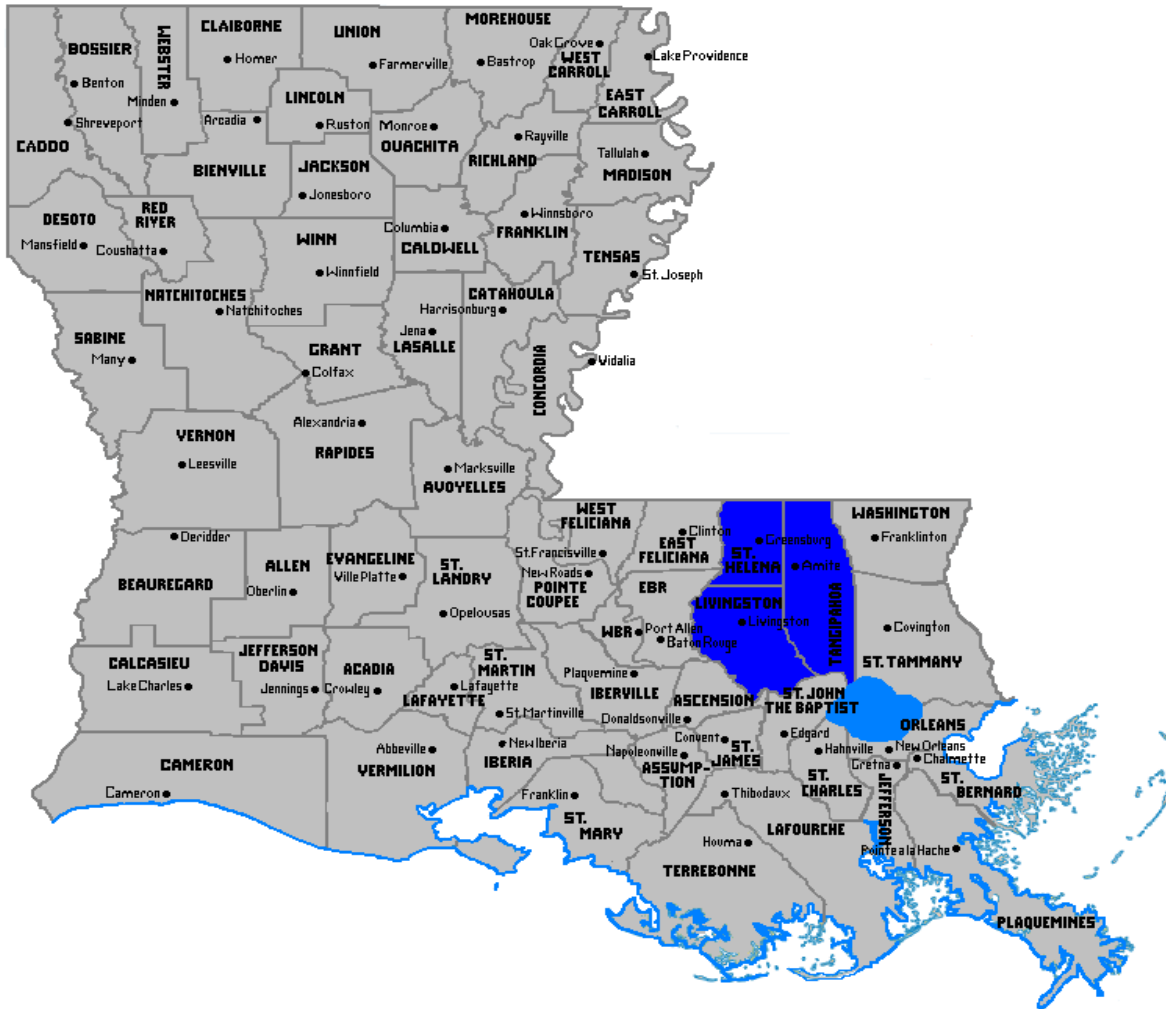
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





## THE 21<sup>ST</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

LIVINGSTON (LIVINGSTON) - ST. HELENA (GREENSBURG) - TANGIPAHOA (AMITE)

DISTRICT DEFENDER: REGINALD MCINTYRE  
303 EAST OAK STREET  
AMITE, LA 70422  
(985) 748-4922

# 21ST JUDICIAL DISTRICT : LIVINGSTON, ST. HELENA, TANGIPAHOA PARISHES

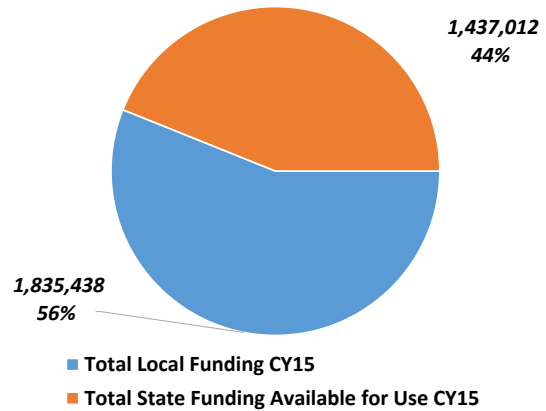
Reginald McIntyre  
District Defender  
303 East Oak Street  
Amite, LA 70422  
985-748-4922

During Calendar Year 2015, the 21st Judicial District Public Defenders Office handled 14,373 cases. The office received \$3,272,450 in total revenues to handle these cases, approximately 56% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

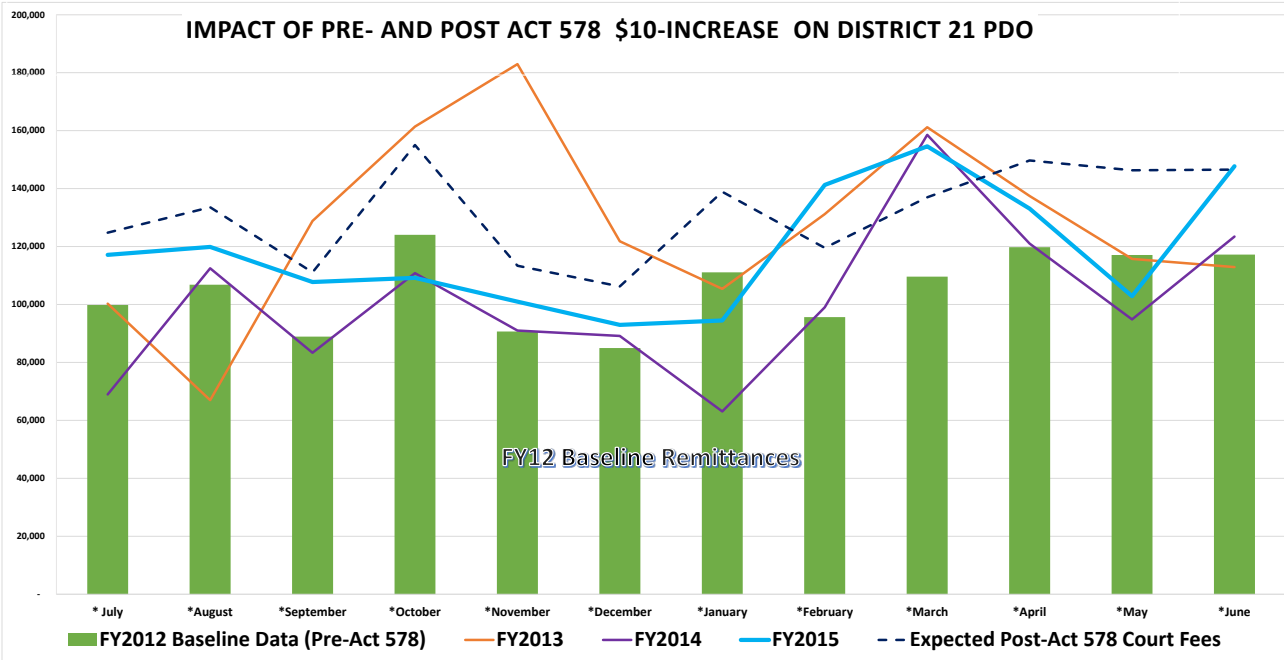
With the exception of a few anomalies, the 21st has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

During Calendar Year 2015, the 21st Judicial District office received revenues which exceeded 2014 revenues by more than \$560,000. This increase in funding allowed the district to meet the office's expenditures without depleting its fund balance.

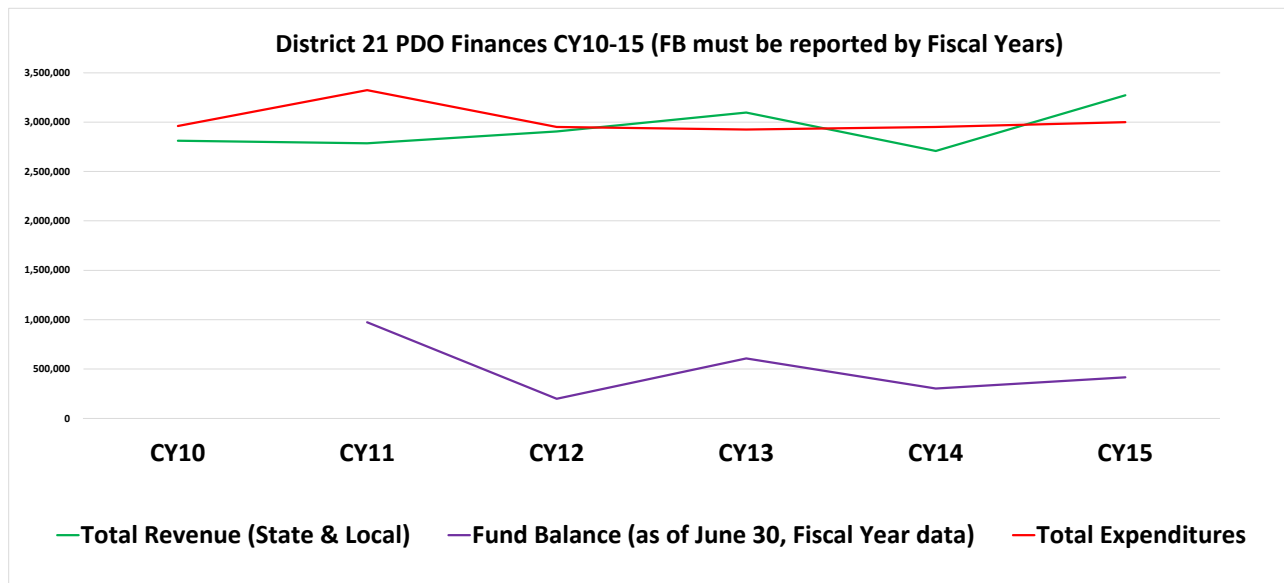
**District 21 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 21 PDO**



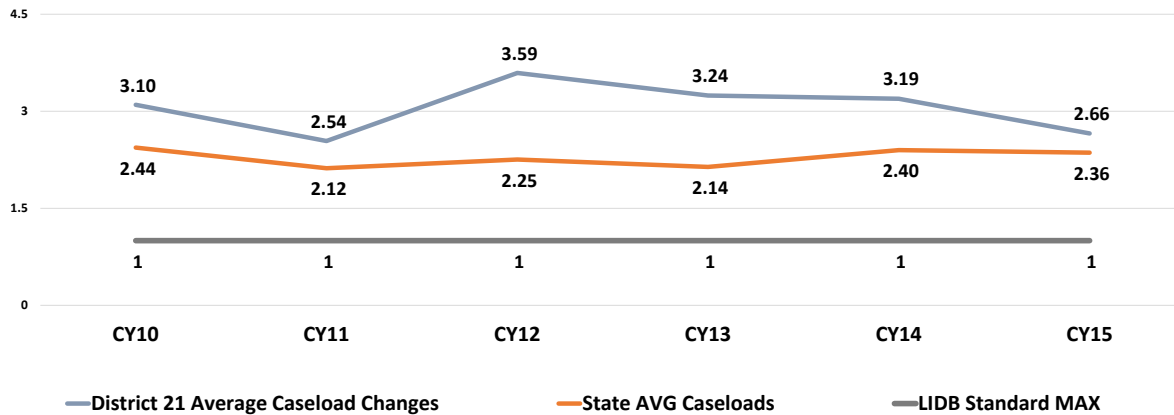
**District 21 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



**21ST JUDICIAL DISTRICT :  
LIVINGSTON, ST. HELENA, TANGIPAHOA  
PARISHES**

Reginald McIntyre  
District Defender  
303 East Oak Street  
Amite, LA 70422  
985-748-4922

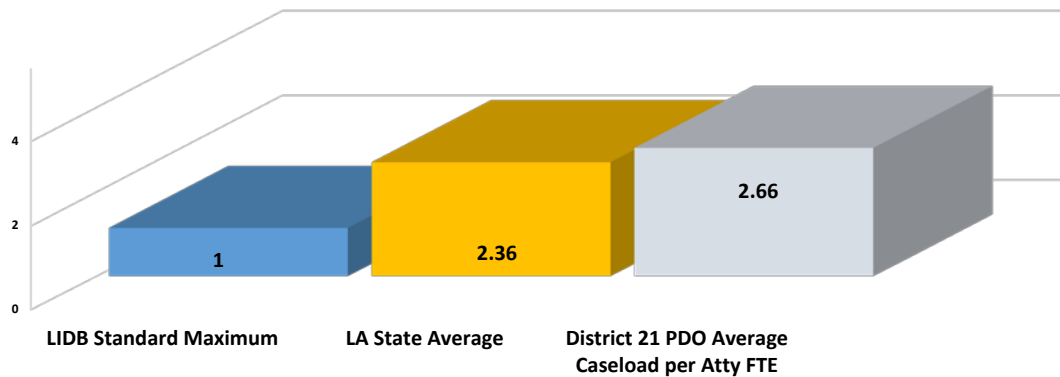
**District 21 PDO Average Caseload per Atty FTE**



In the 21st Judicial District, public defense attorneys maintain caseloads more than twice the recommended caseload limit for each attorney.

Although caseloads remain high due to insufficient revenues, through increased training and supervision, client outcomes in CINC cases have significantly improved over the last six years.

**District 21 PDO Average Caseloads Compared to State Average & State Standard Maximums**



**CAPITAL REPRESENTATION**

This PDO has limited capacity to accept capital cases as it does not have two certified counsel or otherwise does not have capacity to provide core team members as required by the Capital Performance Standards.



## THE 21<sup>ST</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Livingston - Livingston; St. Helena - Greensburg; Tangipahoa - Amite
<b>Population</b>	273,419
<b>Juvenile Population</b>	68,177
<b>District Defender</b>	Reginald McIntyre
<b>Years as District Defender</b>	16.5
<b>Years in Public Defense</b>	26
<b>Office Manager</b>	Mary Hughes
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Mary Hughes, Administrator; Ramona Correnti; Asst. Administrator; Susan Andrew, Office Manager; Legal Secretaries: Donelle Braud; Melissa Dufrecehe; Sandy Fitz; Dawn Gray; Laurie Hano; Bridgette Hughes; Samantha Kelly; Kayanna Vernon; Lori Hammons and Debbie Moore.
<b>Primary Office Street Address</b>	303 East Oak Street
<b>City</b>	Amite
<b>ZIP</b>	70422
<b>Primary Phone</b>	985-748-4922
<b>Primary Mailing Address</b>	P.O. Box 1004, Amite 70422;
<b>Primary Fax Number</b>	985-748 - 2933
<b>Primary Emergency Contact</b>	Reginald McIntyre
<b>Primary Emergency Phone</b>	985-320-5373
<b>Secondary Emergency Contact</b>	Charles M. Reid
<b>Secondary Emergency Phone</b>	985-517-1576
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Livingston Office: 29849 S. Magnolia St., P. O. Box 490, Livingston, LA 70754, (225) 686-2128
<b>Other District Office Contact Personnel (Primary Only)</b>	Susan Andrews
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Amite Office - Parish Owned; Livingston Office- Dicel, L.L.C.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Livingston Office, \$2,300 a month rent; Amite Office - No rent, no utilities; Livingston and Amite combined telephone services - \$1529/month.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Sherri Oliver, CPA
<b>Courts and Locations</b>	Tangipahoa Parish - Amite; Livingston Parish - Livingston; St. Helena Parish - Greensburg; Hammond City Court, Hammond; Denham Springs City Court, Denham Springs; Ponchatoula Mayor's Court, Ponchatoula; Walker Mayor's Court, Walker.

<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	6 District Criminal Divisions; 2 District Family Court Divisions; 1 District Juvenile Court; Hammond City Court - Juvenile & Misd Adult; Denham Springs City Court - Juvenile & Misd Adult; Ponchatoula Mayor's Court - Misd Adult & Traffic; Walker Mayor's Court - Misd Adult & Traffic; 2 District Family Court Magistrates.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Attorneys are assigned specifically to Divisions, City & Municipal Courts, Juvenile, CINC Parent and Non-Support.
<b>Name of Adult Detention Facilities in This District</b>	Tangipahoa Parish Jail, Livingston Parish Jail, St. Helena Parish Jail, Hammond City Jail.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Riverbend Correctional Center, Caldwell Detention Center, Claiborne Detention Center, Richland Parish, Catahoula Parish.
<b>Name of Juvenile Detention Facilities In This District</b>	Florida Parishes Juvenile Detention Center.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None of which we are aware.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Not at this time.
<b>District Attorney</b>	Scott M. Perrilloux
<b>Chief Judge of Criminal District Court</b>	Robert H. Morrison, III
<b>Juvenile Court Judges (Specify District of City Court)</b>	District Court -Blair Edwards; City Court Hammond - Grace Gasaway; Denham Springs City Court - Charles Borde.
<b>Drug Court Judges</b>	Robert H. Morrison, III, Bruce Bennett, Grace Gassaway, Charles Borde, Blair Edwards.
<b>Mental Health Court Judges</b>	All duty judges.
<b>Other Specialty Court</b>	Magistrate Erica Sledge and Magistrate Carolyn Ott
<b>Name of Specialty and Brief Description:</b>	Non-Support; Paternity; Protective Orders.
<b>Indigency Determined by Whom and How?</b>	Judge at time of 72 hearing and arraignment by oral examination of client.
<b>When is Assignment/Appointment of Counsel Made?</b>	Within 72 hours from time charges are filed or at arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	Interview is conducted by Attorney. Conflict is presented to Supervisor & District Defender. If conflict counsel request is approved, case is forwarded to Conflict Panel.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Randy Pinion, Investigator; Ronald Stilley, Contract Investigator.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Attached.

<b>Brief Explanation of Intake Process</b>	If in jail, investigator goes immediately to fill out form for intake with a primary attorney assigned upon allotment. If not in jail & appointed at arraignment, client is given letter & card of representing attorney & is advised to contact office to make appointment.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	7,693
<b>How Many Application Fees Were Waived?</b>	0
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2015</b>	91,991
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	1,303,415
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Fees assessed in open Court and are recorded by Public Defender Clerical Staff assisting in Court.
<b>Who Collects the Assessed Court Fees?</b>	Livingston Parish, St. Helena Parish and Tangipahoa Parish Sheriff's Offices; Hammond City Court, Denham Springs City Court, Walker Mayor' Court and Ponchatoula Mayor's Court Clerks of Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Fee collection documentation is provided by Livingston Parish, St. Helena Parish and Tangipahoa Parish Sheriff's Offices; Hammond City Court, Denham Springs City Court, Walker Mayor' Court and Ponchatoula Mayor's Court Clerks of Court.
<b>Who Remits the Court Fees Collected?</b>	Livingston Parish, St. Helena Parish and Tangipahoa Parish Sheriff's Offices; Hammond City Court, Denham Springs City Court, Walker Mayor' Court and Ponchatoula Mayor's Court Clerks of Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Fee collection documentation is provided by Livingston Parish, St. Helena Parish and Tangipahoa Parish Sheriff's Offices; Hammond City Court, Denham Springs City Court, Walker Mayor' Court and Ponchatoula Mayor's Court Clerks of Court.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	N/A
<b>Who Collects the Assessed Partial Payments?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	N/A



<b>Who Remits the Partial Payments Collected?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	N/A
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Primarily staff -Full-time may have civil practice but no criminal practice inside the district. Contract Attorneys not full-time staff, may have both criminal & civil practice.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Attached.
<b>Primary Immediate Needs</b>	Attorneys, support staff, equipment & additional space.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Additional funding needed.
<b>Long-Term Critical Issue Areas</b>	Additional funding needed.
<b>Please List All New Hires in 2015 (Name and Title)</b>	Jenny Fore, Attorney; Shaan Aucoin, Attorney; Lori Hammons, Legal Secretary; Debbie Moore, Legal Secretary.
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	Many - but we keep it local.
<b>Number of Expected New Attorney Hires in 2016</b>	2
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. 5 Supervisors go to Court & assist with caseload through probation period. Monthly training meetings with 5 Supervisors covering legal issues; Trial Supervisors aid in Trial preparation.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Administrator handles clerical staff; 2 Adult case Supervisors with 3 divisions each; 1 Juvenile/CINC Supervisor and 1 Trial Supervisor.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	Attached.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No new caseload policy has been done this year.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Full time employees - paid part by Office and part by Employee.
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes. Monthly

<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	1
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2015</b>	4
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Contract Attorneys handle both Juvenile and Felony Cases.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	SENATORS: Livingston Parish -Sen. Dale M. Erdy; Sen. "Jody" Amedee; Sen. Mack "Bodi" White; St. Helena Parish - Sen. Rick Ward, III; Sen. Mack "Bodi" White; Tangipahoa Parish - Sen. Mack "Bodi" White; Sen. Jack Donahue; Sen. Ben Nevers; Sen. Dale M. Erdy. REPRESENTATIVES: Livingston Parish: Rep. Valarie Hodges; Rep. Sherman Q. Mack; Rep. J. Rogers Pope; Rep. Clay Schexnayder; St. Helena Parish: Rep. John Bel Edwards; Tangipahoa Parish: Rep. Christopher Broadwater; Rep. John Bel Edwards; Rep. Stephen E. Pugh; Rep. Scott M. Simon.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	High incarceration rate due to bail policy; Philosophy of Judges.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Reginald McIntyre	985-748-4922
Charles Reid	985-748-4922
Allen Harvey	985-748-4922
Bridget Hebert	985-748-4922
Barry Augustine	985-748-4922
William Dykes	985-748-4922
Thomas Frierson	985-748-4922
Renee Molland	985-748-4922
Willis Ray	985-748-4922
Brad Stevens	985-748-4922
Tammy Thompson	985-748-4922
Clay Waterman	985-748-4922
Erica Williams	985-748-4922

Kerry Carpenter	985-748-4922
Angelia Huszar	985-748-4922
Leslie McAndrew	985-748-4922
Barry Pike	985-748-4922
Angela Sibley	985-748-4922
Ryan Brown	985-748-4922
E. Taylor Glass	985-748-4922
Cory Blunk	985-748-4922
Tim Fondren	985-748-4922
LaToia Dyson-Williams	985-748-4922
Shaan Aucoin	225-686-2128
Jenny Fore	225-686-2128
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Vanessa Williams	985-748-4922
Patricia Hicks	985-748-4922
Kim Resetar	985-748-4922
Jasper Brock, IV	985-748-4922
Summer Duhe	985-748-4922
Nicky Muscarello	985-748-4922
Matthew Todd	985-748-4922
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Mary Hughes	985-748-4922
Ramona Correnti	985-748-4922
Susan Andrews	985-748-4922
Donelle Braud	985-748-4922
Melissa Dufreche	985-748-4922
Sandy Fitz	985-748-4922
Dawn Gray	985-748-4922
Laurie Hano	985-748-4922
Bridgette Hughes	985-748-4922
Samantha Kelly	985-748-4922
Kayanna Vernon	985-748-4922
Randy Pinion	985-748-4922
Ronald Stilley	985-748-4922
Lori Hammons	985-748-4922
Debbie Moore	225-686-2128
<b><u>Capital Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Gary Jordan	985-748-4922
Mike Thiel	985-748-4922
Margaret Lagattutta	985-748-4922
Susan Jones	985-748-4922

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Ramona Correnti
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	X
Windows 8	x
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	Personalized Accounting Software utilized by Sherri Oliver, CPA
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Internet Explorer 10	X

Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	3
DVD	4
VCR	2
Desktop PCs	25
Laptops	3
Video Cameras	
Digital Cameras	2
Video Conferencing Systems	
B&W Laser Printers	3
Color Printers	3
Wireless Cards	1
Smartphones (Funded by Office)	4
iPad/Tablets (Funded by Office)	1
Fax Machines	2
Copy Machines	2
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	6mbps/512kbps
Provider Name:	Bellsouth/AT&T
Email Provider:	Bellsouth/AT&T
Please list any software or computer equipment in which you need training:	Microsoft Excel

## 21st District Defender Office CY 2015 Caseloads & Outcomes

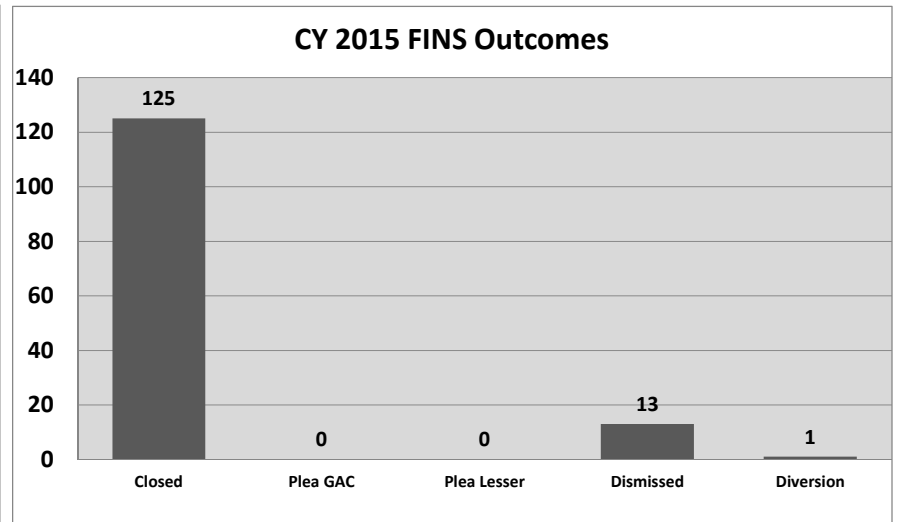
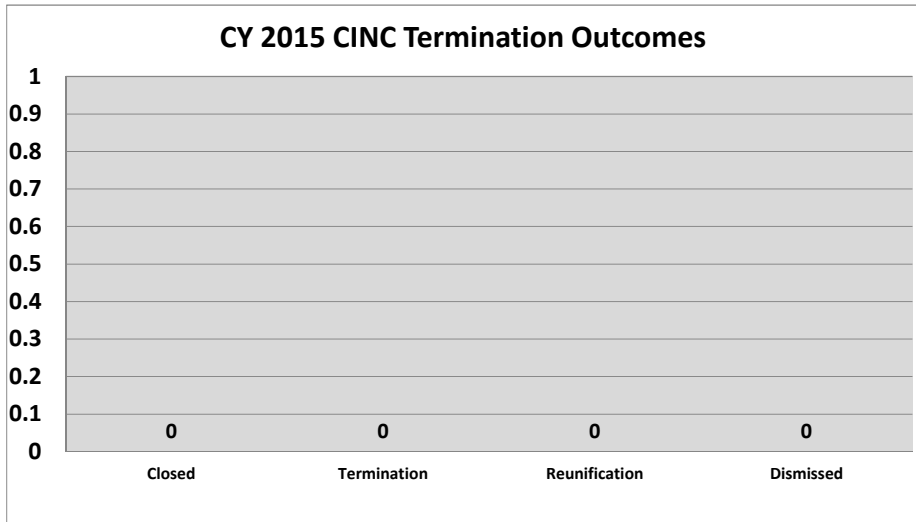
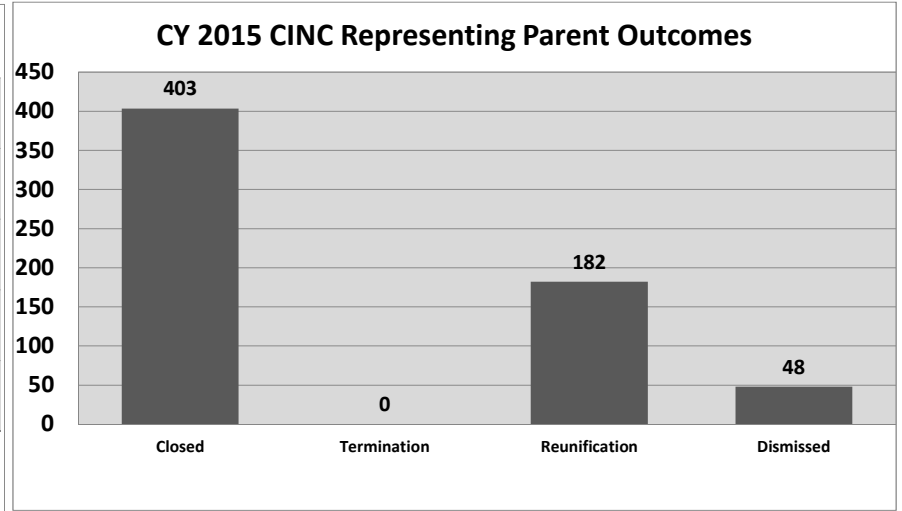
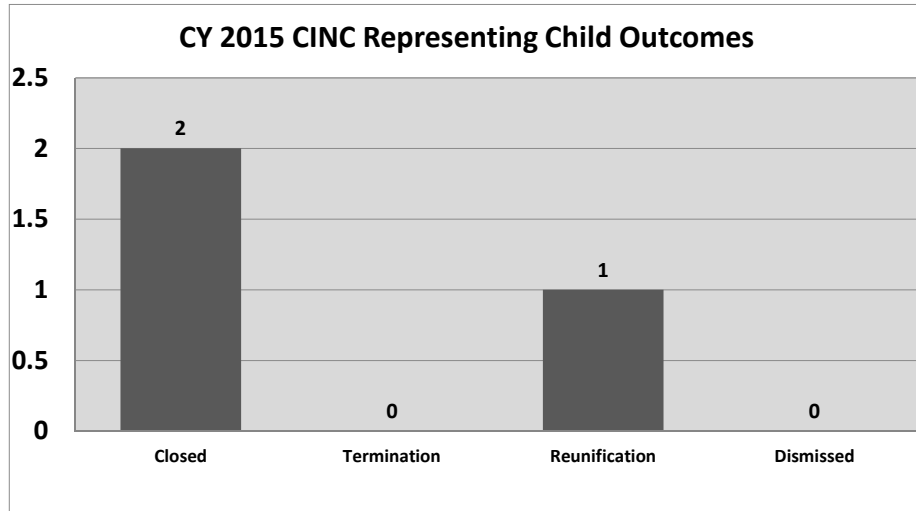
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	679	0	42	721	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	2	2	2	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	470	403	357	827	0	182	N/A	N/A	48	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	237	125	36	273	N/A	N/A	0	0	13	1	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	467	300	74	541	N/A	N/A	306	1	124	8	N/A	N/A	1	10	11
Delinquency Felony	89	82	25	114	N/A	N/A	82	15	58	2	N/A	N/A	2	5	7
Delinquency-Life	0	1	2	2	N/A	N/A	0	0	0	0	N/A	N/A	0	1	1
Juvenile Revocations	16	21	6	22	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	6888	3588	1643	5531	N/A	N/A	2228	15	2414	0	0	0	14	10	24
Adult Felony Non-LWOP**	3813	3243	1715	5528	N/A	N/A	1731	119	772	0	1	5	0	4	10
Adult LWOP	62	55	55	117	N/A	N/A	19	3	13	0	0	3	0	2	5
Capital***	1	0	1	2	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	585	527	101	686	N/A	N/A	94	5	59	0	N/A	N/A	N/A	N/A	0
PCR	3	4	3	6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	3	4
SOAP	0	1	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

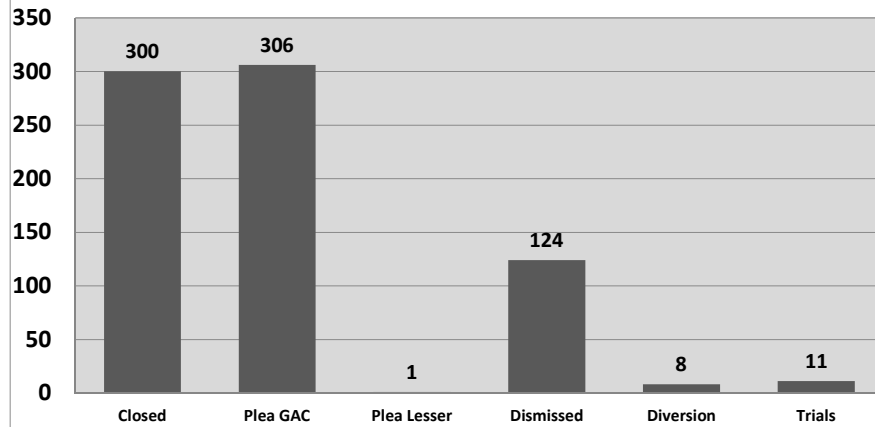
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

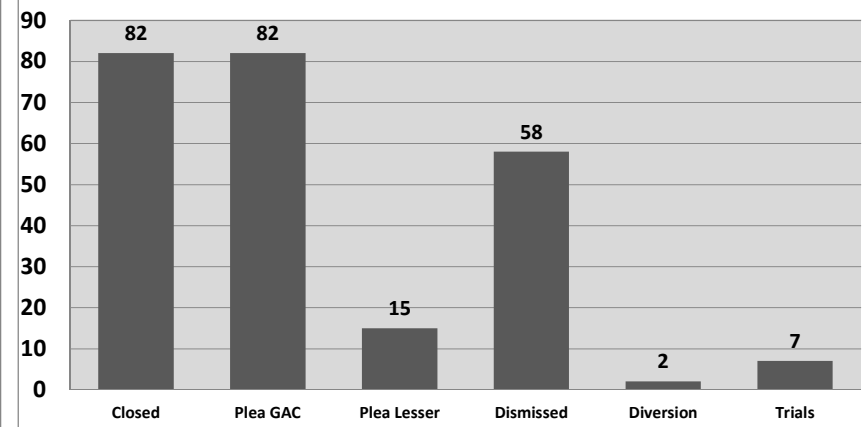
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



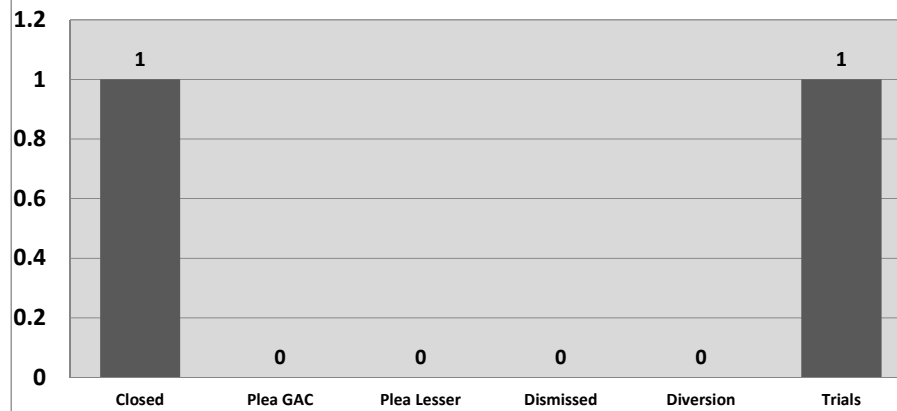
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



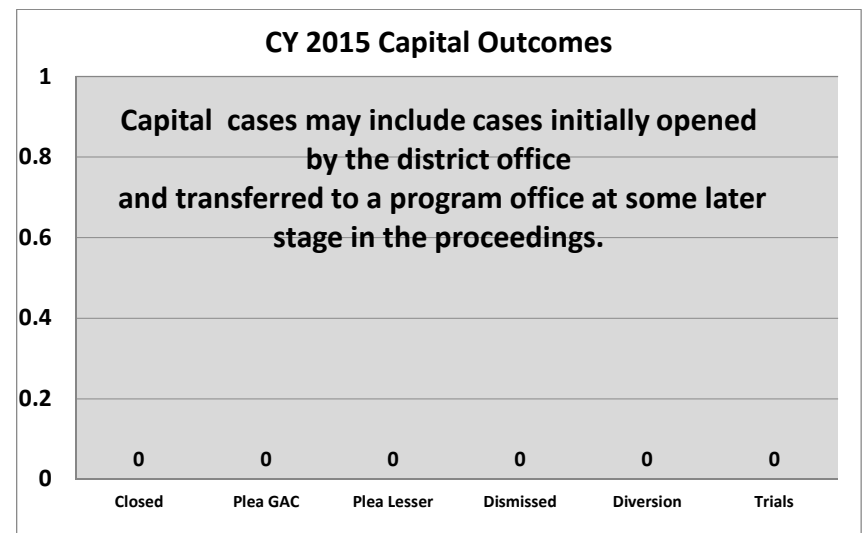
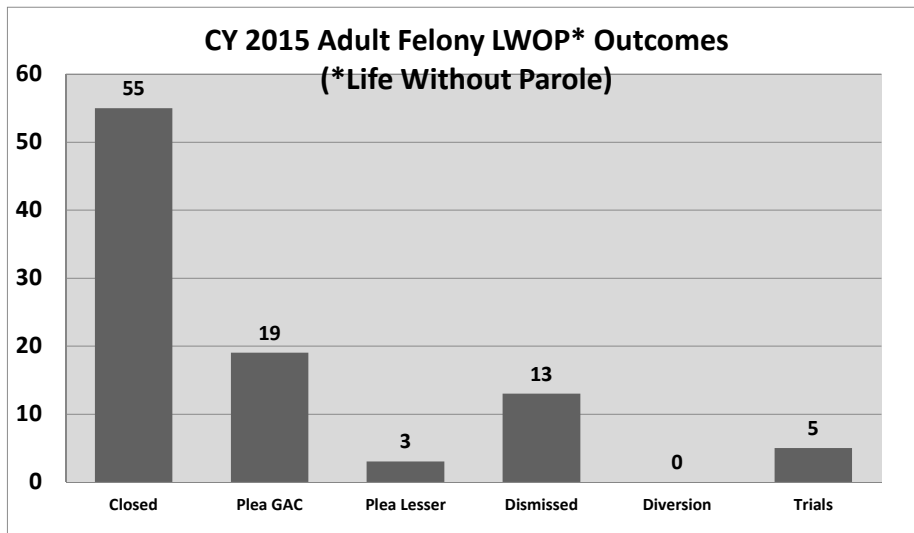
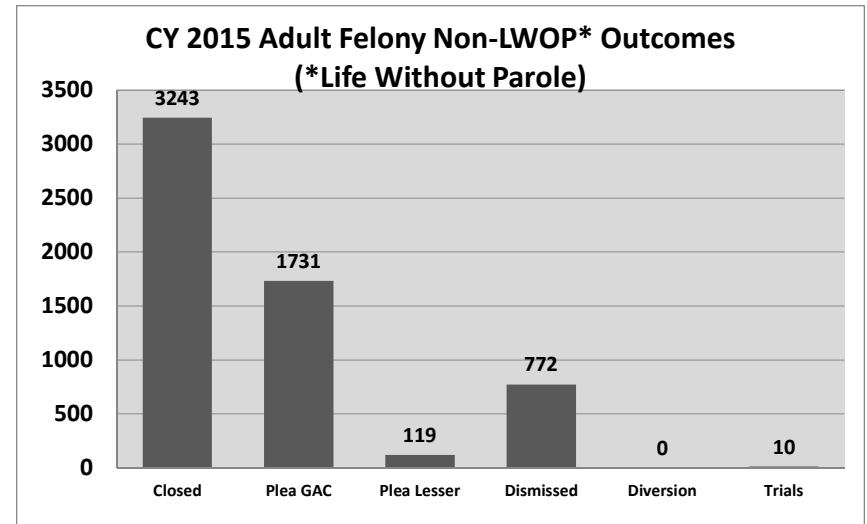
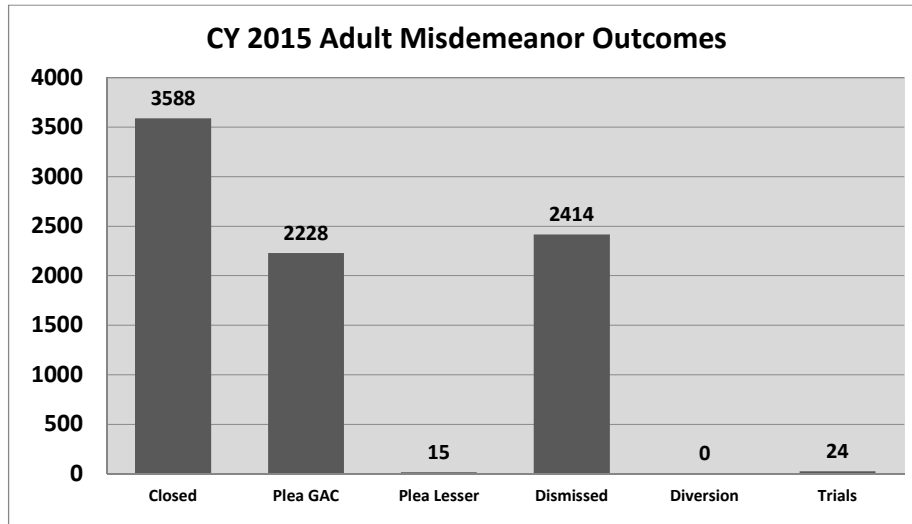
**CY 2015 Delinquency Felony-Grade Outcomes**



**CY 2015 Delinquency Life Outcomes**





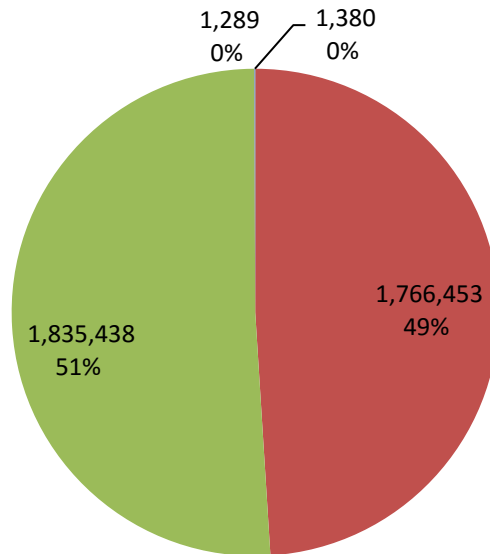


District 21 CY2015	Total CY2015
<b>District Defender: Reginald McIntyre</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	107,220
District Assistance Fund (DAF)	1,659,233
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	1,766,453
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	210,736
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	168,264
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	25,000
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	162,983
Municipal Court	578,486
Parish Courts	-
Traffic Court	591,802
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	1,358,270
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	92,811
Partial Attorney Fees	-
Reimbursements [as per 15:176]	5,356
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	98,167
Total for Local Government	1,835,438
Investment Earnings	
Interest Income	1,289
Other Investment Income - List source(s)	-
Total for Investment Earnings	1,289
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	1,380
Total for Other Sources (Grants & Contributions)	1,380
Total for REVENUE	3,604,560

District 21 CY2015	Total CY2015
<b>District Defender: Reginald McIntyre</b>	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	1,729,977
Accrued Leave	-
Payroll Taxes	27,041
Hospitalization and Disability Insurance	335,667
Retirement	250,986
Other	-
Total for Personnel Services and Benefits	2,343,671
Travel/Training	
Parking/Auto Tolls	313
Travel/Lodging/Per Diem/Mileage	24,528
Total for Travel/Training	24,841
Operating Services	
Advertisements	1,920
Workers' Compensation	7,293
Insurance - Malpractice	16,146
Insurance - Auto/Physical Liability	2,670
Insurance - Other	3,922
Lease - Office	27,866
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	3,433
Office - Telephone/Utilities/Postage/Internet	30,441
Dues and Seminars	9,888
Law Library/Journals/Subscriptions	6,482
Office Supplies	30,151
Total for Operating Services	140,211
Professional Services	
Audit/Accounting Expense	31,093
Contract Clerical	13,840
Expert Witness	8,556
Investigators	27,999
Interpreters	-
Social Workers	-
Capital Representation	8,000
Conflict	192,375
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	194,833
IT/Technical Support	2,233
Total for Professional Services	478,928
Capital Outlay	
Major Acquisitions	5,522
Total for Capital Outlay	5,522
Other Charges	
Other Operating Expenses	6,182
Total for Other Charges	6,182
Total for EXPENDITURES	2,999,354

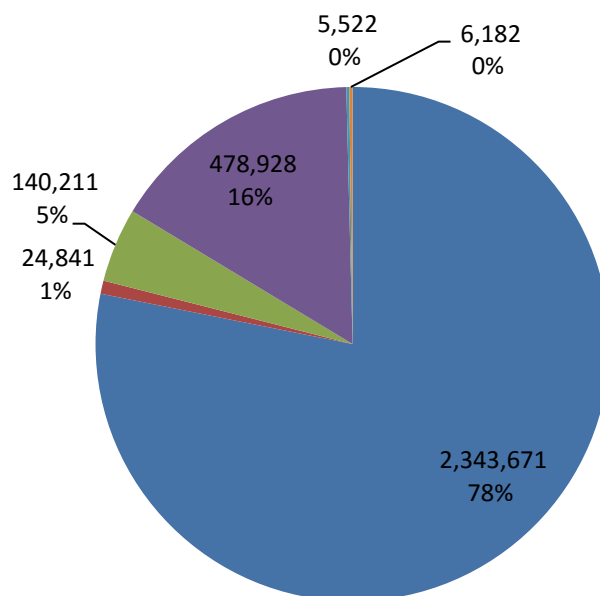
## Total CY15 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





## THE 22<sup>ND</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

ST. TAMMANY (COVINGTON) - WASHINGTON (FRANKLINTON)

DISTRICT DEFENDER: JOHN W. LINDNER, II  
402 NORTH JEFFERSON AVENUE  
COVINGTON, LA 70433  
(985) 892-5002

## 22ND JUDICIAL DISTRICT : ST. TAMMANY, WASHINGTON PARISHES

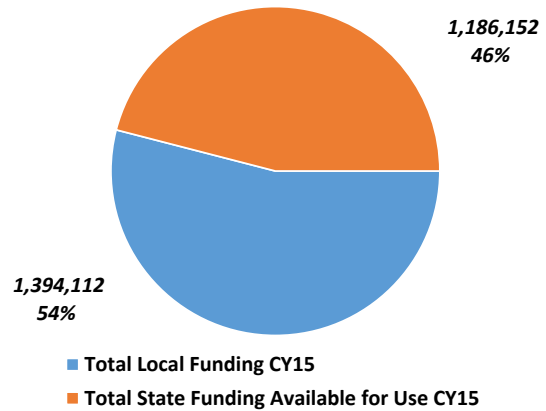
John W. Lindner, II  
District Defender  
402 North Jefferson Avenue  
Covington, LA 70433-2638  
985-892-5002

During Calendar Year 2015, the 22nd Judicial District Public Defenders Office handled 14,909 cases. The office received \$2,580,264 in total revenues to handle these cases, approximately 54% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

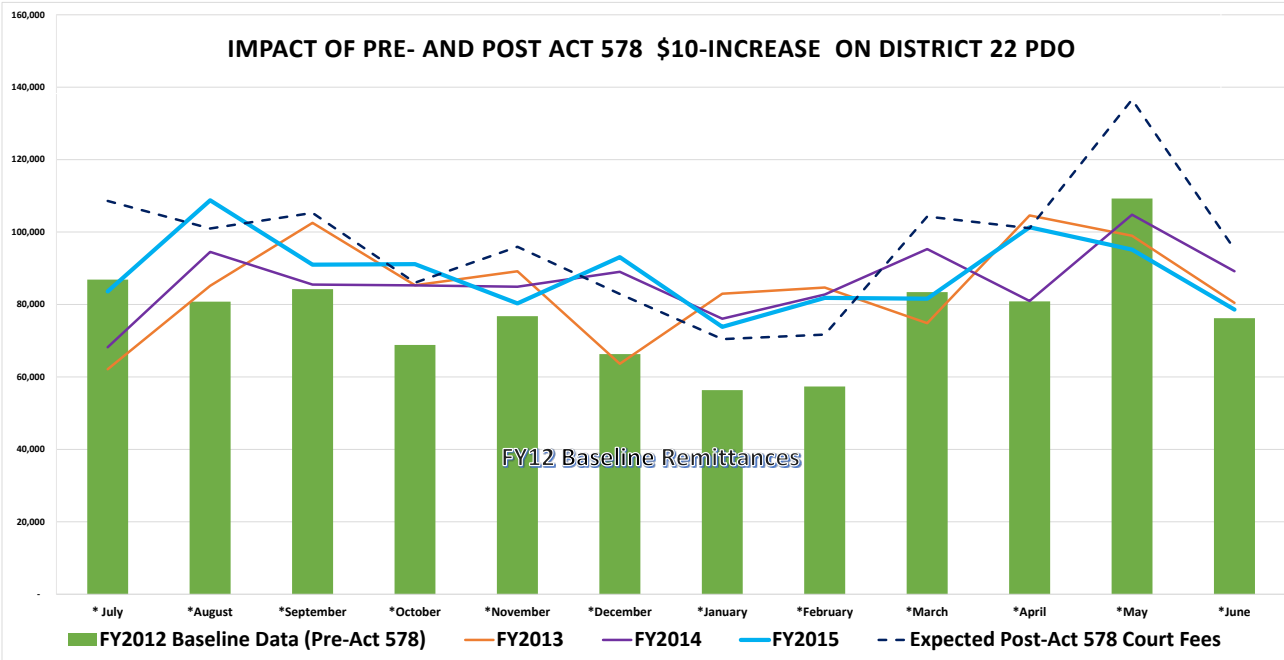
Since the inception of Act 578 (2012), local revenues have been higher than in past years, but remain below the 25% expected increase in all but a very few months.

The 22nd Judicial District office has nearly exhausted its fund balance as expenditures typically exceeded the office's revenues. The office is expected to become insolvent towards the end of FY16.

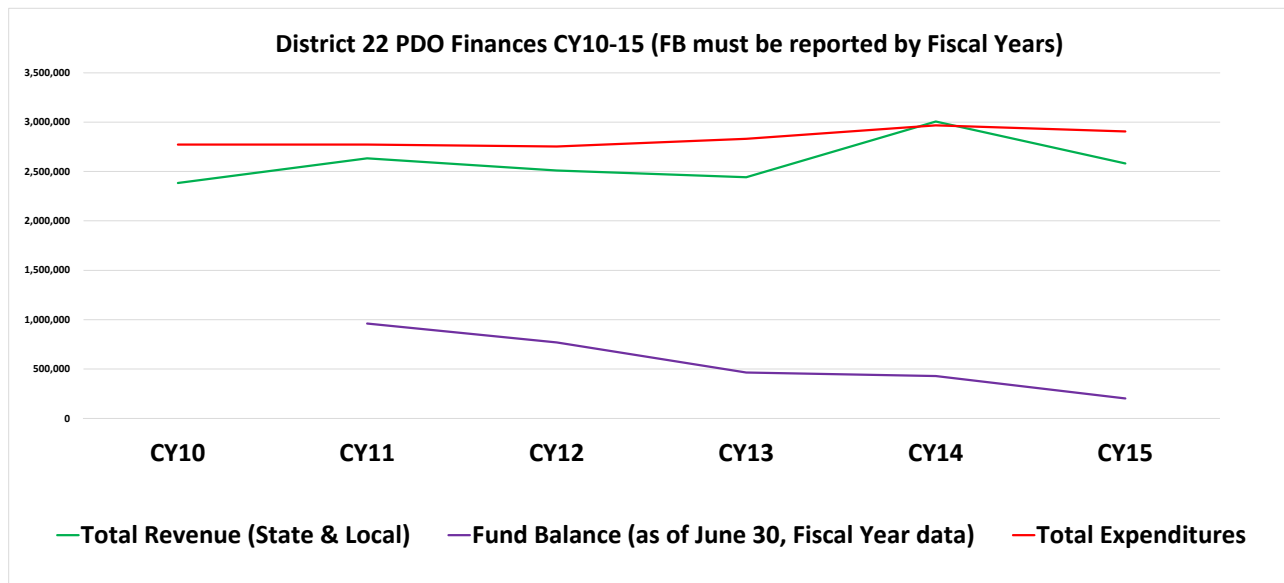
**District 22 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 22 PDO**



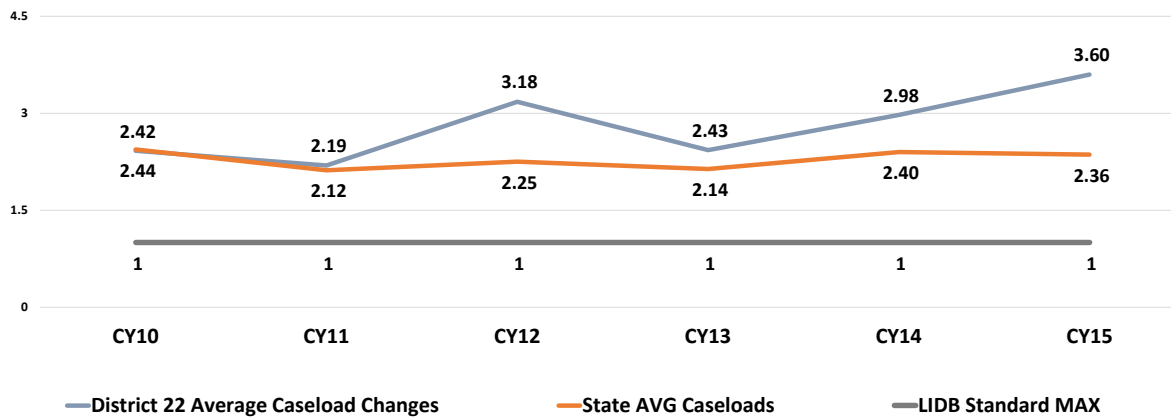
**District 22 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



## 22ND JUDICIAL DISTRICT : ST. TAMMANY, WASHINGTON PARISHES

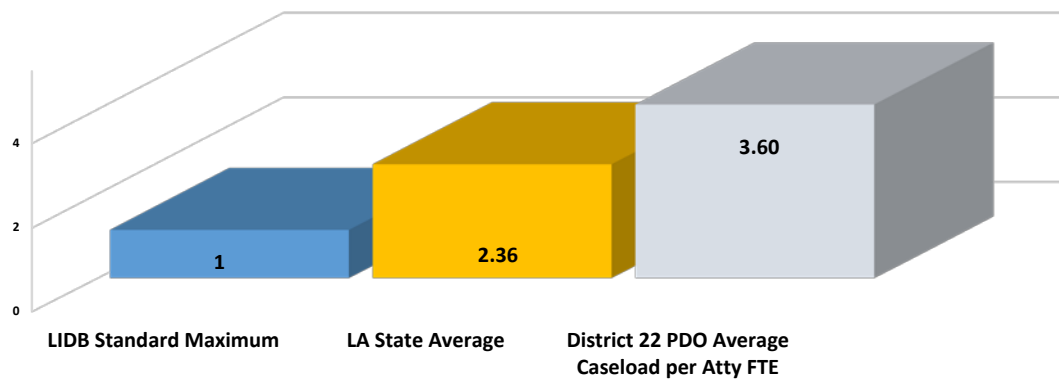
John W. Lindner, II  
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402 North Jefferson Avenue  
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985-892-5002

District 22 PDO Average Caseload per Atty FTE



In the 22nd Judicial District, public defense attorneys maintain caseloads more than three times the recommended caseload limit for each attorney.

District 22 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has capitally certified counsel on contract to handle the cases that arise in the district. However, due to the high number of capital cases in the district, the Board agreed to increase funding for the Capital Defense Project of Southeast Louisiana to be primary counsel in all capital cases.



## THE 22<sup>ND</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. Tammany Parish – Covington and Washington Parish - Franklinton
<b>Population</b>	U.S. Census estimate for 2014: 245,829 (St. Tammany); 46,286 (Washington); Total: 292,115.
<b>Juvenile Population</b>	2014 estimate: 60,228 (St. Tammany); 11,155 (Washington Parish).
<b>District Defender</b>	John W. Lindner, II
<b>Years as District Defender</b>	4
<b>Years in Public Defense</b>	16
<b>Office Manager</b>	Dawn Dares/Covington; Ashley Fitzmorris/Franklinton; Tracy Nettles/Slidell.
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Dawn Dares, Admin, Jerry Fontenot Contract Capital Defender, James McNary Contract Capital Defender, David Cheatham Contract CINC Attorney, Brian Dragon, Contract CINC Attorney, David Cheatham Contract CINC Attorney, Linda Stadler Contract CINC Attorney, John Almerico Conflict Panel, David Anderson Line Defender, Nancy Bousfield Line Defender, Melissa Brink Line Defender, Michael Capdeboscq Conflict Panel, Oliver Carriere Trial Supervisor, d Andrea Chatman Line Defender, David Craig, Jr. Line Defender, James Carrington, Line Defender, Chanel Smith, Line Defender, John Hogue, III Line Defender, Stephanie Wald, Line Defender, David Knight Line Defender, Kevin Linder Line Defender, John Lindner District Defender, Milton Masinter Line Defender, Shannon Mese Line Defender, Clarke Agre, Line Defender, James Scott Line Defender, Leighann Guilbeau, Line Defender, Amanda Trosclair Line Defender, Corinne Warren Line Defender, Melissa Davis Staff Investigator, Albert Hynes, Staff Investigator, Ashton Burris Staff Secretary, Loretta Cass Staff Secretary, Shannon Donnelly Staff Secretary, Kealy Dryer Staff Secretary, Ashley Fitzmorris Office Manager, Melissa Graves Staff Secretary, Fadra White, Staff Secretary, Sheila Hayes Client Advocate, Gina Liberto Staff Secretary, Tracy Nettles Staff Secretary, Belinda Welch Staff Secretary.
<b>Primary Office Street Address</b>	402 North Jefferson Avenue
<b>City</b>	Covington
<b>ZIP</b>	70433-2638
<b>Primary Phone</b>	985-892-5002
<b>Primary Mailing Address</b>	402 North Jefferson Avenue Covington, LA 70433
<b>Primary Fax Number</b>	985-898-0102
<b>Primary Emergency Contact</b>	John W. Lindner, II
<b>Primary Emergency Phone</b>	985-778-6205



<b>Secondary Emergency Contact</b>	Oliver Carriere
<b>Secondary Emergency Phone</b>	504-975-6403
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Washington Parish District PDO Office and Bogalusa City Court Office, 919A Washington Street, Franklinton, LA 70438 (985) 839-2245 (Vox) (985) 839-5412 (Fax); Slidell City Court 520 Old Spanish Trail Ste. D2 Slidell, LA 70458 (985) 643-2747 (Vox) (985) 643-2746 (Fax).
<b>Other District Office Contact Personnel (Primary Only)</b>	St. Tammany District Court-Covington Dawn Dares; Washington Parish District Court-Franklinton Ashley Fitzmorris; Slidell & Bogalusa City Court Office-Slidell Tracy Nettles.
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Covington Office - St. Tammany Parish; Slidell Office - St. Tammany Parish; & Franklinton Office - Whitney/Hancock Bank.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Covington Office - No rent/est. utilities \$1,100 per month; Franklinton Office - \$900.00 monthly rental and no direct utilities; Slidell Office - No rent and no direct utilities. Area wide communications averages \$1,100 per month with some expansions & enhancements to the system.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	In-House with Legislative Audits performed by Laport CPAs and Business Advisors
<b>Courts and Locations</b>	22nd Judicial District Court - Covington; 22nd Judicial District Court - Franklinton; Slidell City Court - Slidell; Bogalusa City Court - Bogalusa; Covington City Court - Covington.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	22nd JDC Covington: 8 adult criminal divisions; 1 juvenile; 1 non-support court; Franklinton: 2 adult criminal divisions, 1 juvenile; 1 non-support court; Bogalusa City Court: 1 adult misdemeanor, 1 juvenile; Slidell City Court: 1 adult misdemeanor, 1 juvenile; Covington City Court: 1 adult.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Felony cases - Divisions are assigned based upon the date of the incident at the 72-Hour hearing. Attorneys are assigned to clients once division has been allotted. Divisional attorneys are then assigned as counsel of record. The misdemeanor courts are processed with individual attorney's assigned to the applicable area of the courts.
<b>Name of Adult Detention Facilities in This District</b>	St. Tammany Parish Jail – Covington, LA; Washington Parish Jail – Franklinton, LA; Slidell Police Department Corrections Division – Slidell, LA; Bogalusa City Jail – Bogalusa, LA
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	N/A
<b>Name of Juvenile Detention Facilities In This District</b>	Florida Parish Juvenile Detention Center – Covington, LA
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	N/A
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes Minor travel costs and attorney travel time (opportunity cost).

<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	The District Courts in St. Tammany and Washington Parishes have adopted a rule which requires that the juveniles be unshackled while in court.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Problems with jail visits have decreased. Shelia Hayes was re-assigned to position of Client Advocate and she has been able to work with jail to assist with jail visits.
<b>District Attorney</b>	Warren Montgomery 2015
<b>Chief Judge of Criminal District Court</b>	Judge Allison Penzato
<b>Juvenile Court Judges (Specify District of City Court)</b>	St. Tammany and Washington parishes: Judge William Burris; Slidell City Court: Judge James Lamz; Bogalusa City Court: Judge Robert Black.
<b>Drug Court Judges</b>	Washington Parish: Judge Martin Coady; St. Tammany Parish: Judge A.J. Hand and Judge Allison Penzato. Juvenile Drug Court has been re-instituted and is being handled by Judge Scott Gardner.
<b>Mental Health Court Judges</b>	Judge Peter Garcia
<b>Other Specialty Court</b>	Sobriety Court: Judge Richard Swartz; Re-Entry Court: Judge William Knight; Family Reunification Court: Judge William Burris.
<b>Name of Specialty and Brief Description:</b>	<p>Sobriety Court: specifically designed for clients with 3rd and 4th offense DWI. Re-Entry Court: designed for clients facing substantial sentences because of mandatory minimum sentences and/or multiple offender status. Client is sent to Angola for two years and assigned to mentor (LWOP inmate) Must complete training program and counseling. Upon release is monitored by court in a setting similar to Drug Court. Drug court offers an alternative to incarceration for nonviolent, less serious, substance abusing offenders. Drug court is designed to rehabilitate offenders through regular and intense judicial supervision, substance abuse treatment, mandatory drug testing, educational opportunities, and appropriate sanctions and incentives. The goals of drug court are successful rehabilitation of drug court clients and reduced recidivism. Court appointed case managers assist each client through the two year program. Family Re-unification Court assists families who are involved with the Department of Child and Family Services (DCFS). The Juvenile Drug Court serves clients currently in juvenile court. .</p> <p>The adult program serves St. Tammany and Washington Parishes while the juvenile program serves West St. Tammany Parish. Over 300 adults and 25 juveniles are served monthly by the drug court programs in the 22nd Judicial District. The 22nd Judicial District Behavioral Health Court, commenced July 1, 2013, is intended to provide an alternative sentencing option for offenders with mental health disorders or co-occurring disorders. We are performing services with monthly court funded contributions totaling \$50,000 per year per contractual arrangement. Through this specialty court, participation in which is a special condition of probation, offenders will be judicially supervised and will be provided community services, including mental health treatment, to prevent the recurrence of behaviors that lead to justice system involvement.</p>

<b>Indigency Determined by Whom and How?</b>	Commissioner makes preliminary indigency determination at 72 hour hearing. Application is then reviewed in-house to determine if client meets eligibility criteria. If client posts bond prior to 72 hour hearing, judge makes initial determination of indigency, orders client to make application and application is reviewed in-house to determine eligibility.
<b>When is Assignment/Appointment of Counsel Made?</b>	Representation begins either at the 72-Hour hearing process and/or upon the divisional allotment procedure. Our felony staff is organized as a divisional basis and all other attorneys are assigned on a area of responsibility e.g. Misdemeanors, Non-Support, Juvenile, Fins, and CINC arenas.
<b>What steps does your office take to ensure conflict – free representation</b>	Conflict check is performed once file is received. Any conflicts are assigned to conflict panel as soon as possible.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Shelia Hayes, Client Advocate; Tracy Nettles, Office Manager Slidell, Ashley Fitzmorris, Office Manager, Franklinton.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Attached.
<b>Brief Explanation of Intake Process</b>	Jail clients are interviewed by Investigators and screened at the 72-hour processes by Investigators or Attorneys throughout the 22nd JDC system. The potential clients are referred to reporting to the respective office for application processing or accepted as incarcerated clients. Additionally walk-in clients are processed in each office by staff personnel. Information is reviewed as to qualifying for services and shared with the potential client. A financial qualification sheet is used and an intake form that is case specific on the legal matter for the client is used to set up records and provide background and contact information for their attorney assignment and interview correspondence notification.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	Estimated: 5,500
<b>How Many Application Fees Were Waived?</b>	Estimated: 2,400
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	62,190
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	1,020,185
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	We continue to have problems with itemization by St. Tammany Sheriff and Slidell City Court.

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	St. Tammany Parish District Court as made payable through the Sheriff of St. Tammany provides only checks for traffic and court costs with a percentage breakdown for the participating agencies. Washington Parish District Court as made payable through the Washington Parish Sheriff provides raw data on spreadsheets for defendant collections and distributions. Covington and Mandeville City Court provides summary breakdowns annotating the number of traffic, misdemeanors, and city ordinances reprehensive of the checks total. Bogalusa and Slidell City courts only provide and occasionally supply supporting documentation.
<b>Who Collects the Assessed Court Fees?</b>	District court assessments are collected by the sheriff's office. City Court assessments are collected by the clerks of court personnel.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	St. Tammany Parish District Court as made payable through the Sheriff of St. Tammany provides only checks for traffic and court costs with a percentage breakdown for the participating agencies. Washington Parish District Court as made payable through the Washington Parish Sheriff provides raw data on spreadsheets for defendant collections and distributions. Covington and Mandeville City Court provides summary breakdowns annotating the number of traffic, misdemeanors, and city ordinances reprehensive of the checks total. Bogalusa and Slidell City courts provide checks for the fee with periodic documentation. All documentation data transmitted to LPDB monthly.
<b>Who Remits the Court Fees Collected?</b>	District Court assessments are issued by the respective parish sheriffs for St. Tammany and Washington Parishes. City courts draft their own instruments
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	St. Tammany Parish District Court as made payable through the Sheriff of St. Tammany provides only checks for traffic and court costs with a percentage breakdown for the participating agencies. Washington Parish District Court as made payable through the Washington Parish Sheriff provides raw data on spreadsheets for defendant collections and distributions. Covington and Mandeville City Court provides summary breakdowns annotating the number of traffic, misdemeanors, and city ordinances reprehensive of the checks total. Bogalusa and Slidell City courts provide checks for the fee with periodic documentation. All documentation data transmitted to LPDB monthly.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	We continue to work with the Courts to institute a new policy.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	See above.
<b>Who Collects the Assessed Partial Payments?</b>	See above.

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	All collected fees are channeled to our accounting office. At the points of collection, the monetary instrument is entered into the data base and a receipt book for each paying client. The fee accounts are performed within our QuickBooks program and deposited upon office processing.
<b>Who Remits the Partial Payments Collected?</b>	All deposits are handled by Rhonda Addison.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Applications, Defender Data Base Receipts, Hand Written Receipts, Credit/Debit Card Receipts, Copies of Money Orders/Cashiers Checks, QuickBooks Deposits Slips for each Client/Payor
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	150
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	With the exception of Conflict Panel and Contract CINC attorneys, all attorneys are now full time. Private practice is discouraged and must be approved by District Defender.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Attached.
<b>Primary Immediate Needs</b>	Office renovations are now complete. Still in need of additional investigators.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	ROS plan was submitted to State Board in 2015. Present projections are that ROS could begin in April, 2016.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	We are currently in a hiring freeze. Leslie Williams, Staff Secretary, resigned and was not replaced.
<b>Immediate Critical Issue Areas</b>	Stabilized funding; additional funds for expert witnesses; retirement plan for attorneys and staff; insuring courts are remitting all fees owed and forcing courts to provide itemized details of source of fees.
<b>Long-Term Critical Issue Areas</b>	Increased revenues to improve delivery of services; gaining access to Judicial Expense Fund to help offset funding shortages.
<b>Please List All New Hires in 2015 (Name and Title)</b>	Clarke Agre, Line Defender; Lauren Boudreaux, Line Defender; James Carrington, Line Defender; Leighann Guilbeau, Line Defender; Chanel Smith, Line Defender; Stephanie Wald, Line Defender.
<b>Please List All Promotions in 2015 (Name and Title)</b>	None.
<b>2015 Media Coverage and/or Major Accomplishments</b>	Continued involvement in community. Working with Criminal Justice Committee to implement judicial reforms. Committee is made up of judges, District Attorney, Sheriff, Probation and Parole, parish officials, and Clerk of Court.
<b>Number of Expected New Attorney Hires in 2016</b>	None anticipated unless funding increases.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	In addition to Board training sessions and in-house CLE programs, four new attorneys (4 years or less) are currently enrolled in Gideon's Promise.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes

<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District Defender is overall supervisor. Oliver Carriere is Deputy Director in charge of felony trials. Amanda Trosclair supervises Juvenile, CINC, and Misdemeanor. Dawn Dares supervises Support Staff in Covington office. Ashley Fitzmorris is Office Manager in Franklinton office. Rhonda Addison is CFO (replaced Jack Stevenson) and handles financial duties. These individuals report directly to District Defender.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	2015 Attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Scanners deployed to enhance Defender Data utility to cover client file data. Hard copy records still maintained as permanent record reference and destroyed by storage service after five years of completion of case.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Major Medical (HUMANA),; Dental (Blue Cross Blue Shield), Vision (Blue Cross Blue Shield), & Gap Insurance-for Major Medical (Assurant Employee Benefits.) are provided for full time-staff personnel. Professional Liability Insurance - Lloyds of London
<b>Regular Meetings for Any Staff, Please Describe</b>	Quarterly on pay day and as needed for more specific topics.
<b>Number of NEW capital cases in CY15 handled by your office</b>	1
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	7
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	1
<b>Number of Writs Your District Handled in 2015</b>	4
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	When a juvenile is transferred to adult court, the juvenile attorney who handled the case prior to transfer is assigned to the felony case as co-counsel with the division attorney.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senators: Jack Donahue, Ben Nevers, A.G. Crowe, John Smith. Representatives: Gregory Cromar, Reid Falconer, Paul Hollis, J. Kevin Pearson, John M. Schroder, Sr., Scott Simon, Malinda White.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None noted.

<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Vertical representation is now fully operational. The Line Defenders have been organized in teams which allows representation in different divisions. In-house training of attorneys and staff has been increased.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Clarke Agre	985-892-5002
David Anderson	985-892-5002
Nancy Bousfield	985-643-2747
Melissa Brink	985-892-5002
James Carrington	985-892-5002
d'Andrea Chatman	985-643-2747
David Craig	985-839-2245
Oliver Carriere	985-892-5002
John Hogue	985-892-5002
David Knight	985-839-2245
Kevin Linder	985-892-5002
John Lindner	985-892-5002
Milton Masinter	985-892-5002
Shannon Mese	985-892-5002
James Norris Scott	985-643-2747
Chanel Smith	985-892-5002
Amanda Trosclair	985-892-5002
Stephanie Wald	985-892-5002
Corrine Warren	985-892-5002
Leighann Guilbeau	985-276-6367
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>CINC-Adult Part-Time Contract:</u></b>	
David Cheatham	985-732-3600
Linda Stadler	985-727-6771
Brian Dragon	985-960-6397
Andrea Potter	985-892-5002
Kristen Stanley-Wallace	985-892-5002
<b><u>Conflict Per-Case Contract:</u></b>	<b><u>Contact Information</u></b>
Barrow, Ernest	985-871-7374
Burke, James III.	985-892-5002
Carollo, David	985-643-8223
Fontenot, Jerry	985-898-5038
Jolissaint, Mark	985-641-5596
Knight, James	985-795-9200
Mecca, James	985-892-4006
Devereaux, Matthew	985-249-6100
Yazbeck, Rachel	504-586-8088
Tran, Lam	985-892-2945

Meissner, Brian	985-590-4428
Tusa, Alan	985-893-9980
Greenland, Richard	985-893-8900
Yazbeck, Timothy	504-586-8088
Thiel, Michael	985-340-8181
Jordan, J. Garrison	985-429-1316
Baurer, Ernest	504-610-5645
Oldenburg, Gair	504-931-0809
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Ashton Burris	985-892-5002
Melissa Davis	985-892-5002
Kealy Dryer	985-276-6366
Gina Liberto	985-892-5002
Shelia Hayes	985-892-5002
Melissa Graves	985-892-5002
Tracy Nettles	985-643-2747
Albert Hynes	985-892-5002
Rhonda Addison	985-892-5002
Belinda Welsh	985-892-5002
Shannon Donnelly	985-892-5002
Dawn Dares	985-892-5002
Michelle Guyett	985-839-2245
Ashley Fitzmorris	985-839-2245
Loretta Cass	985-276-6366



2015 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	John Lindner
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	x
Windows 7	x
Windows Vista	x
Windows Server 2000/2003/2008	x May be moving away from physical server to cloud based file share/printing server environment 2015
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	x
Other	Open Office
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	x
Internet Explorer 10	x
Internet Explorer 11	x
Microsoft Edge	
Firefox	x

Google Chrome	x
Other	
<b>HARDWARE:</b>	
Please enter the number of	
devices in your inventory.	
Television	1
DVD	
VCR	
Desktop PCs	24
Laptops	3
Video Cameras	1
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	5
Color Printers	1
Wireless Cards	
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	
	Video/Digital Projector (1)
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	N/A
No Internet Connection	24 mbps u-verse Covington; 18 mbps u-verse Slidell Office; DSL 6 mbps Franklinton.
Connection Speed:	N/A
Provider Name:	Charter
Email Provider:	gmail
	northshoredefenders.org
Please list any software or computer equipment in which you need training:	2 laptops; 18 tablets

## 22nd District Defender Office CY 2015 Caseloads & Outcomes

Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	2354	491	1482	3836	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	8	7	22	30	0	3	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	421	195	556	977	0	118	N/A	N/A	9	N/A	N/A	N/A	N/A	N/A	0
Termination	22	19	4	26	20	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	59	38	45	104	N/A	N/A	1	0	8	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	255	181	135	390	N/A	N/A	85	15	75	13	N/A	N/A	0	1	1
Delinquency Felony	102	79	77	179	N/A	N/A	28	13	65	7	N/A	N/A	0	1	1
Delinquency-Life	6	2	0	6	N/A	N/A	0	1	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	3	5	5	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	3080	2450	1180	4260	N/A	N/A	1768	198	1189	2	1	2	2	33	38
Adult Felony Non-LWOP**	2320	2135	1649	3969	N/A	N/A	2218	213	335	2	3	24	1	7	35
Adult LWOP	13	18	29	42	N/A	N/A	12	3	4	0	0	3	0	0	3
Capital***	1	1	7	8	N/A	N/A	0	0	0	0	0	1	0	0	1
Revocations	764	1004	313	1077	N/A	N/A	30	4	11	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

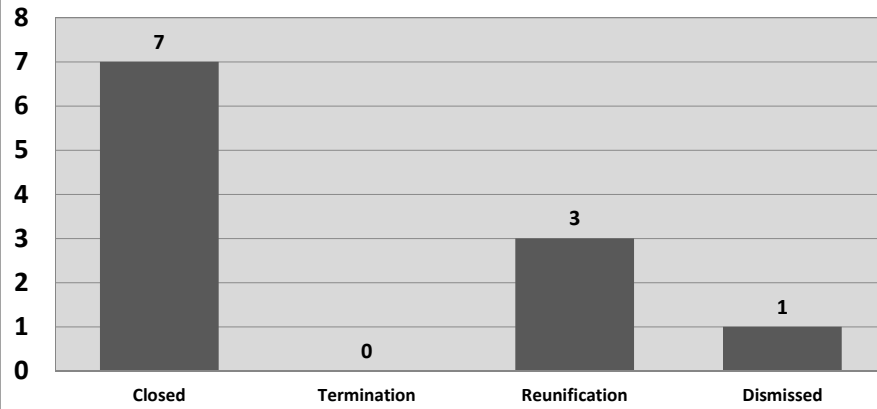
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

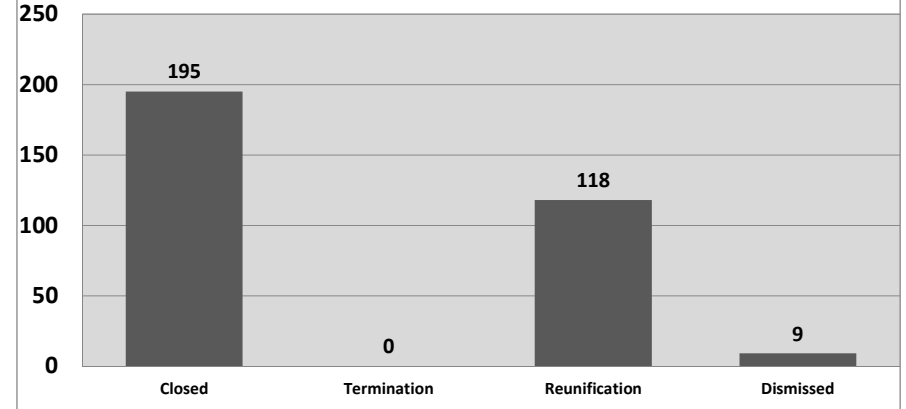
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

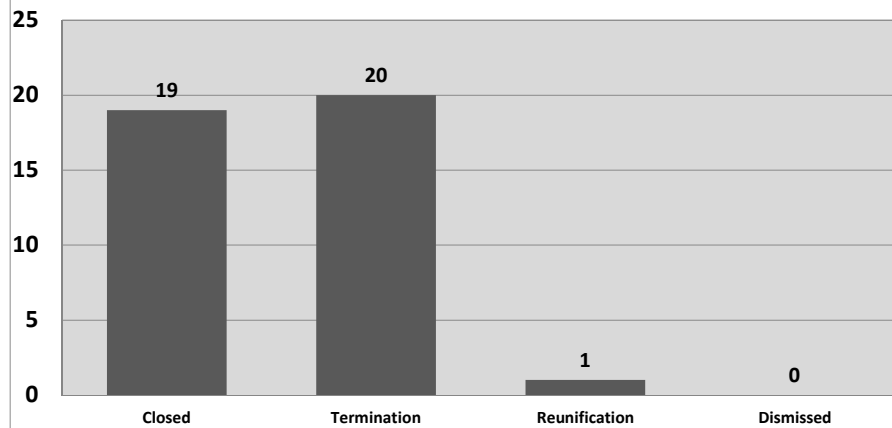
**CY 2015 CINC Representing Child Outcomes**



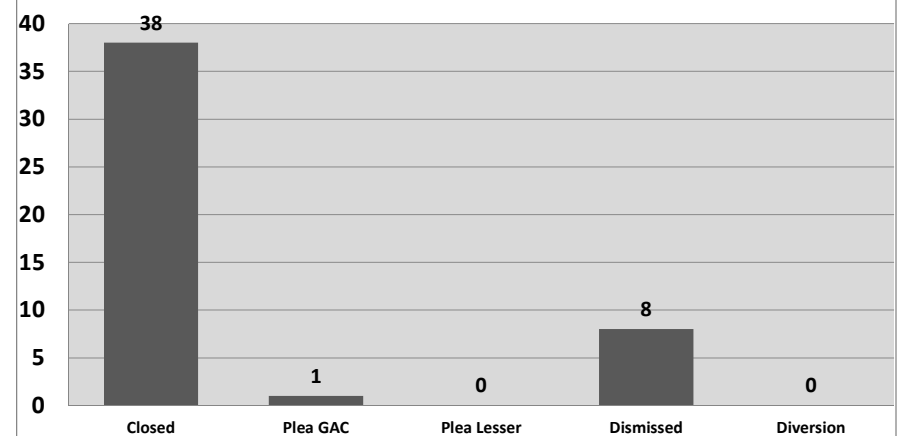
**CY 2015 CINC Representing Parent Outcomes**



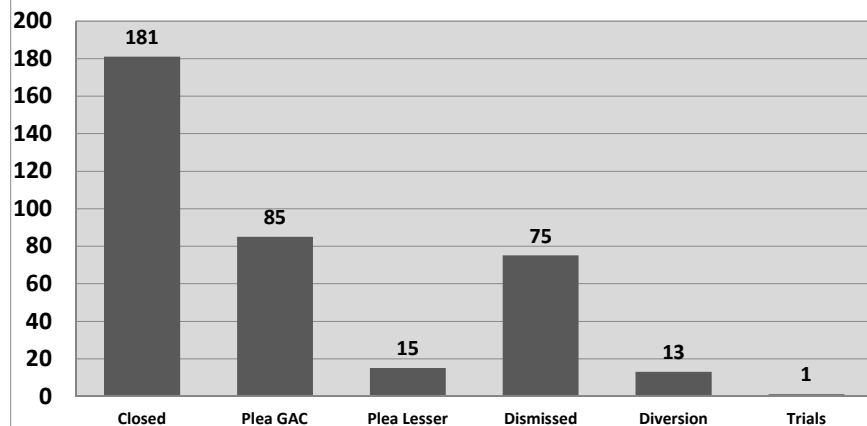
**CY 2015 CINC Termination Outcomes**



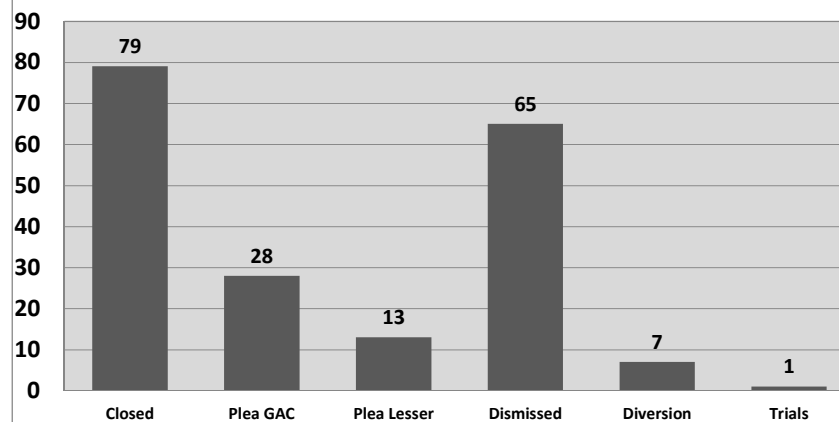
**CY 2015 FINS Outcomes**



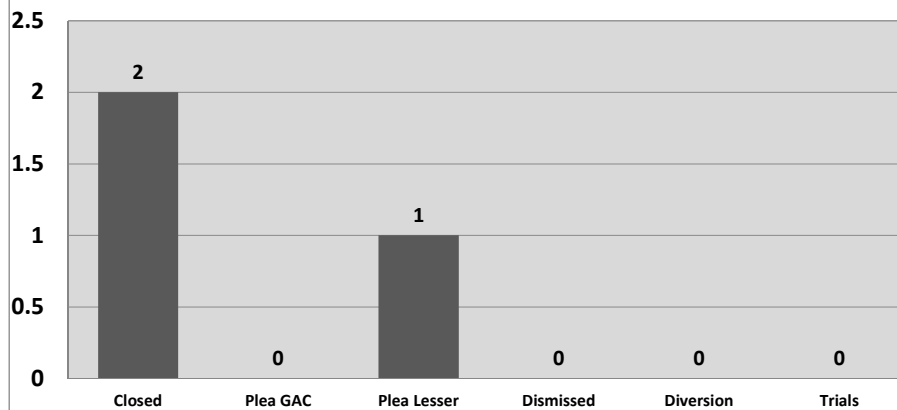
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



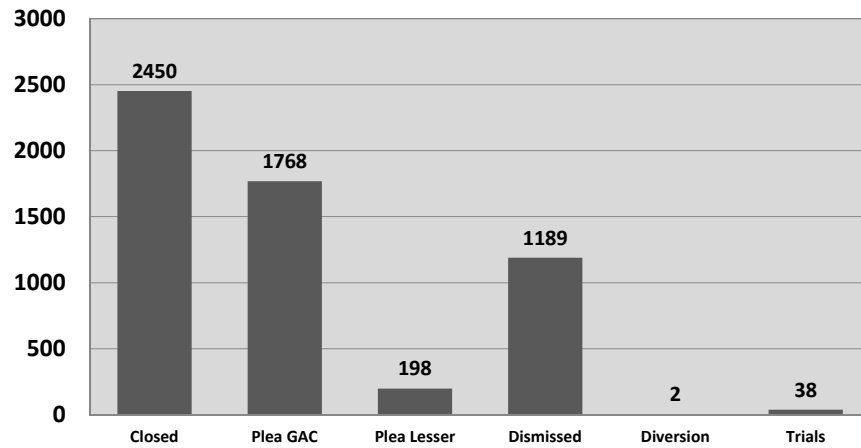
**CY 2015 Delinquency Felony-Grade Outcomes**



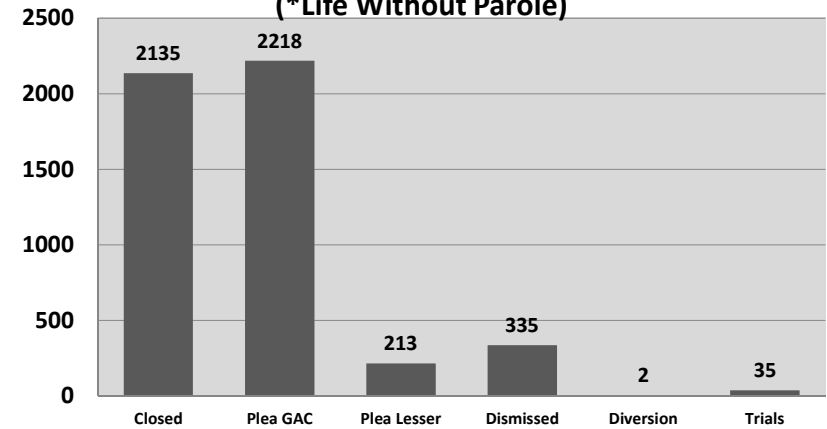
**CY 2015 Delinquency Life Outcomes**



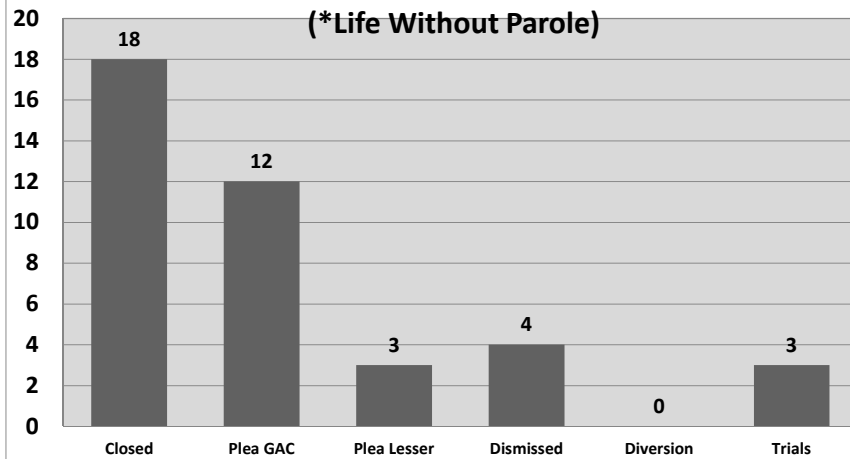
**CY 2015 Adult Misdemeanor Outcomes**



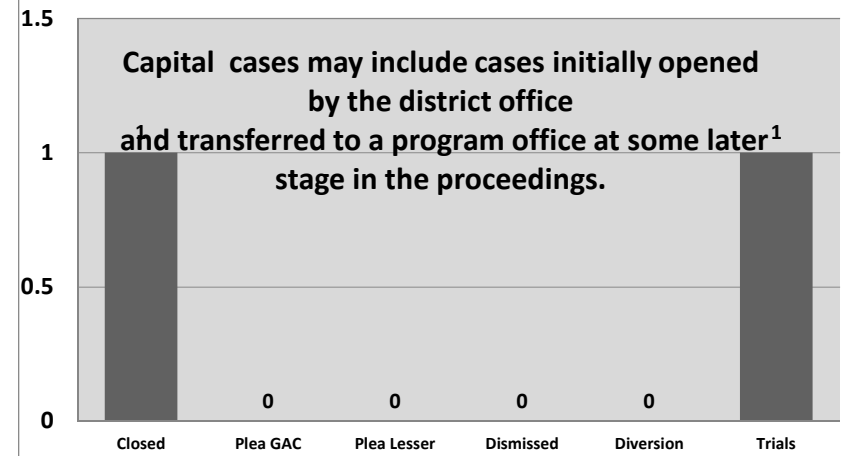
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**



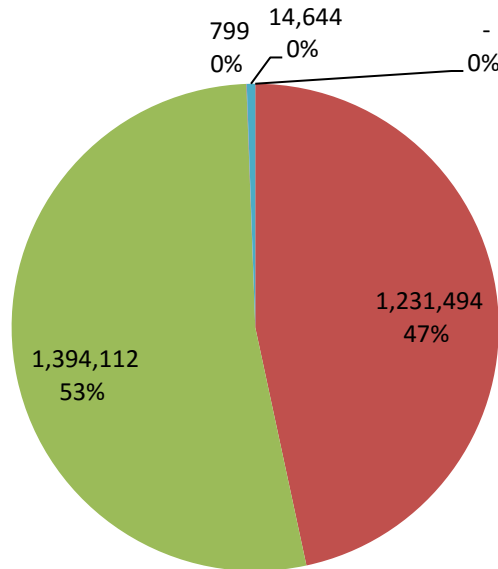
District 22 CY2015	Total CY2015
District Defender: John Lindner, II	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	62,776
District Assistance Fund (DAF)	1,140,817
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	27,901
Total for State Government	1,231,494
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	39,437
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	151,983
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	120,168
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	3,924
City & City-Ward Courts	-
Judicial District Courts	10,080
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	84,342
Magistrates' Courts	-
Municipal Court	38,470
Parish Courts	-
Traffic Court	33,142
Non-itemized, lump sum collected and remitted by all courts	110,230
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	739,997
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	1,020,185
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	62,190
Partial Attorney Fees	
Reimbursements [as per 15:176]	150
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	62,340
Total for Local Government	1,394,112
Investment Earnings	
Interest Income	799
Other Investment Income - List source(s)	-
Total for Investment Earnings	799
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	14,644
Total for Other Sources (Grants & Contributions)	14,644
Total for REVENUE	2,641,049

District 22 CY2015	Total CY2015
District Defender: John Lindner, II	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	1,778,224
Accrued Leave	45,065
Payroll Taxes	146,085
Hospitalization and Disability Insurance	190,904
Retirement	-
Other	-
Total for Personnel Services and Benefits	2,160,278
Travel/Training	
Parking/Auto Tolls	78
Travel/Lodging/Per Diem/Mileage	16,719
Total for Travel/Training	16,797
Operating Services	
Advertisements	1,979
Workers' Compensation	8,687
Insurance - Malpractice	21,497
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	17,200
Lease - Auto/Equipment	4,494
Lease - Other	-
Office Repair and Maintenance	2,009
Office - Telephone/Utilities/Postage/Internet	28,097
Dues and Seminars	11,818
Law Library/Journals/Subscriptions	30,160
Office Supplies	20,300
Total for Operating Services	146,240
Professional Services	
Audit/Accounting Expense	12,410
Contract Clerical	955
Expert Witness	17,179
Investigators	11,859
Interpreters	-
Social Workers	-
Capital Representation	125,973
Conflict	212,886
Contract - Juvenile Attorneys or CINC	150,170
Misdemeanor Attorney Contracts	33,750
Contract Attorneys - all other	8,783
IT/Technical Support	-
Total for Professional Services	573,965
Capital Outlay	
Major Acquisitions	400
Total for Capital Outlay	400
Other Charges	
Other Operating Expenses	6,399
Total for Other Charges	6,399
Total for EXPENDITURES	2,904,080



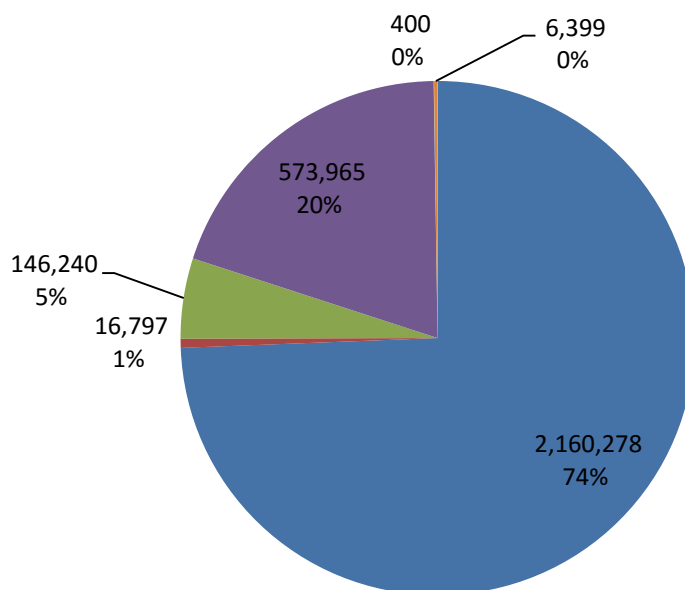
## Total CY15 Revenues

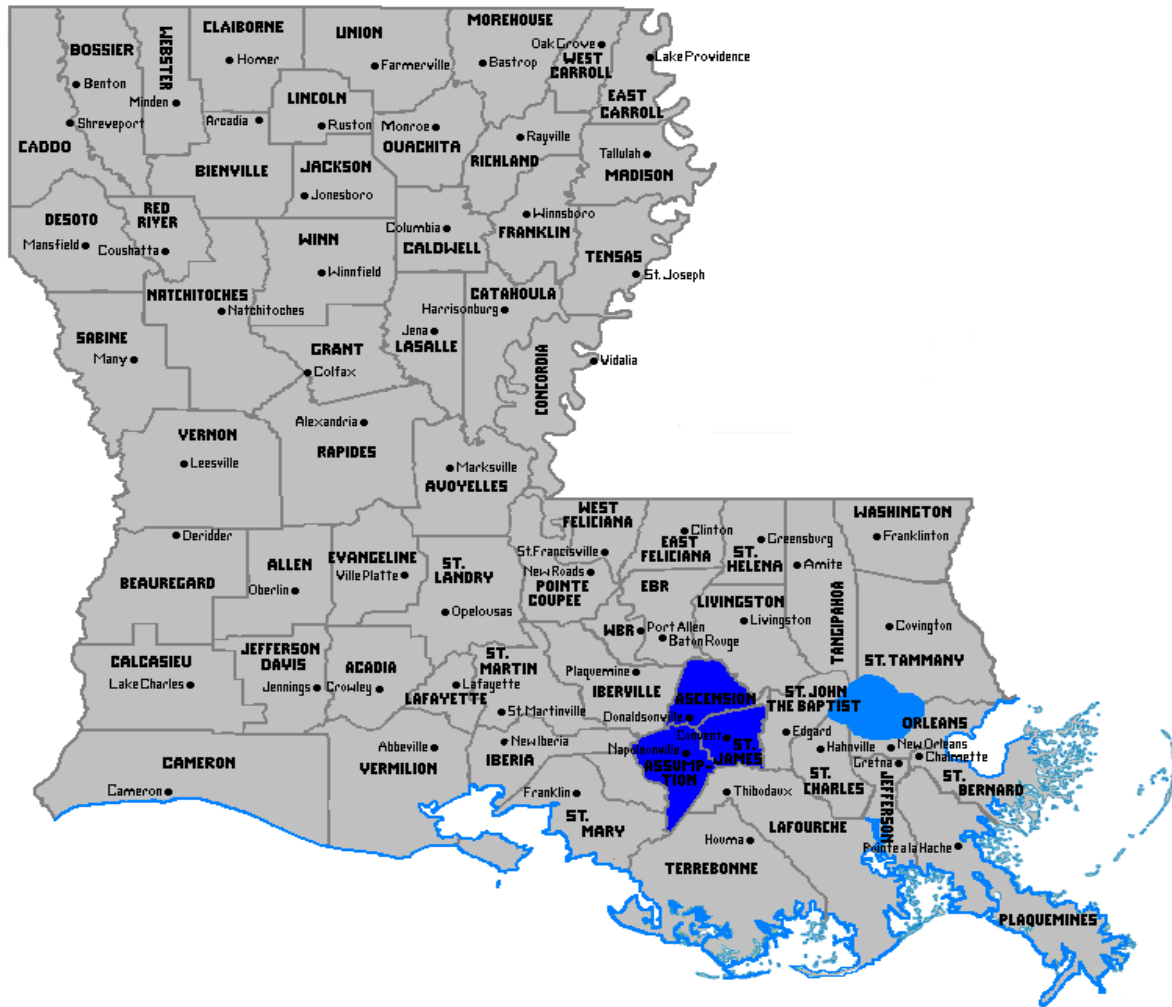
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





## THE 23<sup>RD</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

ASCENSION (DONALDSONVILLE) - ASSUMPTION (NAPOLEONVILLE) - ST. JAMES  
(CONVENT)

DISTRICT DEFENDER: ALAN J. ROBERT  
12320 LA HWY. 44, BLDG. 4, STE. B  
GONZALES, LA 70737  
(225) 647-9673

# 23RD JUDICIAL DISTRICT : ASCENSION, ASSUMPTION, ST. JAMES PARISHES

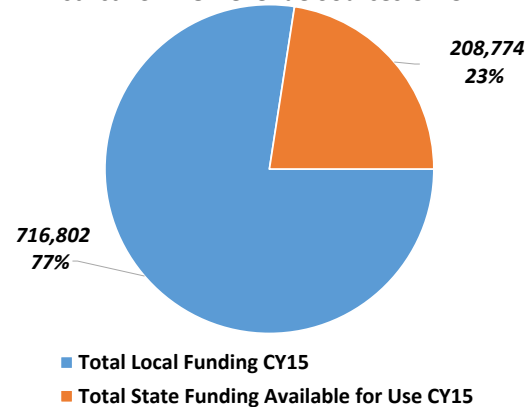
Alan J. Robert  
District Defender  
12320 LA Hwy. 44, Bldg. 4, Ste. B  
Gonzales, LA 70737  
225-647-9673

During Calendar Year 2015, the 23rd Judicial District Public Defenders Office handled 6,172 cases. The office received \$925,576 in total revenues to handle these cases, approximately 77% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

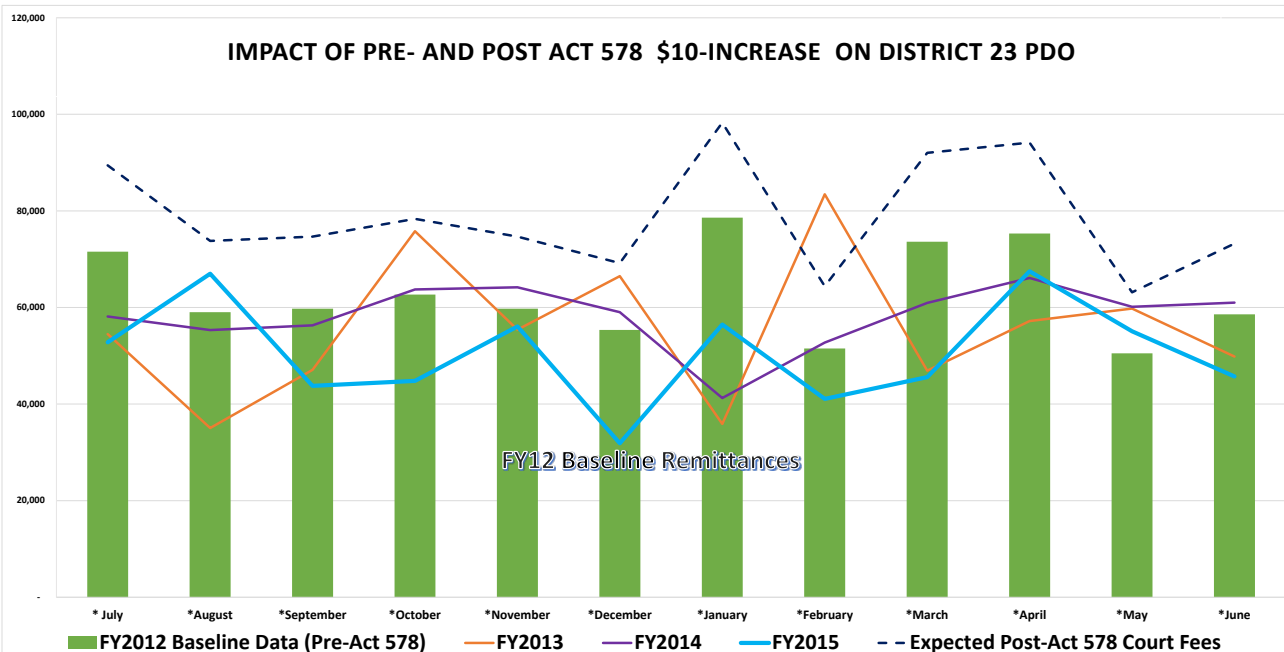
With the exception of a single instance, the 23rd has always failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 23rd Judicial District office has nearly exhausted its fund balance as the office's expenditures exceed the office's revenues. Insufficient personnel and fiscal resources forced the 23rd Judicial District office to begin restricting services on December 1, 2015.

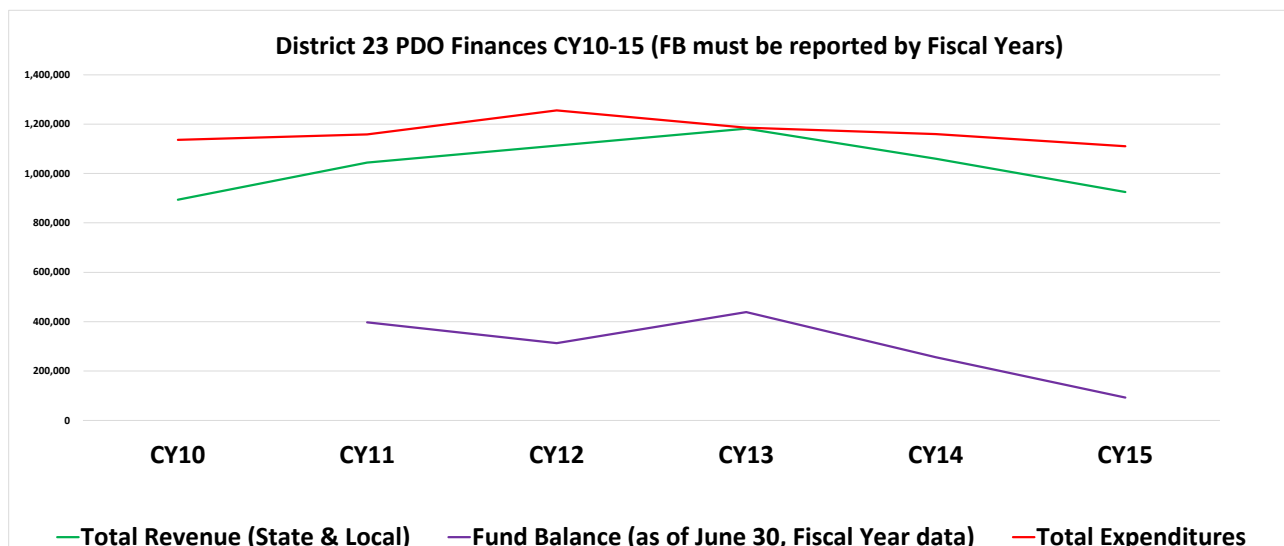
**District 23 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 23 PDO**

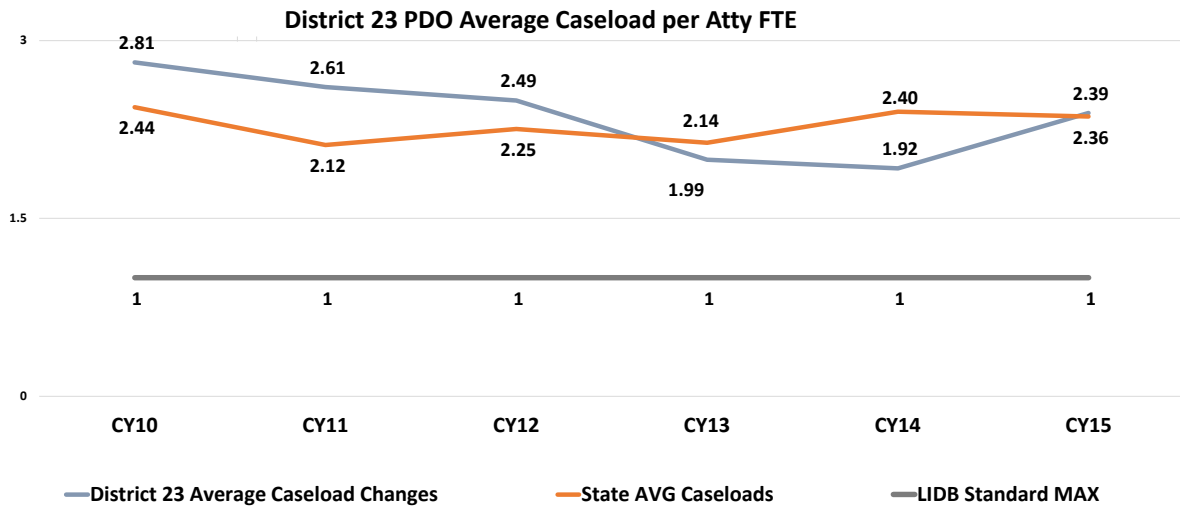


**District 23 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



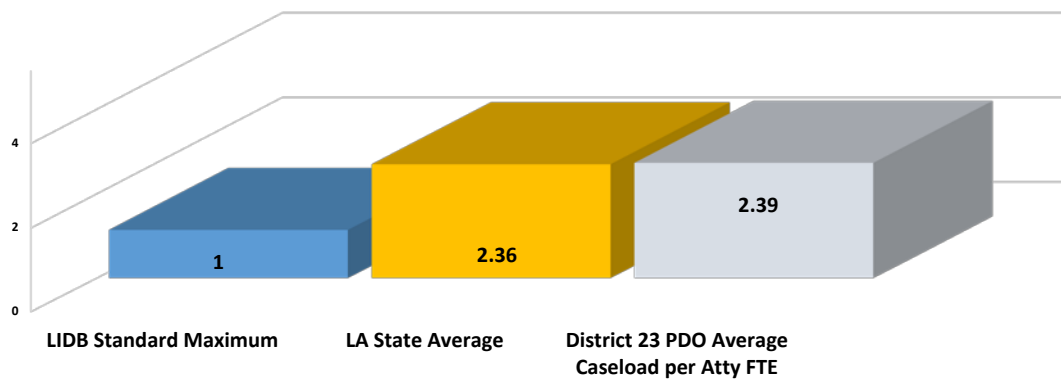
**23RD JUDICIAL DISTRICT :  
ASCENSION, ASSUMPTION, ST. JAMES  
PARISHES**

Alan J. Robert  
District Defender  
12320 LA Hwy. 44, Bldg. 4, Ste. B  
Gonzales, LA 70737  
225-647-9673



In the 23rd Judicial District, public defenders maintain caseloads more than two times the recommended caseload limit for each attorney.

**District 23 PDO Average Caseloads Compared to State Average & State Standard Maximums**



**CAPITAL REPRESENTATION**

This PDO has limited capacity to accept capital cases as it does not have two certified counsel or otherwise does not have capacity to provide core team members as required by the Capital Performance Standards.



## THE 23<sup>RD</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Ascension - Donaldsonville; Assumption - Napoleonville; St. James - Convent.
<b>Population</b>	159,332
<b>Juvenile Population</b>	42,487
<b>District Defender</b>	Alan J. Robert
<b>Years as District Defender</b>	7
<b>Years in Public Defense</b>	11
<b>Office Manager</b>	Phyllis Glover
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Phyllis Glover, Tori Blouin, L. Monica McCrory
<b>Primary Office Street Address</b>	12320 LA Hwy. 44, Bldg. 4, Ste. B
<b>City</b>	Gonzales
<b>ZIP</b>	70737
<b>Primary Phone</b>	225-647-9673
<b>Primary Mailing Address</b>	12320 LA Hwy. 44, Bldg. 4, Ste. B, Gonzales, Louisiana, 70737.
<b>Primary Fax Number</b>	225-647-9683
<b>Primary Emergency Contact</b>	Alan J. Robert, 18421 Greenbriar Avenue, Prairieville, LA 70769.
<b>Primary Emergency Phone</b>	225-954-2555
<b>Secondary Emergency Contact</b>	Phyllis Glover
<b>Secondary Emergency Phone</b>	225-313-2258
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	Phyllis Glover-12320 La. Hwy 44 Bldg 4 Ste B, Gonzales, La. 70737
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Pujol & Pryor Attorneys At Law
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,650
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	J. Wayne Sheets, CPA , outside CPA services
<b>Courts and Locations</b>	District Court (5 divisions) in Gonzales, Donaldsonville, Napoleonville, Convent; Parish court in Gonzales & Donaldsonville; Juvenile Court in Gonzales, Donaldsonville, Napoleonville, Convent; Non-Support Court in Gonzales, Donaldsonville, Napoleonville.

<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Section A through E (5 Divisions) of District Court and Juvenile Court meeting in Donaldsonville, Gonzales, Convent and Napoleonville, (1) Parish court for Ascension Parish meeting in Gonzales, and Donaldsonville.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Public Defenders are assigned to each division by this office. Cases are assigned preliminarily by the Judges to the defenders assigned to that division by our office.
<b>Name of Adult Detention Facilities in This District</b>	Ascension Parish Jail, Donaldsonville, Louisiana
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles Correction Center, holds some females.
<b>Name of Juvenile Detention Facilities In This District</b>	Assumption Parish Juvenile Detention Center.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes. Most juvenile cases are in Ascension Parish and detention facility is in Assumption Parish.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes. If they are considered dangerous by the transporting deputy.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	None
<b>District Attorney</b>	Ricky Babin
<b>Chief Judge of Criminal District Court</b>	Judge Alvin Turner Jr.- 2015
<b>Juvenile Court Judges (Specify District of City Court)</b>	Judge Jason Verdige- Div. "A"; Judge Thomas J. Kliebert, Jr. Div. "B"; Judge Tess Percy Stromberg Div."C" ; Judge Jessie LeBlanc Div"D"; Judge Alvin Turner, Jr. "E" ; Judge Marilyn Lambert- Parish Court does juvenile cases in Ascension Parish.
<b>Drug Court Judges</b>	Judge Tess Percy Stromberg will continue the drug section in Div. "C"
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	Judge Lambert - Parish Court (Misdemeanor in Ascension Parish).
<b>Name of Specialty and Brief Description:</b>	Non Support heard by a hearing officer Patricia Douglas.
<b>Indigency Determined by Whom and How?</b>	Judges make initial assessment at 72 hour hearing or 1st court appearance and defender assigned completes application and determination of indigence made by District Defender or his designee.
<b>When is Assignment/Appointment of Counsel Made?</b>	At defendants initial appearance before judicial officer where defendant learned of charge and defendant's liberty was subject to restriction.
<b>What steps does your office take to ensure conflict – free representation</b>	Whenever we are appointed to cases with multiple defendants we appoint different counsel for each defendant.

<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Judges do preliminary indigency determinations. Attorney appointed completes applications at initial meeting. Walk in clients are given applications by P.D.O. staff, and approved by the District Defender.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Upon appointment by a judge client is given an application and contact information on their attorney. they are advised to complete the application and return to our office with the application fee or to mail the same. walk ins are provided with an application to complete and it is reviewed by the district defender or his designee for qualification. upon approval an attorney is assigned an contact information given to the client.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	446
<b>How Many Application Fees Were Waived?</b>	9
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2015</b>	15,432
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Fees paid to our office or attorney who forwards fee to our office per contract.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	573,307
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes. unless the defendant elects to serve 90 days in jail in lieu of court cost and fees.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Forms approved by the state Staff are attached to all receipts from the 3 Sheriffs and City Clerk.
<b>Who Collects the Assessed Court Fees?</b>	Three Sheriffs and one City Clerk.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Collecting Agencies provides detailed work sheets
<b>Who Remits the Court Fees Collected?</b>	(3) Sheriffs or City Clerks
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Forms approved by the state Staff are attached to all receipts from the 3 Sheriffs and One City Clerk.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	The District Defender sends recommended amounts to the judge's by written correspondence. Judge's enter amount into court minutes.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Court minutes.
<b>Who Collects the Assessed Partial Payments?</b>	Public Defender Office or Sheriff if part of a plea.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Public Defender Office keeps records of all fees collected by office, and Sheriff's office sends record of fees collected.

<b>Who Remits the Partial Payments Collected?</b>	The Sheriff's or City Clerks submit all fees collected.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Any money collected by an agency is accompanied by explanatory documentation.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	3,934
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Yes. Yes, private employment is addressed in the Attorney Contract with the Public Defender Office.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	See Attached Contract.
<b>Primary Immediate Needs</b>	Attorneys let go due to Restriction of Service.
<b>Was your office in ROS at any time during 2015</b>	Yes
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes in 2016 we have developed a ROS Plan in cooperation with the state staff and expect to implement in 2016.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	We have let 4 attorneys go. David Smith - Felony division Ascension; Trisha Ward- nonsupport (3 parishes); Rick Alessi - Felony division Ascension; Cody Martin Felony, Juvenile St. James.
<b>Immediate Critical Issue Areas</b>	Need approximately \$160,000 to re-hire 4 attorneys, let go in 2015.
<b>Long-Term Critical Issue Areas</b>	Money for benefits for full time defenders.
<b>Please List All New Hires in 2015 (Name and Title)</b>	None
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	Won 60% of our jury trials.
<b>Number of Expected New Attorney Hires in 2016</b>	We have a hiring freeze in Restriction of Service.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	We use training provided by the LPDB Staff, pay for seminars in areas of practice, and conduct 8 hours of mandatory yearly training by our office. Also we assign new defenders to a division with more experienced defenders to monitor and mentor. We have a full time Litigation Supervisor as of July 2013.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	We provide a yearly copy of the Trial Court Performance Standards.
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	All attorneys are independent contractors except the District Defender, and the Litigation Supervisor. They are required to follow the requirements and suggestions found in their written contract. The District Defender, and/or Litigation Supervisor monitors all trials, especially serious offenses, and consults with the defender on questions of law and strategy. The District Defender or the Litigation Supervisor visits each defender at least once per year in their office to formally evaluate each attorney's progress and maintains written reports.



<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	See Attached.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Medical benefits provided for all full time staff Personal (1), and the District Defender and Litigation Supervisor.
<b>Regular Meetings for Any Staff, Please Describe</b>	Staff consist of 1 full time and 1 part time employee. They meet daily with the District Defender or the Litigation Supervisor.
<b>Number of NEW capital cases in CY15 handled by your office</b>	9
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	1
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	1
<b>Number of Writs Your District Handled in 2015</b>	4
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	3
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Cases transferred are assigned a felony trial attorney who is assisted by the juvenile attorney originally assigned
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator elect Eddie Lambert, Senator Troy Brown, Rep. Johnny Berthelot, Rep. Tony Bacala, Rep. Clay Schexnaydre, Rep., Ed. Price.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	The District Attorney has recently begun an extended diversion program that will reduce our revenue from the \$45.00 Special Assessment. also one municipality closed its police department costing us about \$80,000. in anticipated loss revenue.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	We have a full time Litigation Supervisor, In House Capital Attorney. Health Insurance for all full time employees, Workman Comp insurance, Malpractice Insurance, premises insurance, and non owned auto insurance.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Robert, Alan J.	225-647-9673
Jones, Susan Kutcher	225-647-9673
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Ambeau, Jarrett P.	225-395-0794

Bridges, Christopher J.	225-644-7250
Hebert, Blaine M.	504-481-7434
Heggelund, Jeffrey M.	225-644-9295
Battiste, Shannon L.	225-361-0424
Valentine, Wesley Benjamin	225-644-6584
Gutierrez, John A.	225-744-3555
Petit, Dale J.	225-869-5997
Williams, Don R.	225-907-2673
Barbier, Timothy J.	985-369-2337
Belanger, Ashley	225-252-2736
Messer, Rusty M.	225-644-1255
Myles-Crosby, Tiffany	225-590-3838
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Tori Blouin	225-644-2968
Glover, Phyllis D.	225-647-9673

## 2015 District Office Technology Survey

<p>The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.</p>	
<b>Survey Completer's Name</b>	Alan J. Robert
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b>Operating Systems Used:</b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b>Case Management System(s): Check all that apply</b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b>Productivity Suites Used:</b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b>Accounting Software</b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	J. Wayne Sheets, C.P.A.
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	2
Laptops	2
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	2MB = upload of 256
Provider Name:	Eatel
Email Provider:	Eatel
Please list any software or computer equipment in which you need training:	None

## 23rd District Defender Office CY 2015 Caseloads & Outcomes

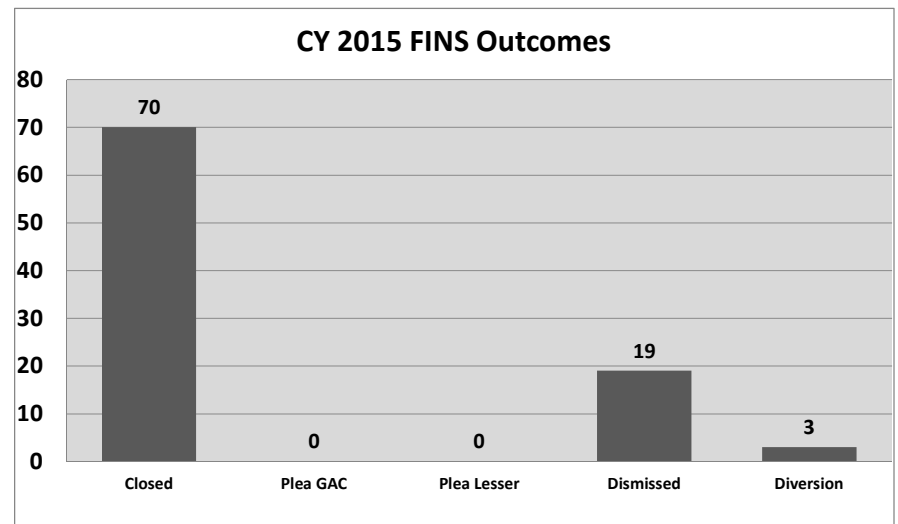
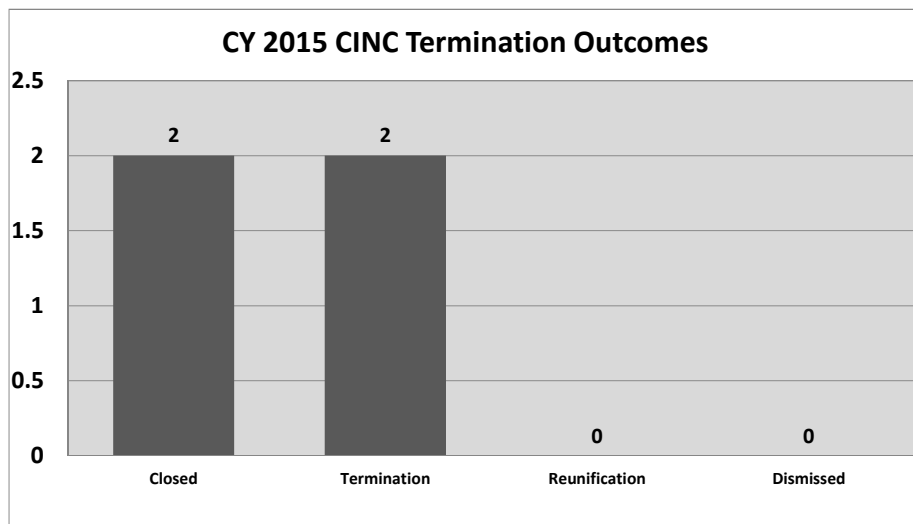
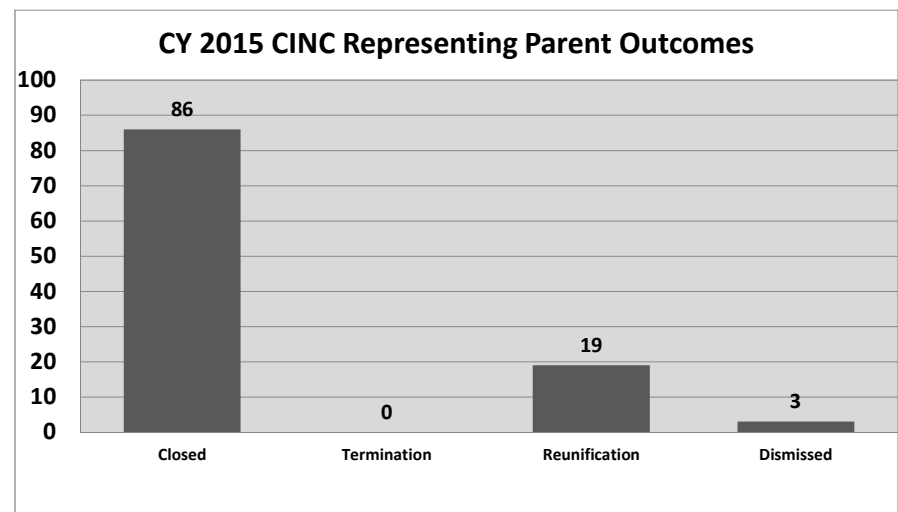
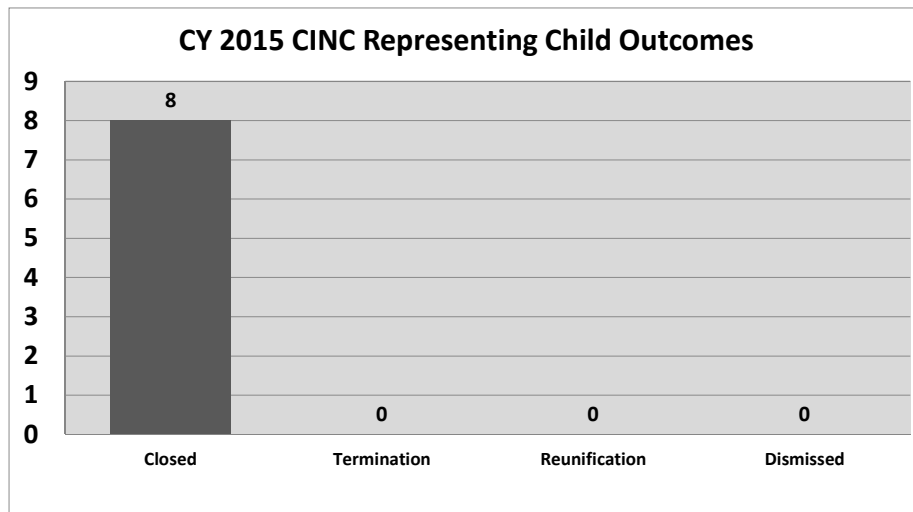
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	23	101	78	101	N/A	N/A	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	10	8	13	23	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	84	86	84	168	0	19	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	0
Termination	2	2	0	2	2	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	98	70	20	118	N/A	N/A	0	0	19	3	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	221	156	100	321	N/A	N/A	10	2	99	21	N/A	N/A	0	1	1
Delinquency Felony	101	85	49	150	N/A	N/A	17	1	95	24	N/A	N/A	0	0	0
Delinquency-Life	1	1	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	1	2	0	1	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	1217	1169	455	1672	N/A	N/A	248	22	309	12	0	0	1	2	3
Adult Felony Non-LWOP**	2025	1844	1435	3460	N/A	N/A	693	177	881	171	3	3	1	3	10
Adult LWOP	30	14	21	51	N/A	N/A	12	4	11	6	0	0	1	0	1
Capital***	2	1	2	4	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	46	82	42	88	N/A	N/A	5	2	9	0	N/A	N/A	N/A	N/A	0
PCR	0	7	12	12	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	6	6
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

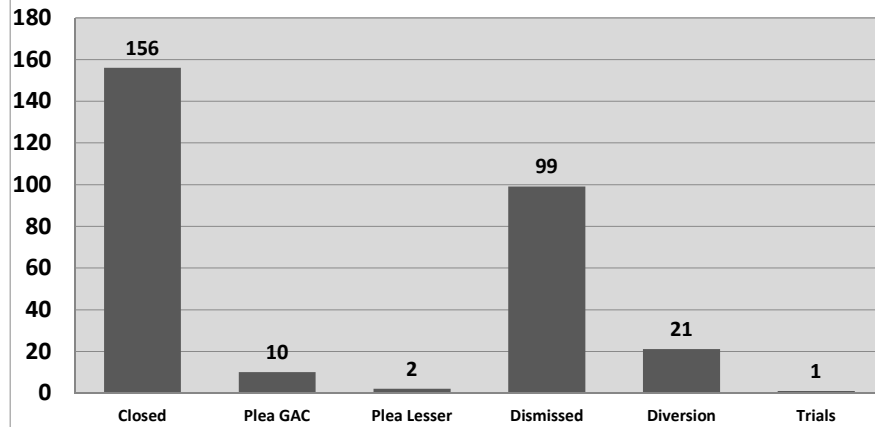
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

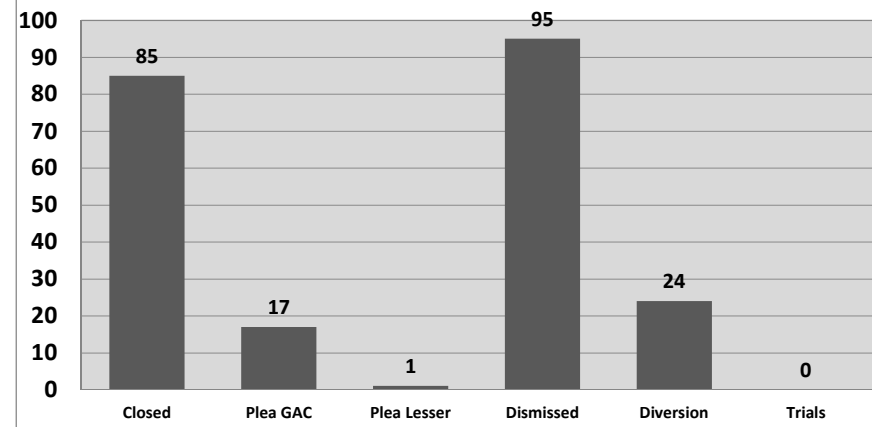
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



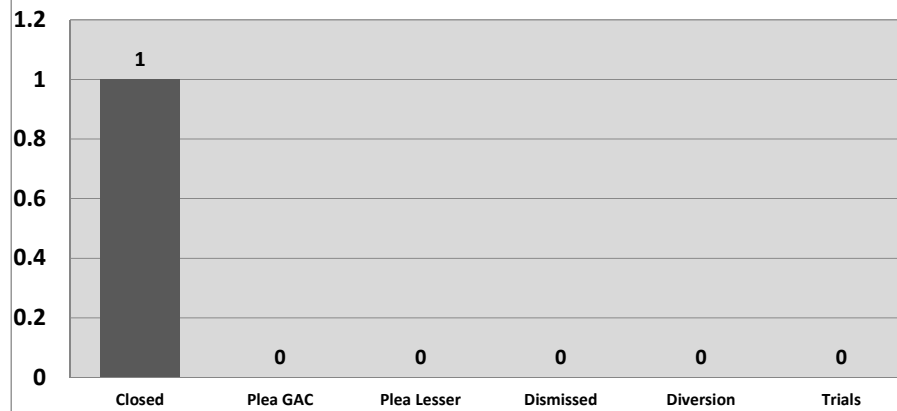
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



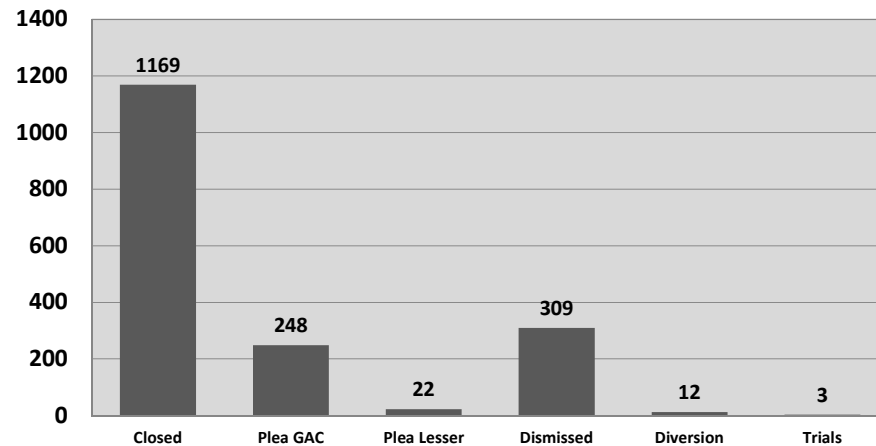
**CY 2015 Delinquency Felony-Grade Outcomes**



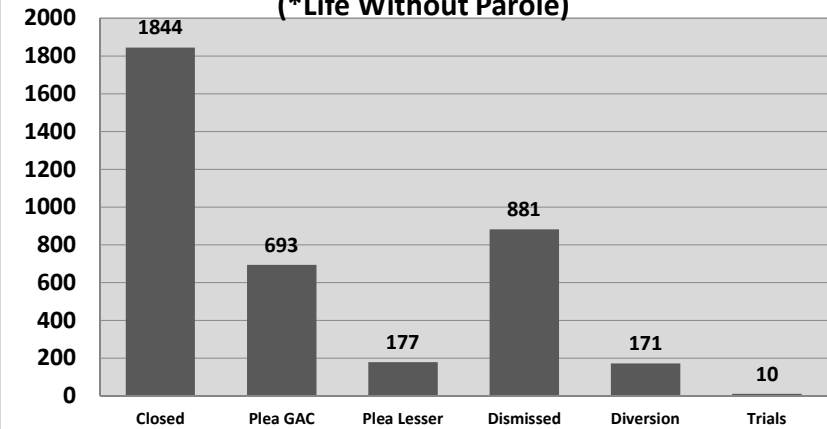
**CY 2015 Delinquency Life Outcomes**



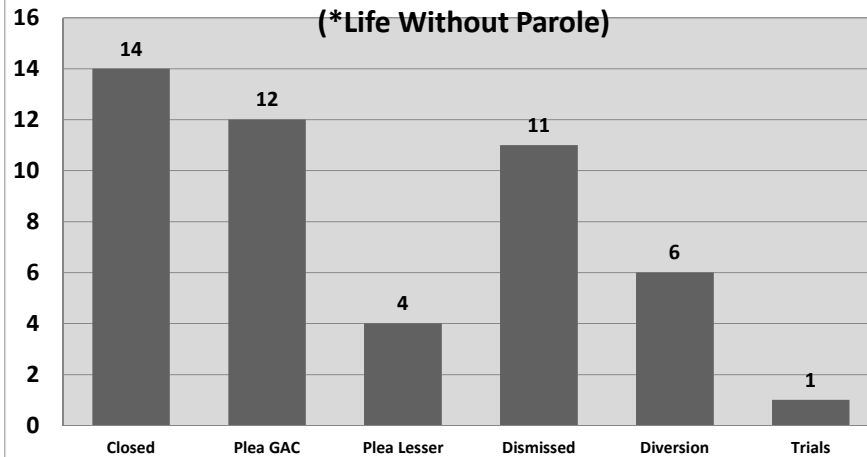
**CY 2015 Adult Misdemeanor Outcomes**



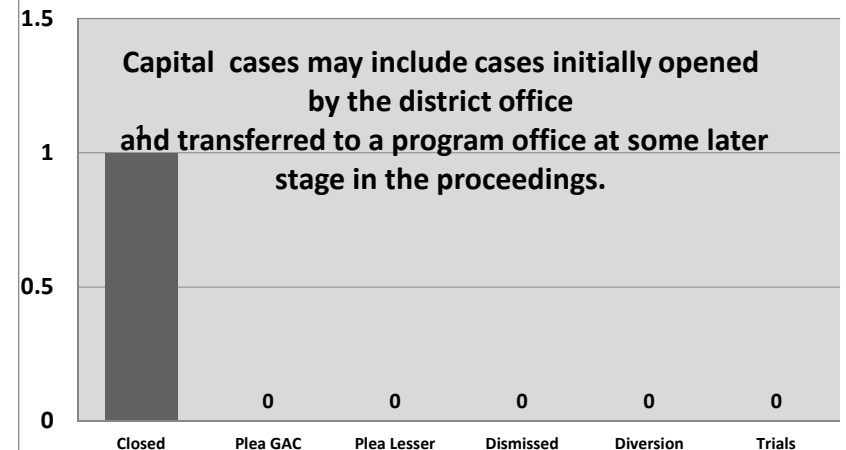
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**



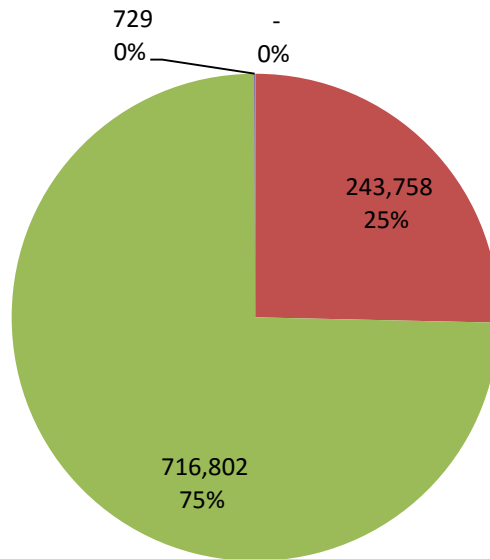


District 23 CY2015	Total CY2015
<b>District Defender: Alan Robert</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	19,712
District Assistance Fund (DAF)	191,997
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	32,049
Total for State Government	243,758
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	126,379
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	482,607
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	90,700
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	573,307
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	15,437
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	1,680
Total for Charges For Services	17,117
Total for Local Government	716,802
Investment Earnings	
Interest Income	729
Other Investment Income - List source(s)	-
Total for Investment Earnings	729
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	-
Total for REVENUE	961,289

District 23 CY2015	Total CY2015
<b>District Defender: Alan Robert</b>	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	228,478
Accrued Leave	-
Payroll Taxes	16,840
Hospitalization and Disability Insurance	30,708
Retirement	-
Other	-
Total for Personnel Services and Benefits	276,025
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	6,993
Total for Travel/Training	6,993
Operating Services	
Advertisements	-
Workers' Compensation	2,596
Insurance - Malpractice	13,194
Insurance - Auto/Physical Liability	2,021
Insurance - Other	2,624
Lease - Office	18,000
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	2,474
Office - Telephone/Utilities/Postage/Internet	7,283
Dues and Seminars	1,292
Law Library/Journals/Subscriptions	4,352
Office Supplies	7,023
Total for Operating Services	60,860
Professional Services	
Audit/Accounting Expense	15,449
Contract Clerical	1,750
Expert Witness	32,408
Investigators	2,439
Interpreters	-
Social Workers	-
Capital Representation	5,979
Conflict	8,729
Contract - Juvenile Attorneys or CINC	26,167
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	674,100
IT/Technical Support	-
Total for Professional Services	767,020
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
Total for EXPENDITURES	1,110,898

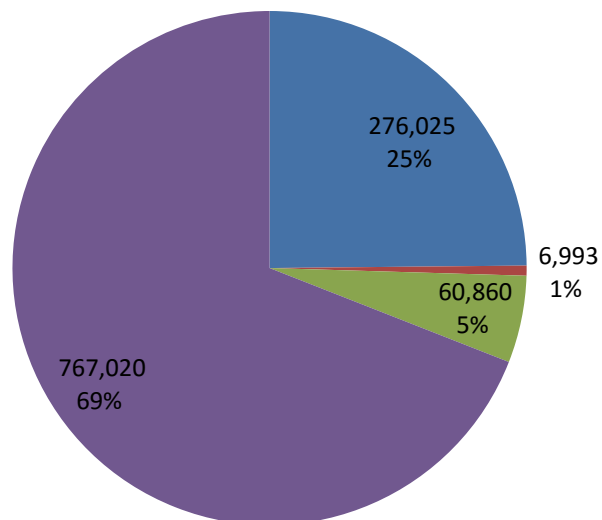
## Total CY15 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





THE 24<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
JEFFERSON (GRETN)

DISTRICT DEFENDER: RICHARD M. TOMPSON  
848 2<sup>ND</sup> STREET, 3<sup>RD</sup> FLOOR  
GRETN, LA 70053  
(504) 364-2824

## 24th JUDICIAL DISTRICT : JEFFERSON PARISH

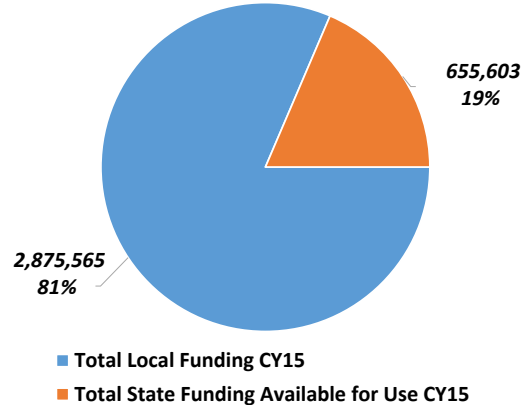
Richard M. Tompson  
District Defender  
848 2nd Street, 3rd Floor  
Gretna, LA 70053  
504-364-2824

During Calendar Year 2015, the 24th Judicial District Public Defenders Office handled 11,180 cases. The office received \$3,531,168 in total revenues to handle these cases, approximately 81% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

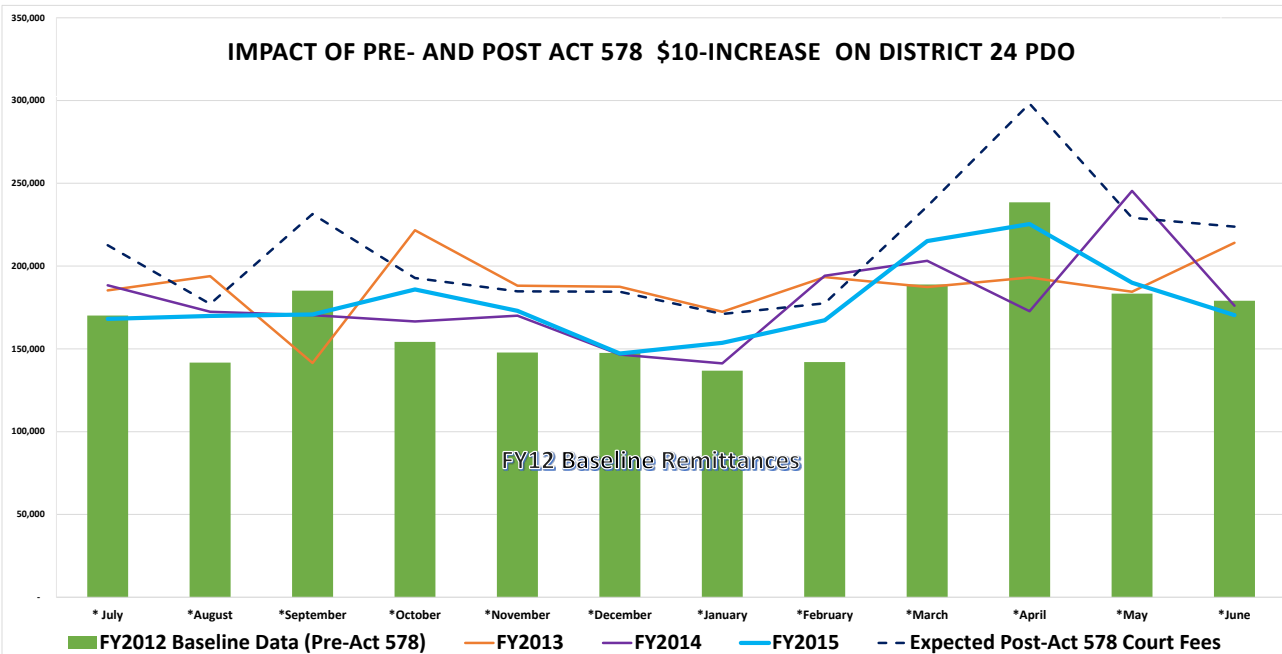
Since the inception of Act 578 (2012), the 25% expected increase in local have failed to materialize more than fifty percent of the time.

The 24th Judicial District Office received a single local bond fees & forfeitures disbursement totalling more than \$275,000 in April which allowed revenues to exceed expenditures during Calendar Year 2015 for the first time in more than six years. It is unclear if this increase represents a one-time occurrence or a shift towards increased revenues for a district that once had a fund balance totalling more than one million dollars.

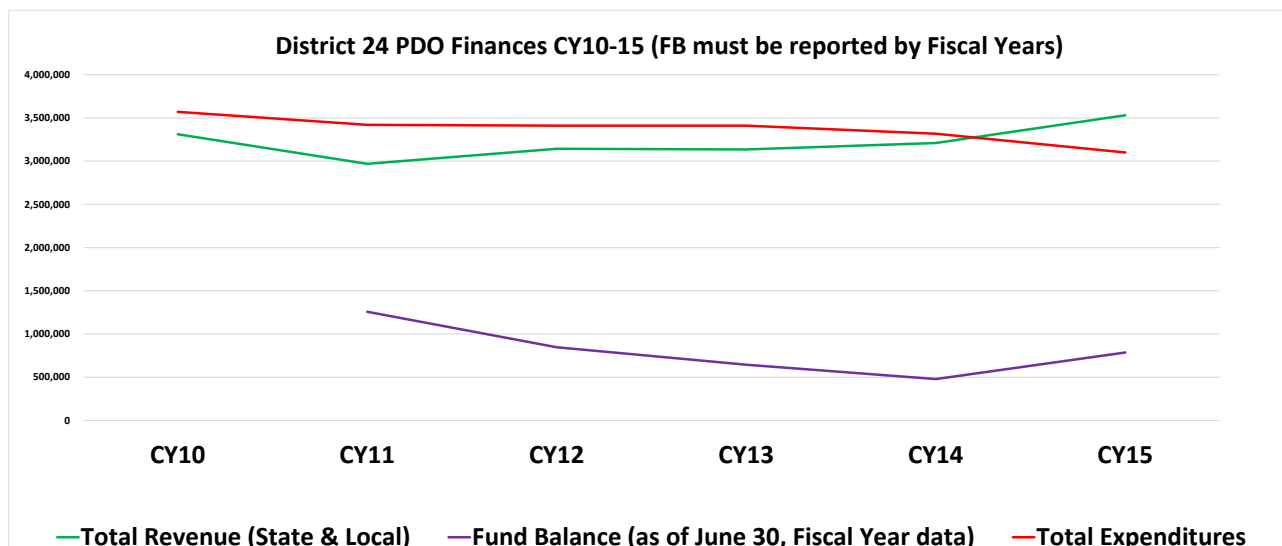
**District 24 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 24 PDO**

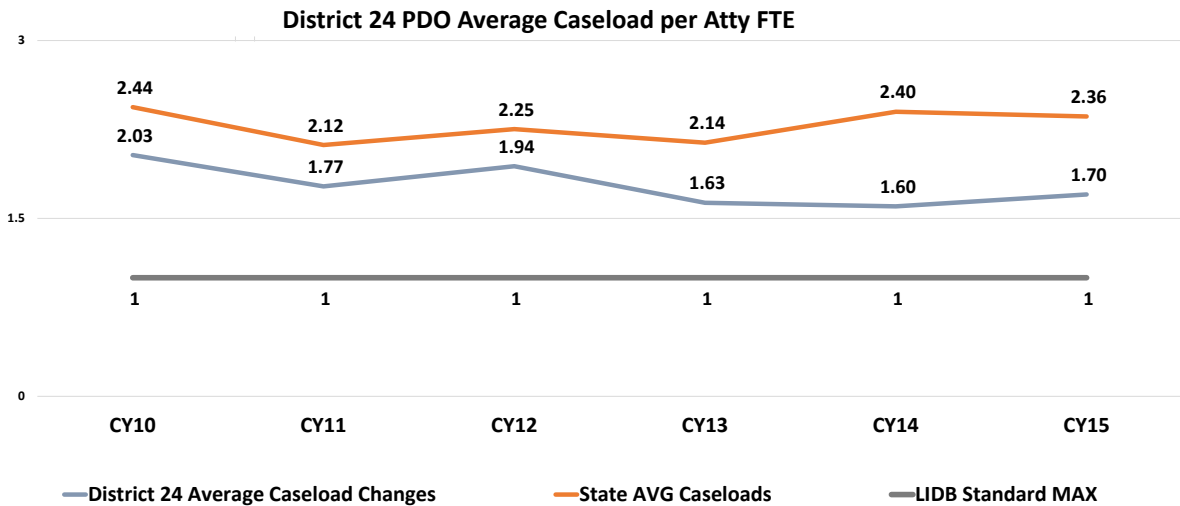


**District 24 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



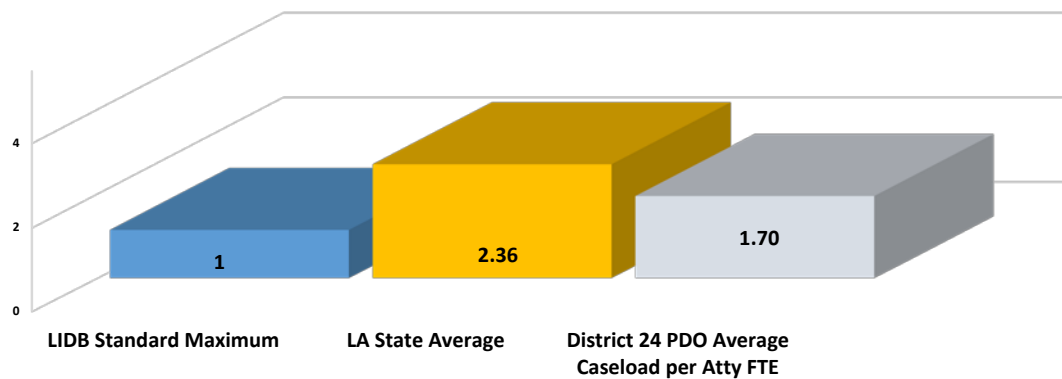
## 24th JUDICIAL DISTRICT : JEFFERSON PARISH

Richard M. Tompson  
District Defender  
848 2nd Street, 3rd Floor  
Gretna, LA 70053  
504-364-2824



In the 24th Judicial District, public defense attorneys maintain caseloads in excess of the recommended caseload limit for each attorney yet below the state average.

**District 24 PDO Average Caseloads Compared to State Average & State Standard Maximums**



### CAPITAL REPRESENTATION

This PDO has capital certified counsel on contract to handle the cases that arise in the district



## THE 24<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Jefferson - Gretna
<b>Population</b>	435,716
<b>Juvenile Population</b>	96,276
<b>District Defender</b>	Richard M. Tompson
<b>Years as District Defender</b>	27
<b>Years in Public Defense</b>	33
<b>Office Manager</b>	Darla Noel
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Nancy Blanda, Clerk.
<b>Primary Office Street Address</b>	848 2nd Street, 3rd Floor
<b>City</b>	Gretna
<b>ZIP</b>	70053
<b>Primary Phone</b>	504-364-2824
<b>Primary Mailing Address</b>	848 2nd Street, 3rd Floor, Gretna, LA 70053
<b>Primary Fax Number</b>	504-364-2852
<b>Primary Emergency Contact</b>	Richard M. Tompson
<b>Primary Emergency Phone</b>	504-554-9723 Cell
<b>Secondary Emergency Contact</b>	Darla Noel
<b>Secondary Emergency Phone</b>	504-463-4527
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	First Parish Court, 924 David Dr., Metairie, LA 70003; 504-736-8980; Juvenile Court, 1546 Gretna Blvd., Harvey, LA 70058; 504 367-3500 Ext. 327.
<b>Other District Office Contact Personnel (Primary Only)</b>	Juvenile Court-Stacy Rando.
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Julie Greenberg
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$4,250 monthly rent.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	In house.
<b>Courts and Locations</b>	24th JDC, 200 Derbigny St., Gretna, LA 70053; 1st Parish Court, 924 David Dr., Metairie, LA 70003; 2nd Parish Court, 100 Huey P. Long Ave., Gretna, LA 70053; Juvenile Court, 1546 Gretna Blvd., Harvey, LA 70058; Kenner Court, 1801 Williams Blvd., Kenner.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	24th JDC-16 Commissioner Court-1 1st Parish-2 ; 2nd Parish-2 Juvenile Court-3 City Courts-1.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	The PD assigned to the Magistrate Court is appointed by the Magistrate Judge to all in-jail clients who are qualified. The MPD represents clients until Arraignment. At Arraignment the Commissioner Court orders PDO appointment and Office Staff makes appropriate appointment.
<b>Name of Adult Detention Facilities in This District</b>	Jefferson Parish Correctional Center
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Name of Juvenile Detention Facilities In This District</b>	Rivarde Detention Center
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	The Jefferson Parish Sheriff's Office stated that they are having severe staffing problems which has limited the number of prisoners kept at the local jail. This staffing problem also gives rise to other issues regarding visitation by private investigators. Therefore, they instituted a rule by which the investigators will not be allowed into the jail without the presence of the attorney who is assigned to that defendant. My first impulse was to attempt to institute some type of legal action, however I consider this a blessing in disguise in that it is requiring lawyers to visit the jail more frequently. Other than the usual delays, the attorneys themselves have no problems having access to their clients in jail.
<b>District Attorney</b>	Paul Connick, Jr.
<b>Chief Judge of Criminal District Court</b>	Judge Cornelius Regan
<b>Juvenile Court Judges (Specify District or City Court)</b>	Baron Burmaster, Ann Keller, Andrea Janzen
<b>Drug Court Judges</b>	June Darensburg & Cornelius Regan
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	Drug Court, DWI Court, Veterans Court and Re-Entry Court.
<b>Name of Specialty and Brief Description:</b>	These courts are basically treatment courts for defendants charged with drug offenses and DWI. Veterans Court provides special attention to defendants who are Veterans. Re-Entry Court provides an avenue and training for inmates to re-enter society after a minimum sentence is served.
<b>Indigency Determined by Whom and How?</b>	If incarcerated, by Magistrate Judge at 72 hour hearing. If on bond, at arraignment by Commissioner at Commissioner Court.



<b>When is Assignment/Appointment of Counsel Made?</b>	Magistrate orders appointment of Magistrate PD at 72 hour hearing, then Commissioner, at arraignment, orders PDO appointment for both in-jail and out-of-jail clients.
<b>What steps does your office take to ensure conflict – free representation</b>	Upon entering a client, our data system alerts us if a docket number already exists. At that time we are able to choose another attorney that is not affiliated with that case.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Staff enters appointments into PDO system and provides client with a "Cover Sheet" which provides information on attorney and contact information.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	No
<b>Brief Explanation of Intake Process</b>	In-jail: Commissioner PD provides info on appointments from arraignment docket. Out-of-jail: Commissioner orders defendant to come to office and make application, after determining if defendant qualifies.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	8,498
<b>How Many Application Fees Were Waived?</b>	5221
<b>How Many Application Fees Were Reduced?</b>	7
<b>Total Application Fee Dollars Collected in 2015</b>	55,107
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	2,204,837
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	We hope that the courts do assess a court cost in every case but realistically we "know" that Judges waive costs on certain cases. We presently lack the ability to quantify the cases in which fees are waived.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	None
<b>Who Collects the Assessed Court Fees?</b>	Jefferson Parish Sheriff's Office collects all court costs and fees and then they make distribution to the appropriate entities.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	1st and 2nd Parish and the City of Kenner.
<b>Who Remits the Court Fees Collected?</b>	Jefferson Parish Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Judges order arbitrary amounts.

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Reports from Sheriff does not segregate partial payments collected.
<b>Who Collects the Assessed Partial Payments?</b>	JPSO provides a report showing amount of court collected.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	JPSO
<b>Who Remits the Partial Payments Collected?</b>	All court cost fees are collected and remitted by JPSO.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None other than general statement of fees collected.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	Partial Indigence Payments not reported separately, therefore cannot give amounts. Estimate would be that amount would be small.
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	This is provided for in their contract.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	The attorney assigned to 1st Parish Court was elected to Bench and we now reassigned one of our bi-lingual attorneys to represent the clients in 1st Parish Court.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	We lost an additional 4 lawyers from the District Court. 1 of these lawyers was subsequently hired for the Special Drug Court. No new hires were made to replace the 4 District Court positions.
<b>Immediate Critical Issue Areas</b>	We have no critical issues at this time.
<b>Long-Term Critical Issue Areas</b>	We are anticipating that the funding for our office in the coming year will not be sufficient to maintain the present level of services. One of the solutions would be a reduction in services program.
<b>Please List All New Hires in 2015 (Name and Title)</b>	Aubrey Harris (replaced Jacque Touzet, Jesse Beasley (replaced Thomas Schexnayder and Lydia Casiano (added to Commissioner Court). They are all part-time contract attorneys.
<b>Please List All Promotions in 2015 (Name and Title)</b>	Paul Fleming-Deputy District Defender
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	0
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	CLE and in-service training and mentoring.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No

<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	The new Deputy District Defender now assumes a supervisory role under the District Defender.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	Yes, Paul Fleming-Deputy District Defender.
<b>Please Attach Your Office Organizational Chart</b>	The new Deputy District Defender now assumes a supervisory role under the District Defender.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Medical benefits are no longer provided.
<b>Regular Meetings for Any Staff, Please Describe</b>	No
<b>Number of NEW capital cases in CY15 handled by your office</b>	4
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	1
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2015</b>	We do not file writs on final judgments, i.e. rules to revoke, misd. convictions. Attorneys do file writs during course of handling cases, but Data System cannot capture this number.
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	Not available.
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None. If a case is transferred from Juvenile Court, a district court attorney who handles felony cases is appointed to represent the juvenile.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	List provided separately.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Fully operational e-filing system for the filing of Pre-trial motions.

<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
John Benz	504-361-8330
Marcy Bleich	504-400-4845
Graham Bosworth	504-528-9500
Letita Davis	504-913-0643
Andrew Duffy	504-621-1475
Paul Fleming	504-432-5534
Matthew Goetz	504-388-6153
Raul Guerra	504-443-2000
Lisa Harell	504-908-4294
Alex Lambert	504-259-5827
Denise Larson	504-481-3437
Jessica Mullay	504-258-7294
Marquita Naquin	504-256-7020
Joseph Perez	504-367-9999
Elizabeth Toca	504-439-8151
Richard M. Thompson	504-554-9723
Cesar Vazquez	504-465-0908
George Vedros	504-473-8328
Frazilia Wiggins	504-460-9936
Jarmel Williams	504-223-1299
Lindsey Williams	504-908-5879
Powell Miller	504-920-4897
Michael Somoza	504-265-9880
Autumn Town	504-528-9500
Scott, Brad	504-782-0026
Laurence, Annie	504-940-8475
Bowman, Nelson	504-858-4082
Friedberg, Anna	504-444-8557
Cimino, Cindy	504-302-8386
Beasley, Jesse	504-312-8464.
Harris, Aubrey	504-233-8118
Casiano, Lydia	504-481-1607
Womble, Jennifer	504-780-1630
Bourg, Renee	504-495-5891
Gilmore, Molly	504-345-9646.
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Darla Noel	504-364-2824
Nancy Blanda	504-364-2820
Lisa Leblanc	504-415-9036

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Darla Noel
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	x
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	3
DVD	1
VCR	
Desktop PCs	11
Laptops	39
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	9
Color Printers	1
Wireless Cards	1
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	10 Mbps x 2 Mbps
Provider Name:	Cox
Email Provider:	Cox
Please list any software or computer equipment in which you need training:	

## 24th District Defender Office CY 2015 Caseloads & Outcomes

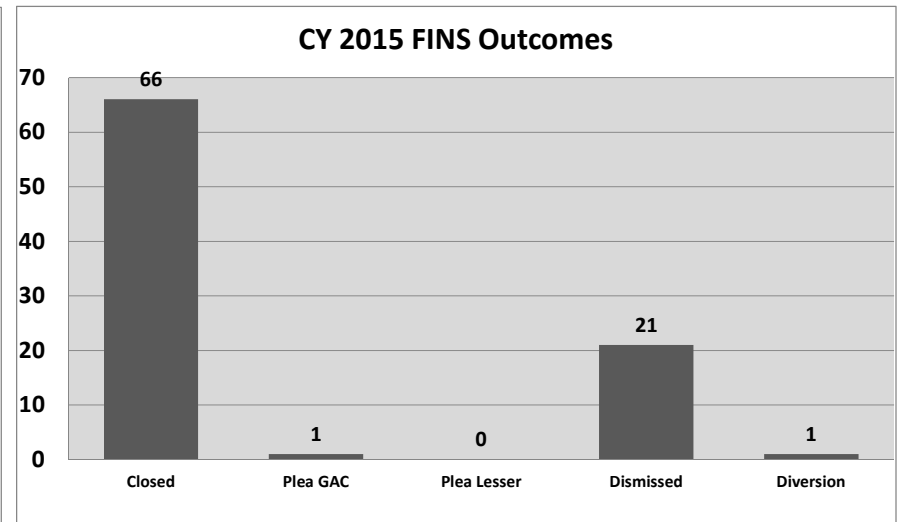
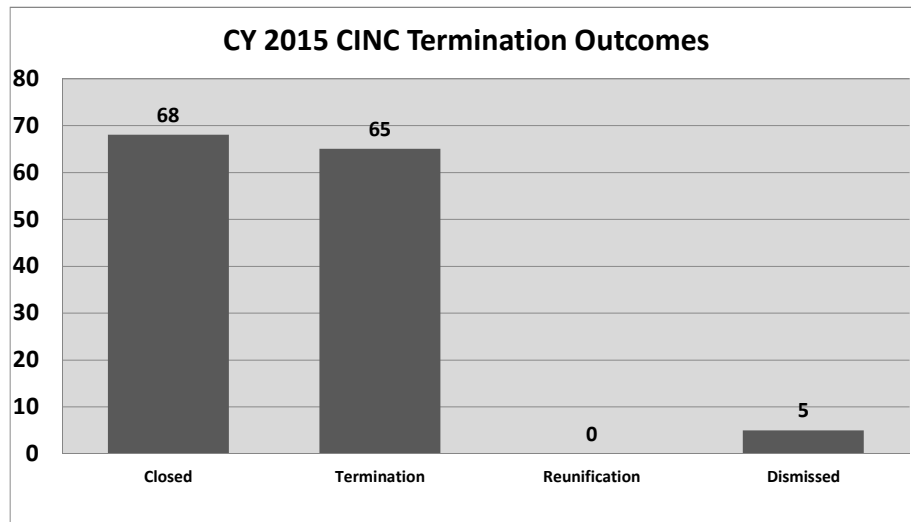
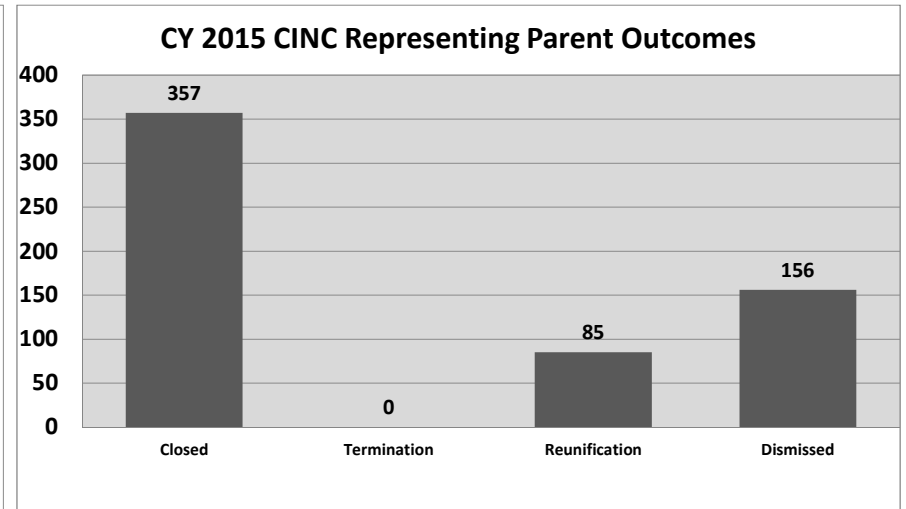
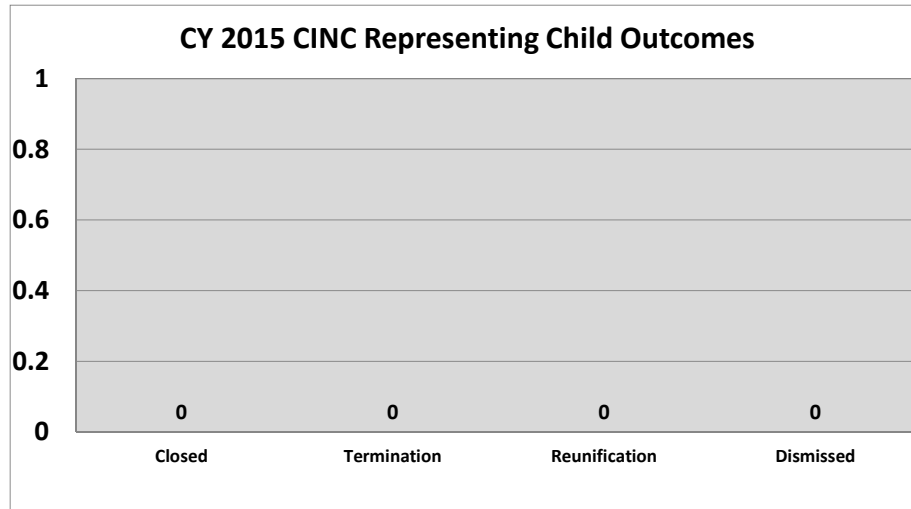
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	351	357	188	539	0	85	N/A	N/A	156	N/A	N/A	N/A	N/A	N/A	0
Termination	62	68	18	80	65	0	N/A	N/A	5	N/A	N/A	N/A	N/A	N/A	0
FINS	70	66	23	93	N/A	N/A	1	0	21	1	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	251	281	127	378	N/A	N/A	144	31	202	92	N/A	N/A	3	10	13
Delinquency Felony	209	194	75	284	N/A	N/A	103	37	121	60	N/A	N/A	6	8	14
Delinquency-Life	0	1	1	1	N/A	N/A	0	0	1	0	N/A	N/A	0	0	0
Juvenile Revocations	1	1	0	1	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	3787	3006	1216	5003	N/A	N/A	2500	243	1414	76	0	0	3	10	13
Adult Felony Non-LWOP**	3643	3786	956	4599	N/A	N/A	2257	297	659	2	3	14	16	10	43
Adult LWOP	21	17	33	54	N/A	N/A	4	4	3	0	1	5	0	0	6
Capital***	4	2	1	5	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	91	363	37	128	N/A	N/A	0	0	2	0	N/A	N/A	N/A	N/A	0
PCR	5	6	10	15	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	3	4
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

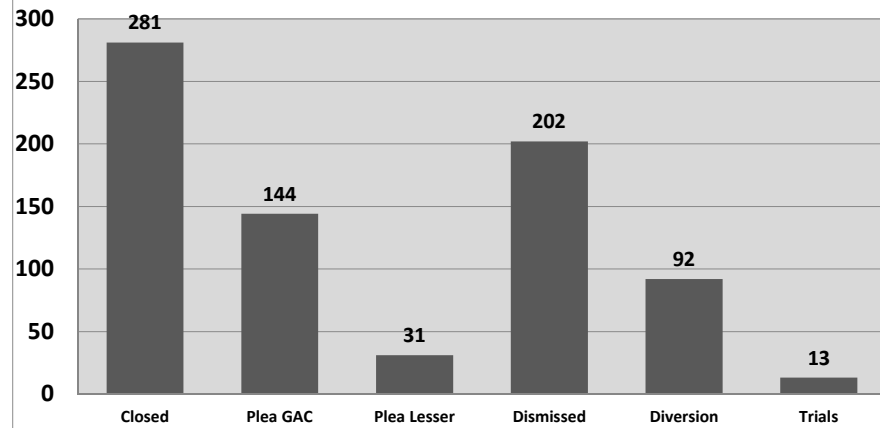
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

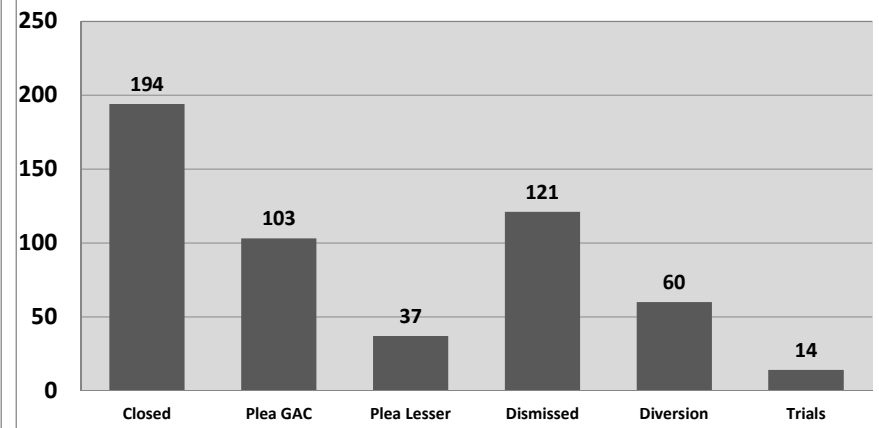




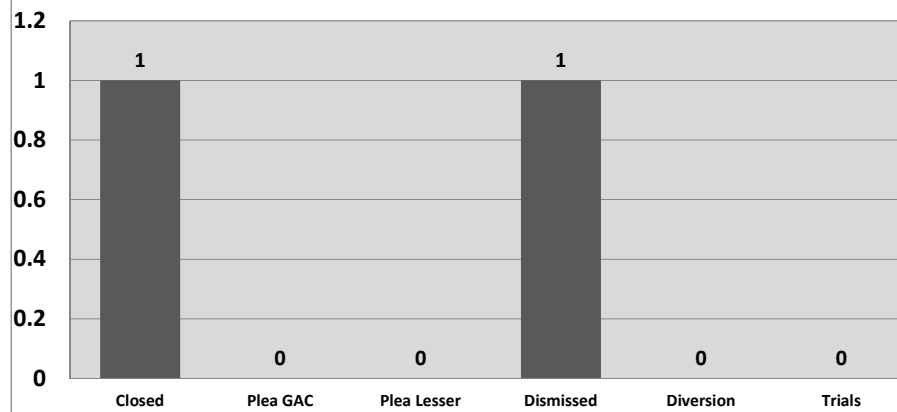
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



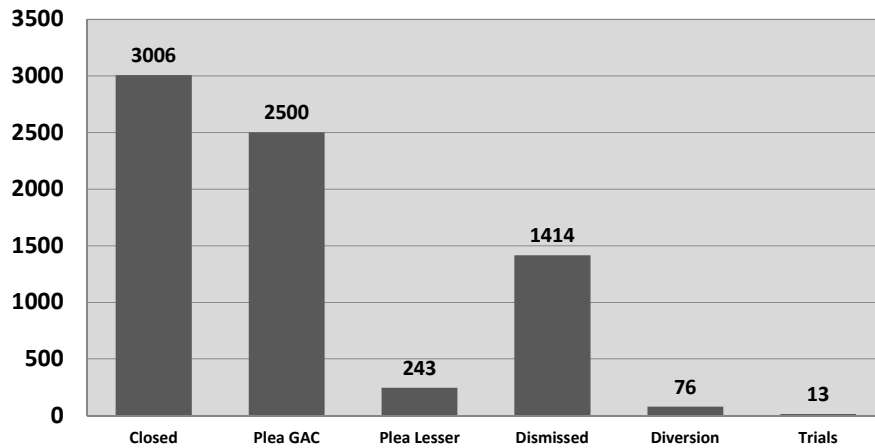
**CY 2015 Delinquency Felony-Grade Outcomes**



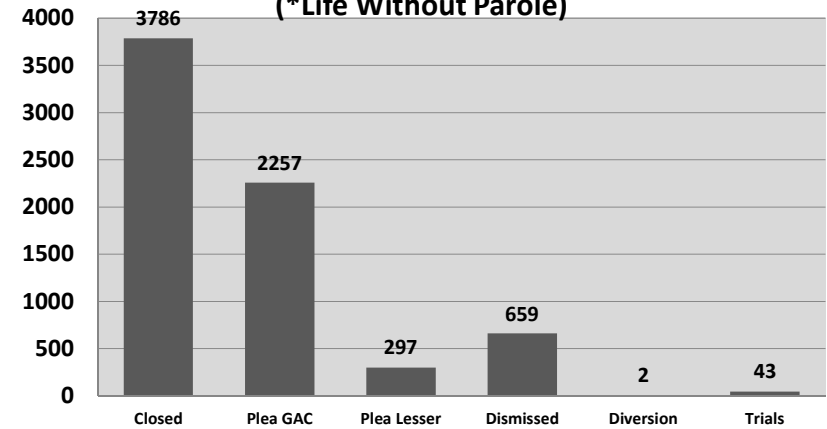
**CY 2015 Delinquency Life Outcomes**



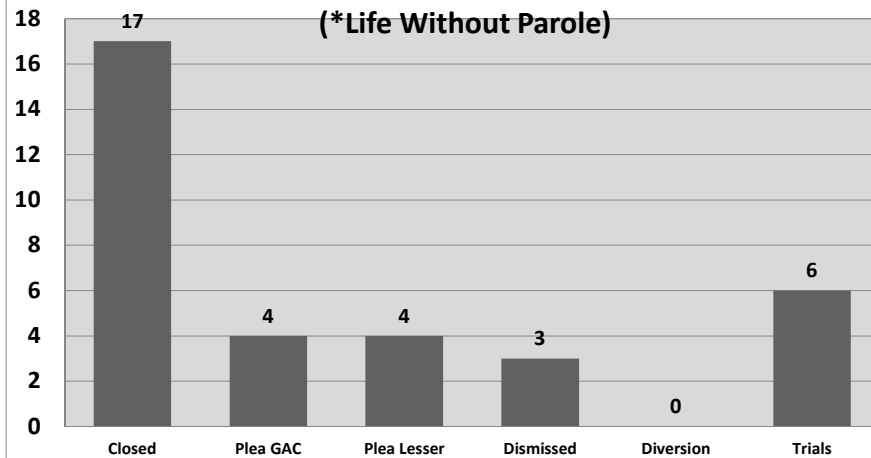
**CY 2015 Adult Misdemeanor Outcomes**



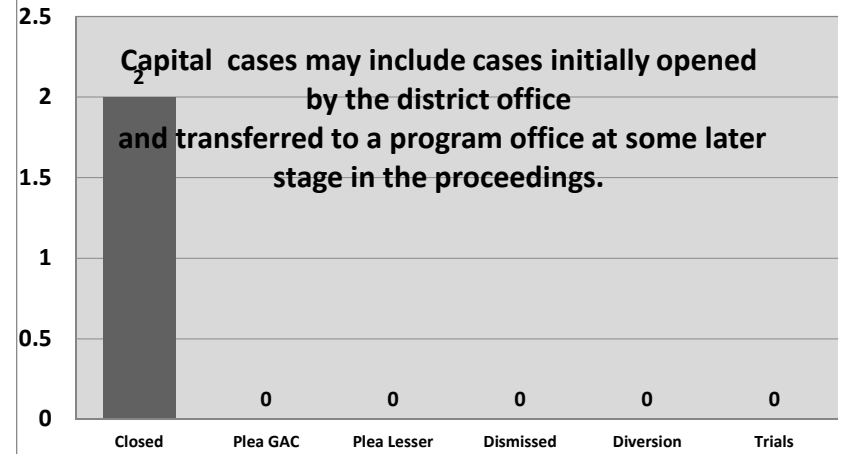
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

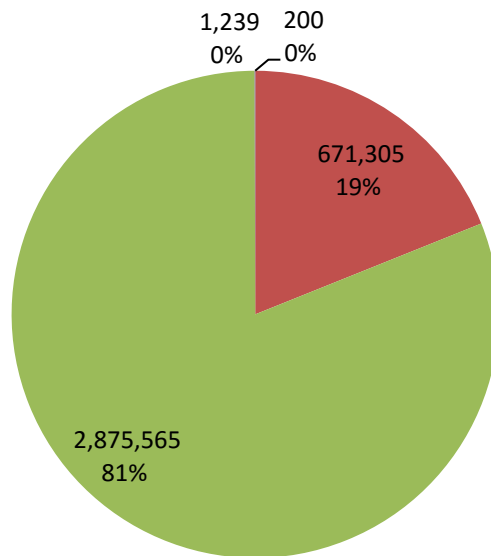


District 24 CY2015	Total CY2015
<b>District Defender: Richard Tompson</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	55,996
District Assistance Fund (DAF)	608,916
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	6,393
Total for State Government	671,305
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	587,140
Traffic Camera	-
Grants	25,000
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	713,993
Judicial District Courts	147,674
Juvenile Court	34,603
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	1,308,567
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	2,204,837
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	55,107
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	3,482
Other Local Income -List source(s)	-
Total for Charges For Services	58,589
Total for Local Government	2,875,565
Investment Earnings	
Interest Income	1,239
Other Investment Income - List source(s)	-
Total for Investment Earnings	1,239
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	200
Total for Other Sources (Grants & Contributions)	200
Total for REVENUE	3,548,309

District 24 CY2015	Total CY2015
<b>District Defender: Richard Tompson</b>	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	185,856
Accrued Leave	-
Payroll Taxes	1,800
Hospitalization and Disability Insurance	-
Retirement	22,232
Other	-
Total for Personnel Services and Benefits	209,888
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	1,187
Total for Travel/Training	1,187
Operating Services	
Advertisements	4,905
Workers' Compensation	-
Insurance - Malpractice	30,444
Insurance - Auto/Physical Liability	-
Insurance - Other	3,394
Lease - Office	53,100
Lease - Auto/Equipment	7,715
Lease - Other	-
Office Repair and Maintenance	6,211
Office - Telephone/Utilities/Postage/Internet	21,857
Dues and Seminars	8,457
Law Library/Journals/Subscriptions	-
Office Supplies	10,692
Total for Operating Services	146,775
Professional Services	
Audit/Accounting Expense	38,400
Contract Clerical	2,494
Expert Witness	26,862
Investigators	68,041
Interpreters	3,920
Social Workers	-
Capital Representation	145,411
Conflict	-
Contract - Juvenile Attorneys or CINC	385,736
Misdemeanor Attorney Contracts	121,148
Contract Attorneys - all other	1,933,814
IT/Technical Support	6,471
Total for Professional Services	2,732,298
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	10,316
Total for Other Charges	10,316
Total for EXPENDITURES	3,100,464

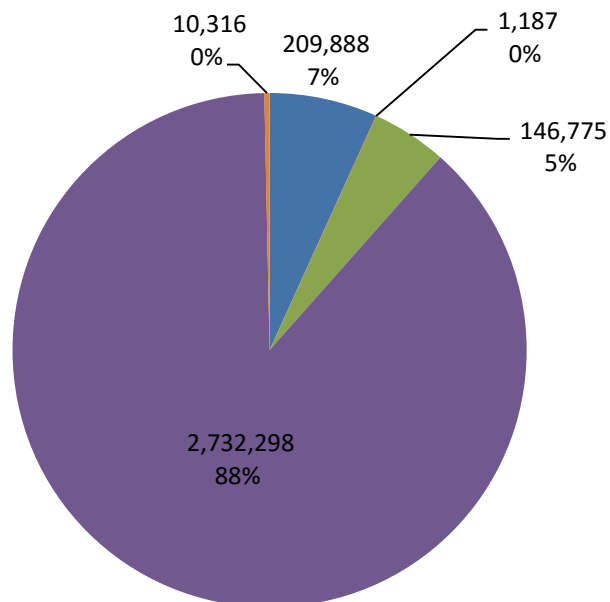
## Total CY15 Revenues

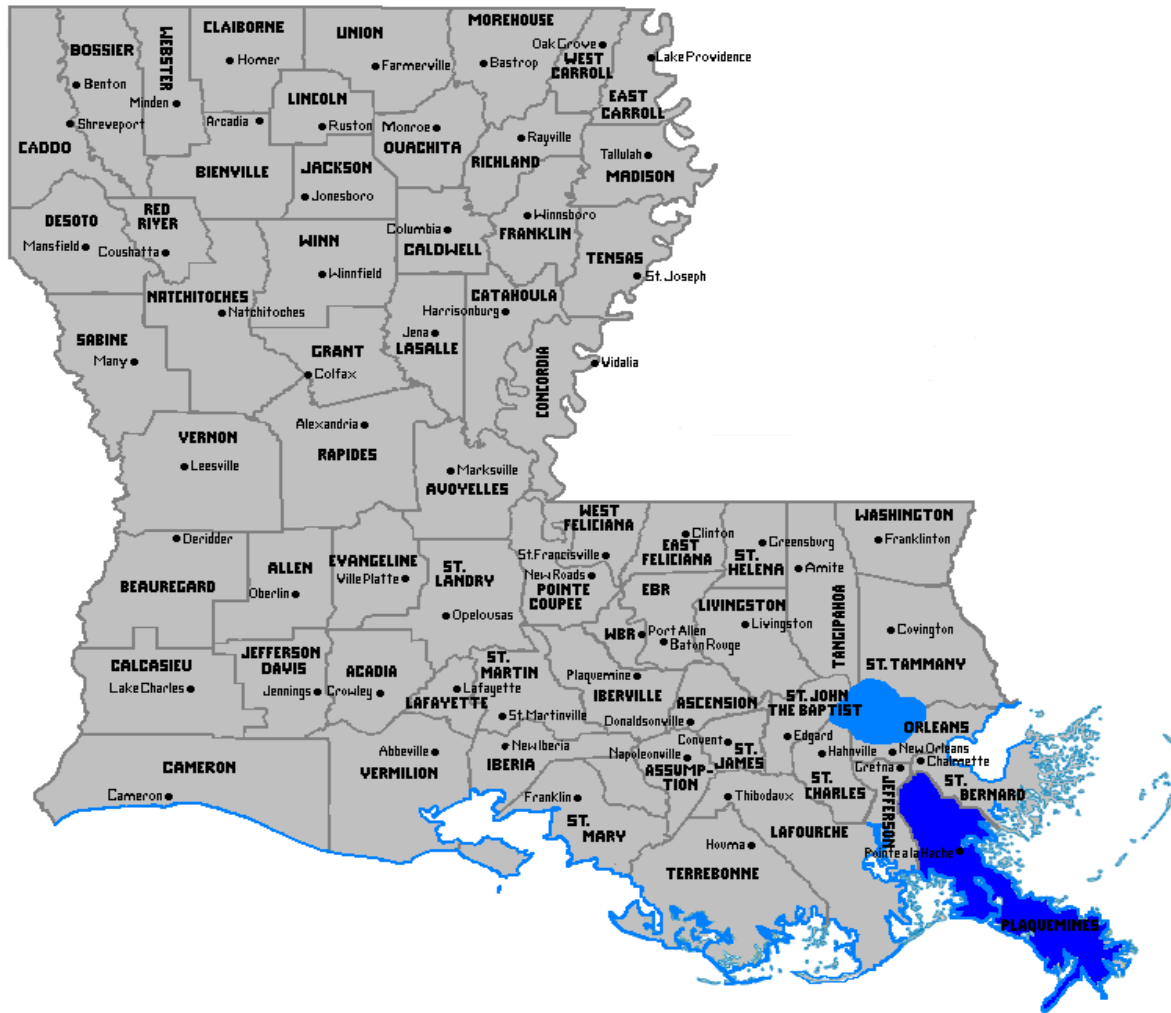
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





THE 25<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
PLAQUEMINES (POINT-A-LA-HACHE)

DISTRICT DEFENDER: MATTHEW ROBNETT  
208 AVENUE G.  
BELLE CHASSE, LA 70037  
(504) 297-5236

## 25TH JUDICIAL DISTRICT : PLAQUEMINES PARISHES

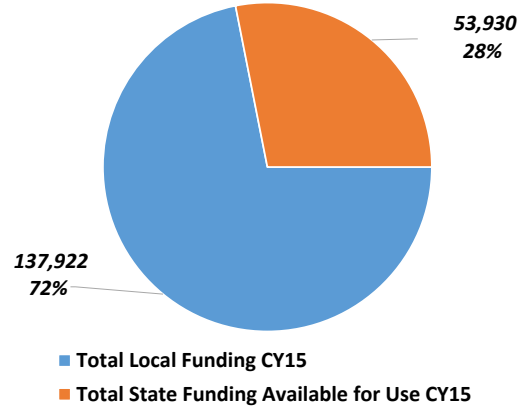
Matthew Robnett  
District Defender  
208 Avenue G  
Belle Chasse, LA 70037  
504-297-5236

During Calendar Year 2015, the 25th Judicial District Public Defenders Office handled 1,113 cases. The office received \$191,852 in total revenues to handle these cases, approximately 72% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

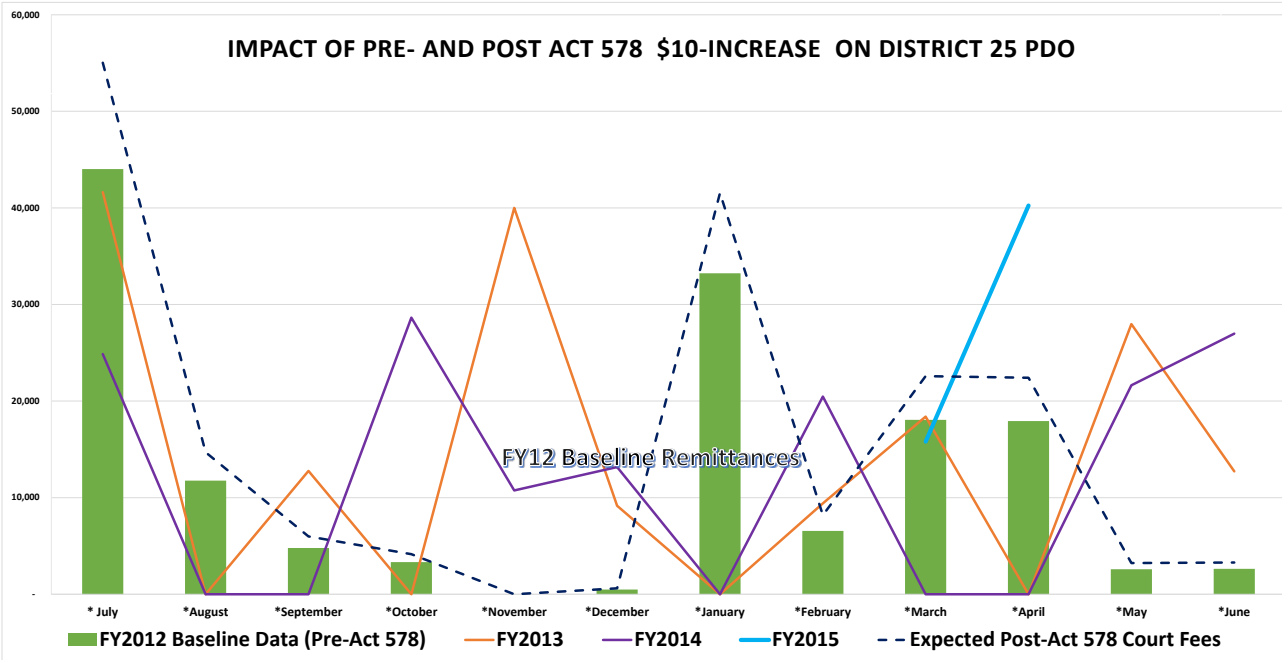
Since the inception of Act 578 (2012), local revenues associated with court costs have been unstable and erratic apparently due to irregular remittance schedules as shown in the graph below. Revenues have often fallen below the 25% expected increase and then again exceeded it with no apparent pattern.

The 25th Judicial District office has nearly exhausted its fund balance as the office's expenditures exceed the office's revenues. Insufficient personnel and fiscal resources forced the 25th Judicial District office to begin restricting services September 2015.

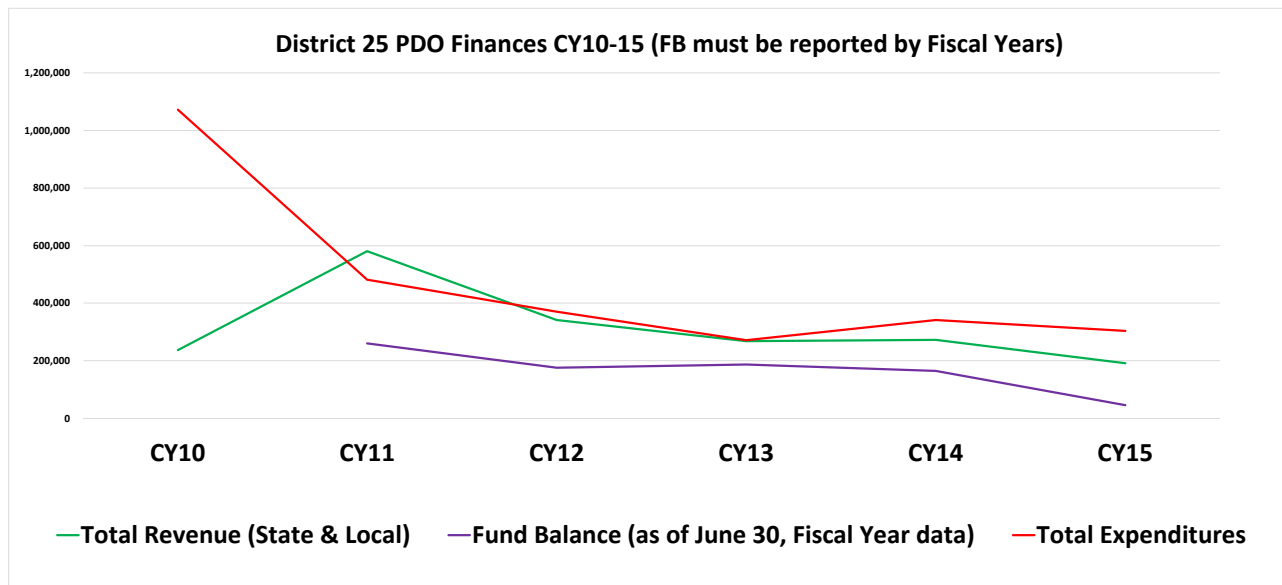
**District 25 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 25 PDO**

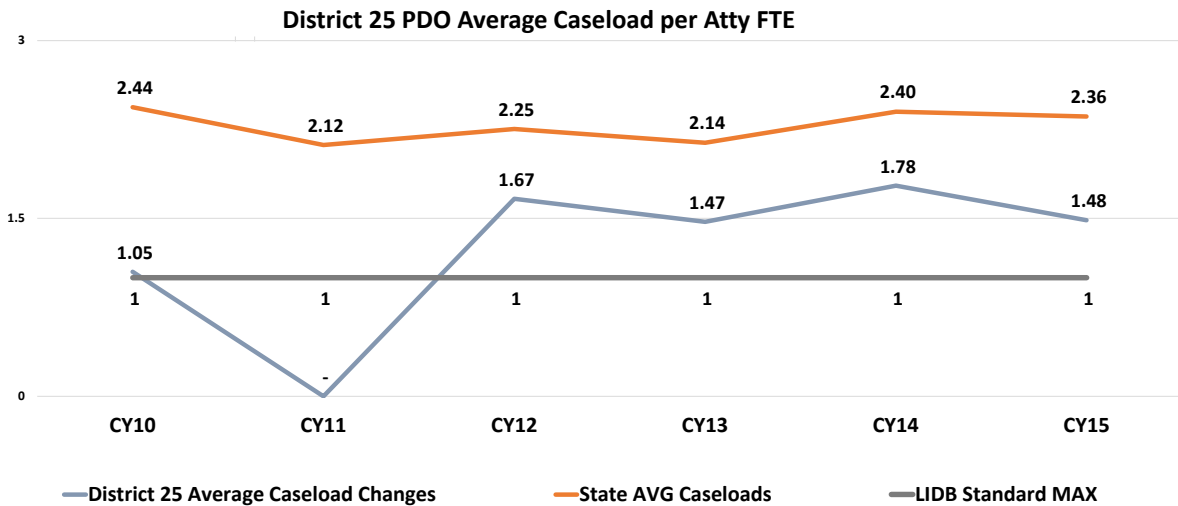


**District 25 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



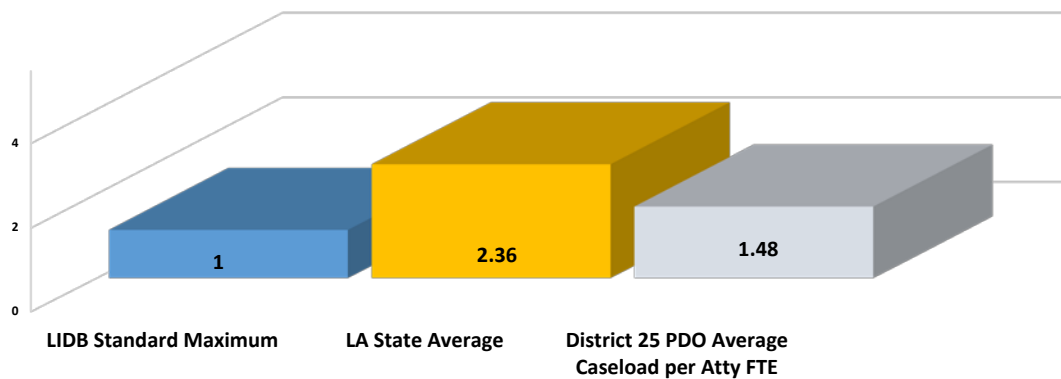
## 25TH JUDICIAL DISTRICT : PLAQUEMINES PARISHES

Matthew Robnett  
District Defender  
208 Avenue G  
Belle Chasse, LA 70037  
504-297-5236



In the 25th Judicial District, public defense attorneys maintain caseloads in excess of the recommended caseload limit for each attorney yet below the state average.

**District 25 PDO Average Caseloads Compared to State Average & State Standard Maximums**



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.





## THE 25<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Plaquemines Parish
<b>Population</b>	23,447
<b>Juvenile Population</b>	6,260
<b>District Defender</b>	Matthew Robnett
<b>Years as District Defender</b>	2 years 8 months
<b>Years in Public Defense</b>	10
<b>Office Manager</b>	Mandy Buie
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Mandy Buie-Office Manager, Matthew Robnett-Chief Defender, Clarke Beljeau-Staff Attorney, Keith Rovira-CPA.
<b>Primary Office Street Address</b>	208 Avenue G
<b>City</b>	Belle Chasse
<b>ZIP</b>	70037
<b>Primary Phone</b>	504-297-5236
<b>Primary Mailing Address</b>	208 Avenue G, Belle Chasse, LA 70037
<b>Primary Fax Number</b>	504-297-5297
<b>Primary Emergency Contact</b>	Matthew Robnett
<b>Primary Emergency Phone</b>	504-421-1053
<b>Secondary Emergency Contact</b>	Mandy Buie
<b>Secondary Emergency Phone</b>	504-329-6228
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Plaquemines Parish Government
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	None
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	No, Keith Rovira
<b>Courts and Locations</b>	Division "A" ;Division "B"; Juvenile Court and Adult Drug Court - 201 Main Street, Suite 15, Belle Chasse, LA 70037 450 F. Edward Hebert Blvd., Belle Chasse, LA 70037
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Division "A" ;Division "B"; Juvenile Court and Adult Drug Court.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Magistrate is held Monday, Wednesday and Friday. An attorney from this office attends all hearings. Judge questions defendant to inquire as to their representation and gives them the option of a PDO attorney. PDO attorney interviews defendant for qualification purposes. If they qualify, the questionnaire is brought back to the office. Assignment of cases are rotated between all Attorneys.
<b>Name of Adult Detention Facilities in This District</b>	Plaquemines Parish Detention Center: 16801 Hwy 15, Davant, LA 70046.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	St. Bernard Detention Facilities.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Due to a lack of funding, the office is currently understaffed. This creates the problem of a lack of resources to represent clients in distant facilities.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Juveniles are often transported in shackles if in custody. Once transported, Judge will generally order shackles to be removed or deputy will remove at attorney's request.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Our Detained Clients are housed at Plaquemines Parish Prison in Davent, LA. This sometimes makes it very difficult to drive the two hour round trip to access our Detained Clients.
<b>District Attorney</b>	Charles Ballay
<b>Chief Judge of Criminal District Court</b>	Judge Michael D. Clement "B"
<b>Juvenile Court Judges (Specify District of City Court)</b>	Judge Michael D. Clement Division "B"
<b>Drug Court Judges</b>	Yes, Kevin Conner Division "A"
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Office personnel determine eligibility based on the 2013 Federal Poverty Guidelines.
<b>When is Assignment/Appointment of Counsel Made?</b>	After magistrate hearings or any other court hearing date.
<b>What steps does your office take to ensure conflict – free representation</b>	Review initial reports at magistrate bond setting for obvious conflict. Attorneys then self-report conflicts as they arise. If funds are available, outside conflict counsel is retained. If not, Client is put on a waiting list maintained in accordance with ROS standards.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Attorneys
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes

<b>Brief Explanation of Intake Process</b>	Before the Judge comes to the court the PDO interviews all the clients and determines whether they qualify. I complete all the information sheet that contains questions we need for the PDO computer and I sign them up. After Judge has completed the magistrate, the attorney located in our office conducts a first jail visit/interview with that client. Client is then taken back to prison unless able to bond out. The attorney in our office answers all questions that need to be answered and provides any additional help that the client needs at this time. The attorney also will typically obtain all the facts from the client on the charges client has been arrested for.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes. By money order only.
<b>How Many Applications for Services Were Received?</b>	654
<b>How Many Application Fees Were Waived?</b>	45
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	4,040
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	102,650
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Monica Nicosia, Finance Dept for Plaquemine Parish Sheriff's Office gives us a written statement of all fees collected.
<b>Who Collects the Assessed Court Fees?</b>	Monica Nicosia
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Monica Nicosia, PPSO Finance gives us an itemized statement of all fees collected, along with the checks made payable to the public defender's office.
<b>Who Remits the Court Fees Collected?</b>	Monica Nicosia, PPSO Finance.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Monica Nicosia, PPSO Finance gives us an itemized statement of all fees collected, along with the checks made payable to the public defender's office.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Client must provide proof of unemployment, disability or hardship to the Court. The Court may reduce or dismiss the fee.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	PDO by money order only.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	PDO by money order only.
<b>Who Remits the Partial Payments Collected?</b>	Client

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	\$0. No one was determined to be partially indigent in 2015.
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Full time Staff Attorneys are not allowed to practice privately.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Funding (Attorney, Investigator)
<b>Was your office in ROS at any time during 2015</b>	Yes, as of December 15, 2015.
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes, prepared ROS plan with assistance from board staff and informed local stakeholders prior to implementing.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Amos Cormier, Contract Attorney
<b>Immediate Critical Issue Areas</b>	Primarily funding to maintain payroll. Secondly to fund conflict cases.
<b>Long-Term Critical Issue Areas</b>	Primarily funding to maintain payroll. Secondly to fund conflict cases.
<b>Please List All New Hires in 2015 (Name and Title)</b>	None
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	N/A
<b>Number of Expected New Attorney Hires in 2016</b>	0
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, however no Attorneys were hired in 2015.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Matt Robnett Chief Defender, Mandy Buie Office manager.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	See Attached.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Medical Benefits are offered to all full time Employees and paid by the office.
<b>Regular Meetings for Any Staff, Please Describe</b>	Meet informally several times a week.
<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	None

<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2015</b>	2
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Determined by the Chief on a case-by-case basis.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator A.G. Crowe, Senator John A. Alario Jr. & Senator David Heitmeier. Representative Chris Leopold.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Distance to Detained Clients.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Clarke Beljean	504-655-0223
Matt Robnett	504-421-1053
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Mandy Buie	504-297-5236

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Mandy Buie
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	x
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x 2011
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	x
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	X
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	x
Google Chrome	x
Other	Safari
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	3
DVD	1 DVD VCR Combo
VCR	
Desktop PCs	2
Laptops	3
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	1
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	N/A
Connection Speed:	N/A
Provider Name:	NewWave
Email Provider:	Rackspace
Please list any software or computer equipment in which you need training:	

## 25th District Defender Office CY 2015 Caseloads & Outcomes

Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	24	12	4	28	0	4	N/A	N/A	5	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	9	11	7	16	N/A	N/A	0	0	3	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	20	23	15	35	N/A	N/A	5	2	5	1	N/A	N/A	0	3	3
Delinquency Felony	7	11	9	16	N/A	N/A	3	1	7	0	N/A	N/A	0	0	0
Delinquency-Life	1	1	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	374	392	203	577	N/A	N/A	231	31	186	8	0	2	2	1	5
Adult Felony Non-LWOP**	224	220	128	352	N/A	N/A	137	28	67	9	0	1	0	1	2
Adult LWOP	4	4	2	6	N/A	N/A	5	3	5	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	1	82	82	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

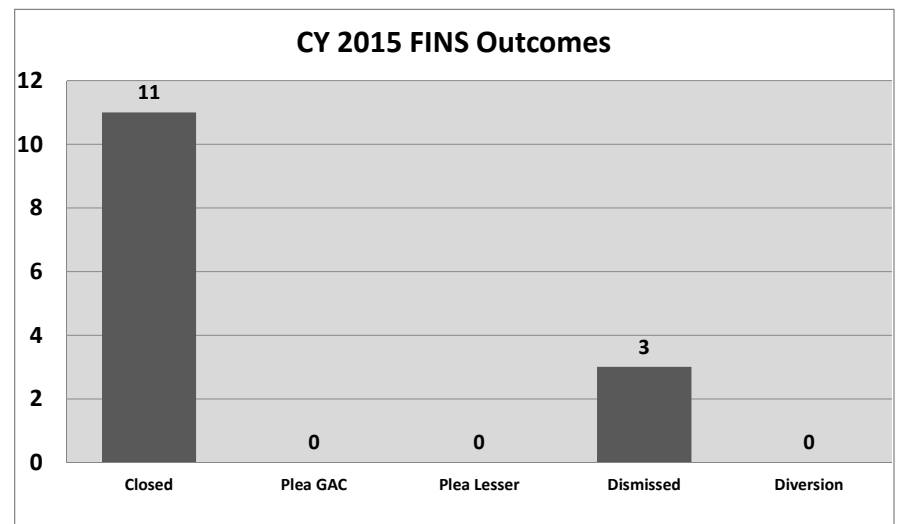
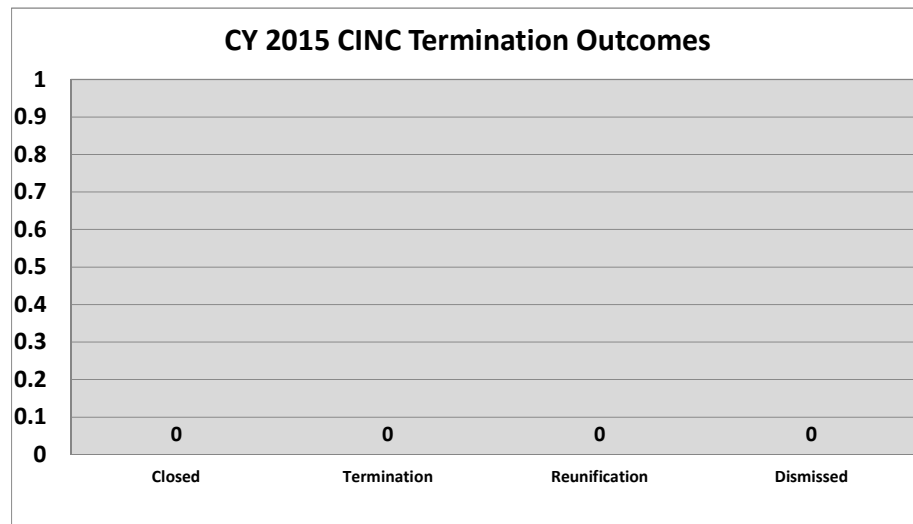
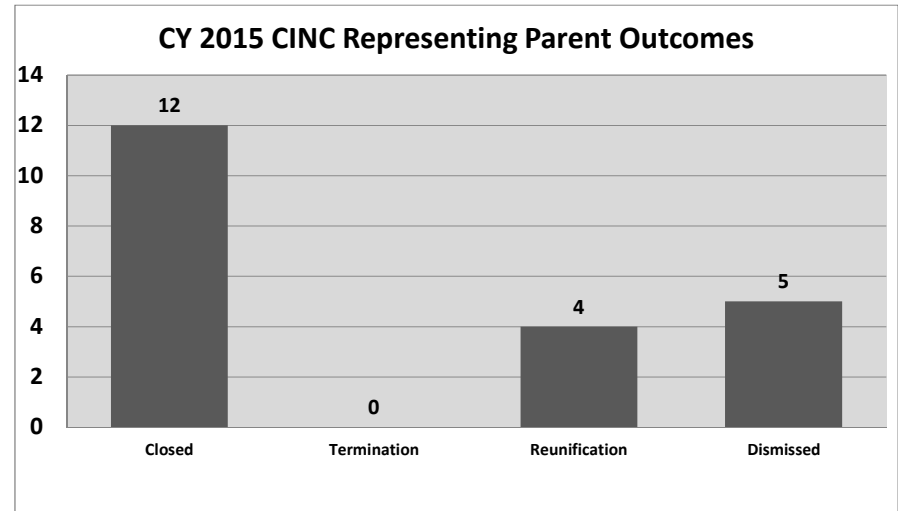
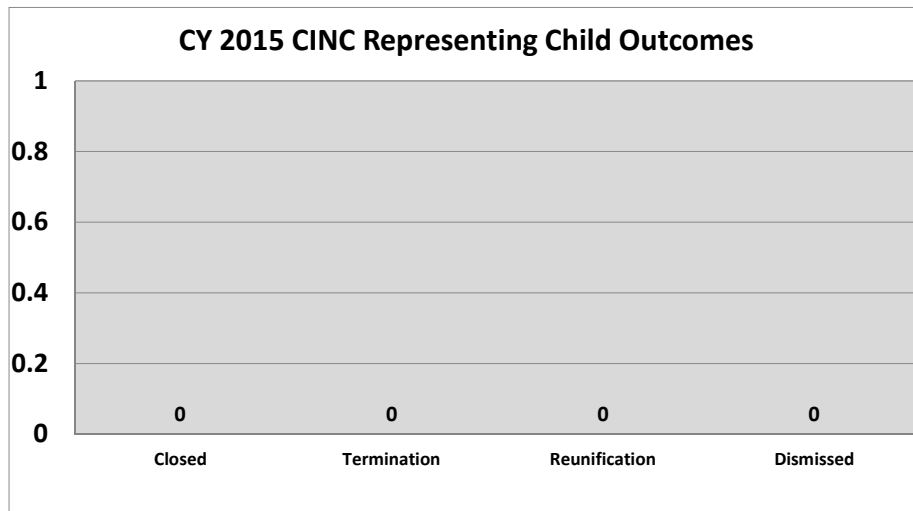
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

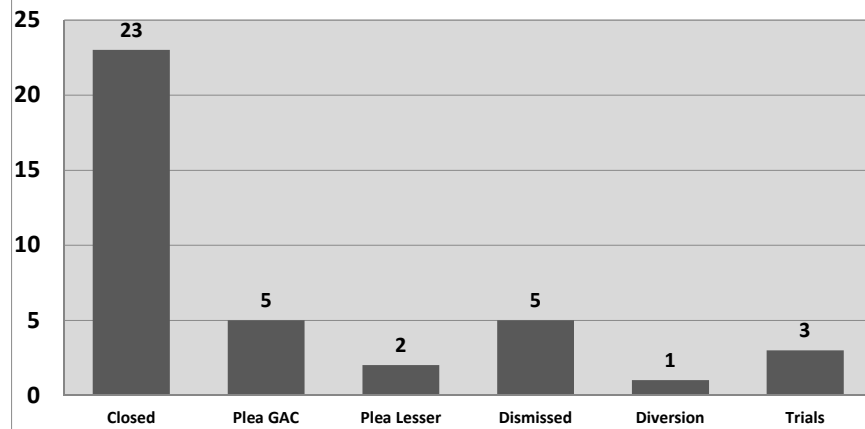
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

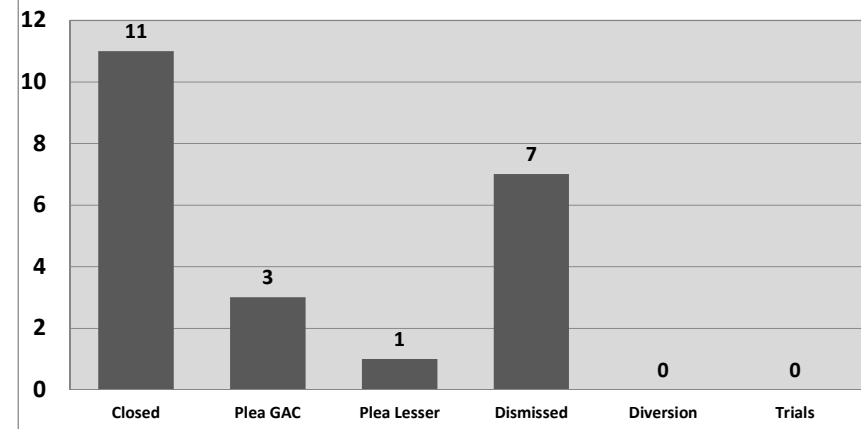




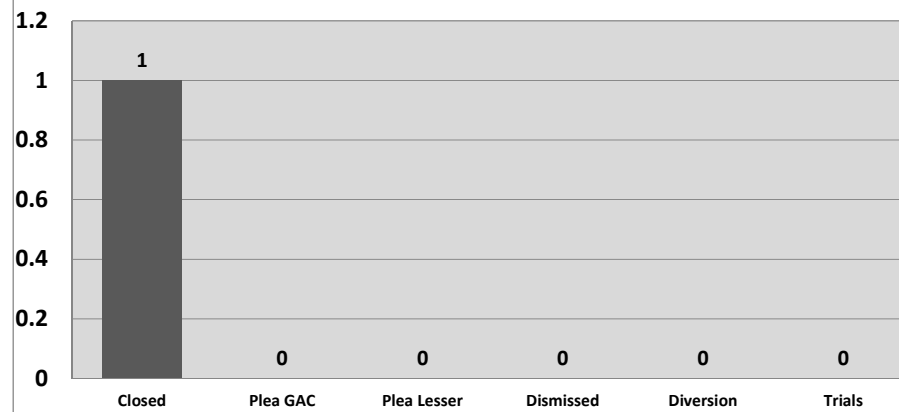
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



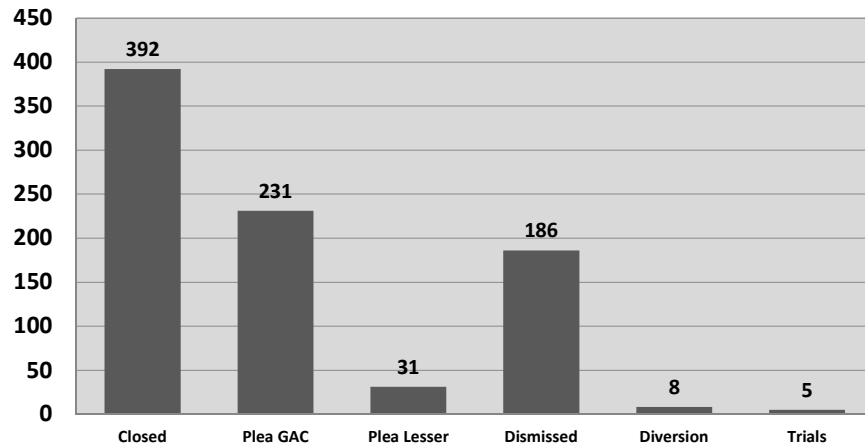
**CY 2015 Delinquency Felony-Grade Outcomes**



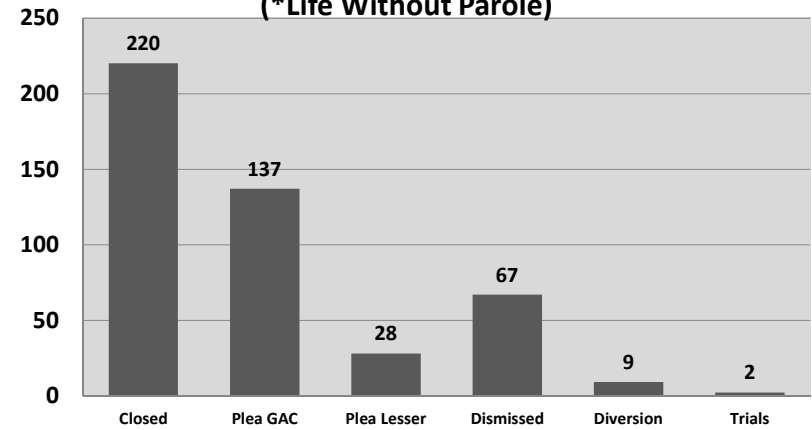
**CY 2015 Delinquency Life Outcomes**



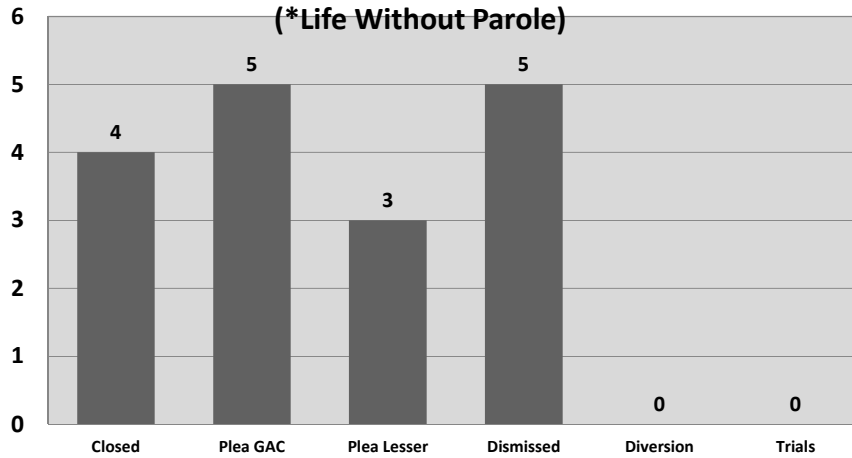
**CY 2015 Adult Misdemeanor Outcomes**



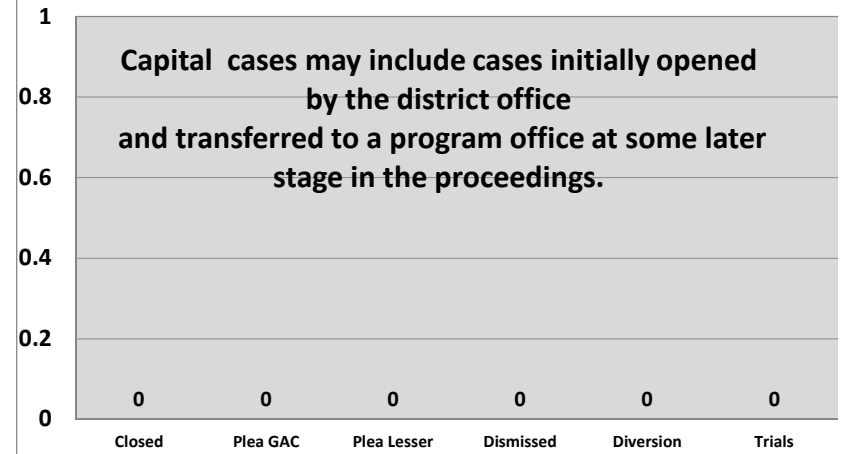
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

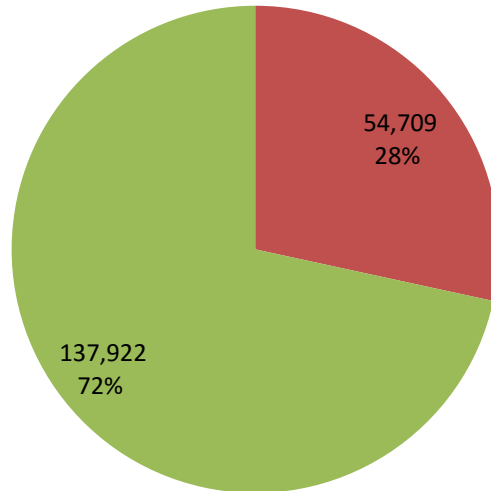


District 25 CY2015	Total CY2015
<b>District Defender: Matthew Robnett</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	3,767
District Assistance Fund (DAF)	50,942
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	54,709
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	7,356
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	17,625
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	1,941
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	106,960
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	106,960
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	4,040
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	4,040
Total for Local Government	137,922
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	192,631

District 25 CY2015	Total CY2015
<b>District Defender: Matthew Robnett</b>	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	190,000
Accrued Leave	-
Payroll Taxes	2,755
Hospitalization and Disability Insurance	11,187
Retirement	31,350
Other	-
Total for Personnel Services and Benefits	235,292
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	6
Total for Travel/Training	6
Operating Services	
Advertisements	30
Workers' Compensation	-
Insurance - Malpractice	2,580
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	184
Office - Telephone/Utilities/Postage/Internet	5,114
Dues and Seminars	375
Law Library/Journals/Subscriptions	(582)
Office Supplies	1,709
Total for Operating Services	9,409
Professional Services	
Audit/Accounting Expense	18,000
Contract Clerical	-
Expert Witness	1,525
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	2,718
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	36,806
IT/Technical Support	-
Total for Professional Services	59,048
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	524
Total for Other Charges	524
Total for EXPENDITURES	304,279

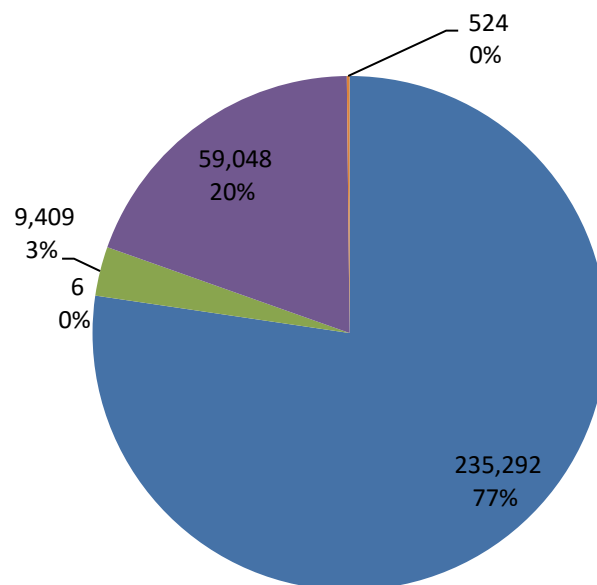
## Total CY15 Revenues

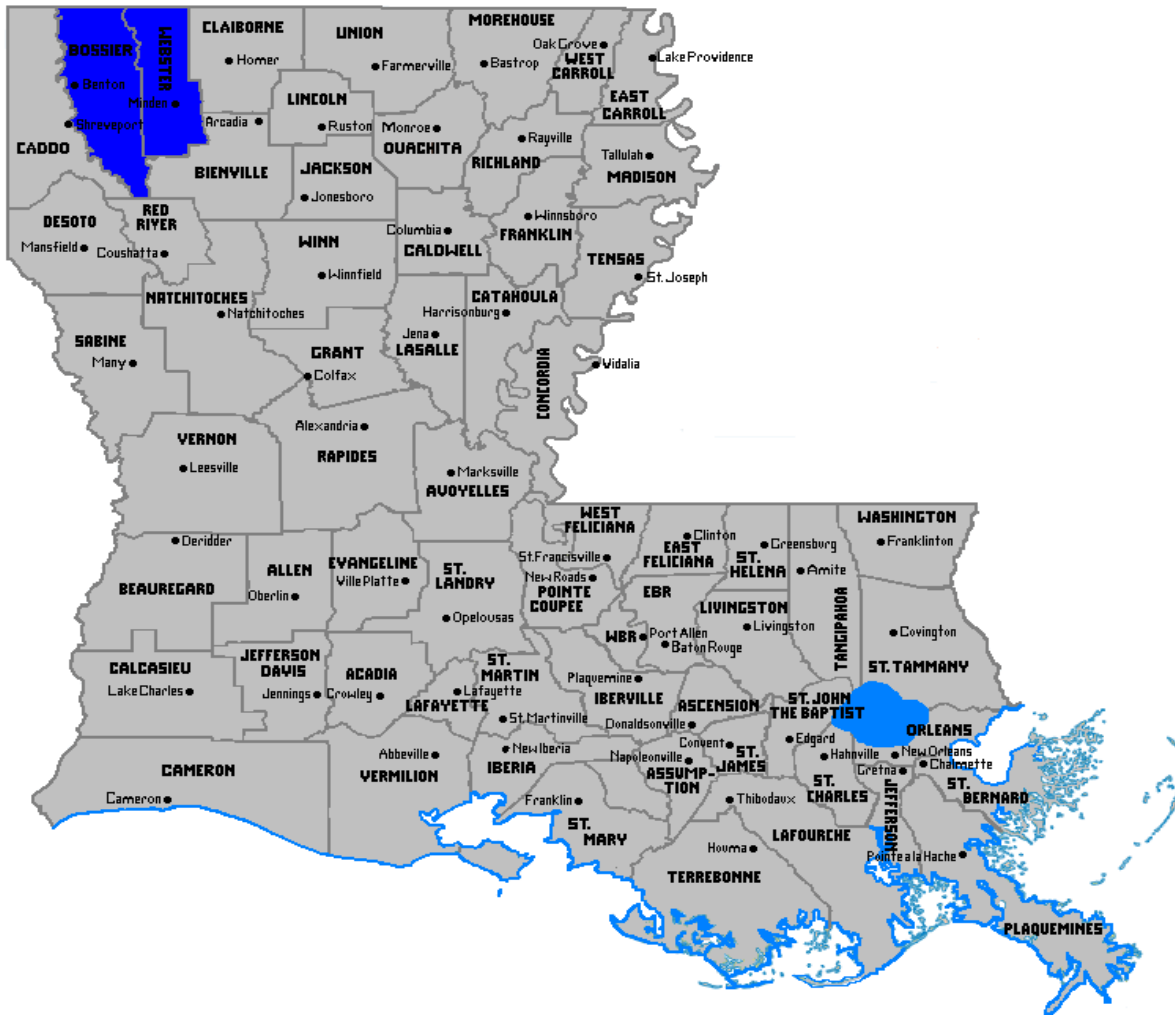
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





# THE 26<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE BOSSIER (BENTON) - WEBSTER (MINDEN)

DISTRICT DEFENDER: PAMELA G. SMART, INTERIM  
211 BURT BOULEVARD  
BENTON, LA 71006  
(318) 965-0630

## 26th JUDICIAL DISTRICT : BOSSIER AND WEBSTER PARISHES

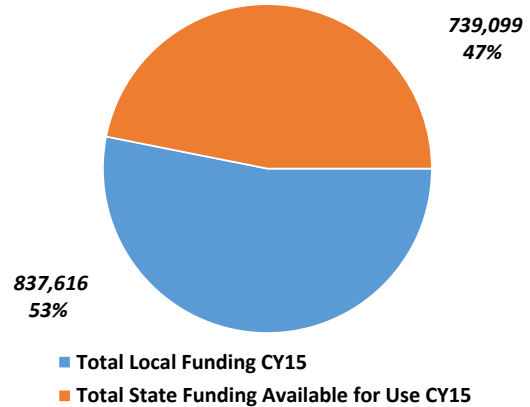
Pamela G. Smart  
Interim District Defender  
211 Burt Boulevard  
Benton, LA 71006  
318-965-0630

During Calendar year 2015, the 26th Judicial District Public Defenders Office handled 15,013 cases. The office received \$1,576,715 in total revenues to handle these cases, approximately 53% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

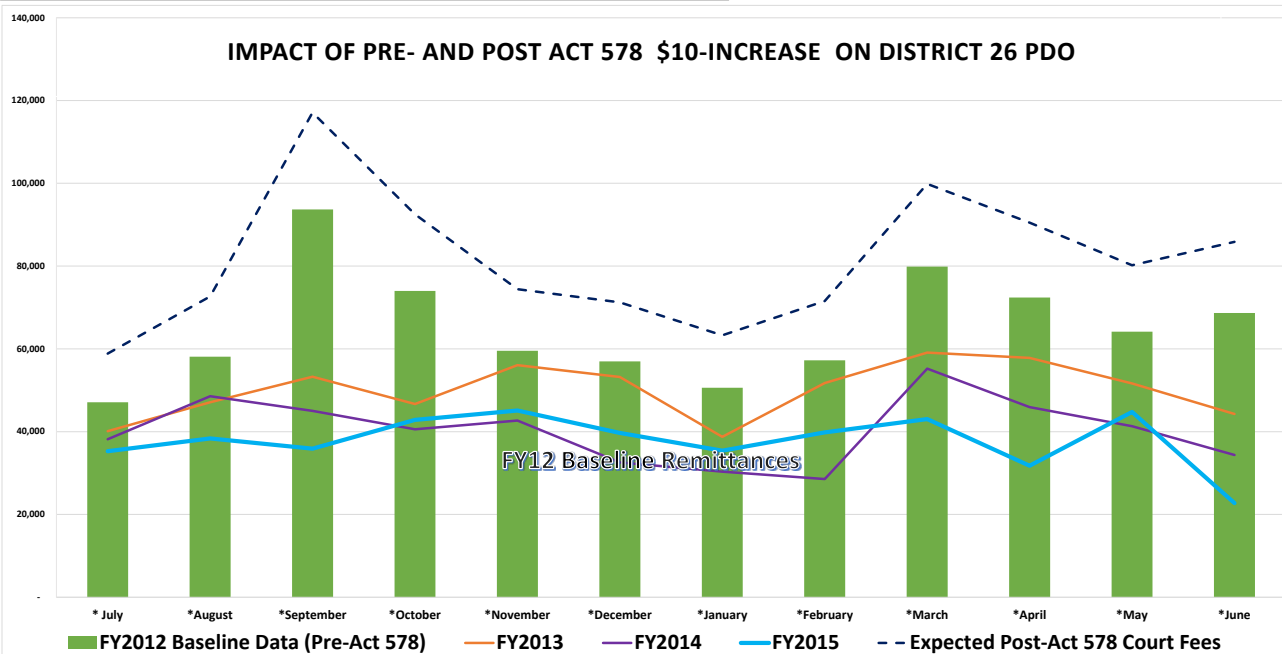
Since the passage of Act 578 (2012) in the 26th Judicial District, the expected 25% increase in local revenues has never materialized.

The 26th Judicial District office has nearly exhausted its fund balance as the office's expenditures exceed the office's revenues. Insufficient personnel and fiscal resources forced the 26th Judicial District office to begin restricting services March 4, 2015, effectively closing the gap between expenditures and revenues.

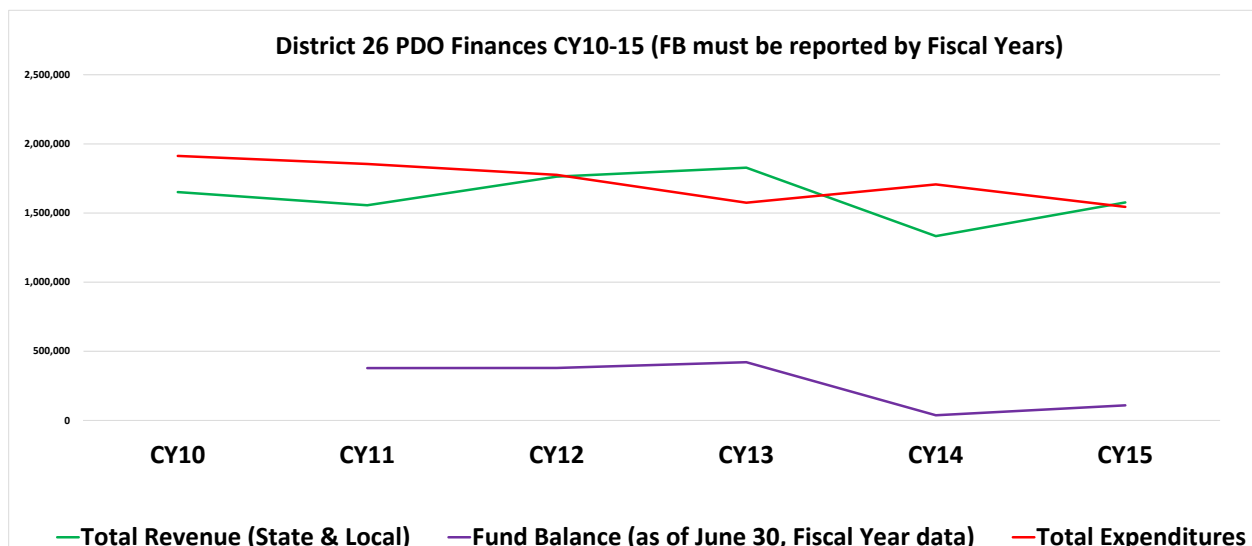
**District 26 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 26 PDO**



**District 26 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**

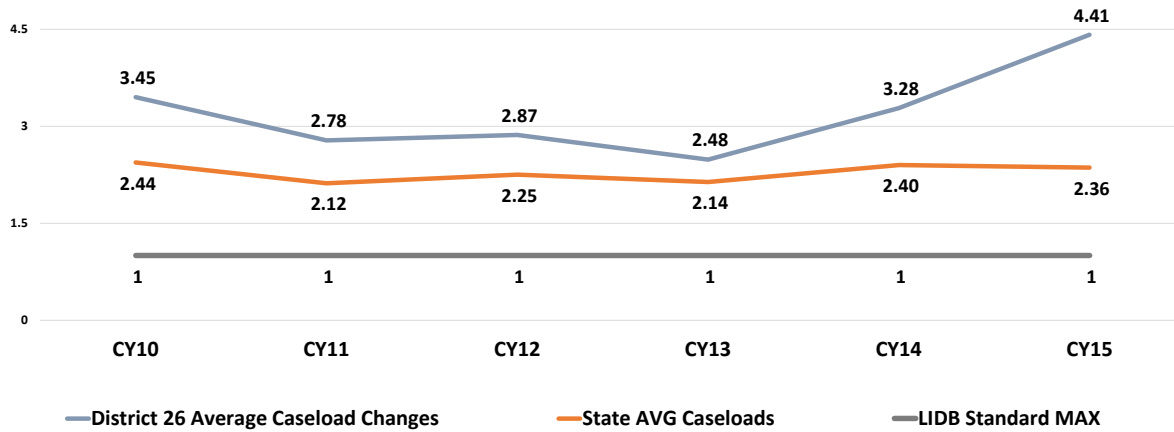




## 26th JUDICIAL DISTRICT : BOSSIER AND WEBSTER PARISHES

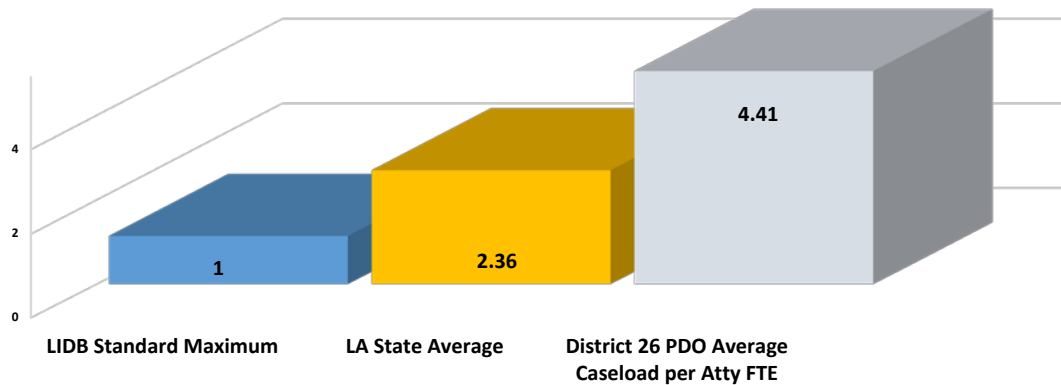
Pamela G. Smart  
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211 Burt Boulevard  
Benton, LA 71006  
318-965-0630

District 26 PDO Average Caseload per Atty FTE



In the 26th Judicial District, public defense attorneys maintain caseloads more than four times the recommended caseload limit for each attorney.

District 26 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 26TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Bossier Parish- Benton; Webster Parish- Minden.
<b>Population</b>	TOTAL: 165,397 - Bossier Parish - 125,064; Webster - 40,333. Source - 2014 estimates based on 2010 Census ( <a href="http://www.quickfacts.census.gov">www.quickfacts.census.gov</a> ).
<b>Juvenile Population</b>	TOTAL: 41,038.78 - Bossier - 31,341.19; Webster - 9,397.59. Same source as listed above.
<b>District Defender</b>	Pamela G. Smart, Interim
<b>Years as District Defender</b>	5 years 10 months
<b>Years in Public Defense</b>	24 years 2 months
<b>Office Manager</b>	Keevia Johnson
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Amanda Roberts (Data Entry Specialist/Secretary); Karen Robinson (Secretary); Nancy Cooper (Secretary); Elaine Skinner (Secretary); Christine Sullivan (Receptionist); La Keia Taylor (Secretary/Receptionist); Jasmine Crew (Secretary/Receptionist).
<b>Primary Office Street Address</b>	211 Burt Boulevard
<b>City</b>	Benton
<b>ZIP</b>	71006
<b>Primary Phone</b>	318-965-0630
<b>Primary Mailing Address</b>	PO Box 235, Benton, LA 71006
<b>Primary Fax Number</b>	318-965-5521
<b>Primary Emergency Contact</b>	Pamela Smart
<b>Primary Emergency Phone</b>	318-455-4977 cell
<b>Secondary Emergency Contact</b>	Keevia Johnson
<b>Secondary Emergency Phone</b>	318-230-8939 cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	221 Main Street, Minden, LA 71055 - Ph 318-377-9255, Fax 318-377-8148; 200 Burt Blvd., Benton, LA 71006 - Ph 318-965-0462, Fax 318-965-9220
<b>Other District Office Contact Personnel (Primary Only)</b>	LaKeia Taylor
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Both Bossier and Webster office are owned by the office. The actual entity on the title is "Indigent Defender Board".
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	TOTAL: 2714.48 - File Storage - 104; Utilities - 1766.16; Building Maintenance 843.99.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	All bills and payroll are handled by Heath Crager, CPA.

<b>Courts and Locations</b>	26th JDC Bossier Parish - Benton; 26th JDC Webster Parish - Minden; Bossier City Court - Bossier City; Minden City Court - Minden; Springhill City Court - Springhill.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	26th JDC Bossier Parish (9: 6 felony/misdemeanor, 1 juvenile, 1 adult drug court, 1 juvenile drug court); 26th JDC Webster Parish (7: 6 felony/misdemeanor, 1 juvenile); Bossier City Court (2: 1 misdemeanor, 1 juvenile); Minden City Court (3: 1 misdemeanor, 1 juvenile, 1 juvenile drug court); Springhill City Court (3: 1 misdemeanor, 1 juvenile, 1 juvenile drug court).
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Felony cases are assigned to the attorney for the division to which the case is assigned. LWOP cases are specially assigned to the attorney best suited for the case. In some instances, if it better serves the client, a case is specially assigned to an attorney other than the division attorney. Misdemeanor cases are now assigned to a division like the felony cases so the attorney assignment for those cases are now the same as for felony cases. Conflict cases are assigned to a contract conflict attorney in Webster parish and one of two contract conflict attorneys in Bossier. If those three attorneys are ineligible, the private bar gets appointed.
<b>Name of Adult Detention Facilities in This District</b>	Bossier Parish Maximum, Medium and Minimum (Plain Dealing); Bossier City Jail (Bossier City); Webster Parish Jail and Bayou Dorcheat Corrections Center (Minden).
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Caddo Correctional Center (Caddo Parish) Claiborne Parish Sheriff's Jail (Claiborne Parish) Shreveport City Jail (Caddo).
<b>Name of Juvenile Detention Facilities In This District</b>	Johnny Gray Jones Shelter (Bossier City).
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center-Webster Parish only through an arrangement with Webster Parish Police Jury (Coushatta)
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	We no longer reimburse staff for mileage effective July 1, 2014. The jails are in rural locations so travel time is at least 20' to many facilities and longer if housed in a surrounding parish facility.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Schuyler Marvin
<b>Chief Judge of Criminal District Court</b>	Parker Self
<b>Juvenile Court Judges (Specify District of City Court)</b>	Bossier Parish - rotates but mostly Mike Nerren; Webster Parish - rotates; Minden City Court - Sherb Sentell; Springhill City Court - John Slattery; Bossier City Court - Tommy Wilson; Hearing Officer - Ret. Judge Bruce Bolin.

<b>Drug Court Judges</b>	Rotates
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	The judges do a preliminary screening and the PDO uses a more detailed application.
<b>When is Assignment/Appointment of Counsel Made?</b>	Non-capital felonies and misdemeanors - upon appointment of PDO. Capital cases - district office notifies LPDB staff who make assignment.
<b>What steps does your office take to ensure conflict – free representation</b>	Support staff receives appointment list prior to initial appearance for obvious conflicts then immediately after appointment, investigator and/or attorneys run conflict checks in data base. Motion to relieve PDO and appoint conflict counsel is filed immediately. Since the office has been in ROS, conflict cases are monitored for appointment of counsel by the DD and other support staff as well.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Bossier District Court: Amanda Roberts (Data Entry Specialist/Secretary), Karen Robinson (Secretary), Nancy Cooper (Secretary). Bossier City Court: Amanda Roberts (Data Entry). Webster District, Springhill City, Minden City, and all Webster Juvenile Courts: LaKeia Taylor (Secretary/Receptionist), Jasmine Crew (Secretary/Receptionist), Elaine Skinner (Juvenile Secretary). All client interviews are conducted by the attorney to whom the case is assigned.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	When notice of appointment is received (incarcerated clients through jail appointment list and bond clients through court minutes), the information is entered into the database, a file is generated, and the case is assigned to the appropriate attorney. Since ROS, conflict motions are filed requesting either contract conflict or private bar. The conflict cases are opened in the database where the cases are either assigned to the conflict contract attorney or closed as "withdrawn" if private counsel is appointed.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	4,442
<b>How Many Application Fees Were Waived?</b>	8
<b>How Many Application Fees Were Reduced?</b>	None but we do accept partial payments.
<b>Total Application Fee Dollars Collected in 2015</b>	88,276
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Yes - Bossier Parish Sheriff and Webster Parish Sheriff at the time clients make bail - over the PDO's objection.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	457,211

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	If a client is convicted of multiple offenses at the same time, the court may order the court costs to be concurrent. Sometimes the court may waive court costs if there are special circumstances.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	The agencies from whom we receive fees itemize as far as how much money was collected for bond fees, mandatory assessments, etc. However, we only receive a list of defendants who were assessed the mandatory assessment from Minden City Court.
<b>Who Collects the Assessed Court Fees?</b>	Bossier City Court - Terri Spence; Bossier Sheriff - Mike Rabinowitz; Webster Sheriff - Kaye Taverner; Minden City Court - Tammy Frye; Springhill City Court - Judy Smith.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	The person at each agency that writes the check for the fees either submits the itemization form provided by LPDB or itemizes the amounts on the check stub.
<b>Who Remits the Court Fees Collected?</b>	Bossier City Court - Terri Spence; Bossier Sheriff - Mike Rabinowitz; Webster Sheriff - Kaye Taverner; Minden City Court - Tammy Frye; Springhill City Court - Judy Smith.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The person at each agency that writes the check for the fees either submits the itemization form provided by LPDB or itemizes the amounts on the check stub.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Either determined by the court or the court will consider recommendation from office based on financial information ascertained by the PDO.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	We must rely on court minutes and attorneys in court to keep track of this information.
<b>Who Collects the Assessed Partial Payments?</b>	Generally, the PDO collects the partial payments. Occasionally, money is received via DOC through P&P.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	We collect it in the office. However, we do receive some money from DOC. Those are individually documented.
<b>Who Remits the Partial Payments Collected?</b>	The client sends it directly to the PDO. Sometimes we receive money from DOC through P&P.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None. The office receives the payments directly.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	18,245
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	The written policy is contained in the Employee Manual. Attorneys may take very minimal private cases outside the jurisdiction as long as full-time hours required by the PDO are fulfilled. However, the Chief Defender must be informed of the private case to make sure there is no conflict. Most attorneys that do private practice do routine wills, curatorships, some private criminal in other jurisdictions, and some appointed cases in federal court or through the Department of Corrections.

<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	More office space in Bossier, new rented office space in Webster, more staff, full conflicts panel, money to reimburse attorneys for travel to rural jails, funding for training.
<b>Was your office in ROS at any time during 2015</b>	Yes
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	The 26th entered ROS March 4, 2015 and does not appear to be coming out of it completely in the near future.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	The conflict attorneys' contracts were terminated when we entered ROS. We immediately contracted with two attorneys, one for each parish, to handle the more serious conflict cases. In December, we were able to add a conflict attorney to Bossier to handle the incarcerated defendants on a waitlist. However, we are still need more conflict attorneys.
<b>Immediate Critical Issue Areas</b>	New office in Webster due to conditions of the building, more staff attorneys, support staff, more office space in Bossier, conflict panel.
<b>Long-Term Critical Issue Areas</b>	Funding for travel, seminars, memberships to professional organizations, etc.
<b>Please List All New Hires in 2015 (Name and Title)</b>	Kerry Hill (Staff Attorney), Laurie Wilson (Juvenile Supervisor), Kendra Joseph (Staff Attorney), Felicia Hamilton (Conflict Attorney), J Florence (City Court Misdemeanor Attorney), Dell Harville (CINC Conflict Attorney), Jasmine Crew (Secretary).
<b>Please List All Promotions in 2015 (Name and Title)</b>	0
<b>2015 Media Coverage and/or Major Accomplishments</b>	Mostly special news coverage about funding issues with the PDO.
<b>Number of Expected New Attorney Hires in 2016</b>	One contract attorney for Webster to add to the contract attorney that is presently acting as conflict attorney in Webster. This would allow the staff attorneys to not have to travel to Webster resulting in a decrease in caseloads and a drastic decrease in workload.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	New attorneys shadow staff attorneys for a couple of weeks to observe court, jail visits, etc. The "buddy system" is used on all cases proceeding to trial and on certain cases due to the nature and the complexity of the case as a tool to learn the possible ways an investigator may be used, motion practice, etc.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes

<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	The district court attorneys are supervised by the LWOP attorney and the Chief District Defender who observe court, discuss cases with attorneys, and generally act as mentors. Juvenile court attorneys and support staff are supervised by a senior attorney assigned to juvenile. Another senior attorney handles collection of time sheets, sign-in sheets, and issues that might arise with all staff. The support staff is supervised by the office manager (general human resource issues) and the Data Entry Specialist (monitors the database).
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	Attached.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	The LWOP attorney who primarily supervises the attorneys regarding client representation has a lesser caseload.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Full-Time Benefits: HEALTH - Option A Plan - Office pays 100% of the premiums for the employee; Option B Plan (Upgrade) - Office pays the amount per employee that it pays for Option A and the employee pays the difference in premium. The office pays 25% of the premium for the spouse and children with both plans. DENTAL - Employee pays 100%. VISION - Employee pays 100%.
<b>Regular Meetings for Any Staff, Please Describe</b>	Meetings are conducted as needed due to space constraints and number of locations of offices and courts.
<b>Number of NEW capital cases in CY15 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	0
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	3
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	When a juvenile defendant is transferred to adult court he/she is specially assigned to the more experienced attorneys that handle LWOP cases.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Representatives: Dodie Horton, Cedric Glover, Thomas G. Carmody Jr., James H. Morris, H. Eugene Reynolds, Mike Johnson. Senators: Ryan Gatti, Barrow Peacock.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	District has grown and PDO has evolved for the better but criminal justice system as a whole remains static. Operating procedures should evolve with the growing population.

<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	More staff meetings, major factor in hiring of attorneys is now consideration of indicators that the potential hire exhibited a strong interest in public defender work/criminal law prior to applying for a PDO position i.e. participation in litigation clinics.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Pamela G. Smart, Interim District Defender	318-347-7827
Randal Fish	318-349-7694
Michael Miller	318-455-4977
Sarah Giddens	225-772-1130
K. Wayne Dishman	318-344-3374
Kerry Hill	318-965-0630
Laurie Wilson	318-965-0462
Kendra Joseph	318-965-0630
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Tristan Gilley	318-798-1605
Christopher Broughton	318-560-7002
Allen Haynes	318-455-5554
David Harvey	318-547-0017
Chris Stahl	318-578-2924
Florence, J Antonio	318-276-6268
Stromile, Bobby	318-349-3889
Jeremy Babers	318-518-1621
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Amanda Roberts	318-423-2479
Christine Sullivan	318-288-9015
Nancy Cooper	318-564-6582
Crew, Jasmine	318-617-9311
Charles Kern	318-402-7820
Keevia Johnson	318-230-8939
Ruth Elaine Skinner	903-650-1116
Lakeia Taylor	318-371-9919
Robinson, Karen	318-674-0205



## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Pamela G. Smart
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	26
Laptops	5
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	4
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	Sudden Link & Blue Bird
Email Provider:	Jaga Tech Machines
Please list any software or computer equipment in which you need training:	Database refresher for support staff would be beneficial since there have been so many updates/changes to the system.

## 26th District Defender Office CY 2015 Caseloads & Outcomes

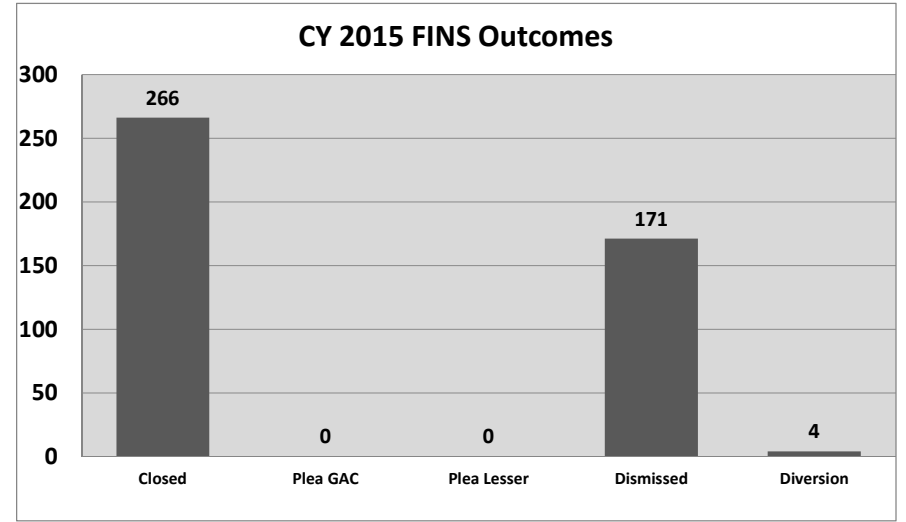
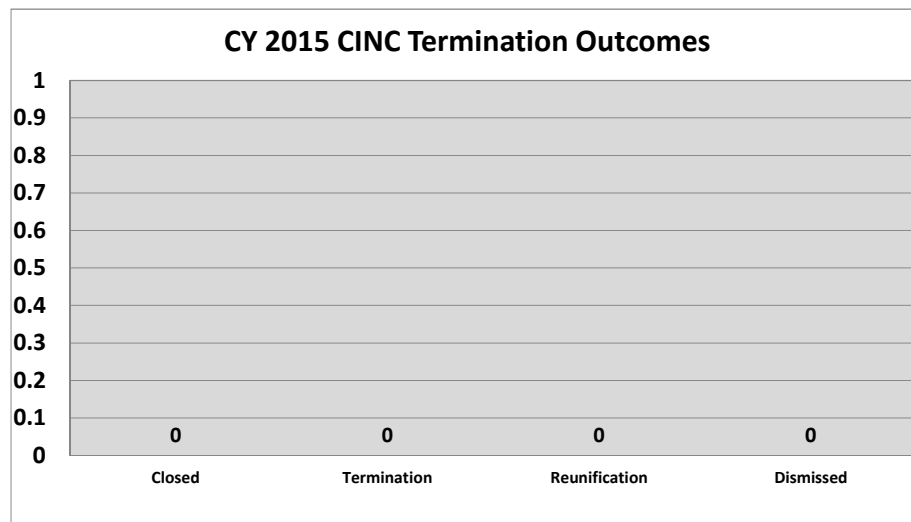
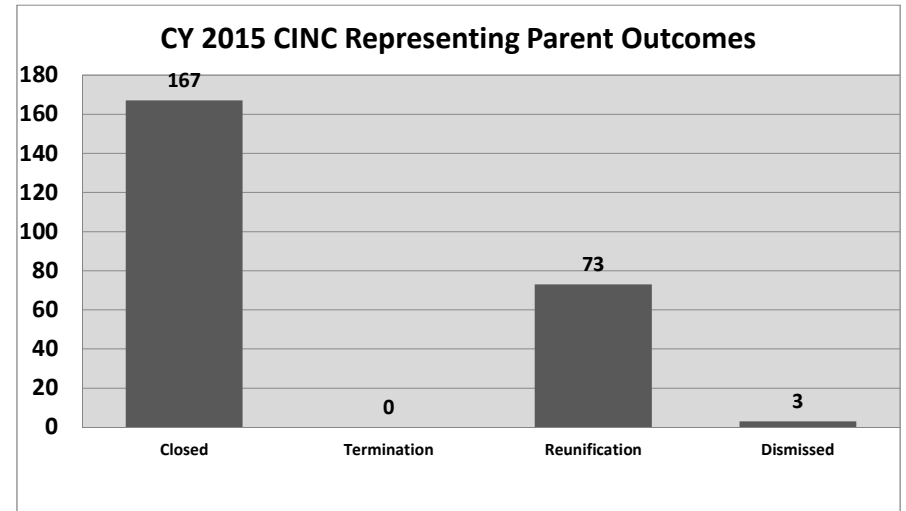
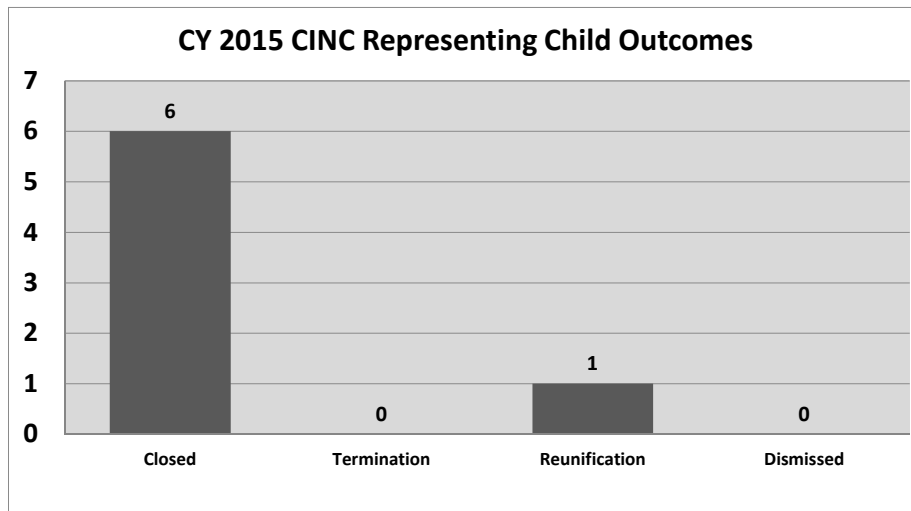
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	5	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	3	6	4	7	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	184	167	173	357	0	73	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	201	266	117	318	N/A	N/A	0	0	171	4	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	766	1077	637	1403	N/A	N/A	160	31	646	170	N/A	N/A	0	23	23
Delinquency Felony	57	175	139	196	N/A	N/A	22	33	92	38	N/A	N/A	1	3	4
Delinquency-Life	3	3	0	3	N/A	N/A	0	0	3	0	N/A	N/A	0	0	0
Juvenile Revocations	0	1	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	5451	5019	2016	7467	N/A	N/A	2077	324	2456	0	0	1	9	16	26
Adult Felony Non-LWOP**	2966	3163	1483	4449	N/A	N/A	1034	499	1314	0	0	9	0	13	22
Adult LWOP	11	19	20	31	N/A	N/A	7	6	5	0	0	0	0	0	0
Capital***	2	1	0	2	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	605	604	173	778	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	2	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

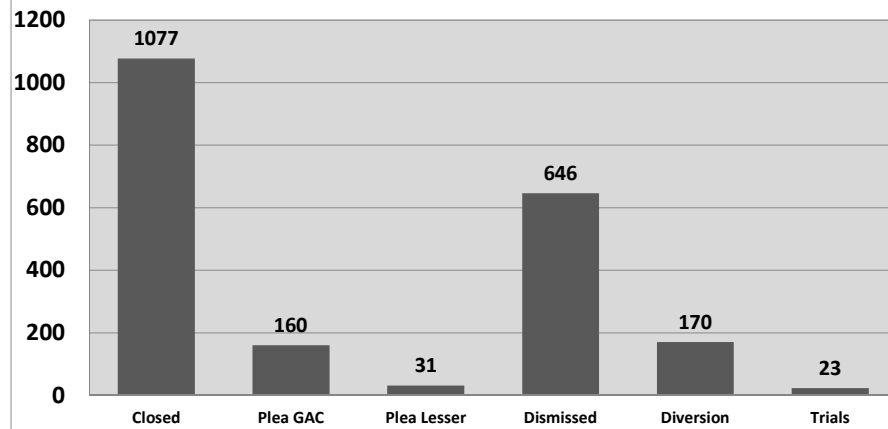
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

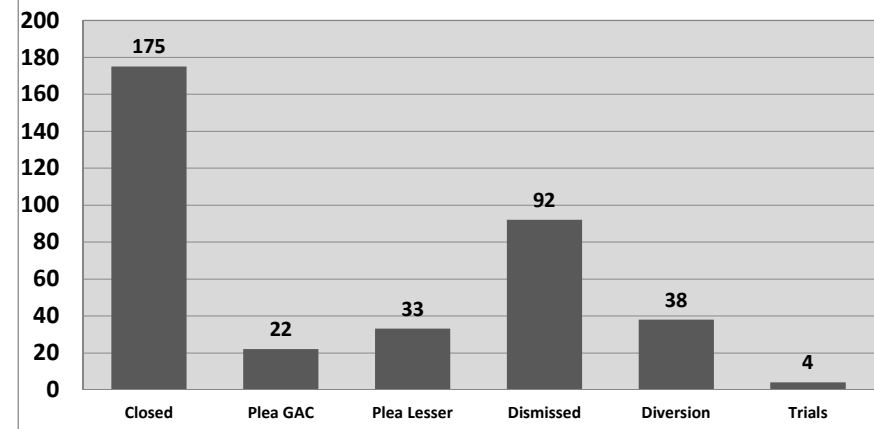
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



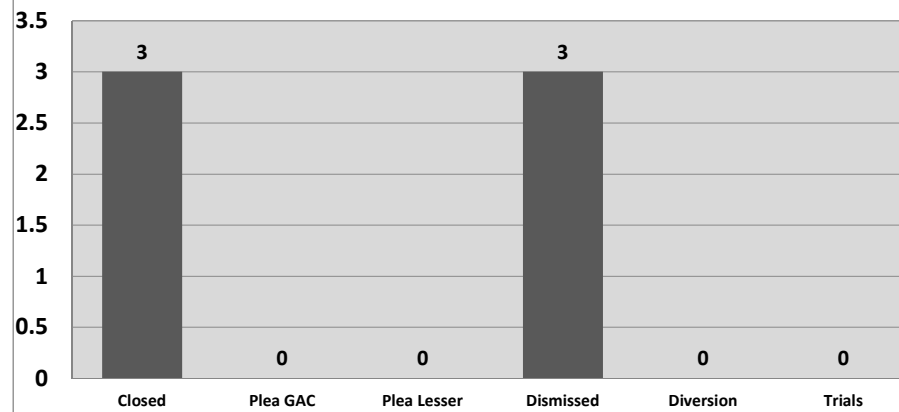
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



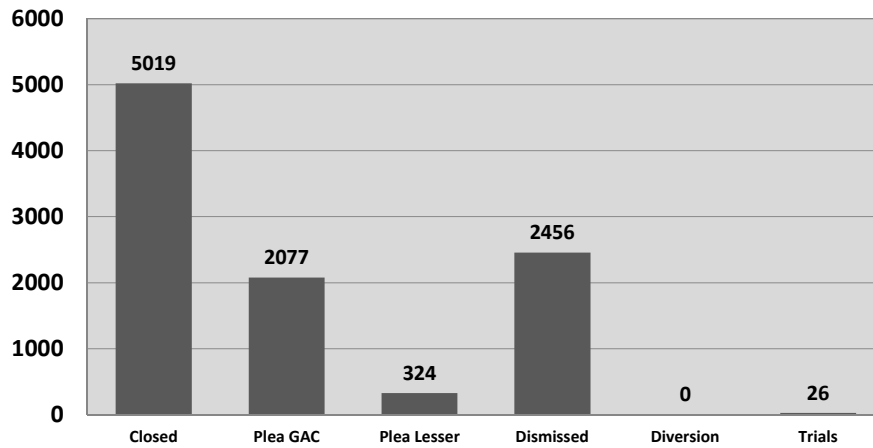
**CY 2015 Delinquency Felony-Grade Outcomes**



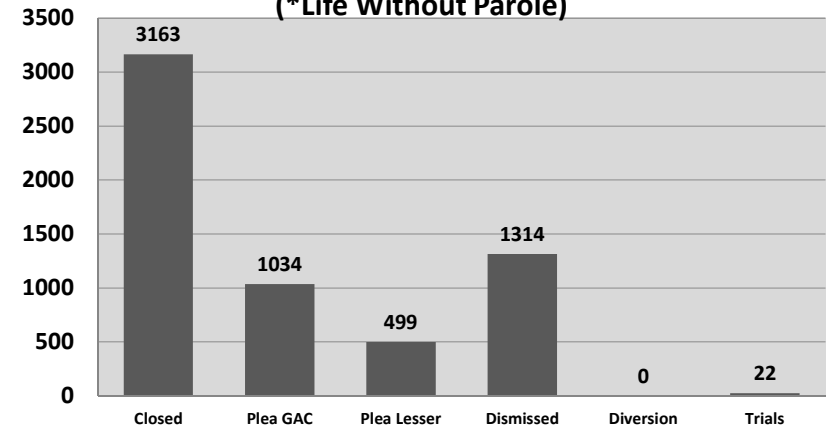
**CY 2015 Delinquency Life Outcomes**



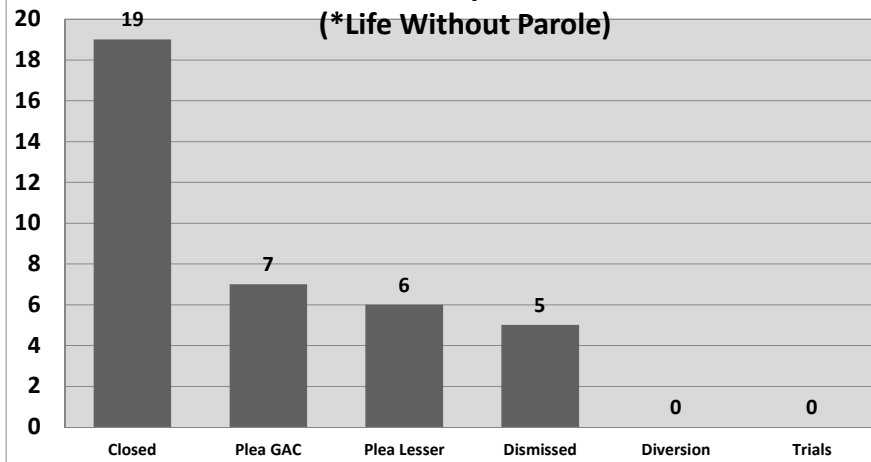
**CY 2015 Adult Misdemeanor Outcomes**



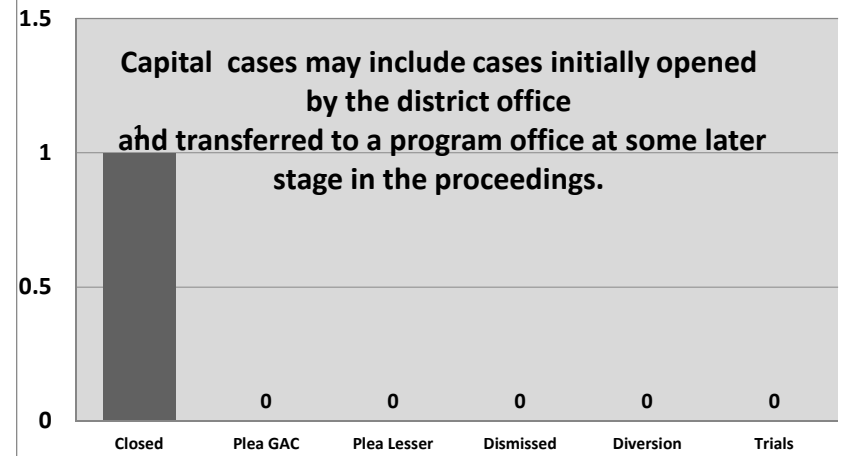
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**



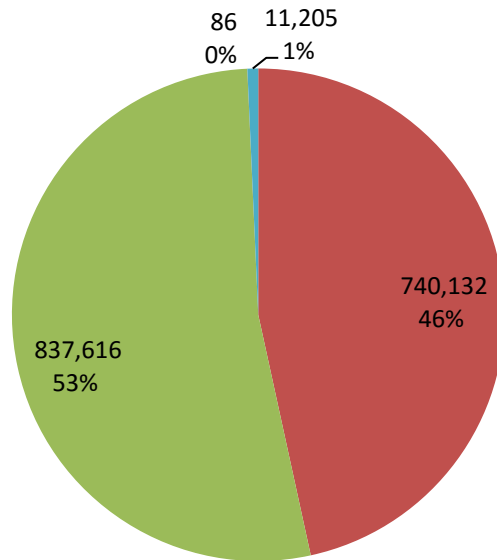
District 26 CY2015	Total CY2015
<b>District Defender: Pamela Smart, Interim</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	43,190
District Assistance Fund (DAF)	669,070
Supplemental/Emergency Funds	27,872
Grants	-
Other State Income -List source(s)	-
Total for State Government	740,132
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	273,512
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	276,648
City & City-Ward Courts	180,563
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	457,211
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	88,688
Partial Attorney Fees	
Reimbursements [as per 15:176]	18,205
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	106,893
Total for Local Government	837,616
Investment Earnings	
Interest Income	86
Other Investment Income - List source(s)	-
Total for Investment Earnings	86
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	11,205
Total for Other Sources (Grants & Contributions)	11,205
Total for REVENUE	1,589,039

District 26 CY2015	Total CY2015
District Defender: Pamela Smart, Interim	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	733,235
Accrued Leave	735
Payroll Taxes	201,394
Hospitalization and Disability Insurance	134,379
Retirement	21,022
Other	-
Total for Personnel Services and Benefits	1,090,765
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	
Operating Services	
Advertisements	58
Workers' Compensation	5,680
Insurance - Malpractice	8,370
Insurance - Auto/Physical Liability	4,195
Insurance - Other	758
Lease - Office	-
Lease - Auto/Equipment	5,836
Lease - Other	1,252
Office Repair and Maintenance	10,128
Office - Telephone/Utilities/Postage/Internet	24,490
Dues and Seminars	-
Law Library/Journals/Subscriptions	18,463
Office Supplies	8,094
Total for Operating Services	87,325
Professional Services	
Audit/Accounting Expense	16,568
Contract Clerical	34,627
Expert Witness	400
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	82,464
Contract - Juvenile Attorneys or CINC	153,000
Misdemeanor Attorney Contracts	53,025
Contract Attorneys - all other	8,930
IT/Technical Support	16,570
Total for Professional Services	365,585
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	642
Total for Other Charges	642
Total for EXPENDITURES	1,544,317



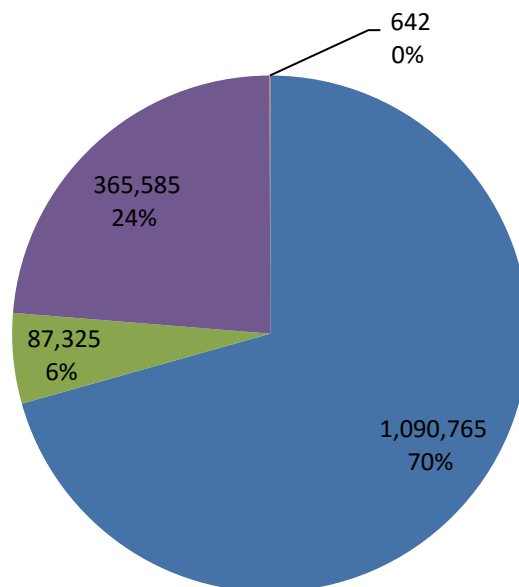
## Total CY15 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





THE 27<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
ST. LANDRY (OPELOUSAS)

DISTRICT DEFENDER: EDWARD JAMES LOPEZ  
125 WEST LANDRY STREET  
OPELOUSAS, LA 70570  
(337) 942-3003

## 27th JUDICIAL DISTRICT : ST. LANDRY PARISH

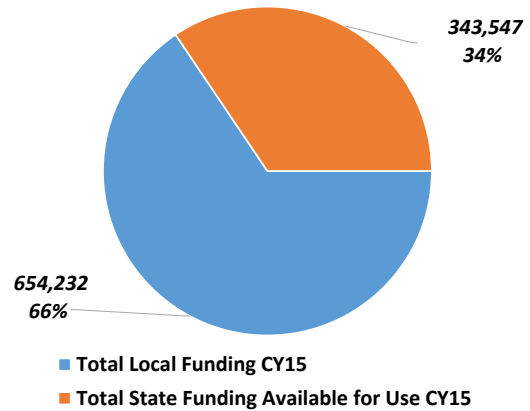
Edward James Lopez  
District Defender  
125 West Landry Street  
Opelousas, LA 70570  
337-942-3003

During Calendar Year 2015, the 27th Judicial District Public Defenders Office handled 5,595 cases. The office received \$997,779 in total revenues to handle these cases, approximately 66% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

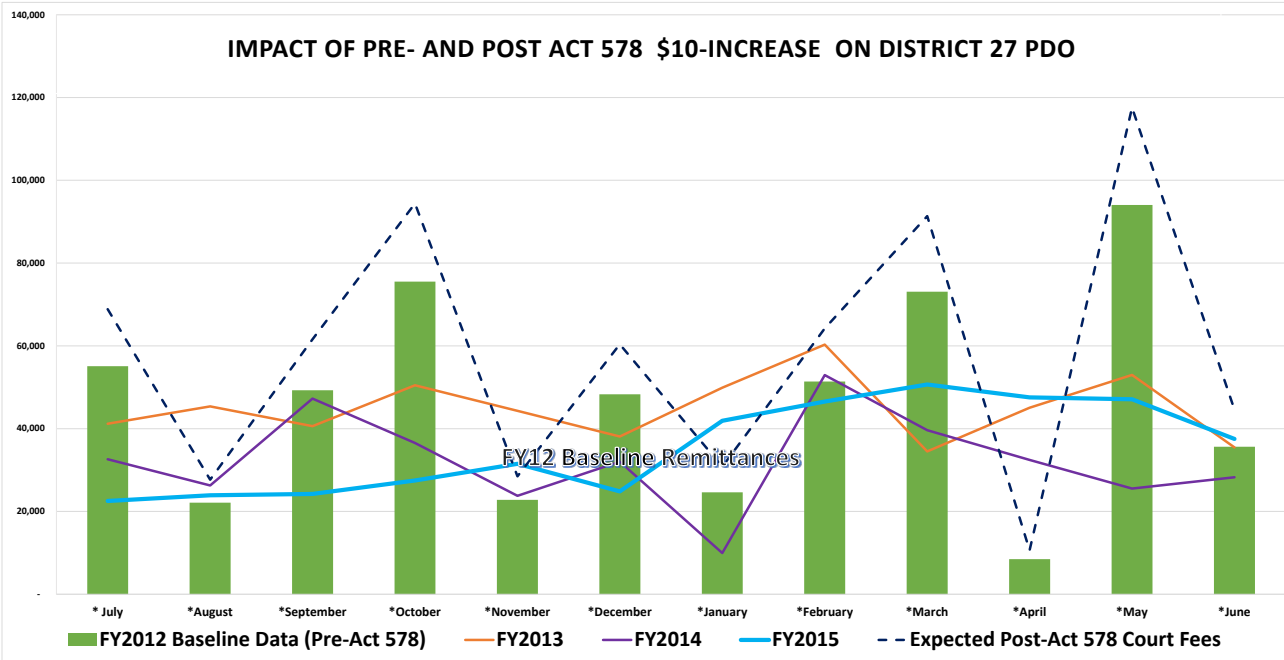
With the exception of a few anomalies, the 27th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 27th Judicial District office has relied heavily on its fund balance. Without a significant increase in revenues or reduction in expenditures, the office is expected to become insolvent during FY16.

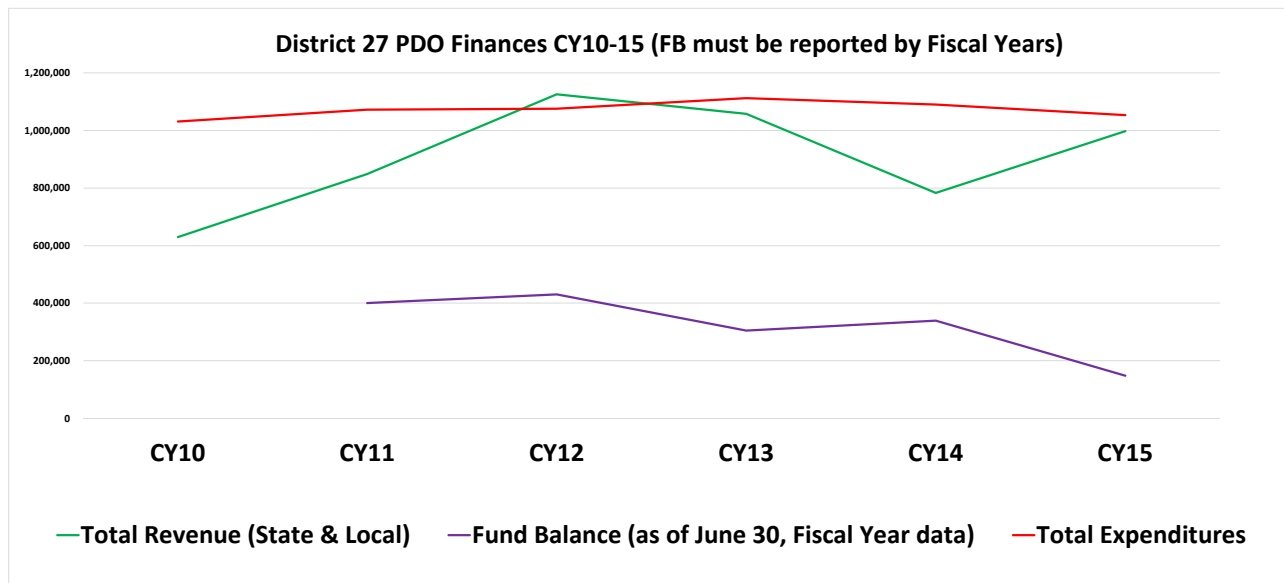
**District 27 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 27 PDO**

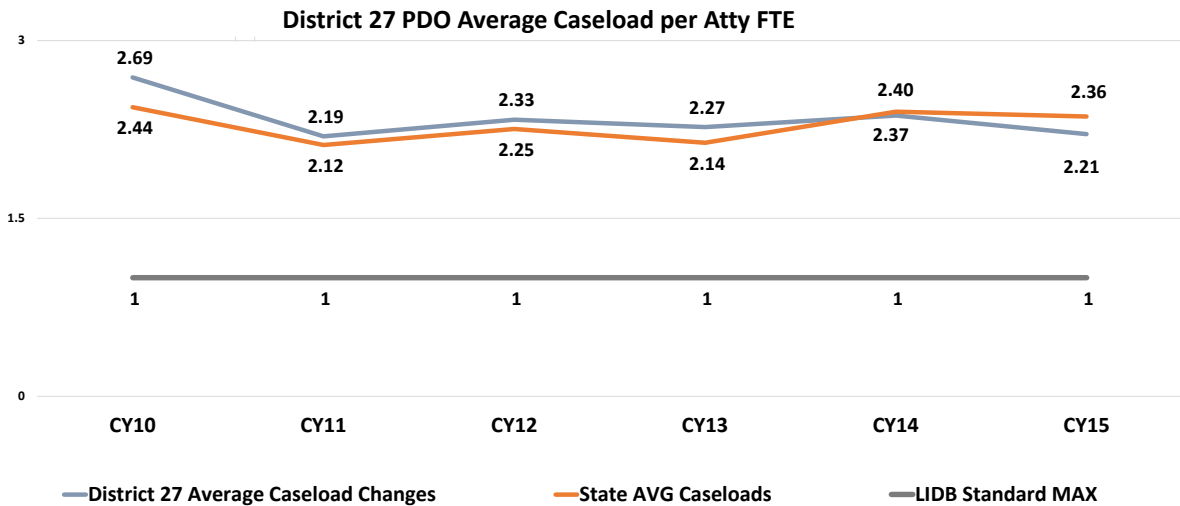


**District 27 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



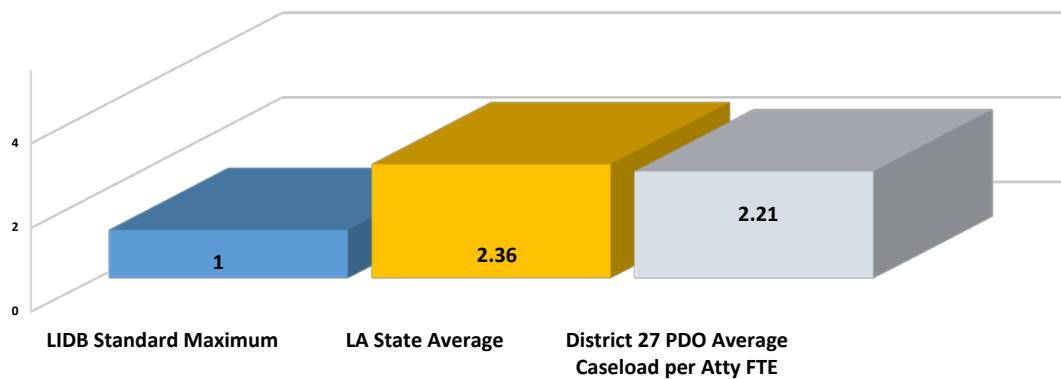
## 27th JUDICIAL DISTRICT : ST. LANDRY PARISH

Edward James Lopez  
District Defender  
125 West Landry Street  
Opelousas, LA 70570  
337-942-3003



In the 27th Judicial District, public defense attorneys maintain caseloads more than twice the recommended caseload limit for each attorney.

**District 27 PDO Average Caseloads Compared to State Average & State Standard Maximums**



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 27TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. Landry - Opelousas
<b>Population</b>	83,454
<b>Juvenile Population</b>	22,616
<b>District Defender</b>	Edward James Lopez
<b>Years as District Defender</b>	29
<b>Years in Public Defense</b>	43
<b>Office Manager</b>	Gloria M. Bezet
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Gloria Bezet, Ashley Davis, Joshua Bezet
<b>Primary Office Street Address</b>	125 West Landry Street
<b>City</b>	Opelousas
<b>ZIP</b>	70570
<b>Primary Phone</b>	337-942-3003
<b>Primary Mailing Address</b>	125 West Landry Street, Opelousas, LA 70570
<b>Primary Fax Number</b>	337-948-7706
<b>Primary Emergency Contact</b>	Edward James Lopez
<b>Primary Emergency Phone</b>	337-351-7053
<b>Secondary Emergency Contact</b>	Gloria M. Bezet
<b>Secondary Emergency Phone</b>	337-945-9348
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Edward James Lopez owns office building - provides office space and utilities, etc., as part of employment contract with State.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	0
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	John Dowling & Co., P. O. Box 433, Opelousas, LA 70570 (CPA firm).
<b>Courts and Locations</b>	27th Judicial District Court, Opelousas; Opelousas and Eunice City Courts.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	4 Divisions in 27th Judicial District Court; Opelousas City Court; Eunice City Court.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	At 72 hour hearing, Magistrate makes preliminary determination of indigency and assigns counsel.
<b>Name of Adult Detention Facilities in This District</b>	St. Landry Parish Jail, Opelousas City Jail, Eunice City Jail, Port Barre City Jail, Krotz Springs City Jail, Sunset City Jail, Washington City Jail.

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Basile Detention Center, Pine Prairie Detention Center.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	St. Martin Parish Juvenile Detention Center, St. Martinville, LA
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Out of parish facilities limit regular access of assigned cases but most inmates kept pre-trial locally.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Juveniles do not appear in Court shackled unless there is a serious fear that they will try to abscond.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Earl Taylor
<b>Chief Judge of Criminal District Court</b>	Alonzo Harris
<b>Juvenile Court Judges (Specify District of City Court)</b>	New Judges elected to replace Daigle and Hebert. Took office January, 2015. Division B- Gerard Caswell; Division D- Jason Meche.
<b>Drug Court Judges</b>	See above.
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	Non-Support
<b>Name of Specialty and Brief Description:</b>	Non-Support
<b>Indigency Determined by Whom and How?</b>	Judge at 72 hour hearing after questioning defendant as to his assets and ability to pay.
<b>When is Assignment/Appointment of Counsel Made?</b>	At 72 hour hearing.
<b>What steps does your office take to ensure conflict – free representation</b>	If appointed counsel believes that a conflict exists, he will usually file a Motion to Withdraw and another defender appointed. If there is a question as to whether there would be a conflict, they would bring their concern to the District Defender, who would investigate and take appropriate action.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Individual assigned attorney - all contract.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	No
<b>Brief Explanation of Intake Process</b>	Magistrate appoints at 72 hour hearing and assesses \$40.00 intake fee- Fee paid to District Office – appointed contract attorney takes client from appointment.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes.
<b>How Many Applications for Services Were Received?</b>	5,620
<b>How Many Application Fees Were Waived?</b>	0
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2015</b>	\$53,611

<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	In May, 2015, all Judges issued an En Banc Order. Any individual arrested and booked through parish, city, or municipal agency to pay the \$40.00 application fee, by money order, prior to their release. Money orders collected are then sent to the District Office.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	\$515,883 - December revenues not yet received- received in January, 2016.
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	On every conviction where the defendant is not sent to prison.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Court costs collected by Sheriff's Office and 2 City Courts - we receive checks each month with breakdown of what money collected and how disbursed.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff, St. Landry Parish, Eunice & Opelousas City Courts.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Monthly statements accompanying disbursements.
<b>Who Remits the Court Fees Collected?</b>	Sheriff, St. Landry Parish (District Court); Clerks- City Courts for Opelousas and Eunice.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Monthly statements accompanying disbursements.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Court usually imposes a \$100 reimbursement as a condition of probation in felony cases.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Money order and name of defendant- from Prob. and Parole.
<b>Who Collects the Assessed Partial Payments?</b>	Probation and Parole
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Prob. & Parole sends money order and defendant's name.
<b>Who Remits the Partial Payments Collected?</b>	Louisiana Fee Collection, P. O. Box 618417, Chicago, Illinois 60661-8417
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	LA Fee Collection sends check, with defendant's name, Docket Number, and balance due
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Yes. All private practice is permitted
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	No written contract in place - working on it.
<b>Primary Immediate Needs</b>	Enough attorneys to handle case loads
<b>Was your office in ROS at any time during 2015</b>	No

<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Lowering felony case loads per attorney
<b>Long-Term Critical Issue Areas</b>	Lowering case loads
<b>Please List All New Hires in 2015 (Name and Title)</b>	None
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	One. To replace one of the defenders who retires as of 1/1/2016.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	District Defender in District Court on all felony days and monitors attorneys' representation.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Defenders are contract attorneys -District Defender monitors work load and representation.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	Contract office- District Office Staff is District Defender, Secretary/Bookkeeper (Office Manager, Investigator, and Clerical).
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	No formal -we meet informally on court days.
<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	None
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	All appeals handled by LAP.
<b>Number of Writs Your District Handled in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Rare for State to seek transfer.



<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Sen. Elbert Gullory- Dist. 24, Sen. Eric Lafleur- Dist. 28- Sen. Jonathan Perry- Dist. 26- Sen. Fred H. Mills; Rep. Mickey Guillory- Dist. 41- Rep. Mike Huval- Dist. 46- Rep. Stephen J. Ortego- Dist. 39- Rep. Ledricka Johnson Thierry- Dist. 40. Rep. H. Bernard LeBas, Dist. 38.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Divided all felony contract attorneys into court divisions, basically reducing their in Court time by one-half.

<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Edward J. Lopez	337-948-6836
Shepton Hunter	337-230-9777
Quincy Cawthorne	337-948-8008
Irvin Celestine	337-407-2898
Laura Rougeau	337-457-5999
Francis Olivier, III.	337-407-0996
Nanette McClain	337-948-7887
Randy Wagley	337-948-4504
Kenneth Willis	337-284-0244
Scott Mouret	337-948-8276
Chris Richard	337-234-5505
Rachel Arvie	337-407-2109
Lauren Mouret	337-948-8276
Daniel Fontenot	337-457-1323
Rebecca Pierrotti	337-550-8608
Brandon Guillory	337-351-5000
Hazel Coleman Chavis	337-532-8273
Antonio Birotte	337-407-5030
Roy Richard	337-351-7726
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Michael Grimes	337-942-3003
Gloria Bezet	337-945-9348
Ashley Davis	337-308-1016
Joshua Bezet	337-351-8457

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Gloria M. Bezet
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	2
DVD	1
VCR	1
Desktop PCs	1
Laptops	4
Video Cameras	
Digital Cameras	
Video Conferencing Systems	9
B&W Laser Printers	1
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	A T & T- UVerse
Email Provider:	AOL
Please list any software or computer equipment in which you need training:	

## 27th District Defender Office CY 2015 Caseloads & Outcomes

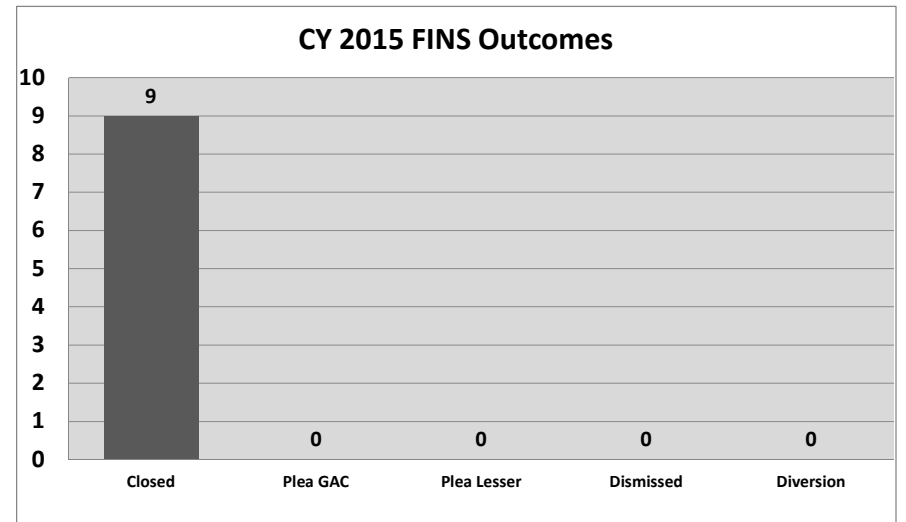
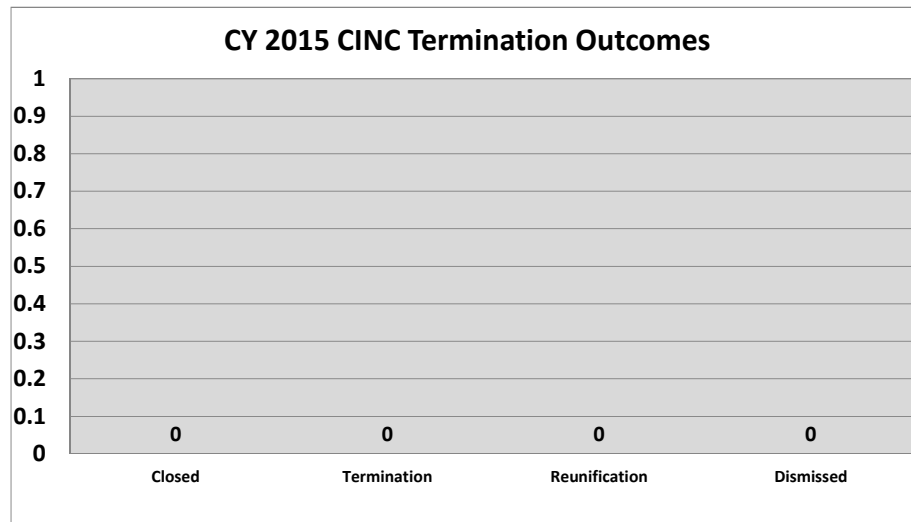
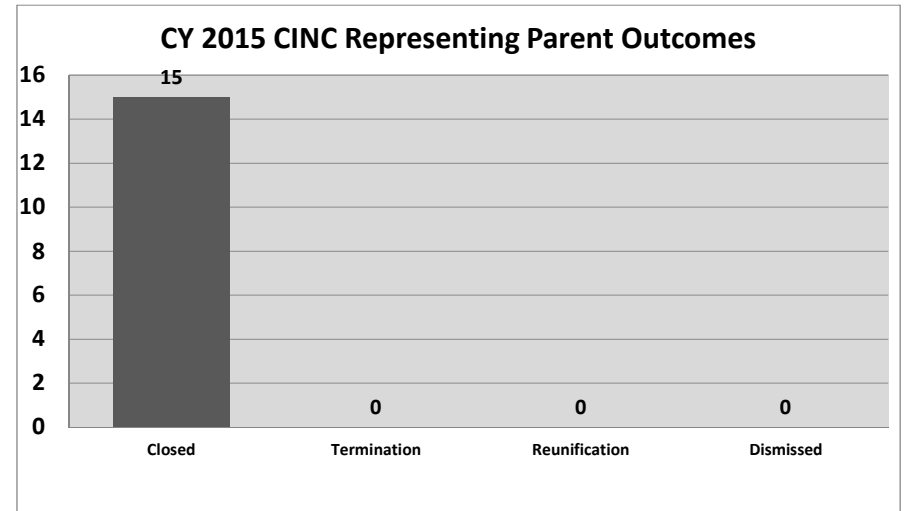
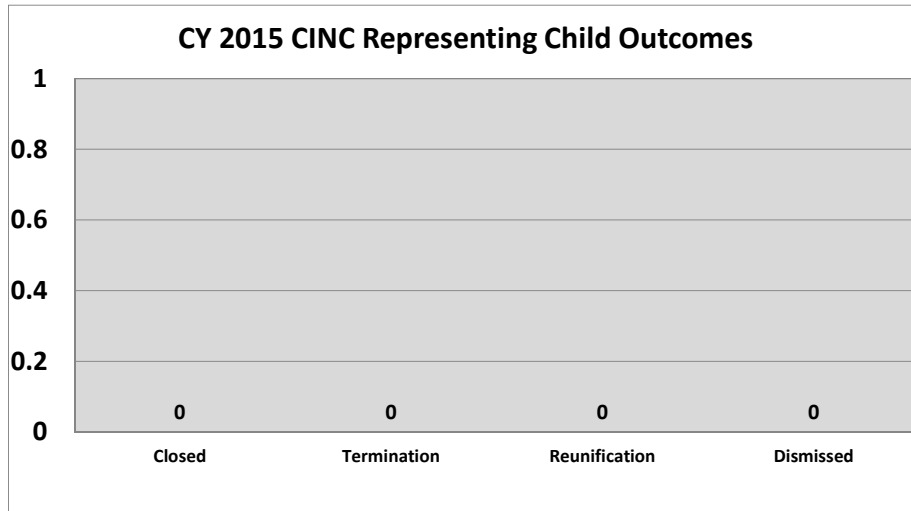
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	64	64	0	64	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	1	1	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	9	15	6	15	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	8	9	1	9	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	29	33	6	35	N/A	N/A	1	0	0	30	N/A	N/A	0	0	0
Delinquency Felony	4	6	2	6	N/A	N/A	0	0	0	5	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	1924	1821	502	2426	N/A	N/A	1393	15	868	0	0	0	2	2	4
Adult Felony Non-LWOP**	1292	1247	1606	2898	N/A	N/A	968	35	734	5	1	1	0	0	2
Adult LWOP	0	2	9	9	N/A	N/A	1	0	1	0	0	0	0	0	0
Capital***	1	3	8	9	N/A	N/A	0	0	0	0	1	0	0	0	1
Revocations	122	117	0	122	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	1	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	1	1
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

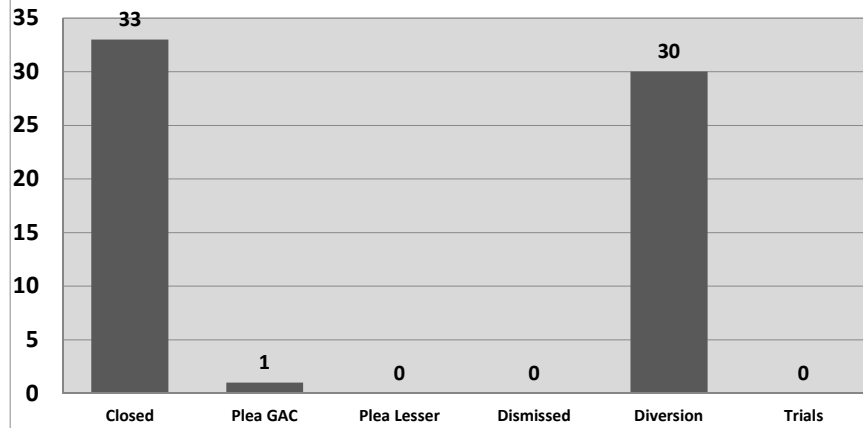
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

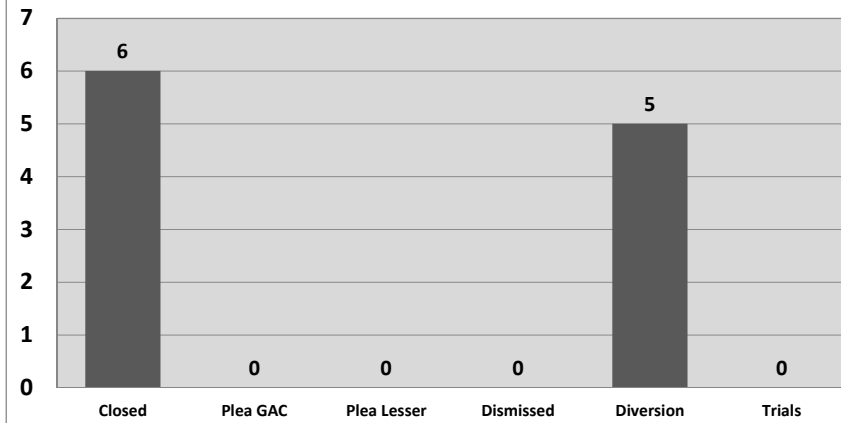
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



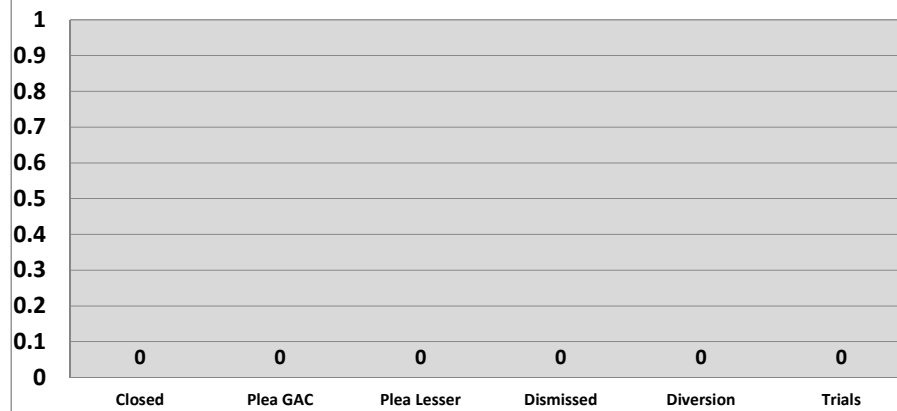
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



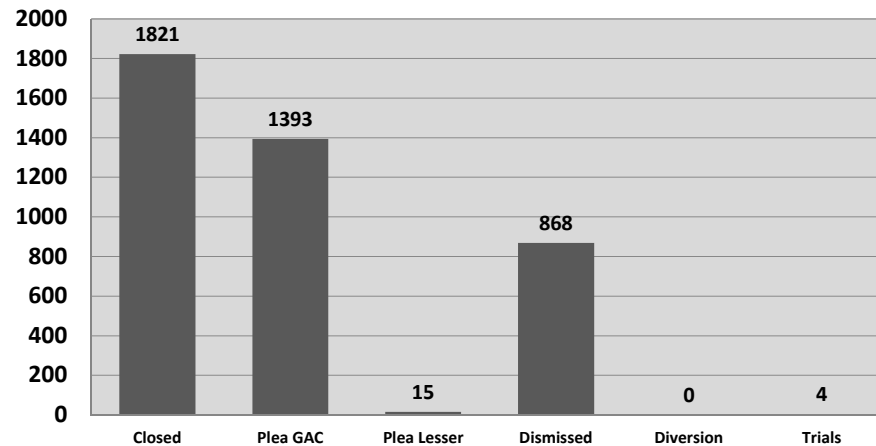
**CY 2015 Delinquency Felony-Grade Outcomes**



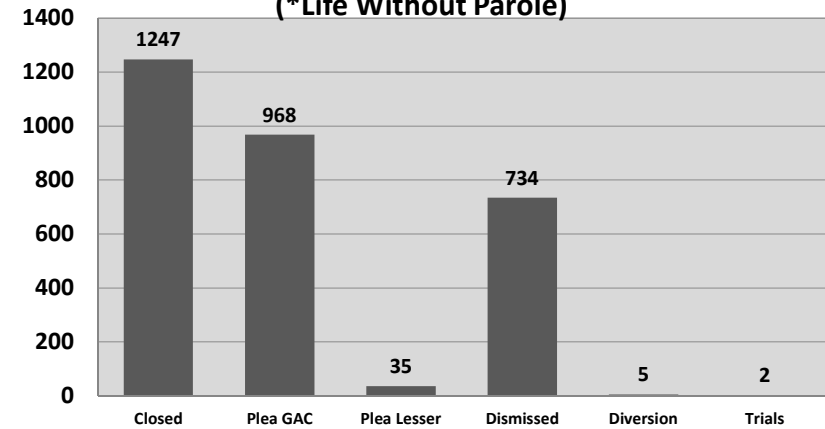
**CY 2015 Delinquency Life Outcomes**



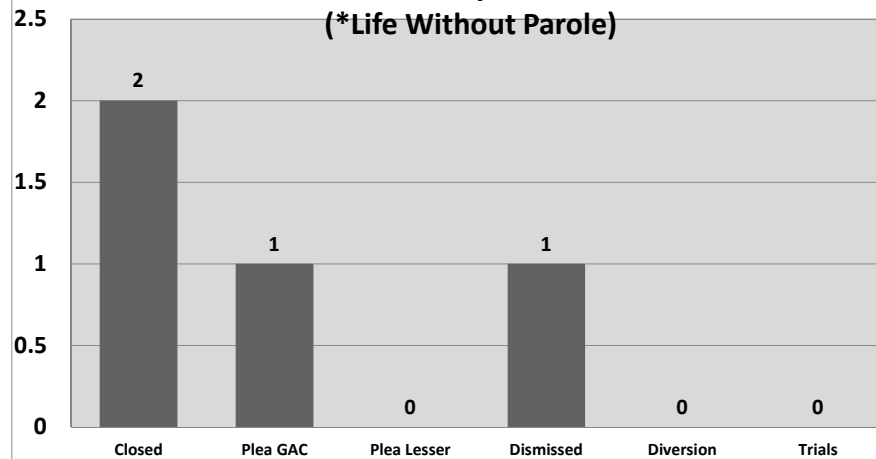
**CY 2015 Adult Misdemeanor Outcomes**



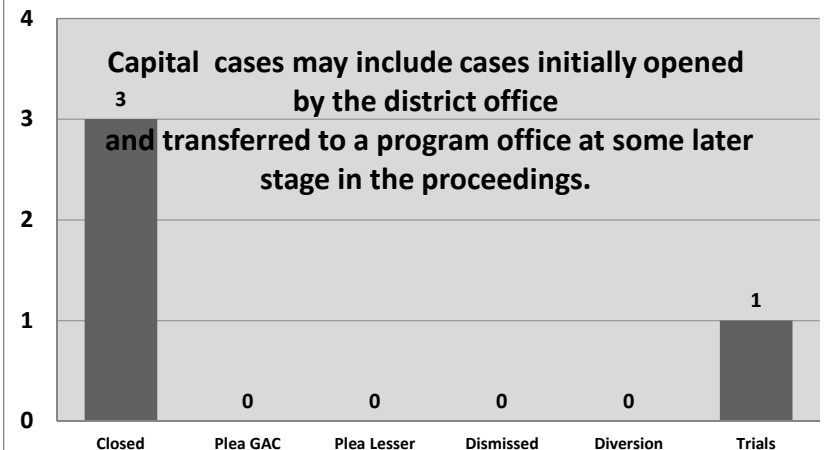
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**



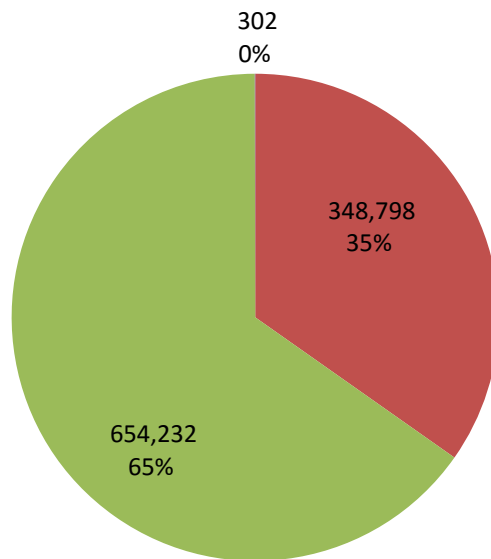


District 27 CY2015	Total CY2015
<b>District Defender: Edward Lopez</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	5,273
District Assistance Fund (DAF)	343,525
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	348,798
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	7,430
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	77,308
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	140,926
Judicial District Courts	374,957
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	515,883
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	53,611
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	53,611
Total for Local Government	654,232
Investment Earnings	
Interest Income	302
Other Investment Income - List source(s)	-
Total for Investment Earnings	302
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	1,003,332

District 27 CY2015	Total CY2015
District Defender: Edward Lopez	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	110,968
Accrued Leave	-
Payroll Taxes	8,911
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	119,879
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	
Operating Services	
Advertisements	45
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	10,263
Dues and Seminars	1,671
Law Library/Journals/Subscriptions	11,217
Office Supplies	2,646
Total for Operating Services	25,842
Professional Services	
Audit/Accounting Expense	7,720
Contract Clerical	-
Expert Witness	-
Investigators	1,200
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	6,588
Contract - Juvenile Attorneys or CINC	42,147
Misdemeanor Attorney Contracts	222,353
Contract Attorneys - all other	626,720
IT/Technical Support	-
Total for Professional Services	906,727
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	-
Total for Other Charges	
Total for EXPENDITURES	1,052,448

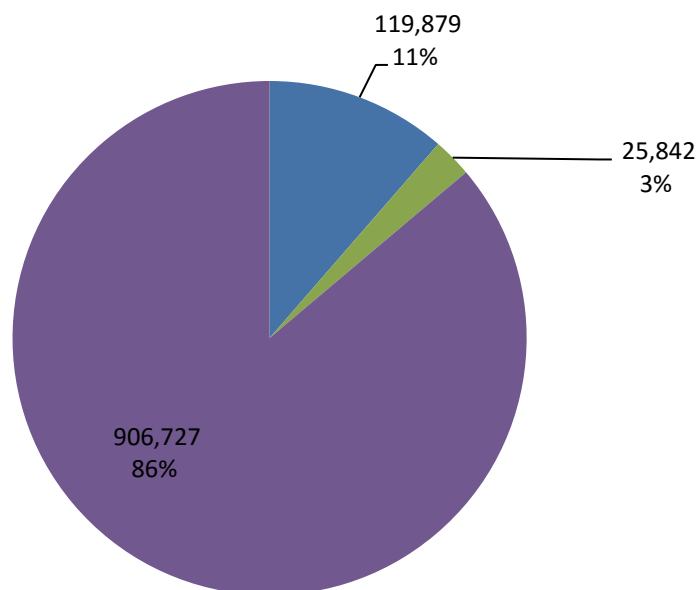
## Total CY15 Revenues

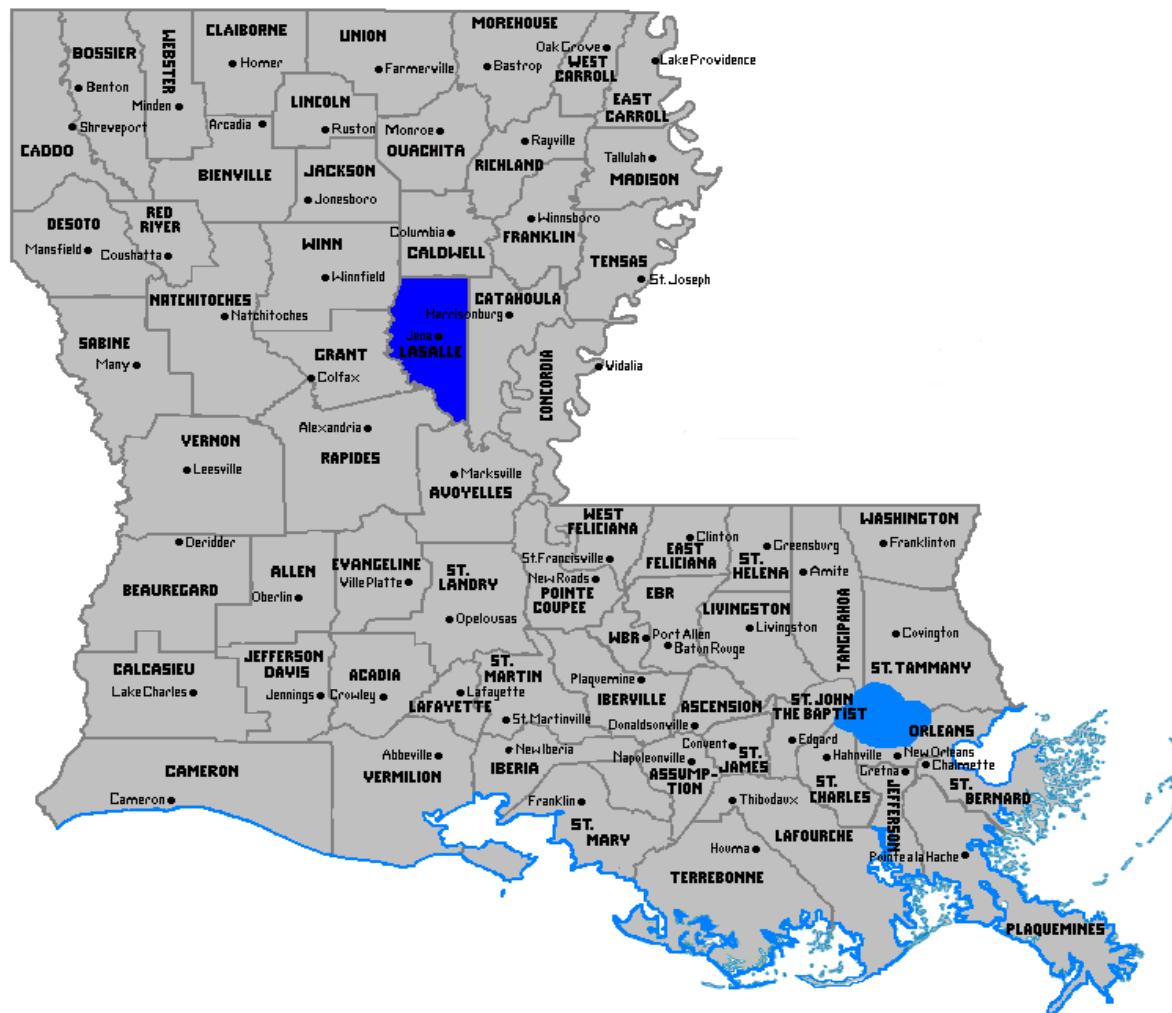
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





THE 28<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
LASALLE (JENA)

DISTRICT DEFENDER: DERRICK CARSON  
3170 N. 1<sup>ST</sup> STREET  
JENA, LA 71342  
(318) 992-0881

## 28th JUDICIAL DISTRICT : LASALLE PARISH

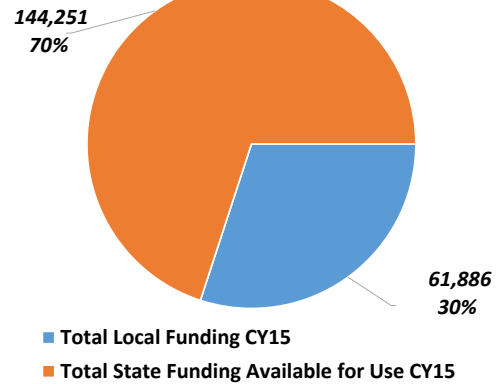
Derrick Carson  
District Defender  
3170 N. 1st St  
Jena, LA 71342  
318-992-0881

During Calendar Year 2015, the 28th Judicial District Public Defenders Office handled 761 cases. The office received \$206,137 in total revenues to handle these cases. Local funds derived primarily from traffic tickets and special court costs are insufficient to support client representation, as approximately 70% of the district's revenues came from state funding.

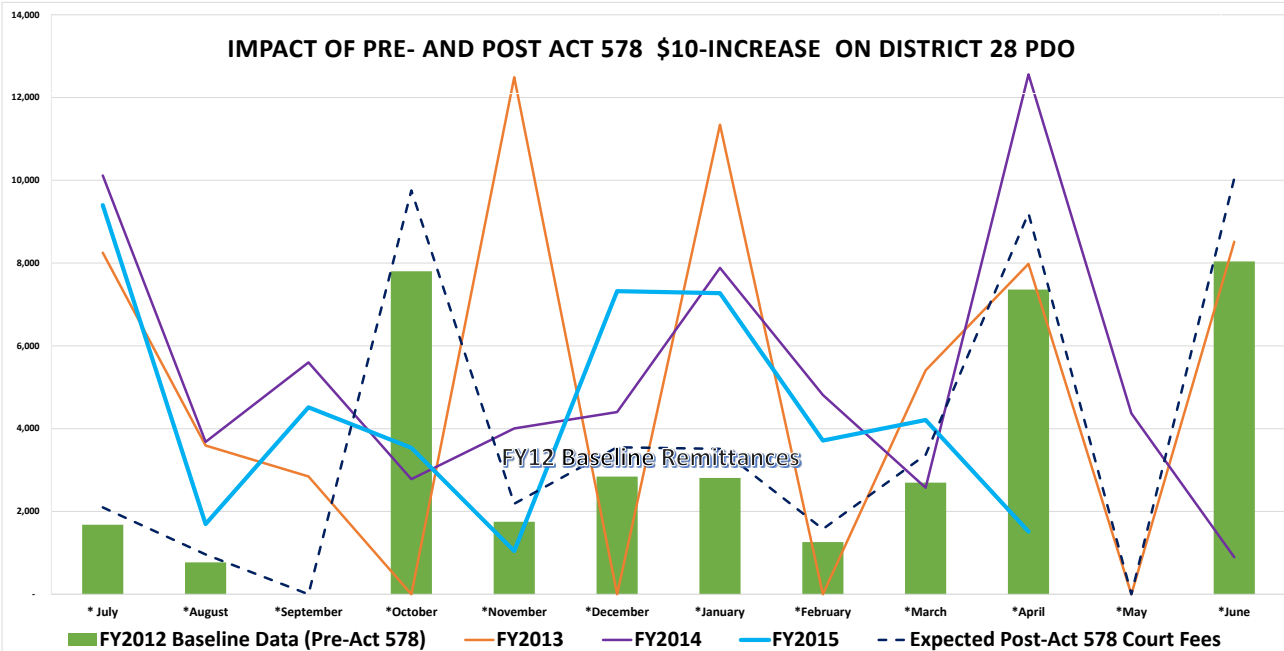
Since the inception of Act 578 (2012), local revenues associated with court costs have been unstable due to erratic remittance patterns. Revenues have fallen below the 25% expected increase quite often.

Although the office received additional state supplemental assistance during FY15, insufficient personnel and fiscal resources forced the 28th Judicial District office to begin restricting services on February 16, 2015.

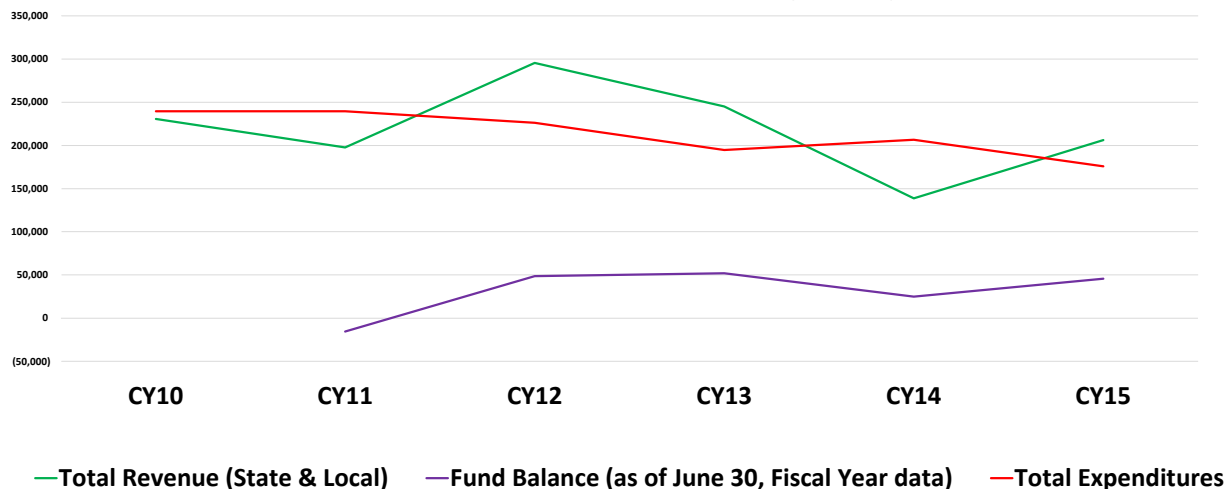
**District 28 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 28 PDO**



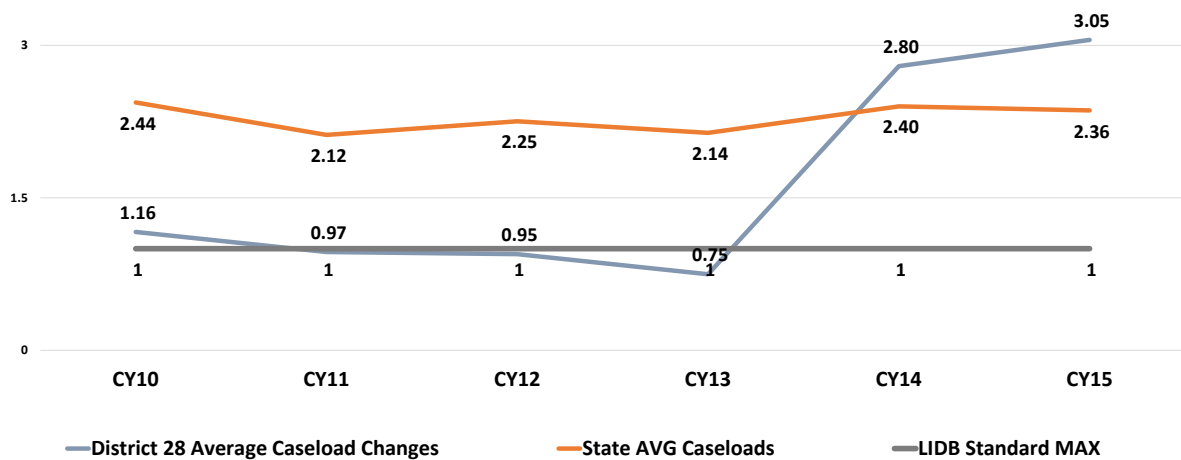
**District 28 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



## 28th JUDICIAL DISTRICT : LASALLE PARISH

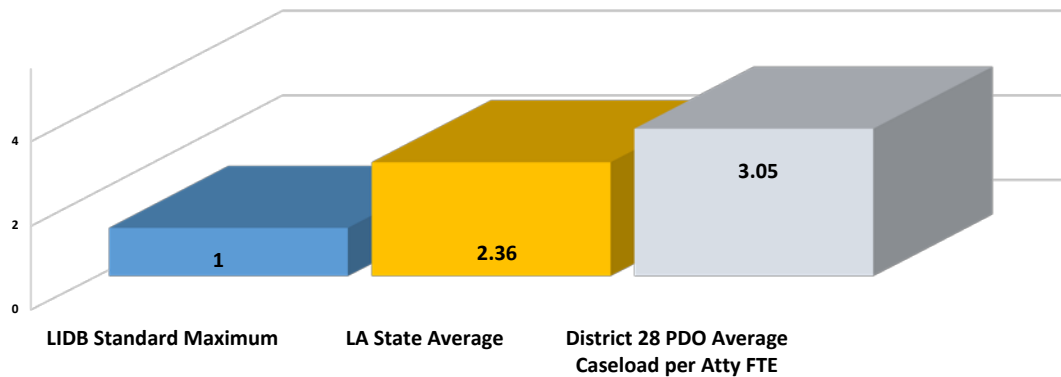
Derrick Carson  
District Defender  
3170 N. 1st St  
Jena, LA 71342  
318-992-0881

District 28 PDO Average Caseload per Atty FTE



In the 28th Judicial District, public defense attorneys maintain caseloads three times the recommended average caseload limit for each attorney as staff reductions have increased attorney workloads. The 28th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.

District 28 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 28TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	LaSalle - Jena
<b>Population</b>	14,890
<b>Juvenile Population</b>	3,524
<b>District Defender</b>	Derrick Carson
<b>Years as District Defender</b>	6.5
<b>Years in Public Defense</b>	15
<b>Office Manager</b>	Judy Pugh
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Jami Wishum, Data Entry, Judy Pugh, Paralegal, Office Admin.
<b>Primary Office Street Address</b>	3170 N. 1st St
<b>City</b>	Jena
<b>ZIP</b>	71342
<b>Primary Phone</b>	318-992-0881
<b>Primary Mailing Address</b>	P.O. Box 13, Jena, LA 71342-0013
<b>Primary Fax Number</b>	318-992-0887
<b>Primary Emergency Contact</b>	Judy Pugh
<b>Primary Emergency Phone</b>	318-452-5746 cell, 318-757-2870 home
<b>Secondary Emergency Contact</b>	Derrick Carson
<b>Secondary Emergency Phone</b>	318-623-0390 cell, 318-757-0473 home
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Jena Properties, LLC (John Verchear)
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Rent \$6,600; Phone \$2,576; Utilities \$6,206.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Jeri Sue Tosspon
<b>Courts and Locations</b>	28th JDC Jena, LA
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	1
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Application is made, reviewed to determine if indigent, determine whether conflict and appointed accordingly.
<b>Name of Adult Detention Facilities in This District</b>	LaSalle Parish Courthouse, Jena, La. LaSalle Corrections, 15976 Hwy 165, Olla, La.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Richland Parish (Women only) Hwy 15, Monroe, Franklin Parish Detention, Winnsboro, La.

<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Renaissance Home for Youth, 6177 Bayou, Alexandria, La.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, makes it more difficult to see clients quickly and more often, increases mileage.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No, do not normally house juveniles.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	J. Reed Walter
<b>Chief Judge of Criminal District Court</b>	Christopher Peters
<b>Juvenile Court Judges (Specify District of City Court)</b>	Judge Christopher Peters
<b>Drug Court Judges</b>	No
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	No
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Indigency determined by information given on application to public defender's Office. Judge does not screen sends everyone.
<b>When is Assignment/Appointment of Counsel Made?</b>	72 hour hearing
<b>What steps does your office take to ensure conflict – free representation</b>	Chief reviews files, discovery reassigns counsel if necessary
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Jami Wishum, data entry; Judy Pugh Paralegal & Office Adm. Lavone Peavy data entry
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	PDO representative goes over forms with client
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	371
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	1,896
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	56021
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Sheriff's office provides list of fees distributed.



<b>Who Collects the Assessed Court Fees?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Sheriff's office provides list of fees distributed.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Sheriff's office provides list of fees distributed.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	None
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	None
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	None
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	0
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted-Yes Criminal, No written private practice policy.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Funding to continue operation of office and to be able to represent clients.
<b>Was your office in ROS at any time during 2015</b>	Yes
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	In restriction of services, have come out and now in partial restriction of services in so far as cannot represent conflict cases, do not have the money to pay for additional attorneys.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No terminations, one attorney downsizing to part time due to health issues.
<b>Immediate Critical Issue Areas</b>	Funding to be able to continue to provide services and represent clients.
<b>Long-Term Critical Issue Areas</b>	Funding to keep and improve services.
<b>Please List All New Hires in 2015 (Name and Title)</b>	Paul Lemke, replaced Jermaine Harris, Darrell Hickman assist in conflict cases. Robert Clark assisted in conflict cases.
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	None

<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, Chief routinely goes over cases with attorneys, provides advice, insight and support. Regular staff meetings to address any problems or accomplishments.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chief, Office Adm. Attorneys, Office Staff
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	None
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None at present.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, Chief normally meets with staff approximately every quarter to go over new information, reviews and takes suggestions.
<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	None
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None appeals are sent to appellate project.
<b>Number of Writs Your District Handled in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Juvenile attorney appointed follows case with assistance of other attorney if needed.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Terry Brown, Steve Pylant, Representatives, Senator Neil Riser
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Attitude of Judicial System towards the Public Defender Office, in particular the Judge.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Krystal Todd	318-992-0881
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Derrick Carson	318-992-0881
Robert Clark	318-336-5886

Darrell Hickman	318-730-2403
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Jami Wishum	318-992-0881
Judy Pugh	318-992-0881
Lavonne Peavy	318-992-0881

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Judy Pugh
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	3
Laptops	1
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	
No Internet Connection	
Connection Speed:	
Provider Name:	century link
Email Provider:	century link
Please list any software or computer equipment in which you need training:	

## 28th District Defender Office CY 2015 Caseloads & Outcomes

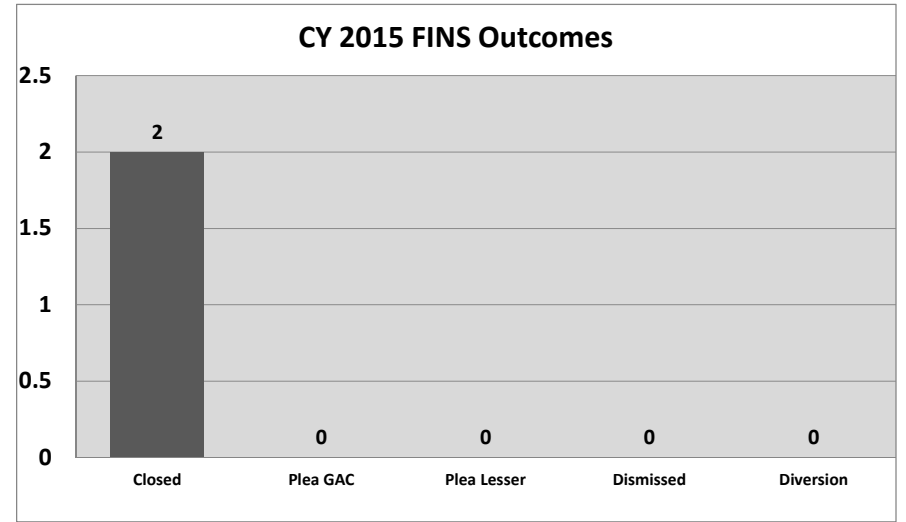
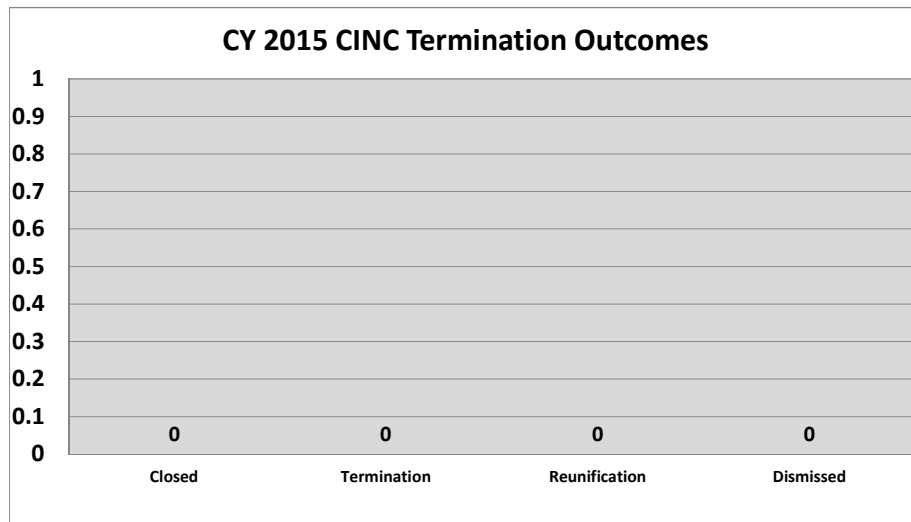
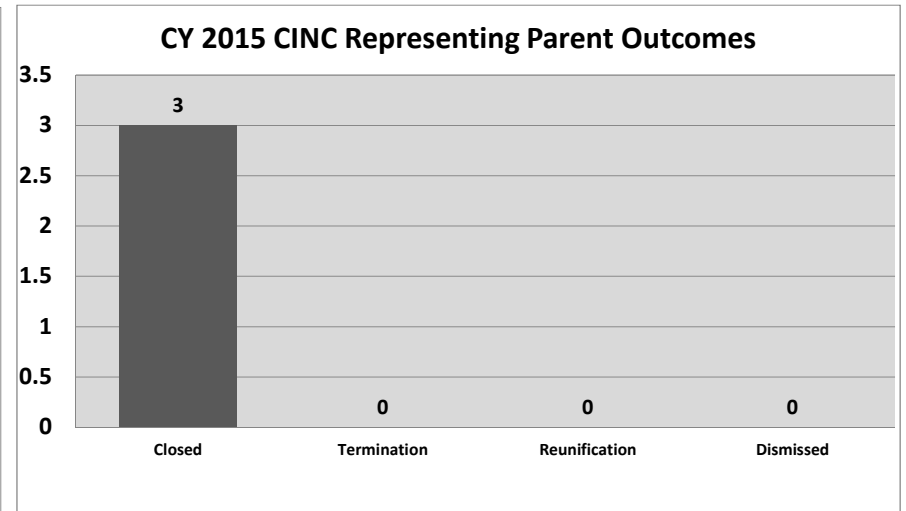
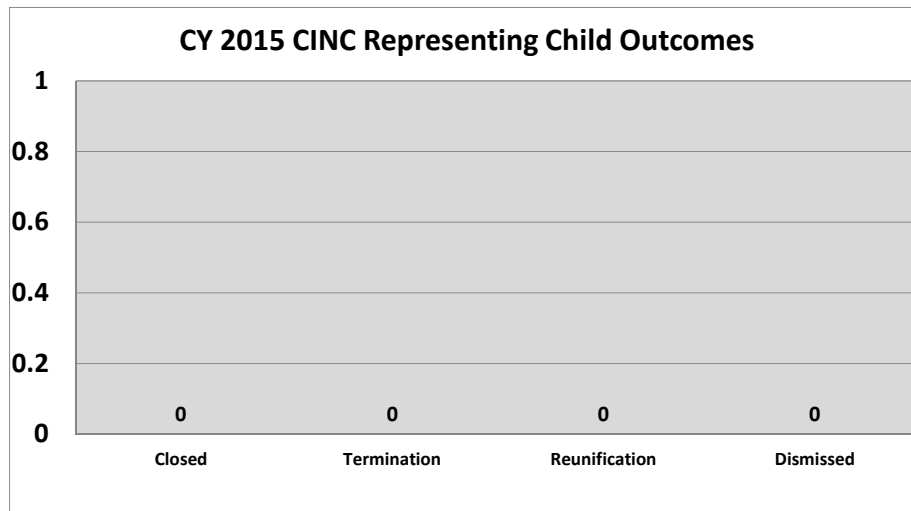
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	3	3	1	4	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	2	3	3	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	0	2	2	2	N/A	N/A	0	0	0	1	N/A	N/A	0	0	0
Delinquency Felony	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	127	162	122	249	N/A	N/A	19	1	6	0	0	0	2	0	2
Adult Felony Non-LWOP**	240	312	262	502	N/A	N/A	43	16	29	0	0	2	3	1	6
Adult LWOP	1	1	0	1	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

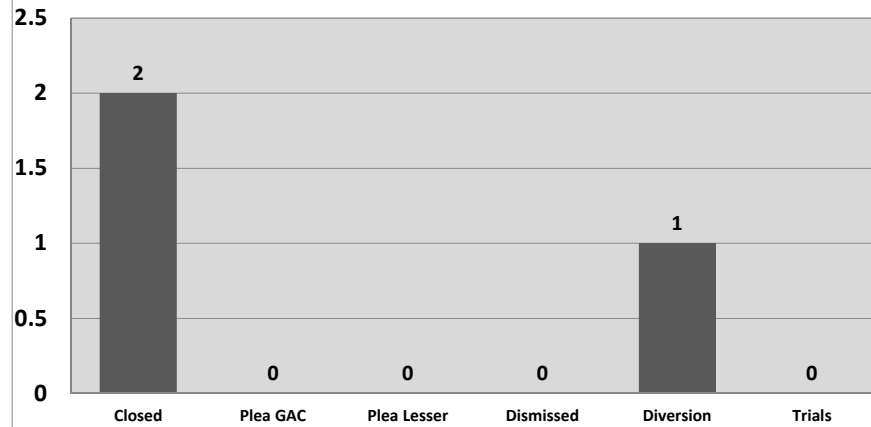
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

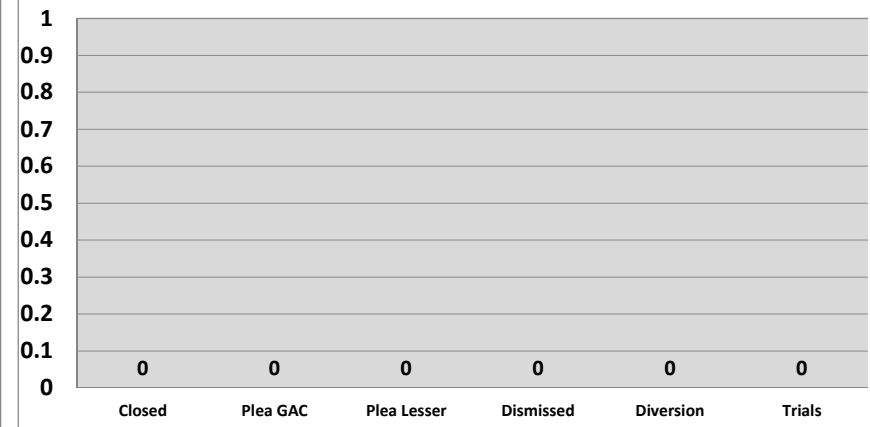
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



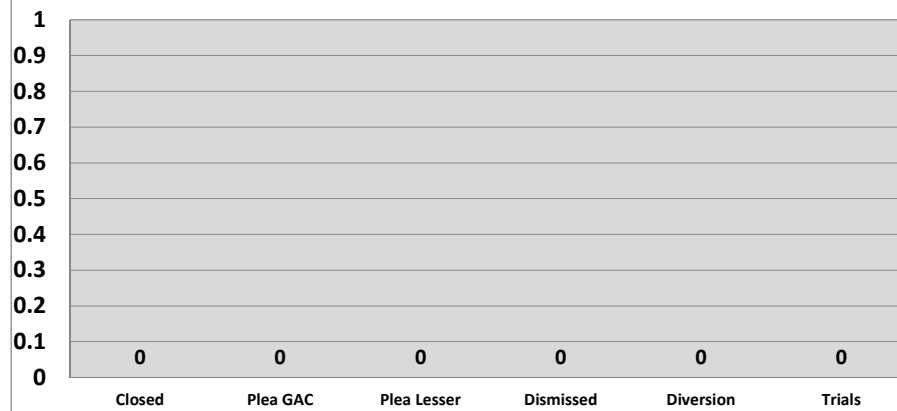
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



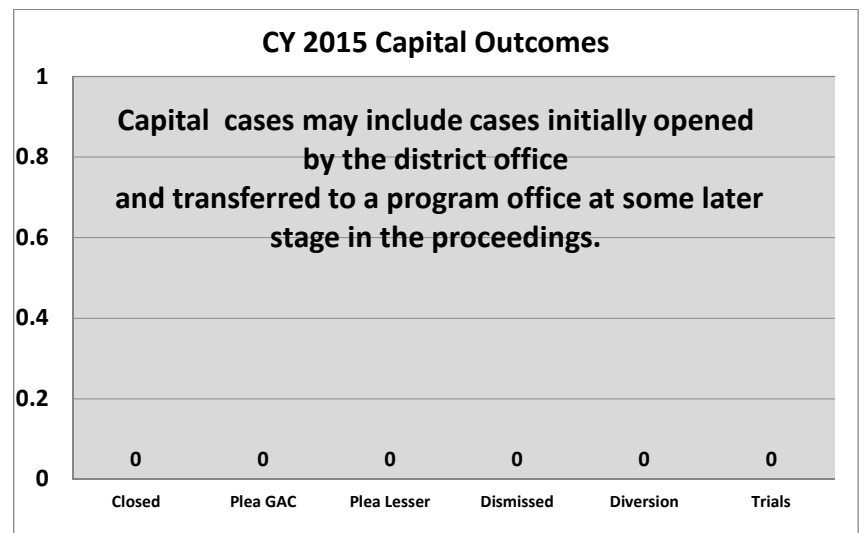
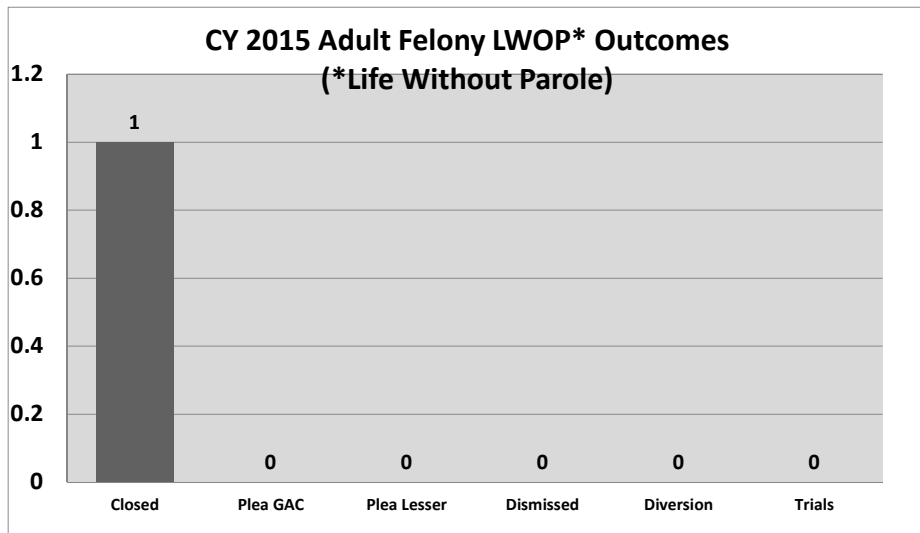
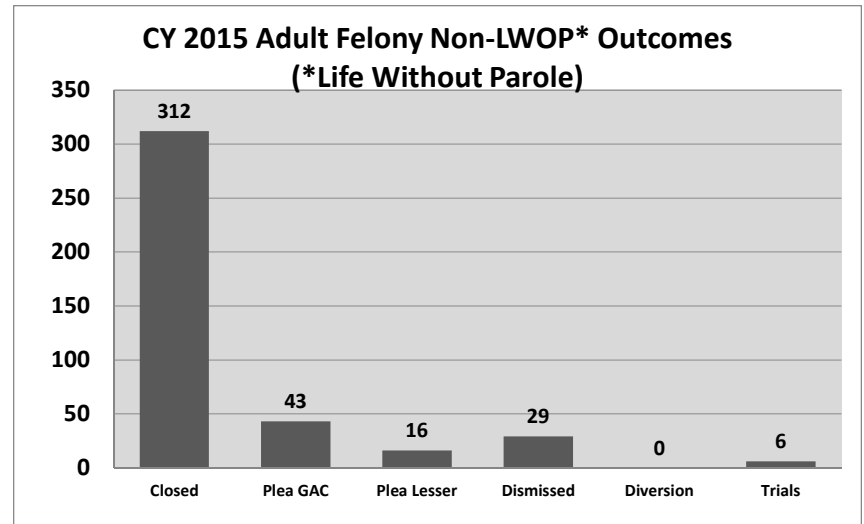
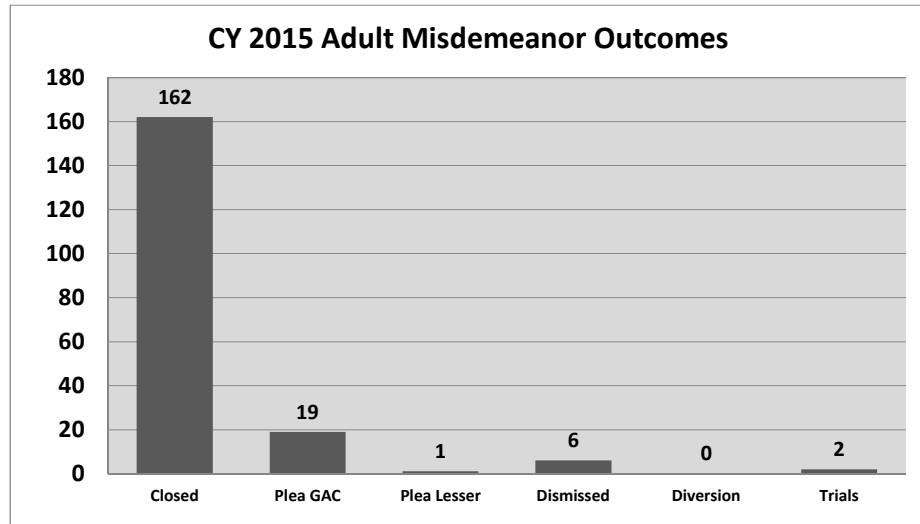
**CY 2015 Delinquency Felony-Grade Outcomes**



**CY 2015 Delinquency Life Outcomes**





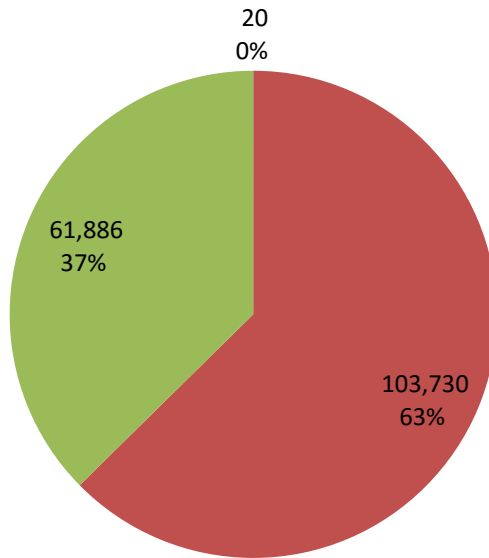


District 28 CY2015	Total CY2015
District Defender: Derrick Carson	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	502
District Assistance Fund (DAF)	22,187
Supplemental/Emergency Funds	81,041
Grants	-
Other State Income -List source(s)	-
Total for State Government	103,730
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	20,667
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	14,406
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	5,667
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	19,165
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	39,238
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	1,981
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	1,981
Total for Local Government	61,886
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	20
Total for Other Sources (Grants & Contributions)	20
Total for REVENUE	165,636

District 28 CY2015	Total CY2015
District Defender: Derrick Carson	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	65,402
Accrued Leave	-
Payroll Taxes	5,661
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	71,063
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	547
Total for Travel/Training	547
Operating Services	
Advertisements	18
Workers' Compensation	-
Insurance - Malpractice	3,678
Insurance - Auto/Physical Liability	99
Insurance - Other	2,931
Lease - Office	5,800
Lease - Auto/Equipment	439
Lease - Other	29
Office Repair and Maintenance	75
Office - Telephone/Utilities/Postage/Internet	8,874
Dues and Seminars	-
Law Library/Journals/Subscriptions	-
Office Supplies	1,275
Total for Operating Services	23,218
Professional Services	
Audit/Accounting Expense	6,740
Contract Clerical	-
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	7,791
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	66,494
IT/Technical Support	-
Total for Professional Services	81,025
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	-
Total for Other Charges	
Total for EXPENDITURES	175,853

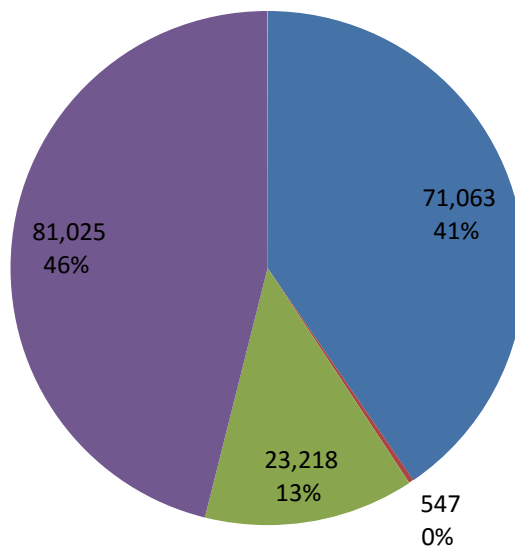
## Total CY15 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





-560-

## 29th JUDICIAL DISTRICT : ST. CHARLES PARISH

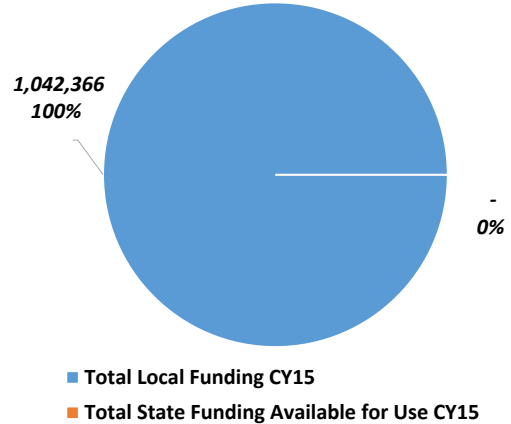
Victor E. Bradley, Jr.  
District Defender  
15621 Airline Highway, Suite B  
Norco, LA 70079  
985-764-2338

During Calendar Year 2015, the 29th Judicial District Public Defenders Office handled 2,014 cases. The office is self-reliant as 100% of its revenues were derived from local funding which came primarily from traffic tickets and special court costs.

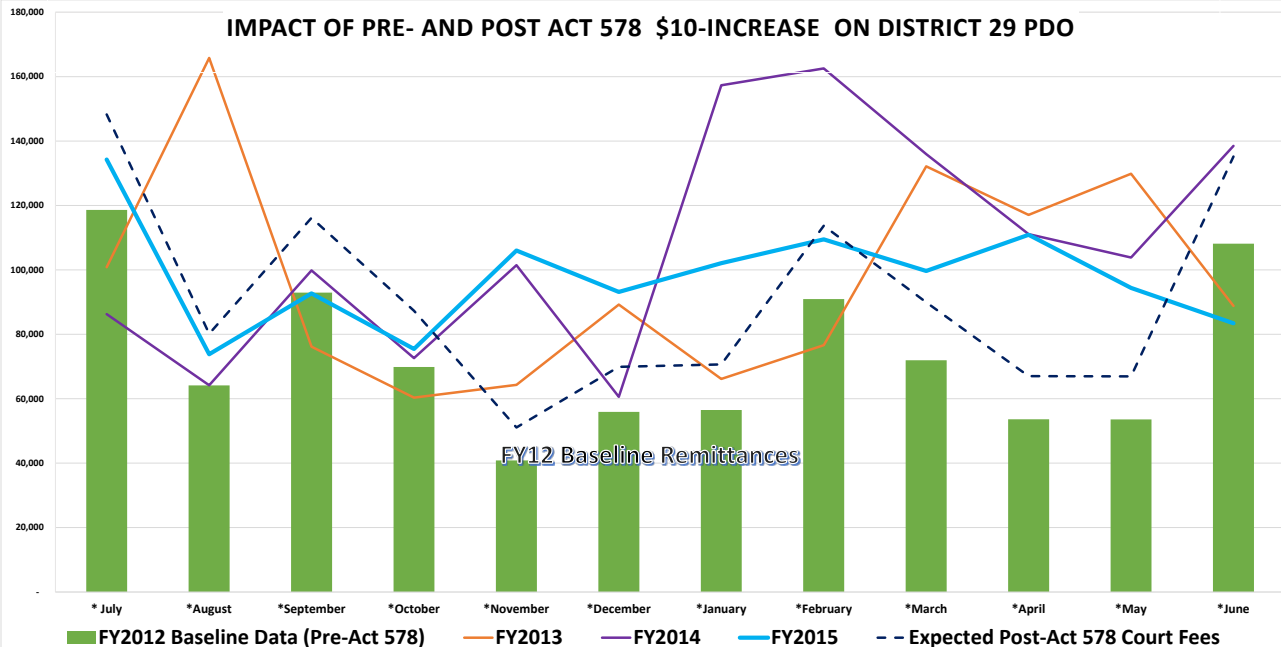
Since the passage of Act 578 (2012) the 29th Judicial District has historically been one of the only districts in the state to almost consistently meet or exceed the expected 25% increase in local revenues. However, during FY15, local revenues only met or exceeded expectations six months of the calendar year.

Between CY10 and CY14, the Judicial District Office's local revenues continued to increase, however during CY15 the district saw a 28% reduction in revenues. It is unclear if 2015 was an anomaly or represents a downward trend for this district. The district and LPDB will continue to monitor the office's revenues. Consistent revenues have allowed the District Defender to provide living wages to support staff and public defense attorneys, while also maintaining attorney caseloads near the recommended caseload limits.

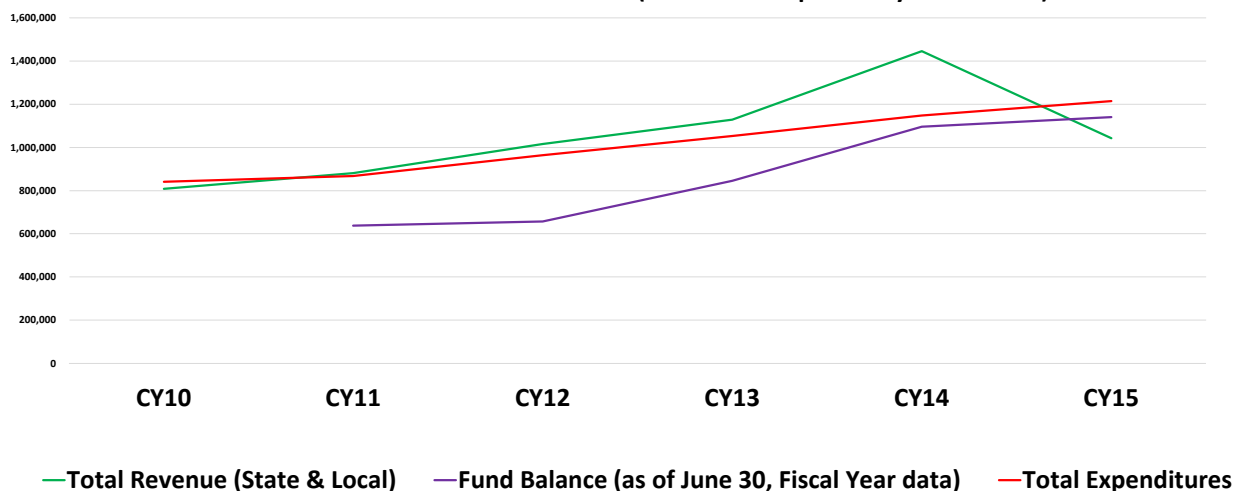
**District 29 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 29 PDO**

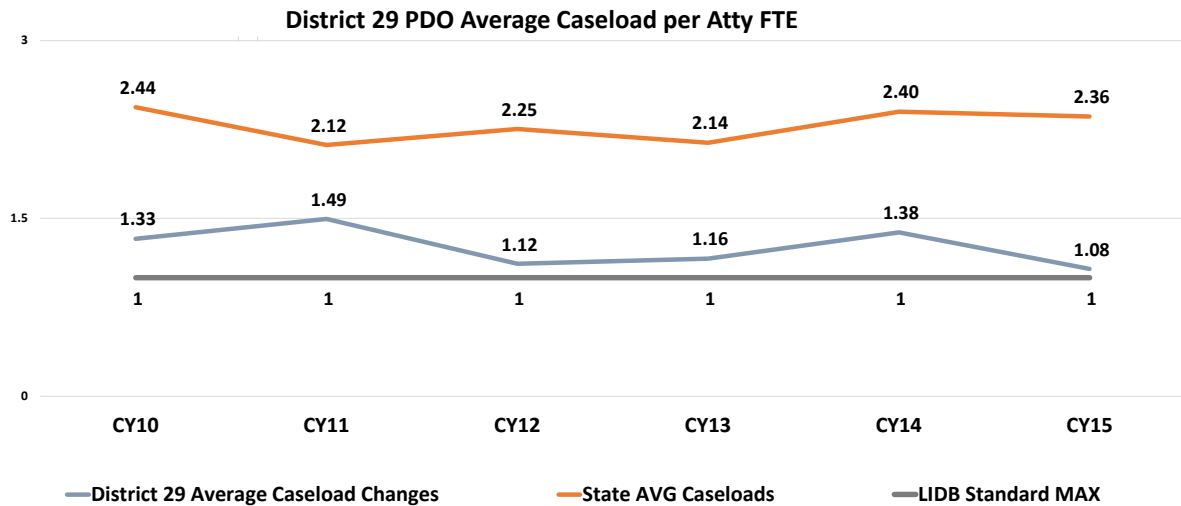


**District 29 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



## 29th JUDICIAL DISTRICT : ST. CHARLES PARISH

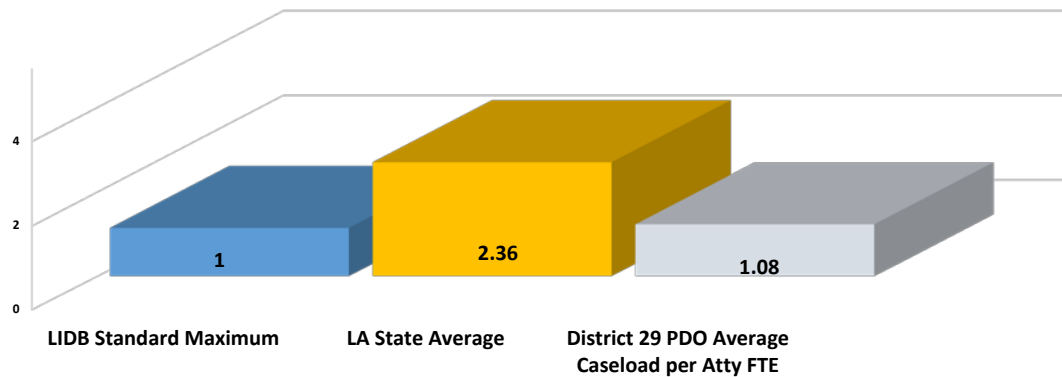
Victor E. Bradley, Jr.  
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985-764-2338



In the 29th Judicial District, public defense attorneys maintain caseloads near the recommended caseload limit for each attorney and well below the state average.

Through increased training and supervision, client outcomes have significantly improved over the last six years.

**District 29 PDO Average Caseloads Compared to State Average & State Standard Maximums**



### CAPITAL REPRESENTATION

This PDO has no capially certified counsel on staff, but the district has adequate funds to contract with certified counsel outside the district.



## THE 29TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. Charles - Hahnville
<b>Population</b>	52,745
<b>Juvenile Population</b>	13,397
<b>District Defender</b>	Victor E. Bradley, Jr.
<b>Years as District Defender</b>	18
<b>Years in Public Defense</b>	40
<b>Office Manager</b>	Michele C. Waguespack
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Anne L. Miranda, Data Compliance Clerk
<b>Primary Office Street Address</b>	15621 Airline Highway, Suite B
<b>City</b>	Norco
<b>ZIP</b>	70079
<b>Primary Phone</b>	985-764-2338
<b>Primary Mailing Address</b>	P. O. Box 188, Norco, Louisiana 70079-0188
<b>Primary Fax Number</b>	985-764-1479
<b>Primary Emergency Contact</b>	Vic Bradley, Jr.
<b>Primary Emergency Phone</b>	504-905-8786 - Cell
<b>Secondary Emergency Contact</b>	Michele Waguespack
<b>Secondary Emergency Phone</b>	504-487-5835 - Cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	1308 Paul Maillard Road, P. O. Box 21, Luling, Louisiana 70070; 985-785-5494
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Norco - New Orleans Recovery LLC; Luling - Don-Paul Landry
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	2,200
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	29th Judicial District Court
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	29th Judicial District Court, Hahnville - 3 Sections.



<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Each of the 3 divisions is assigned 2 felony attorneys and 1 misdemeanor/ juvenile attorney. After the judge determines indigency at the 72-hour hearing, a list of those defendants who are entitled to be appointed counsel is sent to the PDO where felony cases are rotated between that division's 2 attorneys and misdemeanor cases are assigned to that division's attorney.
<b>Name of Adult Detention Facilities in This District</b>	Nelson Coleman Correctional Center, Killona
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None locally.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Assumption Youth Detention Center, 122 Parish Complex Road, Napoleonville, LA.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Travel time and expense for attorney
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes, they are kept shackled the entire time.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	At the St. Charles Parish Jail sometimes there is a time-waiting issue for the attorneys to see their clients due to the lack of interview space at the jail.
<b>District Attorney</b>	Joel T. Chaisson, II
<b>Chief Judge of Criminal District Court</b>	Emile R. St. Pierre
<b>Juvenile Court Judges (Specify District or City Court)</b>	The 3 District Judges alternate juvenile court monthly.
<b>Drug Court Judges</b>	3 Judges rotate annually.
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	Yes
<b>Name of Specialty and Brief Description:</b>	Juvenile Drug Court
<b>Indigency Determined by Whom and How?</b>	Judge - questions defendant at initial appearance - 72-Hour Hearing - and checked at PDO when application is completed.
<b>When is Assignment/Appointment of Counsel Made?</b>	Each of the 3 divisions is assigned 2 felony attorneys and 1 misdemeanor/ juvenile attorney. After the judge determines indigency at the 72-hour hearing, a list of those defendants who are entitled to be appointed counsel is sent to the PDO where felony cases are rotated between that division's 2 attorneys and misdemeanor cases are assigned to that division's attorney.
<b>What steps does your office take to ensure conflict – free representation</b>	Before an attorney is assigned, the defendant's name is run through the database to see if he/she was previously represented by one of our attorneys. This is also done with co-defendants, if known. If we know who the victim is, the same procedure is followed. As best we can, we try to keep the defendant with the same attorney.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Manina Dubroca, Interview Attorney

<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	After the determination of indigency, Ms. Dubroca goes to the jail and interviews the defendants and completes the form - copy of which is attached.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	None
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	6,399
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Sheriff's Office - if the defendant is unable to pay the \$40.00 at the time of the completion of the application form, this amount is added to the partial payment of legal fees - see below
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	989,230
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Most of the time. Sometimes they waive all fees.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Sheriff's Office
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's Office – Bonds & Fines
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Receive bi-monthly statements from the Sheriff's Office.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Office – Bonds & Fines
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Receive bi-monthly statements from the Sheriff's Office.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	\$300 for minor misdemeanors; \$400 for felonies and sometimes a higher amount is set when case is more serious and defendant is able to pay. If defendant was unable to pay \$40 at the time the application was completed, it is added to above amounts. Fee may be set by judge for major felonies and trials. Defendant who goes to prison pays no fee.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Sheriff's Office
<b>Who Collects the Assessed Partial Payments?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	A Disbursement Summary is provided by the Sheriff's Office indicating settlement dates and the amounts.
<b>Who Remits the Partial Payments Collected?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Sheriff's Office

<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Criminal and civil practices are permitted for all attorneys; all attorneys are on contract. Attorneys are Not allowed to be retained by a defendant on a case in which he/she had previously been appointed to represent that defendant for that case. Yes, attorneys have been advised of this in writing.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes – copy attached.
<b>Primary Immediate Needs</b>	Benefits for employees
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Training for different areas of trial practice in court. This could be by regional training and/or training videos for different parts of trial practice which could be passed out by the State and presented in each district by the District Defender.
<b>Long-Term Critical Issue Areas</b>	Insufficient space at Parish Jail for attorney/client conferences.
<b>Please List All New Hires in 2015 (Name and Title)</b>	Donna Usner, Social Worker
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	Copies of media coverage has previously been submitted to the State.
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. When a new attorney is hired, he/she is assigned to one of the other attorneys in the same division and/or with the attorney they are being hired to replace. As District Public Defender, I also appear in court periodically with the new attorney and provide any assistance that may be needed.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District Public Defender supervises all attorneys and the Administrative Assistant. Administrative Assistant supervises the office staff.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	Yes, Donna Usner, Social Worker
<b>Please Attach Your Office Organizational Chart</b>	Attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	N/A

<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes, for full-time employees. PDO pays 75%, employee pays 25%.
<b>Regular Meetings for Any Staff, Please Describe</b>	As needed
<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	None
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2015</b>	9
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Juvenile attorney will be assigned as second chair with the felony attorney.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Gary L. Smith, Jr., - Senator - 19th District; Gregory A. Miller - Representative - 56th District; Randal L. Gaines - Representative - 57th District; Thomas P. Willmott - Representative - 92nd District
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Limited visitation space at Parish jail.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Social Worker was hired and began working in January.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Chaisson, Maria M.	985-307-1094
Dubroca, Manina	985-785-6812
Lewis, Christina	985-785-6812
Marino, Juanita R.	985-764-1193
Marino, Mark A.	985-764-1515
Moyer, David S.	985-308-1509
Williams, Deanne R.	985-785-5494
Swann, III, Fenwick A.	985-785-5494
Williams, Wendy J.	985-308-0510
Rogers, Lauren D.	985-308-1509
Landry, Don Paul	985-785-5494
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Waguespack, Michele C.	985-764-2338

Miranda, Anne L.	985-764-2338
Rook, John E.	985-764-2338
Findley, Jamie B.	985-764-2338
Donna Usner	985-785-6450

## **2015 District Office Technology Survey**

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.

**Survey Completer's Name**

Michele Waguespack

**SOFTWARE:**

Mark an X in all that apply

**Operating Systems Used:**

Windows 10

Windows 8

Windows 7

x

Windows Vista

Windows Server 2000/2003/2008

Microsoft Windows 2012 R 2 Standard Edition

Windows XP

Mac OSX

**Case Management System(s): Check all that apply**

defenderData (LPDB statewide system)

x

Other System (please name)

**Productivity Suites Used:**

Microsoft Office 2016 (Word, Excel, etc.)

x

Microsoft Office 2013

Microsoft Office 2010

x

Microsoft Office 2007

x

Microsoft Office 2003

Previous Microsoft Office version

Corel Word Perfect

x

Other

**Accounting Software**

QuickBooks

x

Quicken

x

Intuit

Other (list here):

**Internet Browsers Used:**

Internet Explorer 6

Internet Explorer 7

Internet Explorer 8

Internet Explorer 9

Internet Explorer 10	
Internet Explorer 11	x
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b>HARDWARE:</b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	5
Laptops	
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	3
Color Printers	2
Wireless Cards	
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	8mb
Provider Name:	Cox Cable
Email Provider:	Hosted Exchange
Please list any software or computer equipment in which you need training:	Excel

## 29th District Defender Office CY 2015 Caseloads & Outcomes

Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	2	5	10	12	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	49	37	23	72	0	33	N/A	N/A	8	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	28	32	12	40	N/A	N/A	1	0	17	3	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	99	120	43	142	N/A	N/A	93	2	48	17	N/A	N/A	0	0	0
Delinquency Felony	47	52	22	69	N/A	N/A	39	7	45	5	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	7	15	1	8	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	594	578	183	777	N/A	N/A	387	15	302	30	0	1	1	3	5
Adult Felony Non-LWOP**	531	473	222	753	N/A	N/A	201	73	394	4	1	1	0	6	8
Adult LWOP	0	2	5	5	N/A	N/A	1	0	2	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	94	94	42	136	N/A	N/A	0	0	3	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

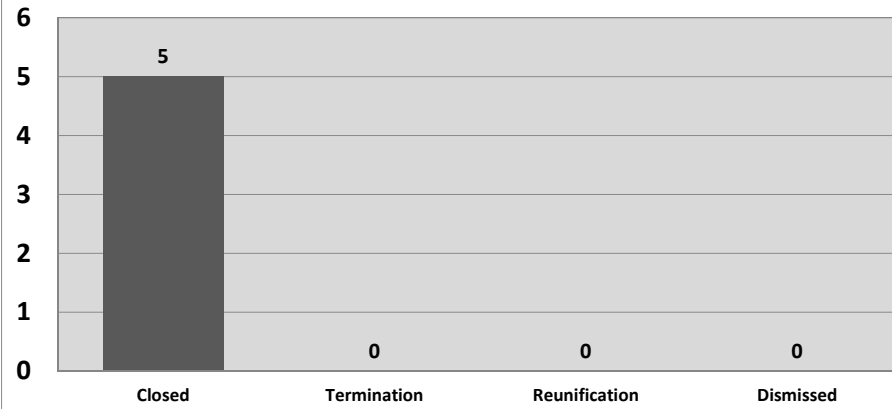
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

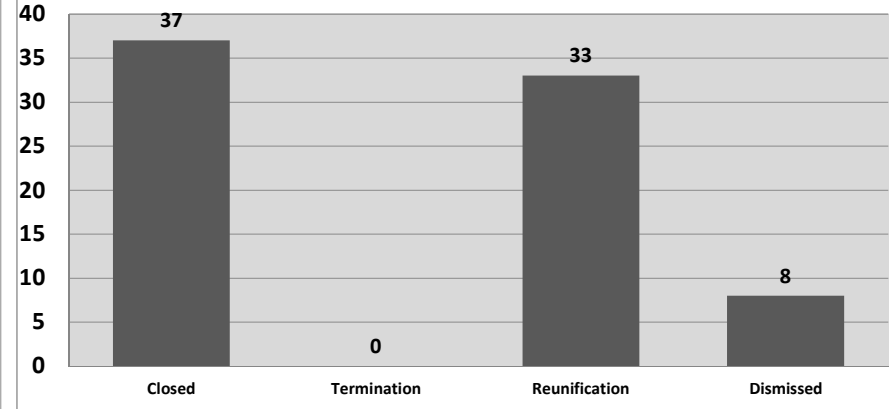
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



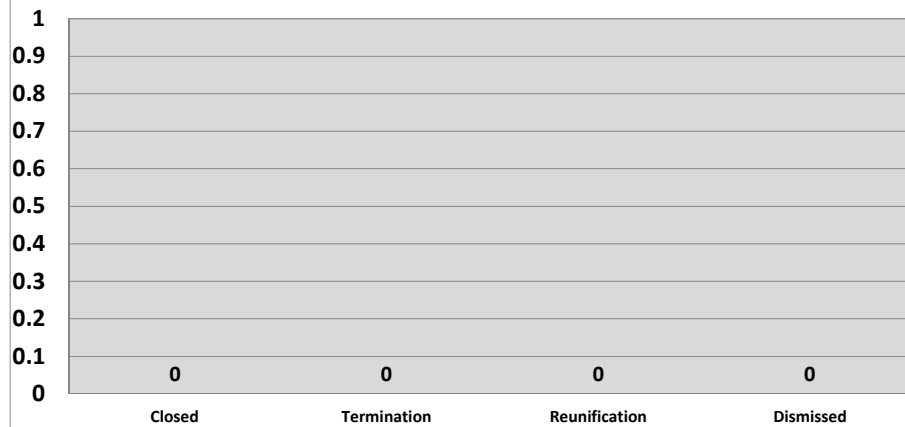
**CY 2015 CINC Representing Child Outcomes**



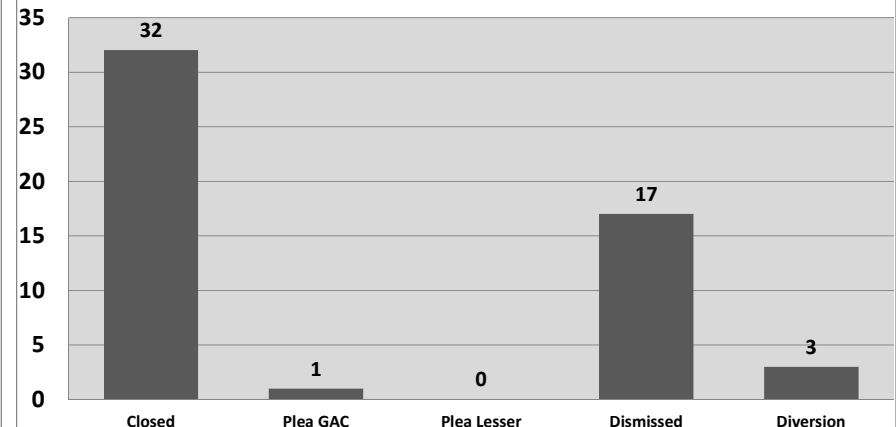
**CY 2015 CINC Representing Parent Outcomes**



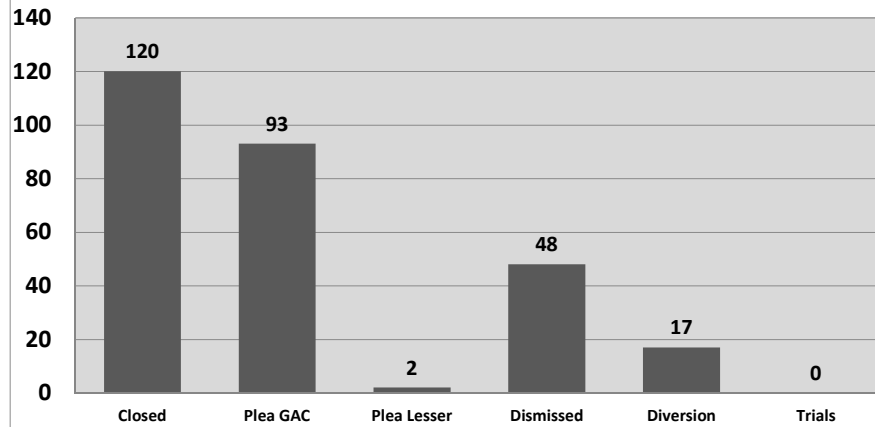
**CY 2015 CINC Termination Outcomes**



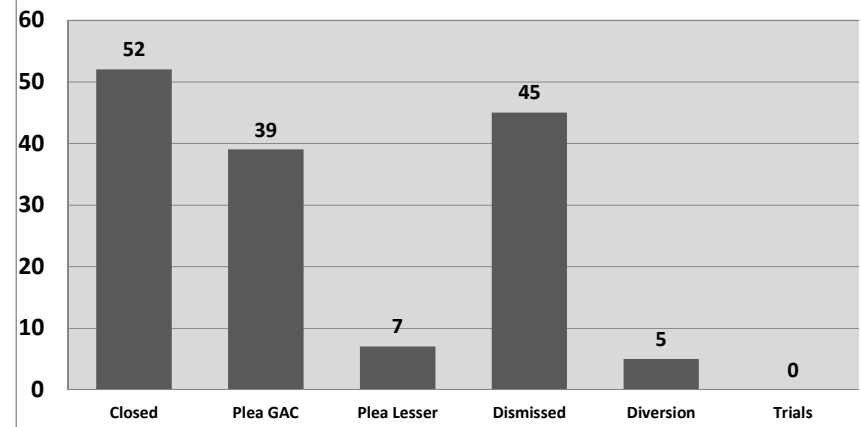
**CY 2015 FINS Outcomes**



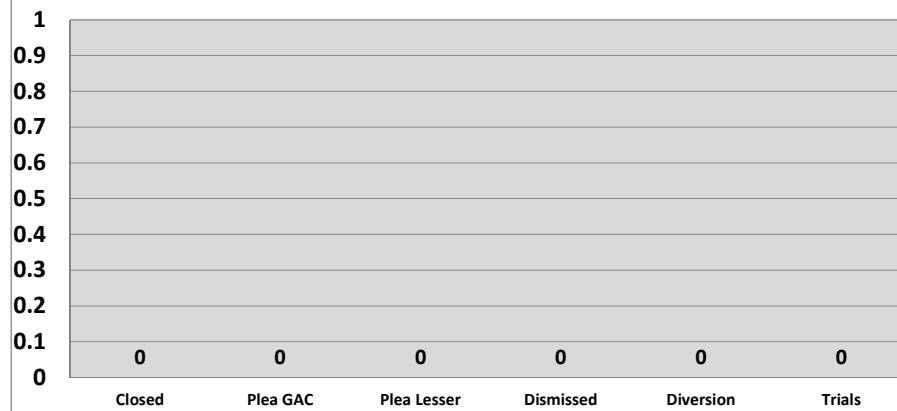
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



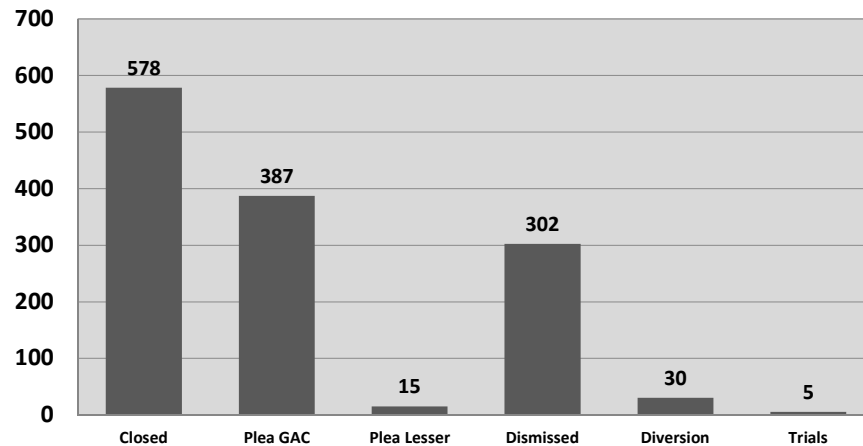
**CY 2015 Delinquency Felony-Grade Outcomes**



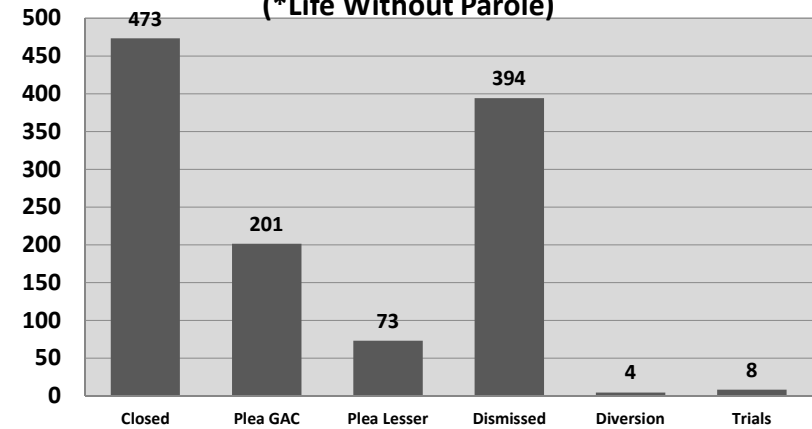
**CY 2015 Delinquency Life Outcomes**



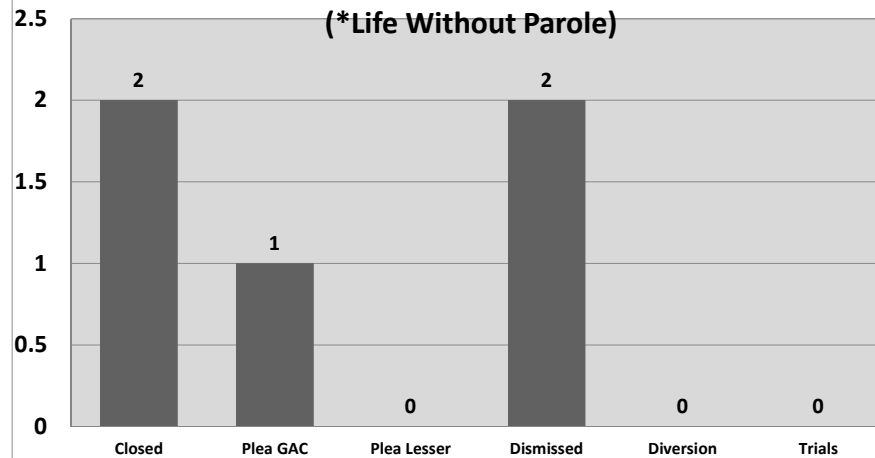
**CY 2015 Adult Misdemeanor Outcomes**



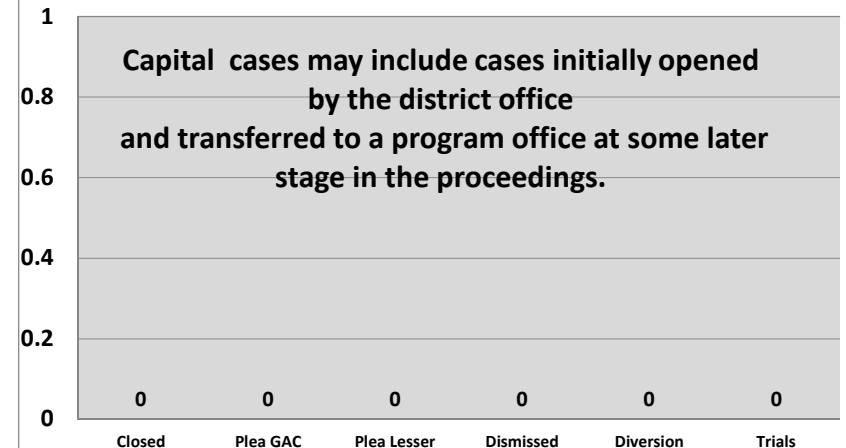
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

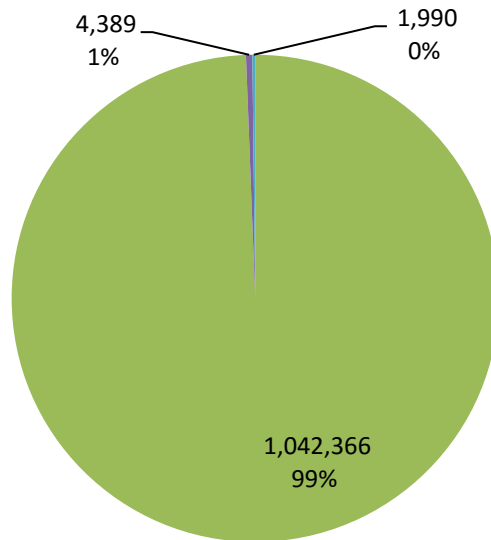


District 29 CY2015	Total CY2015
District Defender: Victor Bradley, Jr.	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	-
District Assistance Fund (DAF)	-
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	9,560
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	989,230
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	989,230
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	6,399
Partial Attorney Fees	
Reimbursements [as per 15:176]	34,677
Other Reimbursements	2,500
Other Local Income -List source(s)	-
Total for Charges For Services	43,576
Total for Local Government	1,042,366
Investment Earnings	
Interest Income	4,389
Other Investment Income - List source(s)	-
Total for Investment Earnings	4,389
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	1,990
Total for Other Sources (Grants & Contributions)	1,990
Total for REVENUE	1,048,745

District 29 CY2015	Total CY2015
District Defender: Victor Bradley, Jr.	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	268,270
Accrued Leave	-
Payroll Taxes	20,513
Hospitalization and Disability Insurance	15,119
Retirement	-
Other	697
Total for Personnel Services and Benefits	304,598
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	7,591
Total for Travel/Training	7,591
Operating Services	
Advertisements	281
Workers' Compensation	2,903
Insurance - Malpractice	4,017
Insurance - Auto/Physical Liability	4,102
Insurance - Other	-
Lease - Office	18,200
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	2,089
Office - Telephone/Utilities/Postage/Internet	7,297
Dues and Seminars	7,584
Law Library/Journals/Subscriptions	32,701
Office Supplies	2,494
Total for Operating Services	81,668
Professional Services	
Audit/Accounting Expense	7,010
Contract Clerical	-
Expert Witness	11,438
Investigators	-
Interpreters	506
Social Workers	18,982
Capital Representation	-
Conflict	4,320
Contract - Juvenile Attorneys or CINC	106,575
Misdemeanor Attorney Contracts	106,575
Contract Attorneys - all other	548,100
IT/Technical Support	4,202
Total for Professional Services	807,708
Capital Outlay	
Major Acquisitions	9,967
Total for Capital Outlay	9,967
Other Charges	
Other Operating Expenses	3,276
Total for Other Charges	3,276
Total for EXPENDITURES	1,214,809

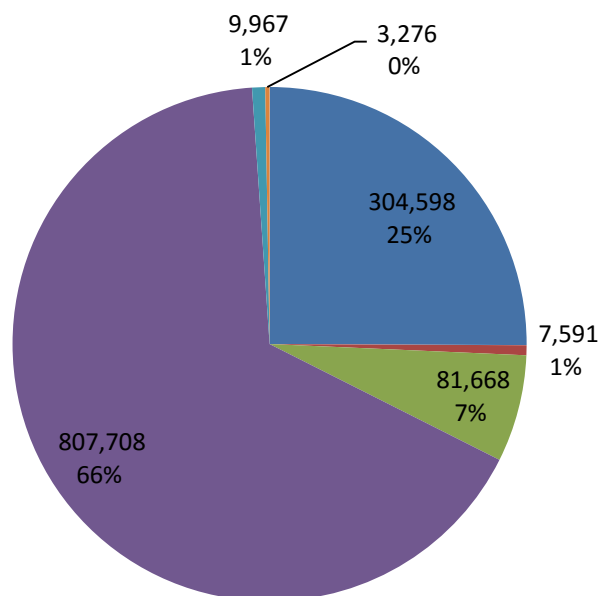
## Total CY15 Revenues

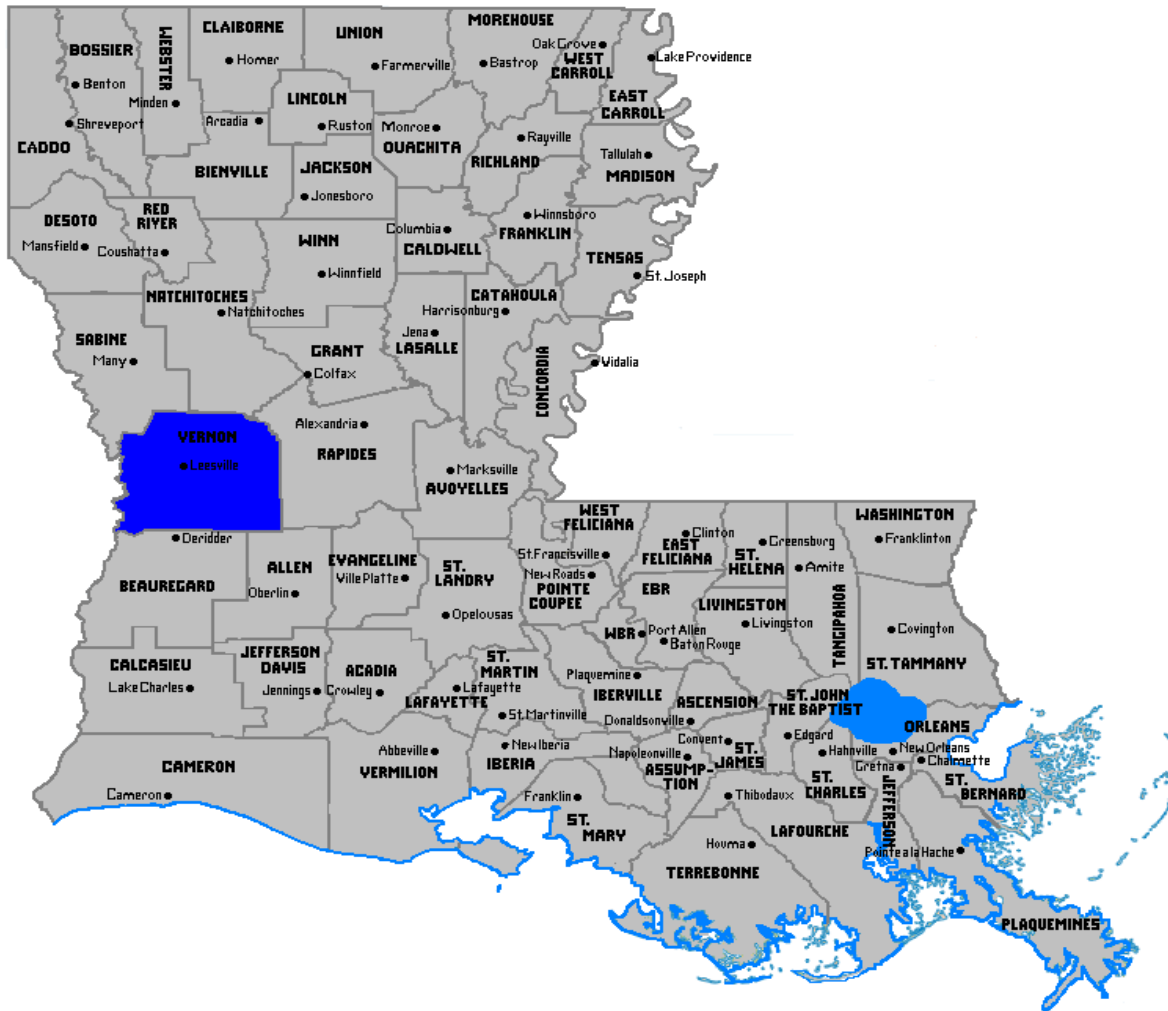
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





THE 30<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
VERNON (LEESVILLE)

DISTRICT DEFENDER: TONY TILLMAN  
501 SOUTH FOURTH STREET  
LEESVILLE, LA 71446  
(337) 392-3077

## 30th JUDICIAL DISTRICT : VERNON PARISH

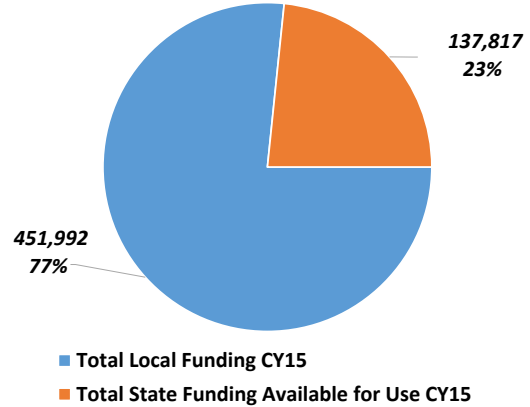
Tony Tillman  
District Defender  
501 South Fourth Street  
Leesville, LA 71496  
337-392-3077

During Calendar Year 2015 the 30th Judicial District Public Defenders Office handled 2,203 cases. The office received \$589,809 in total revenues to handle these cases, approximately 77% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

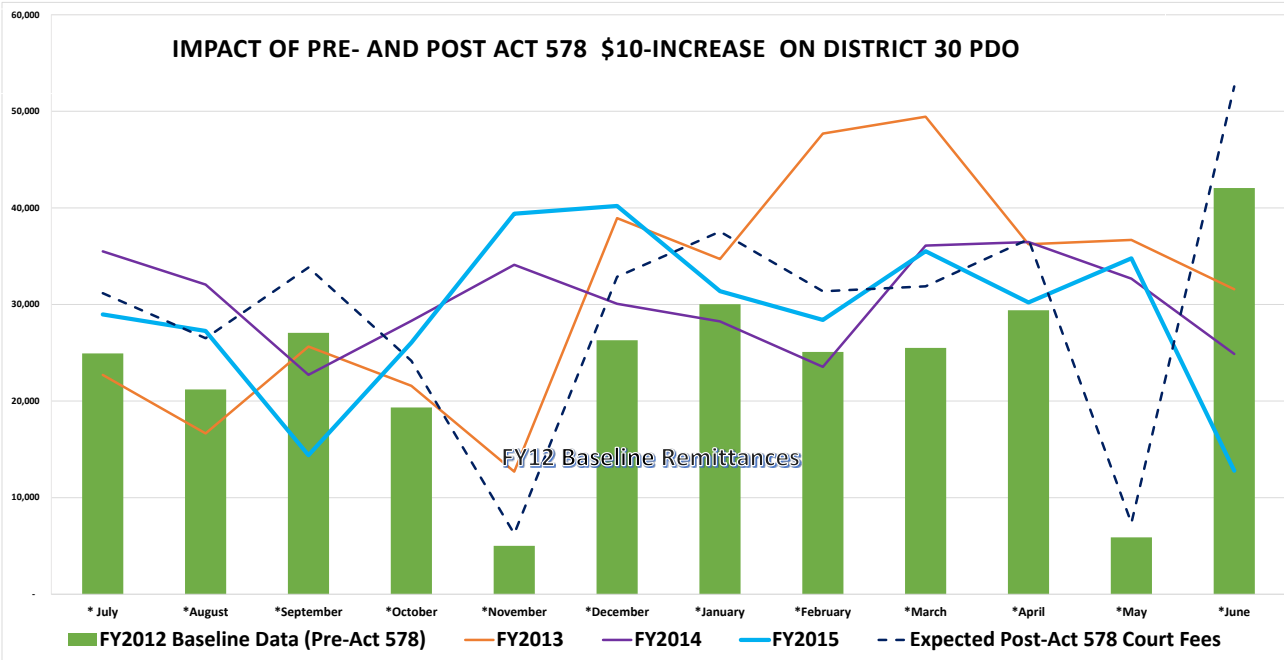
Since the inception of Act 578 (2012), local revenues associated with court costs have been unstable and erratic. As shown in the graph below, revenues have fallen below the 25% expected increase more than fifty percent of the time.

The 30th Judicial District office has nearly exhausted its fund balance. Insufficient personnel and fiscal resources forced the 30th Judicial District office to begin restricting services January of 2015.

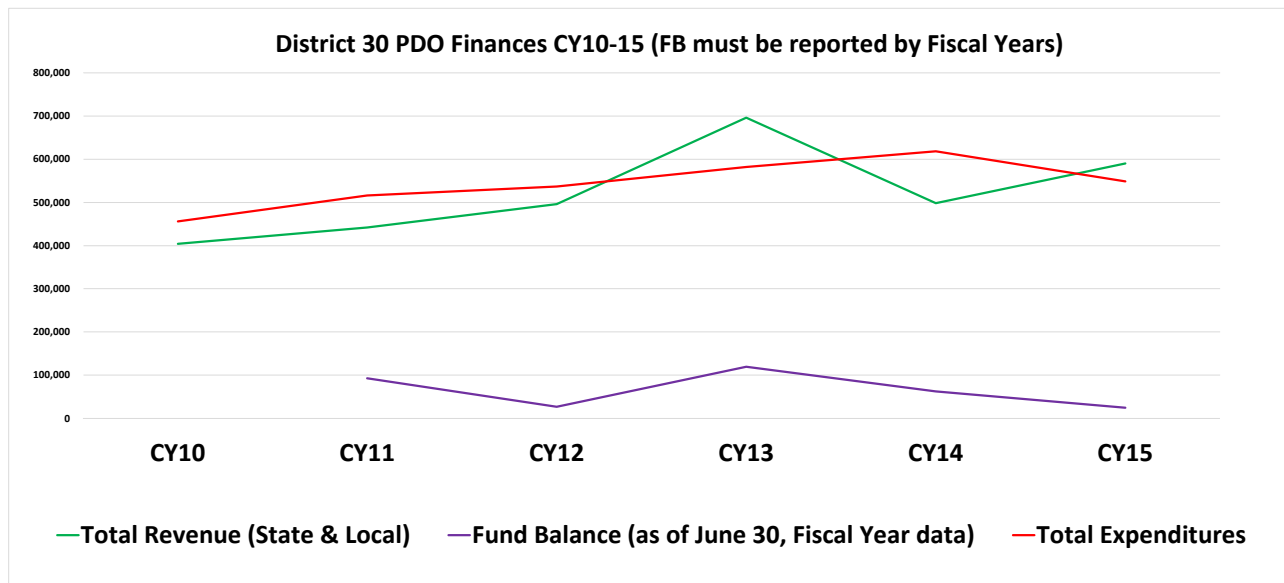
**District 30 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 30 PDO**



**District 30 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**

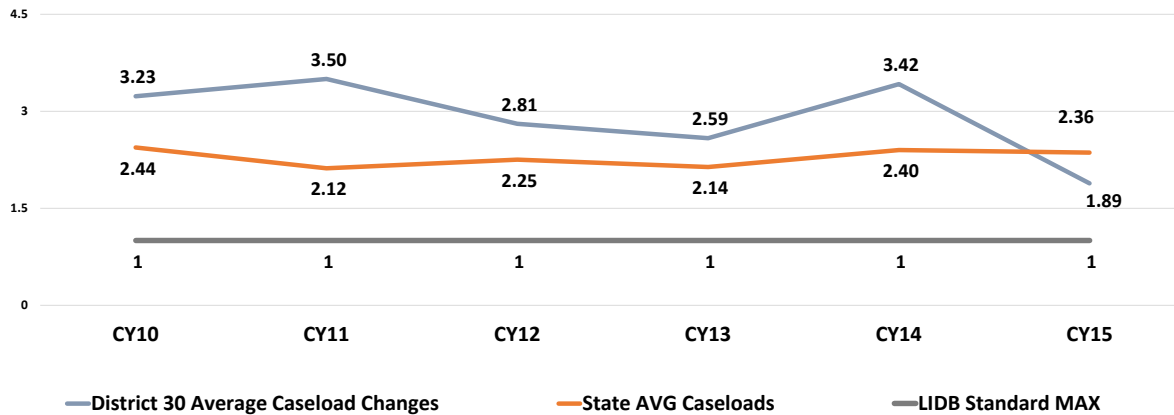




## 30th JUDICIAL DISTRICT : VERNON PARISH

Tony Tillman  
District Defender  
501 South Fourth Street  
Leesville, LA 71496  
337-392-3077

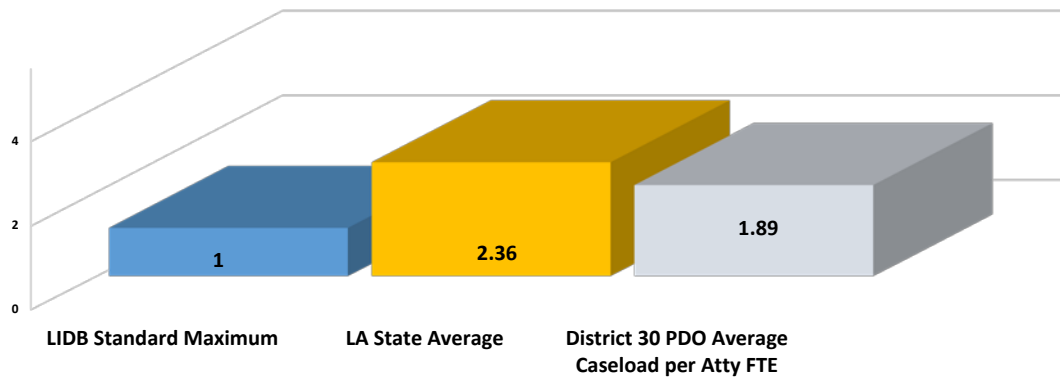
District 30 PDO Average Caseload per Atty FTE



In the 30th Judicial District, public defense attorneys maintain caseloads nearly twice the recommended caseload limit for each attorney.

Although caseloads remain high due to insufficient revenues, through increased training and supervision, adult client outcomes have significantly improved over the last six years.

District 30 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 30TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Vernon - Leesville
<b>Population</b>	52,334
<b>Juvenile Population</b>	14,512
<b>District Defender</b>	Tony Tillman
<b>Years as District Defender</b>	7
<b>Years in Public Defense</b>	33
<b>Office Manager</b>	Jennifer Prewitt
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Jennifer Prewitt; Cindy Drew; Lakyn Moldenhauer; Kelsey Corley
<b>Primary Office Street Address</b>	501 South Fourth Street
<b>City</b>	Leesville
<b>ZIP</b>	71496
<b>Primary Phone</b>	337-392-3077
<b>Primary Mailing Address</b>	501 South Fourth St. Leesville, LA 71446
<b>Primary Fax Number</b>	337-392-3078
<b>Primary Emergency Contact</b>	Tony Tillman
<b>Primary Emergency Phone</b>	337-208-5790
<b>Secondary Emergency Contact</b>	Jennifer Prewitt
<b>Secondary Emergency Phone</b>	318-430-0074
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Tony Tillman
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$302
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	30th Judicial District Court- Vernon Parish, 215 S. 4th Street, Leesville; Leesville City Court - 101 W. Lee Street
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	3 Divisions in District Court, 1 in City
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Cases are assigned randomly to attorneys as applications are received without regard to the division. All attorneys handle cases in all divisions.
<b>Name of Adult Detention Facilities in This District</b>	Vernon Parish Jail and Leesville City Jail.

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None other than DOC facilities.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center, Coushatta, LA
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, for juvenile cases. It is approximately 75 miles to the juvenile detention facility. In felony cases where the client is already a DOC prisoner access to the client is impaired by the distance.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes, but juveniles are put in detention centers rarely.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No, other than distance issues if held in DOC facilities outside of Vernon Parish.
<b>District Attorney</b>	Asa Skinner
<b>Chief Judge of Criminal District Court</b>	Vernon B Clark
<b>Juvenile Court Judges (Specify District of City Court)</b>	District - Vernon B. Clark, C. Anthony Eaves and Scott Westchill, City Court - Elvin C. Fontenot
<b>Drug Court Judges</b>	Vernon B Clark
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	No
<b>Name of Specialty and Brief Description:</b>	No
<b>Indigency Determined by Whom and How?</b>	By the office administrator and if questionable by the district defender. The statutory definition of indigency is followed.
<b>When is Assignment/Appointment of Counsel Made?</b>	Approximately half of the felony counsel is assigned immediately following the 72 hour hearing, and the balance at arraignment. The majority of misdemeanor counsel is assigned at arraignment. In an effort to get applicants into the system sooner, the district defender created a Notice which the Sheriff mails to the defendants along with the Notice of arraignment advising the defendants to apply for counsel PRIOR to the day of arraignment. This has helped, and about half of the defendants come in before arraignment, the balance is dealt with at arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	During interview clients are asked if they were arrested with anyone or if they have any co defendants. If they have co defendants we then make a note so that at time of appointment they won't be assigned same attorney.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Jennifer Prewitt, Office Administrator
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Clients who aren't in jail either come to the office and fill out application, or they fill out application on the morning before arraignment.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes

How Many Applications for Services Were Received?	1,066
How Many Application Fees Were Waived?	9 due to being on Social Security or Disability.
How Many Application Fees Were Reduced?	None
Total Application Fee Dollars Collected in 2015	4,845
Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?	No we collect all application fees.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
Total Revenue from \$45/\$35 Special Costs Received in 2015	360,837
Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.	Yes with the rare exception if a defendant has multiple charges and is disabled or on fixed income a judge will occasionally Not impose costs on all counts.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?	We receive detailed information from all agencies who provide us with income. Tony Tillman then reviews each one.
Who Collects the Assessed Court Fees?	The Sheriff and City Clerk
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	We receive a detailed statement from the Sheriff and Leesville City Court on fees as collected.
Who Remits the Court Fees Collected?	The Sheriff and City Clerk
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	We receive detailed information from all agencies who provide us with income. Tony Tillman then reviews each one.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment	No formula is currently used.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?	We receive a detailed statement from the Felony and Misd. Probation Offices on fees as collected.
Who Collects the Assessed Partial Payments?	The Probation Office
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	We receive a detailed statement from the Felony and Misd. Probation Offices on fees as collected.
Who Remits the Partial Payments Collected?	Felony and Misd. Probation Offices
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	We receive a detailed statement from the Felony and Misd. Probation Offices on fees as collected.
Amount, If Any, of Partial Indigence Payments Received by the Office in CY15	49822.9
Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?	All attorneys are contract attorneys and all have private practices. All attorneys rely on their private practice for their primary income.
For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract	Yes

<b>Primary Immediate Needs</b>	Additional funds to obtain an investigator, a social worker, and additional staff. We are having difficulties getting current data into the system, and I think the only effective solution is to have all the data input by the district defenders office directly rather than rely on the individual contract attorneys. One employee can Not do all the intake, bookkeeping, bill paying, office administration, etc, and do all the data input.
<b>Was your office in ROS at any time during 2015</b>	Yes
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	We are still in ROS at this time with no date in the future of getting out of ROS.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	We had two attorneys resign and one that was terminated. After the termination one of the attorneys that resigned took his cases. Misty Smith resigned. Bradley Hicks terminated. Wesley Bailey resigned then returned.
<b>Immediate Critical Issue Areas</b>	Data input is a critical area for us-since the budget is dependent on the data, our district will continue to get short changed until I can solve this problem. The attorneys continually complain that they do Not mind the legal work; it is the data collection they complain about.
<b>Long-Term Critical Issue Areas</b>	Need of office space and staff, particularly an investigator and social worker. With a drug court and extensive OCS caseload, a social worker would greatly benefit our clients
<b>Please List All New Hires in 2015 (Name and Title)</b>	D. Wayne Bush
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	We send them to CLE and if they need assistance Tony Tillman meets with them alone or with their clients to discuss any problems that they are having. We also pay their LACDL dues.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	With only 2 full time employees supervising them is easy- they both are in offices next to mine, and I am in their offices multiple times a day. The attorneys are all on contract and have their own offices. I see them in court regularly, and meet with the judges and the DA and ask for observations about the attorneys' performances. I have met with individually with each attorneys to discuss issues, i.e. need to document client contact, need to do more frequent jail visits, ect.

<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	Kelsey Corley Data Entry
<b>Please Attach Your Office Organizational Chart</b>	Attached.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Jennifer Prewitt - PDO pays monthly co pay after income tax credit.
<b>Regular Meetings for Any Staff, Please Describe</b>	Tony Tillman meets with the office administrator daily, and with all attorneys monthly, and otherwise as needed. Informal meetings at the courthouse happen frequently.
<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	None
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	All our attorneys are experienced and capable of handling these cases.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator John Smith, Rep James Armes, Rep Frankie Howard
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Lack of Resources, lack of qualified personnel in area – i.e., investigators, social workers.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Worked with attorneys' staff to do better job on motion practice, jail visits, and data input. Met with DA and Judges to stream line court time.
<b>Staff Directory:</b>	
<u><b>Full-Time Staff Attorneys</b></u>	<u><b>Contact Information</b></u>
None	
<u><b>Part-Time Contract Attorneys</b></u>	<u><b>Contact Information</b></u>
Tony Tillman	337-392-3077
Lisa Nelson	337-238-4704
Jack Simms	337-238-9393
Clay Williams	337-238-4704
Wesley Bailey	337-238-4704
Mary "Katie" Beaird	337-944-0299
D. Wayne Bush	337-378-0051

<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Jennifer Prewitt	337-392-3077
Cindy Drew	337-392-3077
Lakyn Modenhauer	337-392-3077
Kelsey Corley	337-392-3077

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.

**Survey Completer's Name**

Jennifer Prewitt

**SOFTWARE:**

Mark an X in all that apply

**Operating Systems Used:**

Windows 10

Windows 8

Windows 7

Windows Vista

Windows Server 2000/2003/2008

Windows XP

x

Mac OSX

**Case Management System(s): Check all that apply**

defenderData (LPDB statewide system)

x

Other System (please name)

**Productivity Suites Used:**

Microsoft Office 2016 (Word, Excel, etc.)

Microsoft Office 2013

Microsoft Office 2010

x

Microsoft Office 2007

Microsoft Office 2003

Previous Microsoft Office version

Corel Word Perfect

Other

**Accounting Software**

QuickBooks

x

Quicken

Intuit

Other (list here):

**Internet Browsers Used:**

Internet Explorer 6

Internet Explorer 7

Internet Explorer 8

Internet Explorer 9



Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	1
Laptops	1
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	We have contract with Xerox
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x and WIFI
No Internet Connection	
Connection Speed:	
Provider Name:	Sudden Link
Email Provider:	Squirrel Mail
Please list any software or computer equipment in which you need training:	

### 30th District Defender Office CY 2015 Caseloads & Outcomes

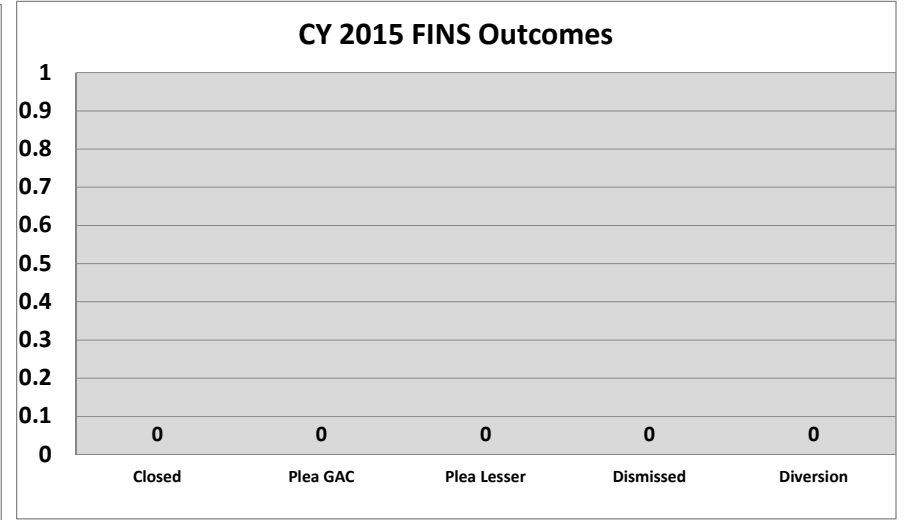
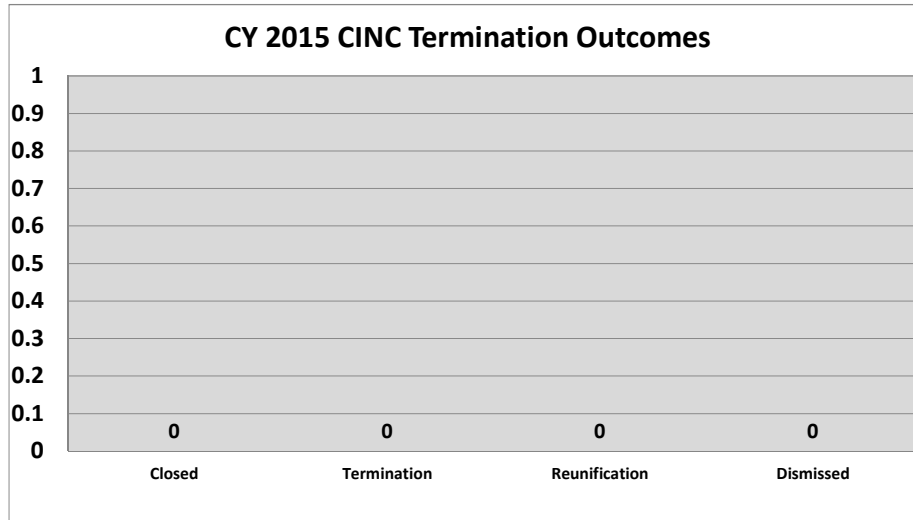
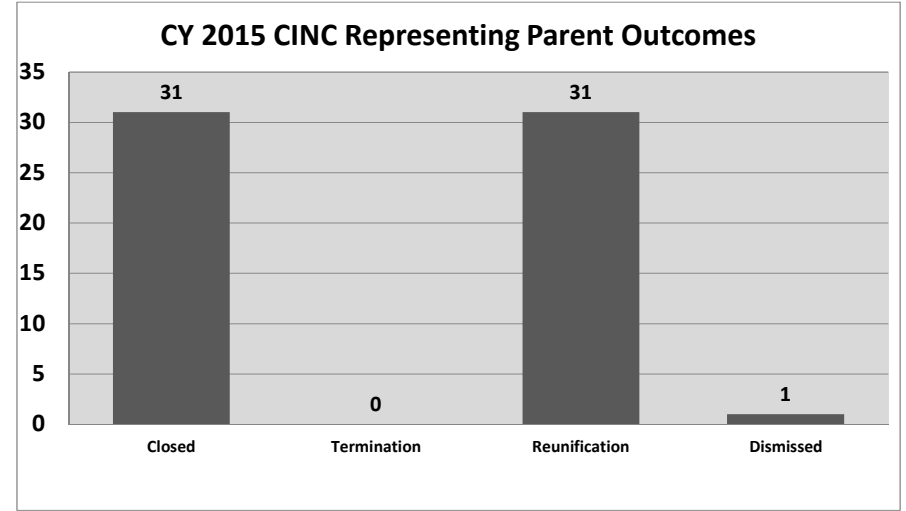
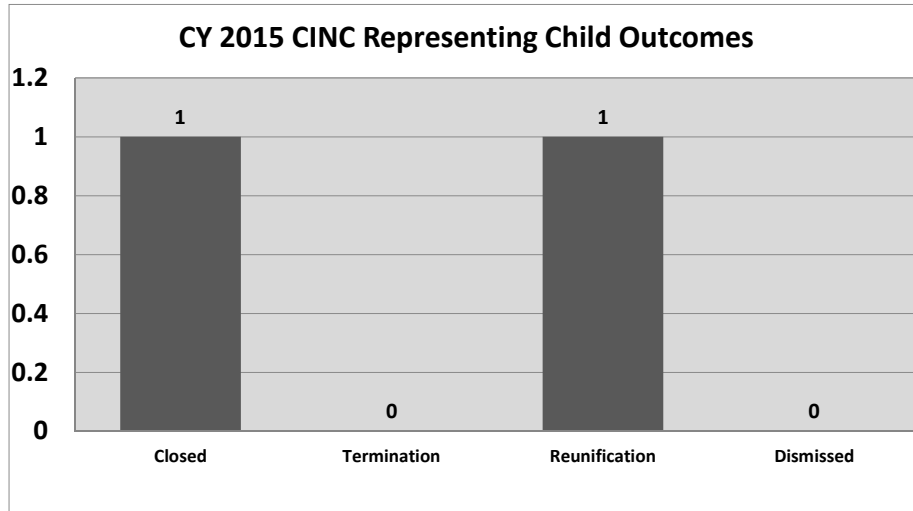
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	1	1	0	1	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	47	31	40	87	0	31	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	11	15	8	19	N/A	N/A	2	2	6	5	N/A	N/A	0	0	0
Delinquency Felony	9	9	2	11	N/A	N/A	1	5	4	3	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	516	500	244	760	N/A	N/A	245	38	369	54	0	1	0	2	3
Adult Felony Non-LWOP**	651	574	338	989	N/A	N/A	278	86	407	7	1	3	0	0	4
Adult LWOP	1	1	1	2	N/A	N/A	0	0	0	0	0	1	0	0	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	266	180	66	332	N/A	N/A	0	0	6	0	N/A	N/A	N/A	N/A	0
PCR	1	1	1	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	1	1
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

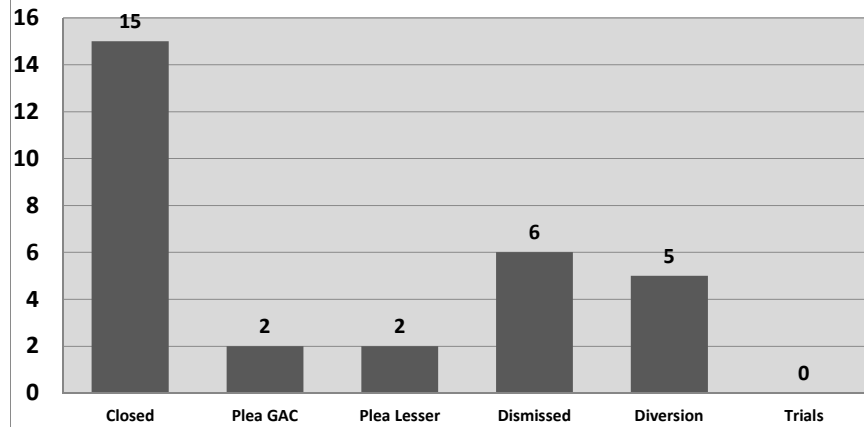
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

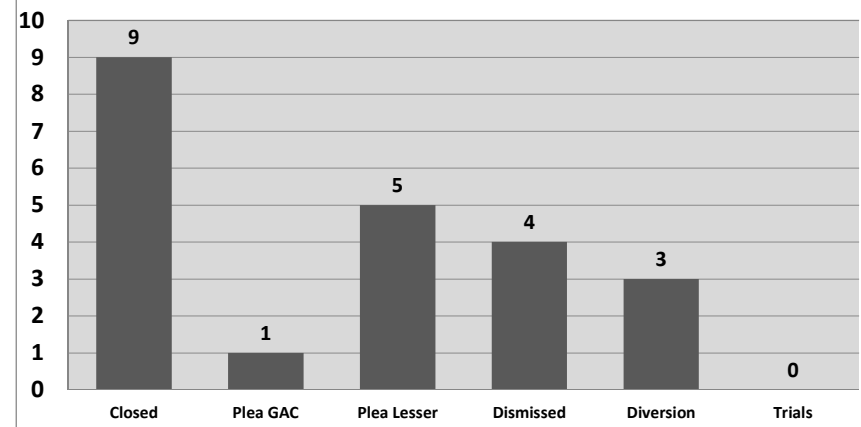
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



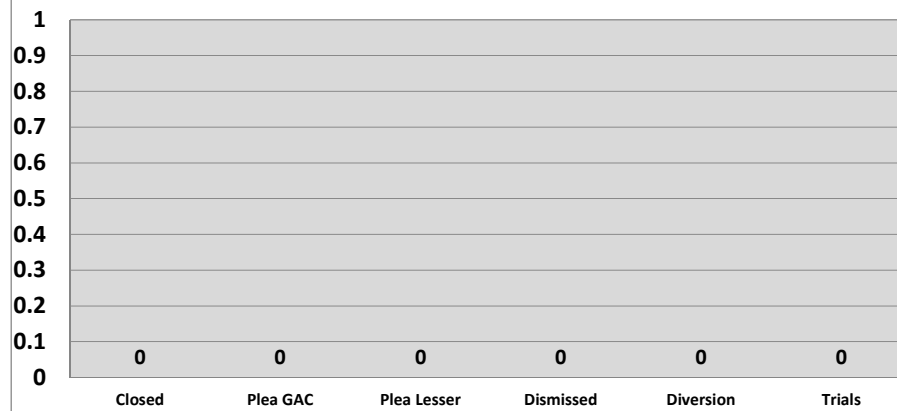
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**

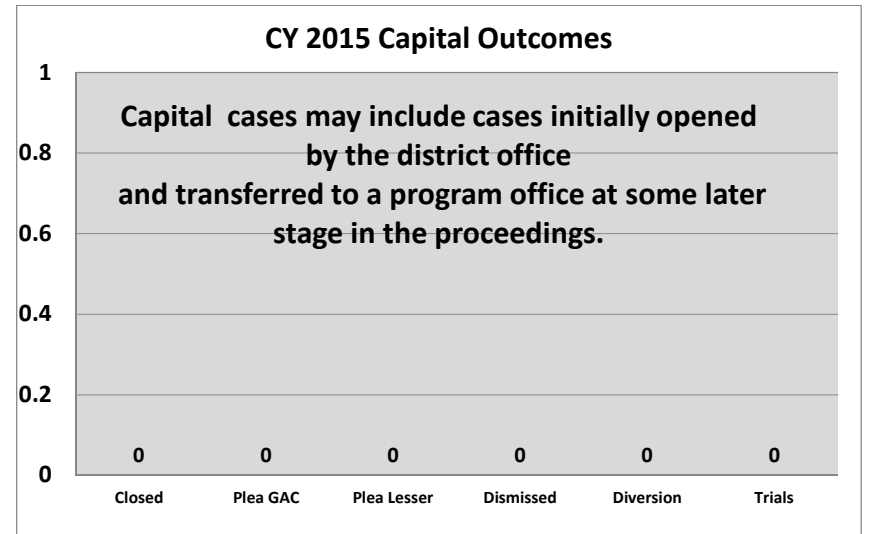
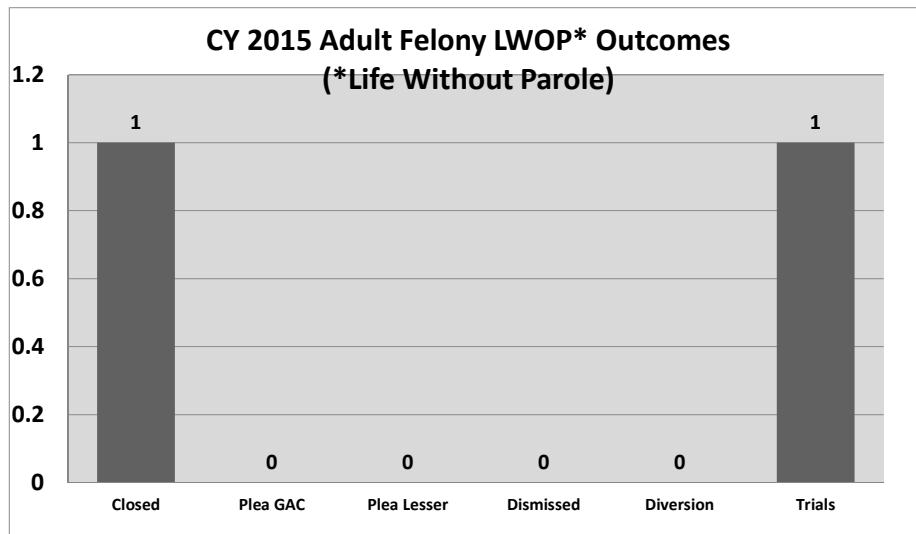
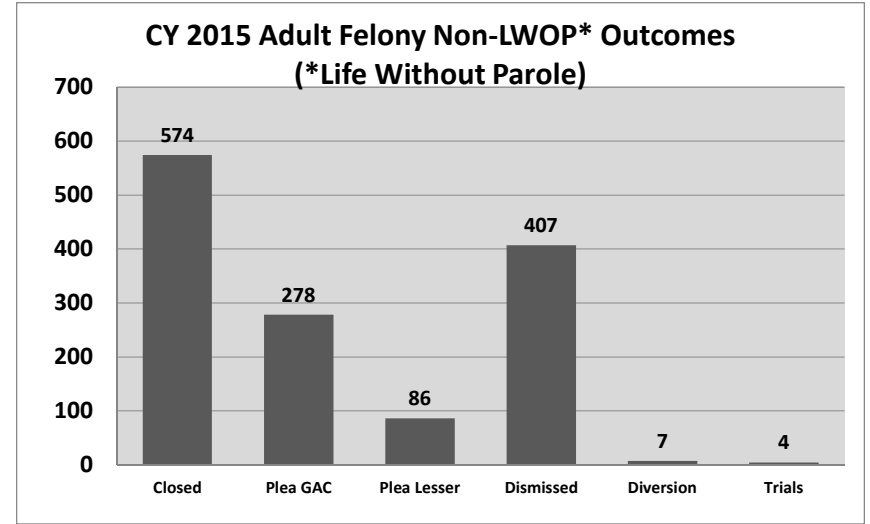
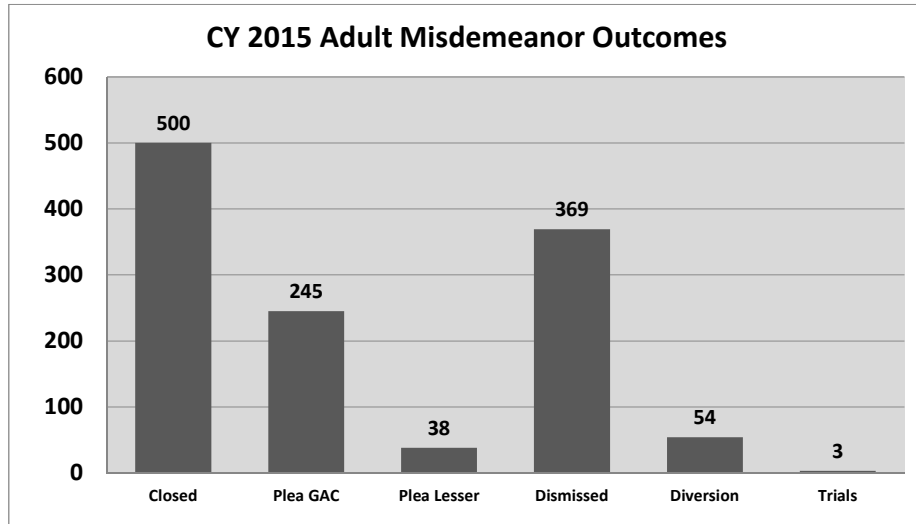


**CY 2015 Delinquency Felony-Grade Outcomes**



**CY 2015 Delinquency Life Outcomes**



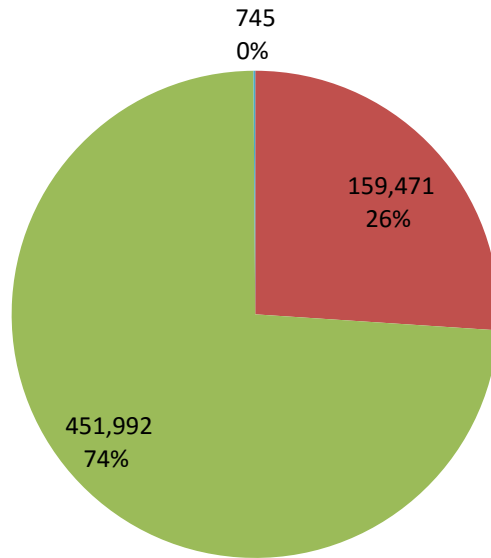


District 30 CY2015	Total CY2015
District Defender: Tony Tillman	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	11,174
District Assistance Fund (DAF)	110,425
Supplemental/Emergency Funds	37,872
Grants	-
Other State Income -List source(s)	-
Total for State Government	159,471
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	11,351
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	251,769
City & City-Ward Courts	133,759
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	385,529
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	4,845
Partial Attorney Fees	
Reimbursements [as per 15:176]	50,267
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	55,112
Total for Local Government	451,992
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	745
Total for Other Sources (Grants & Contributions)	745
Total for REVENUE	612,207

District 30 CY2015	Total CY2015
District Defender: Tony Tillman	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	72,735
Accrued Leave	-
Payroll Taxes	5,366
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	78,101
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	4,965
Total for Travel/Training	4,965
Operating Services	
Advertisements	9
Workers' Compensation	550
Insurance - Malpractice	5,666
Insurance - Auto/Physical Liability	-
Insurance - Other	1,400
Lease - Office	-
Lease - Auto/Equipment	5,352
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	5,503
Dues and Seminars	1,200
Law Library/Journals/Subscriptions	2,675
Office Supplies	2,592
Total for Operating Services	24,947
Professional Services	
Audit/Accounting Expense	12,512
Contract Clerical	-
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	19,638
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	402,589
IT/Technical Support	586
Total for Professional Services	435,326
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	5,478
Total for Other Charges	5,478
Total for EXPENDITURES	548,817

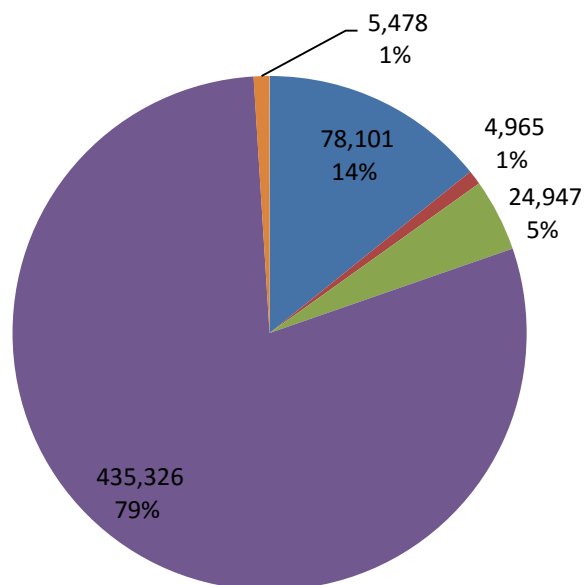
## Total CY15 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges







## THE 31<sup>ST</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

JEFFERSON DAVIS (JENNINGS)

DISTRICT DEFENDER: DAVID E. MARCANTEL  
300 NORTH STATE STREET, ROOM 203  
JENNINGS, LA 70546  
(337) 824-4900

## 31ST JUDICIAL DISTRICT : JEFFERSON DAVIS PARISH

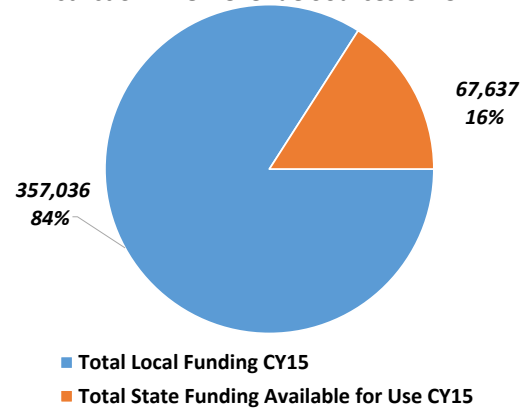
David E. Marcantel  
District Defender  
300 North State Street, Room 203  
Jennings, LA 70546  
337-824-4900

During Calendar Year 2015, the 31st Judicial District Public Defenders Office handled 1,721 cases. The office received \$424,673 in total revenues to handle these cases, approximately 84% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

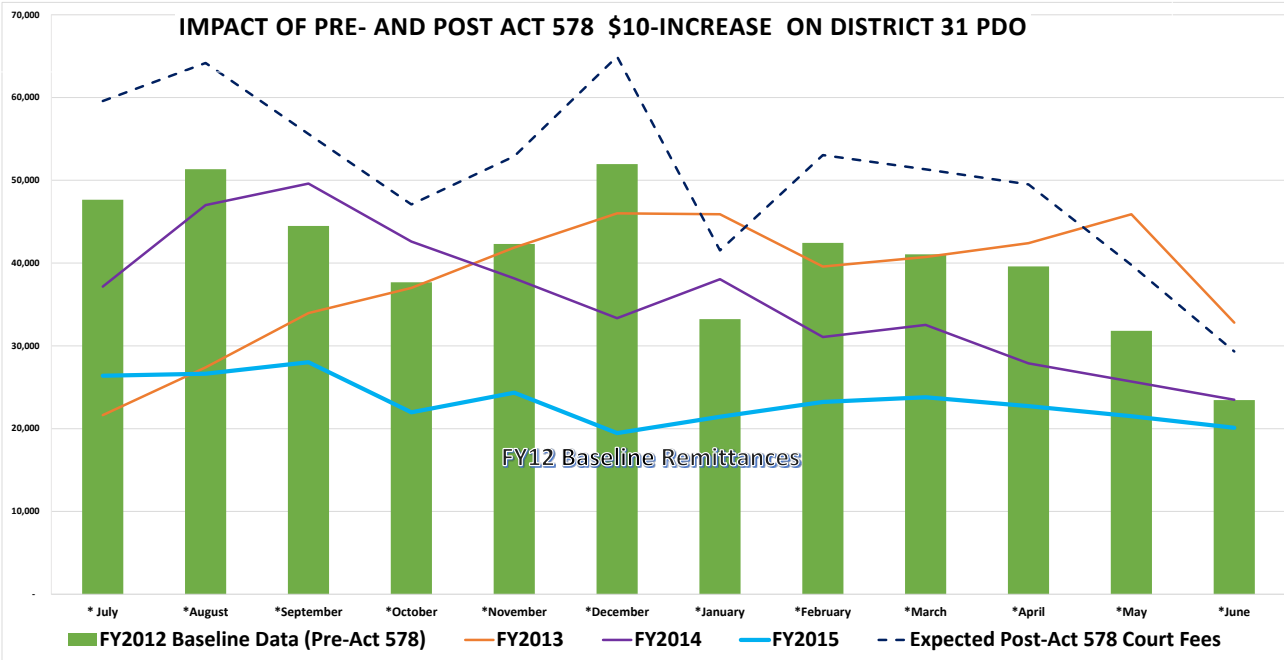
Since the passage of Act 578 (2012), the 31st has generally failed to realize the 25% increase in local funds that was expected to materialize.

As local revenues have declined, the 31st Judicial District Office has relied heavily upon its fund balance. While it is too early to project when the 31st Judicial District Office will exhaust its fund balance, without an increase in revenues or reduction in expenditures the fund balance will continue to decline and the office will eventually become insolvent.

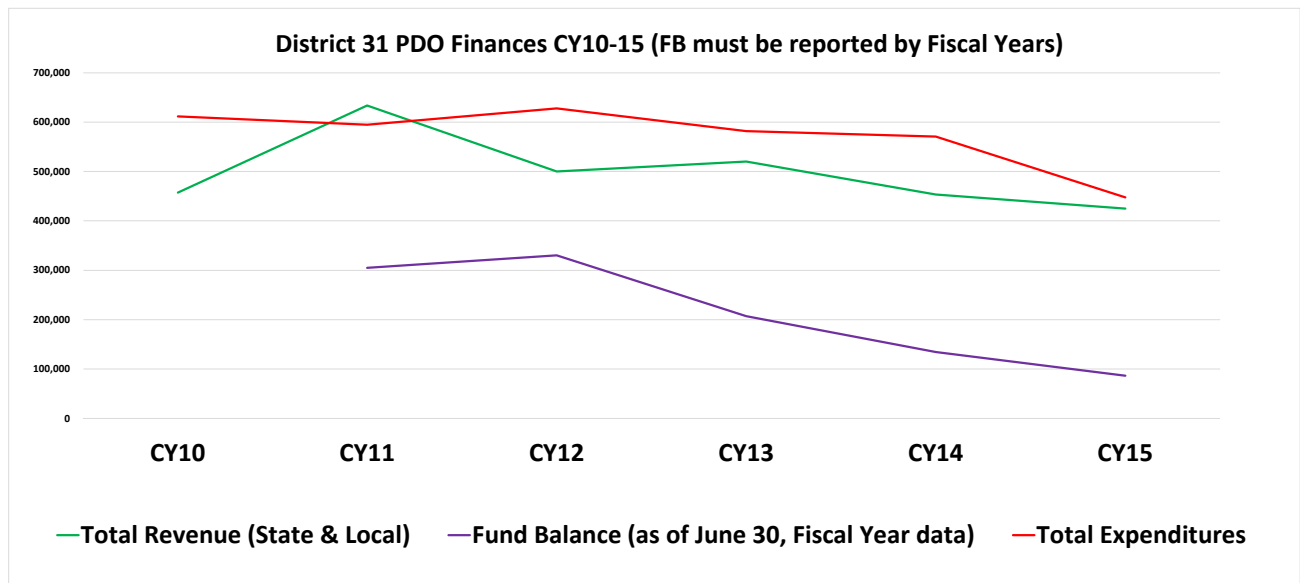
**District 31 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 31 PDO**

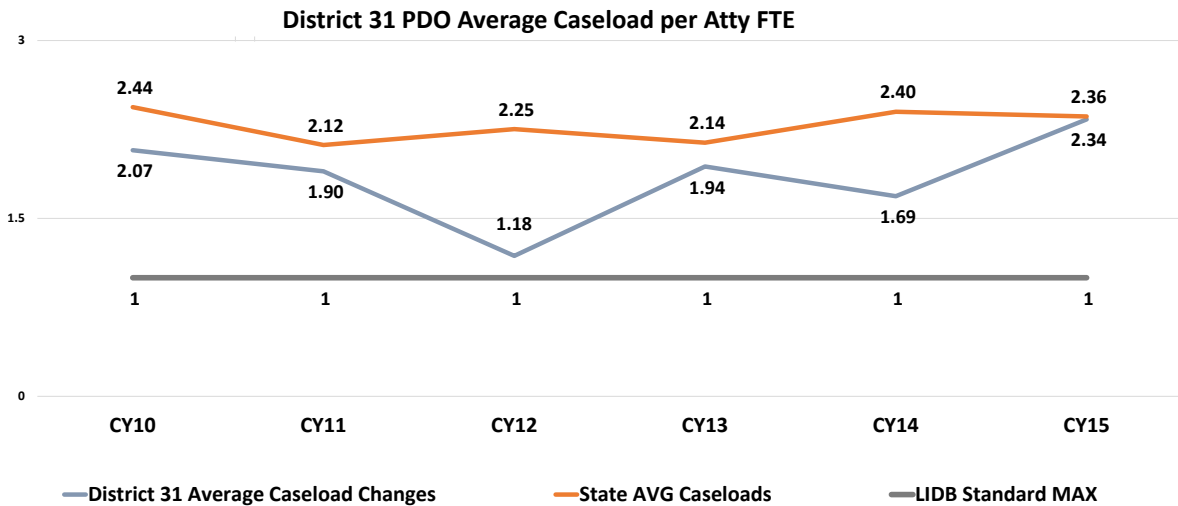


**District 31 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



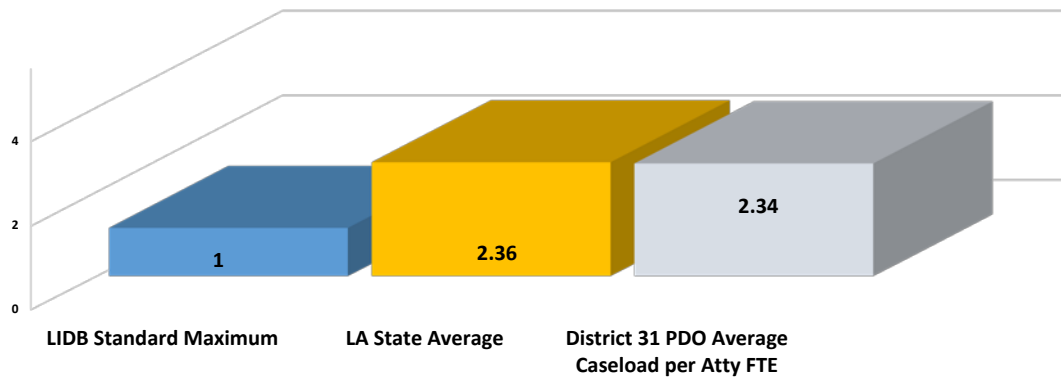
## 31ST JUDICIAL DISTRICT : JEFFERSON DAVIS PARISH

David E. Marcantel  
District Defender  
300 North State Street, Room 203  
Jennings, LA 70546  
337-824-4900



In the 31st Judicial District, public defense attorneys maintain caseloads more than twice the recommended caseload limit for each attorney.

**District 31 PDO Average Caseloads Compared to State Average & State Standard Maximums**



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 31<sup>ST</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Jefferson Davis - Jennings
<b>Population</b>	31,477
<b>Juvenile Population</b>	8,152
<b>District Defender</b>	David E. Marcantel
<b>Years as District Defender</b>	13
<b>Years in Public Defense</b>	24
<b>Office Manager</b>	Derek A. Bisig (1/1/15-6/30/15) and April M. Bertrand (7/1/15-12/31/15)
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Julie A. Marceaux, PDO Administrative Assistant (1/1/15-2/6/15), April M. Bertrand, PDO Administrative Assistant (2/6/15-6/30/15), Ky'a R. Fontenot, PDO Administrative Assistant (5/1/15-12/31/15); Derek A. Bisig, PDO Executive Assistant (1/1/15-6/30/15), April M. Bertrand, PDO Executive Assistant (7/1/15-12/31/15).
<b>Primary Office Street Address</b>	300 North State Street, Room 203
<b>City</b>	Jennings
<b>ZIP</b>	70546
<b>Primary Phone</b>	337-824-4900
<b>Primary Mailing Address</b>	P.O. Box 1326, Jennings, LA 70546
<b>Primary Fax Number</b>	337-824-1009
<b>Primary Emergency Contact</b>	April M. Bertrand
<b>Primary Emergency Phone</b>	337-842-4870
<b>Secondary Emergency Contact</b>	Ky'a R. Fontenot
<b>Secondary Emergency Phone</b>	337-370-2262
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	David E. Marcantel
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Jefferson Davis Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$0
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Accounting is handled In-House. However, payroll of W-2 employees is tabulated by Mike Gillespie, CPA and is entered In-house by PDO staff.
<b>Courts and Locations</b>	31st Judicial District Court, Jefferson Davis Parish; Jennings, Welsh, Lake Arthur City Courts, and City of Jennings and Ward II Juvenile Court.

<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	4
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Clients are assigned an attorney by the PDO at his/her 72-hour advisement if incarcerated. Clients released on bond are assigned attorneys at his/her arraignment. In both cases, the attorneys are assigned by the PDO staff. For incarcerated clients, a PDO staff member meets with the client within 72-hours of arrest.
<b>Name of Adult Detention Facilities in This District</b>	Jefferson Davis Parish Jail, Jennings; Welsh City Jail, Welsh; Lake Arthur City Jail, Lake Arthur.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	South Louisiana Correctional Center, Richland Parish Jail, Angola, Calcasieu Correctional Center, Vermillion Parish Jail and Concordia Correctional Center.
<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Assumption Parish Detention Center
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Clients housed in distant locations affect the quality of representation due to attorneys not being able to contact them as frequently, and it leaves them unable to meet with other clients when they travel to meet clients in distant locations.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No difficulties having access to clients.
<b>District Attorney</b>	Michael C. Cassidy
<b>Chief Judge of Criminal District Court</b>	Steve Gunnell
<b>Juvenile Court Judges (Specify District of City Court)</b>	Steve Gunnell (District Court) & Daniel Stretcher (City Court).
<b>Drug Court Judges</b>	N/A
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	The presiding judge determines indigence. Incarcerated clients are presumed indigent. When a client is thought to not be indigent, a contradictory hearing is held in a district court for determination of indigence.
<b>When is Assignment/Appointment of Counsel Made?</b>	72 Hr Advisement or Arraignment
<b>What steps does your office take to ensure conflict – free representation</b>	A search of defendant is conducted within the Clerk of Court's records regarding co-defendants at the time of offense/arrest. A search of defendant is also conducted in Defender Data regarding past representation and prior attorney conflicts.

<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	April M. Bertrand, Executive Assistant (Incarcerated clients) Ky'a R. Fontenot, Administrative Assistant (Clients on Bond).
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes. Intake form is attached
<b>Brief Explanation of Intake Process</b>	Client is interviewed for a synopsis of the case and intake forms are completed to ensure 48-hour Probable Cause finding and 72-hour advisement deadlines were met. The client receives contact information for his/her attorney and a brief synopsis of the case is collected for the attorney.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	1175
<b>How Many Application Fees Were Waived?</b>	176
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	4,622
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	248,012
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	The office receives a breakdown of all fines and fees collected from the Sheriff's office. The \$40 PDO representation fee assessed by the Judge is remitted directly to the PDO. We receive an accounting from the Jennings City Court of those who paid fines and fees in court.
<b>Who Collects the Assessed Court Fees?</b>	Fines and court costs are collected by the Sheriff's office for District court. The \$40 PDO fee assessed by the District Judge is collected by PDO staff. Jennings City Court fines and fees are collected the by the Jennings City Clerk of Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	The office receives a breakdown of all fines and fees collected from the Sheriff's office. The \$40 PDO representation fee assessed by the Judge is remitted directly to the PDO. We receive an accounting from the Jennings City Court of those who paid fines and fees in court.
<b>Who Remits the Court Fees Collected?</b>	Fines and court costs are distributed by the Sheriff's office for District court. Jennings City Court fines and fees are distributed the by the Jennings City Clerk of Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The office receives a breakdown of all fines and fees collected from the Sheriff's office. The \$40 PDO representation fee assessed by the Judge is remitted directly to the PDO. We receive an accounting from the Jennings City Court of those who paid fines and fees in court.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	

<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	All clients placed on misdemeanor or felony probation are required to pay a \$40 reimbursement fee to the PDO.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Notes are taken in court by PDO staff and accounting and remittance are done in-house.
<b>Who Collects the Assessed Partial Payments?</b>	PDO Staff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	Clients
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	None ordered.
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private criminal practice is permitted. The policy is in writing in the contract attorney employment contract.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes, See attached documents
<b>Primary Immediate Needs</b>	Increase of local and state source funding.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes, notify community stake holders of restriction of services intention. The PDO will no longer fund conflict representation, interpreters, or investigators. More restrictions may take place depending on revenue decreases.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Yes. Joslyn Alex, Contract Attorney resigned in December, 2015 and will not be replaced. Also, Ky'a R. Fontenot, Administrative Assistant, took a reduction in hours changing employment status from full time to part time.
<b>Immediate Critical Issue Areas</b>	Increase of Local and State revenues.
<b>Long-Term Critical Issue Areas</b>	Parity between DA Office and PDO.
<b>Please List All New Hires in 2015 (Name and Title)</b>	April M. Bertrand, Executive Assistant; Ky'a R. Fontenot, Administrative Assistant; Daniel W. Sparks, Contract Attorney; Timothy Cassidy, Sr., Contract Attorney
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, the District Public Defender oversees new hires to ensure best practices and attorneys attend professional development seminars to strengthen deficiencies.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	See attached organizational chart

<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	See attached organizational chart.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None. Supervisory staff carry same workload.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Medical benefits are provided by the office for full time W-2 employees only.
<b>Regular Meetings for Any Staff, Please Describe</b>	Administrative Staff-weekly; Attorneys-monthly
<b>Number of NEW capital cases in CY15 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	0
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	None. This is a rarified occurrence for our district.
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None. This is a rarified occurrence for our district.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator Dan Morrish; Representative Johnny Guinn.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Established new policies in attorney representation to ensure best practices.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
David Marcantel	337-824-7380
W.J. Riley, III	337-824-9158
Daniel Sparks	337-824-7380
Tim Cassidy	337-824-7322
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
April M. Bertrand	337-824-4900
Ky'a R. Fontenot	337-824-4900



## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	April M. Bertrand
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	1
VCR	
Desktop PCs	2
Laptops	1
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	2
Color Printers	1
Wireless Cards	1
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	T3
Provider Name:	Provided by the sheriff's office for the courthouse.
Email Provider:	
Please list any software or computer equipment in which you need training:	

### 31st District Defender Office CY 2015 Caseloads & Outcomes

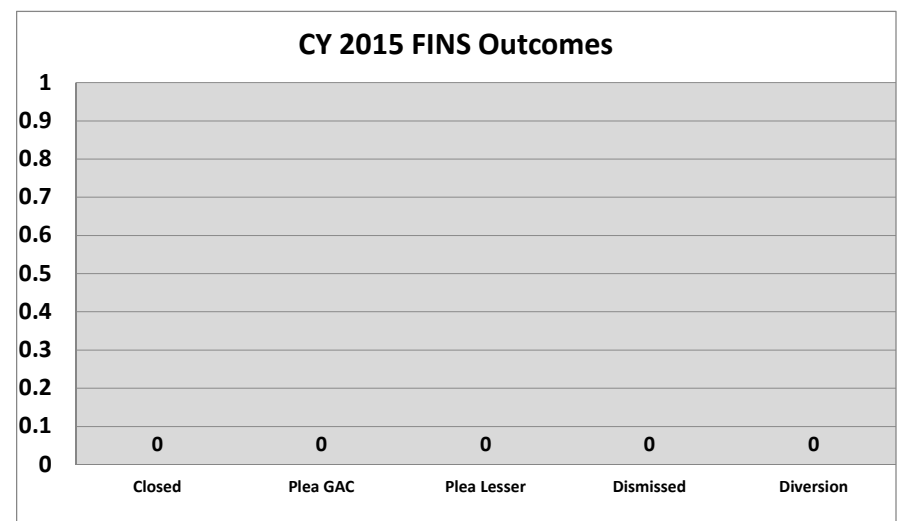
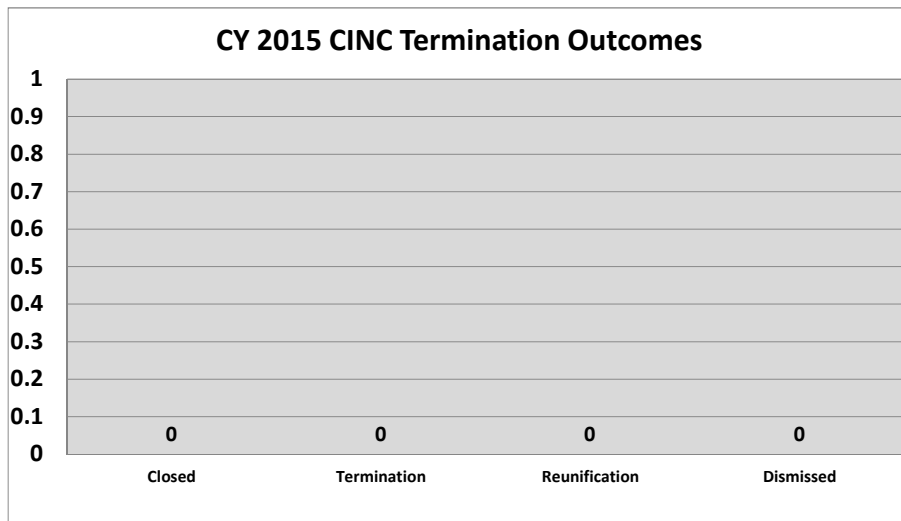
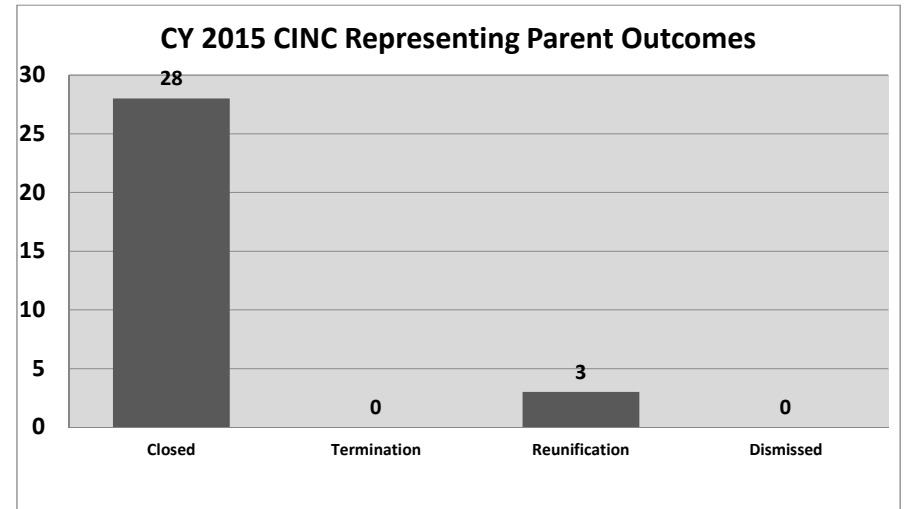
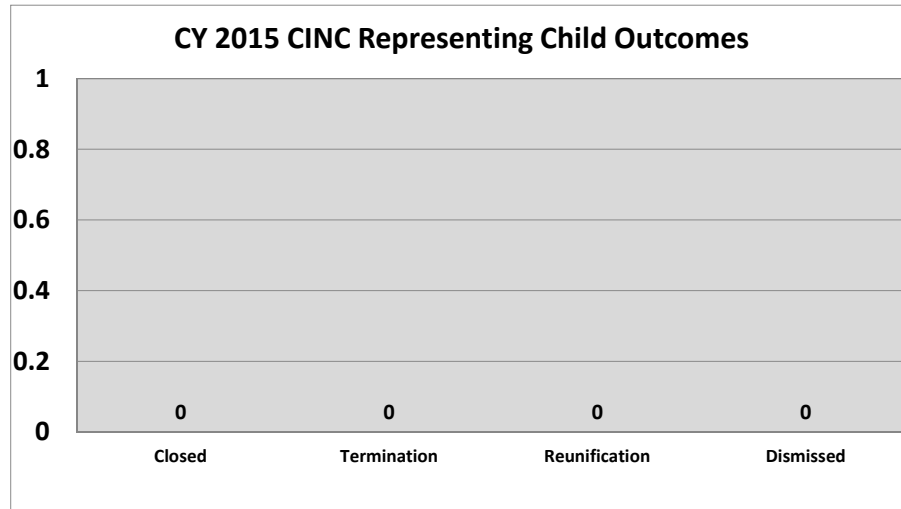
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	1	0	1	2	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	26	28	35	61	0	3	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	1	0	0	1	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	10	9	8	18	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	6	5	7	13	N/A	N/A	3	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	588	251	179	767	N/A	N/A	78	2	169	0	1	0	0	1	2
Adult Felony Non-LWOP**	543	304	274	817	N/A	N/A	87	6	190	0	0	0	0	1	1
Adult LWOP	1	3	1	2	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	22	12	18	40	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

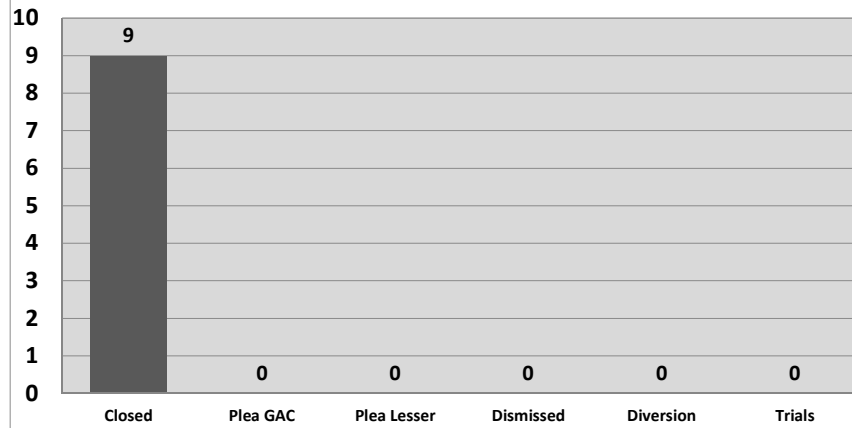
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

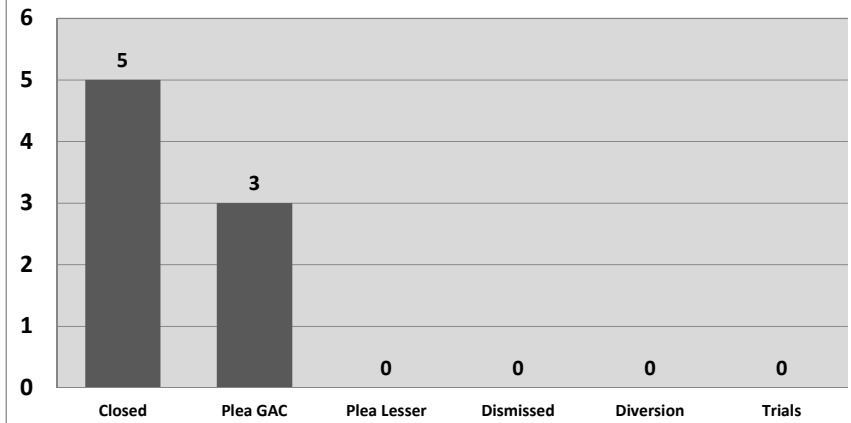
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



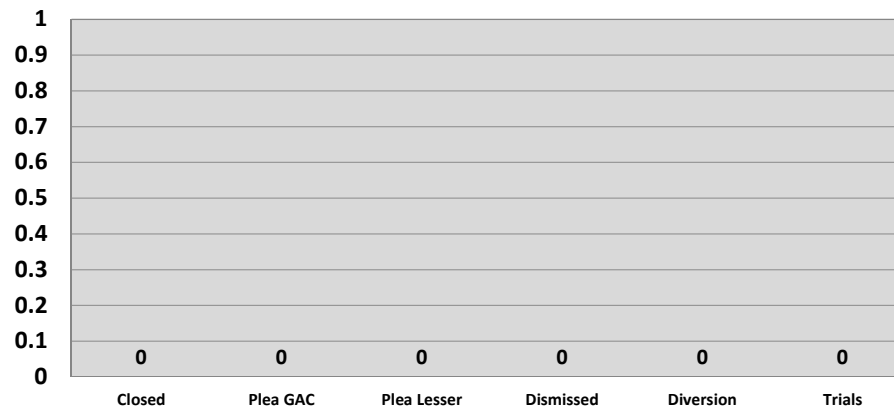
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



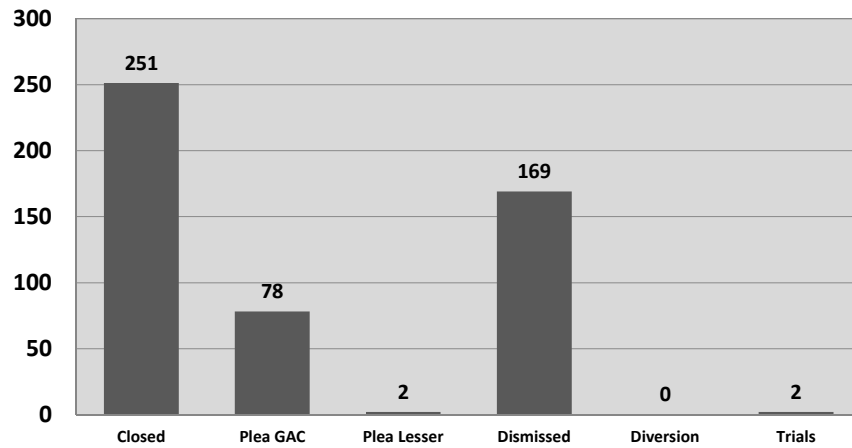
**CY 2015 Delinquency Felony-Grade Outcomes**



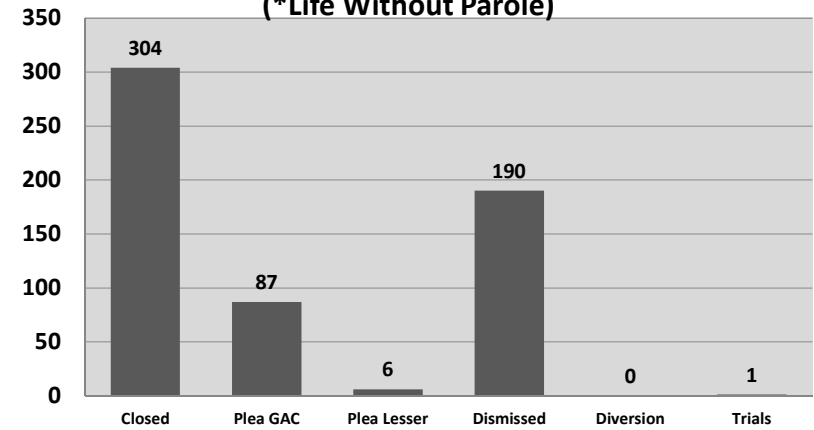
**CY 2015 Delinquency Life Outcomes**



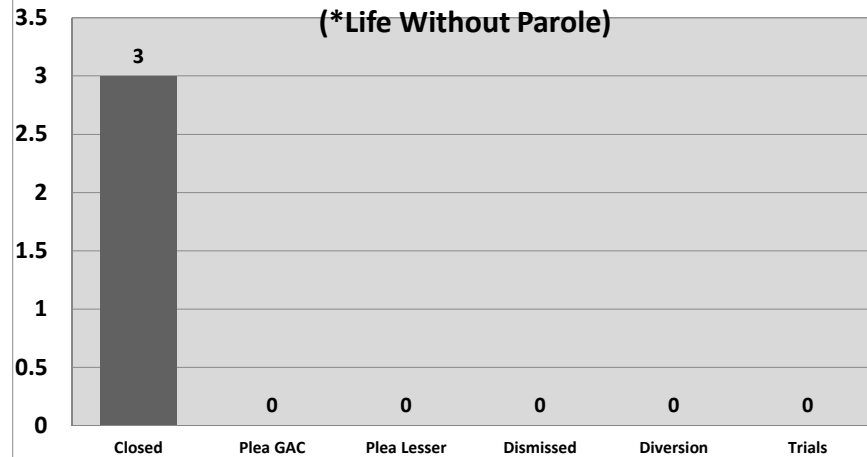
**CY 2015 Adult Misdemeanor Outcomes**



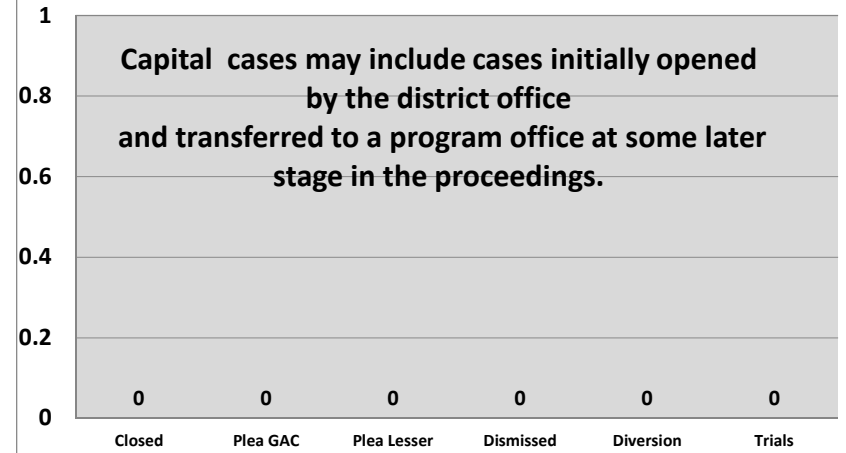
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**



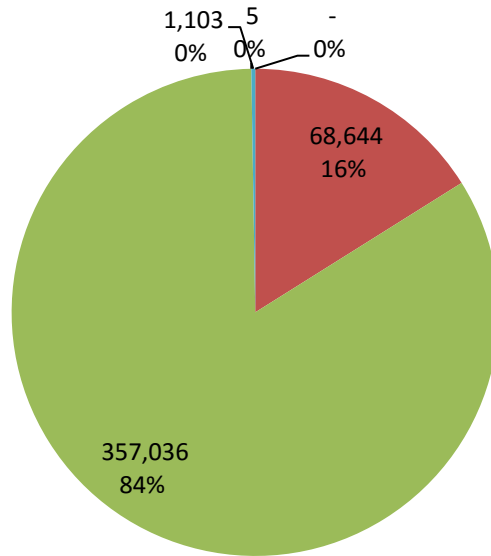
District 31 CY2015	Total CY2015
<b>District Defender: David Marcantel</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	2,762
District Assistance Fund (DAF)	65,882
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	68,644
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	52
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	22,788
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	430
City & City-Ward Courts	16,677
Judicial District Courts	6,206
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	224,700
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	248,012
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	4,622
Partial Attorney Fees	-
Reimbursements [as per 15:176]	3,540
Other Reimbursements	-
Other Local Income -List source(s)	78,022
Total for Charges For Services	86,184
Total for Local Government	357,036
Investment Earnings	
Interest Income	5
Other Investment Income - List source(s)	-
Total for Investment Earnings	5
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	1,103
Total for Other Sources (Grants & Contributions)	1,103
Total for REVENUE	426,788

District 31 CY2015	Total CY2015
<b>District Defender: David Marcantel</b>	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	61,072
Accrued Leave	-
Payroll Taxes	19,249
Hospitalization and Disability Insurance	8,928
Retirement	9,629
Other	-
Total for Personnel Services and Benefits	98,878
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	1,313
Total for Travel/Training	1,313
Operating Services	
Advertisements	360
Workers' Compensation	450
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	830
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	1,140
Office - Telephone/Utilities/Postage/Internet	5,450
Dues and Seminars	1,925
Law Library/Journals/Subscriptions	622
Office Supplies	1,726
Total for Operating Services	12,502
Professional Services	
Audit/Accounting Expense	8,686
Contract Clerical	-
Expert Witness	-
Investigators	748
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	4,209
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	320,840
IT/Technical Support	-
Total for Professional Services	334,483
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	225
Total for Other Charges	225
Total for EXPENDITURES	447,402



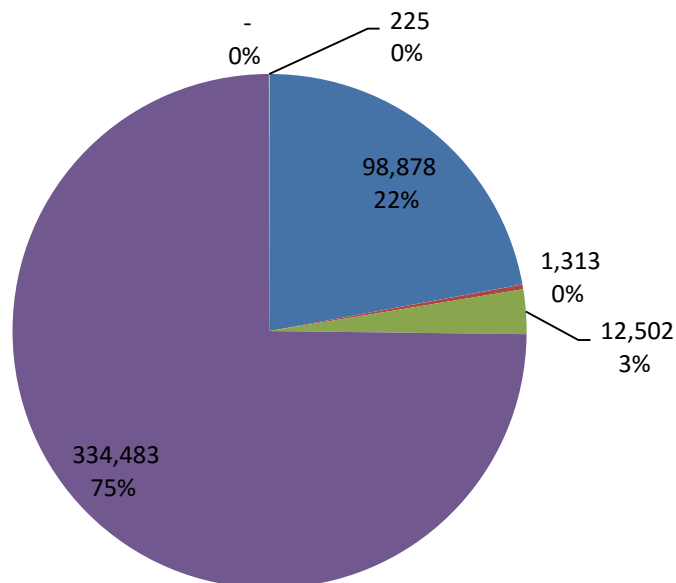
## Total CY15 Revenues

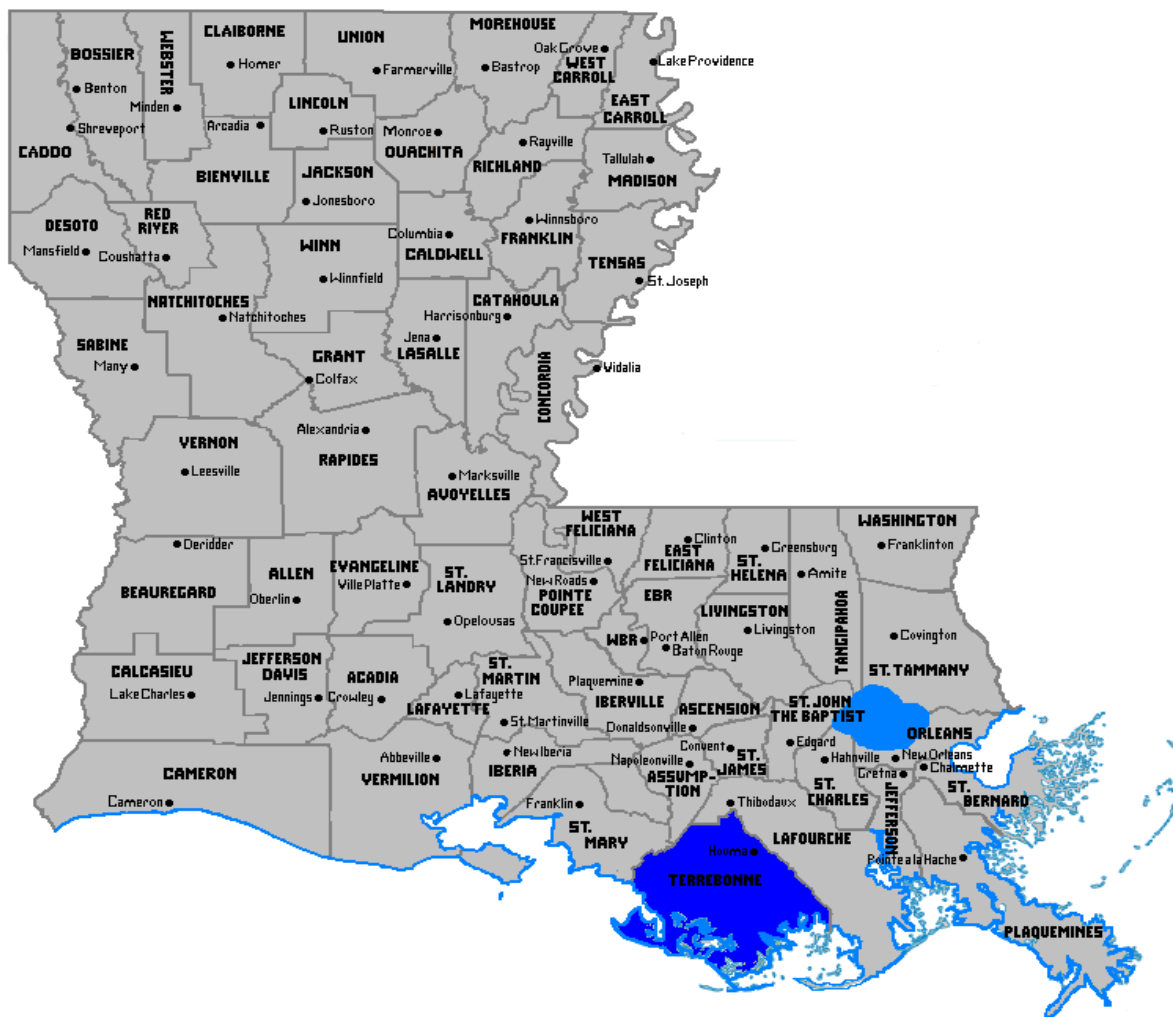
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





# THE 32<sup>ND</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE TERREBONNE (HOUMA)

DISTRICT DEFENDER: ANTHONY CHAMPAGNE  
504 BELANGER STREET  
HOUMA, LA 70360  
(985) 873-6831

## 32nd JUDICIAL DISTRICT : TERREBONNE PARISH

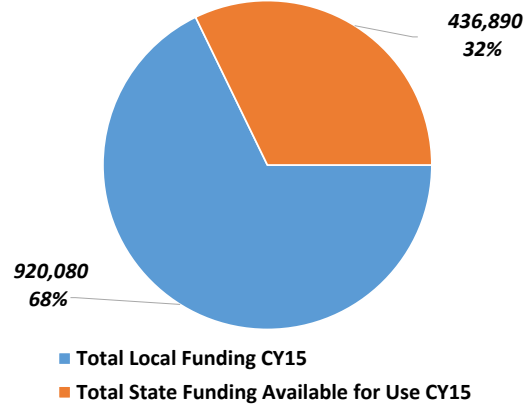
Anthony Champagne  
District Defender  
504 Belanger Street  
Houma, LA 70360  
985-873-6831

During Calendar Year 2015, the 32nd Judicial District Public Defenders Office handled 4,944 cases. The office received \$1,356,970, 68% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

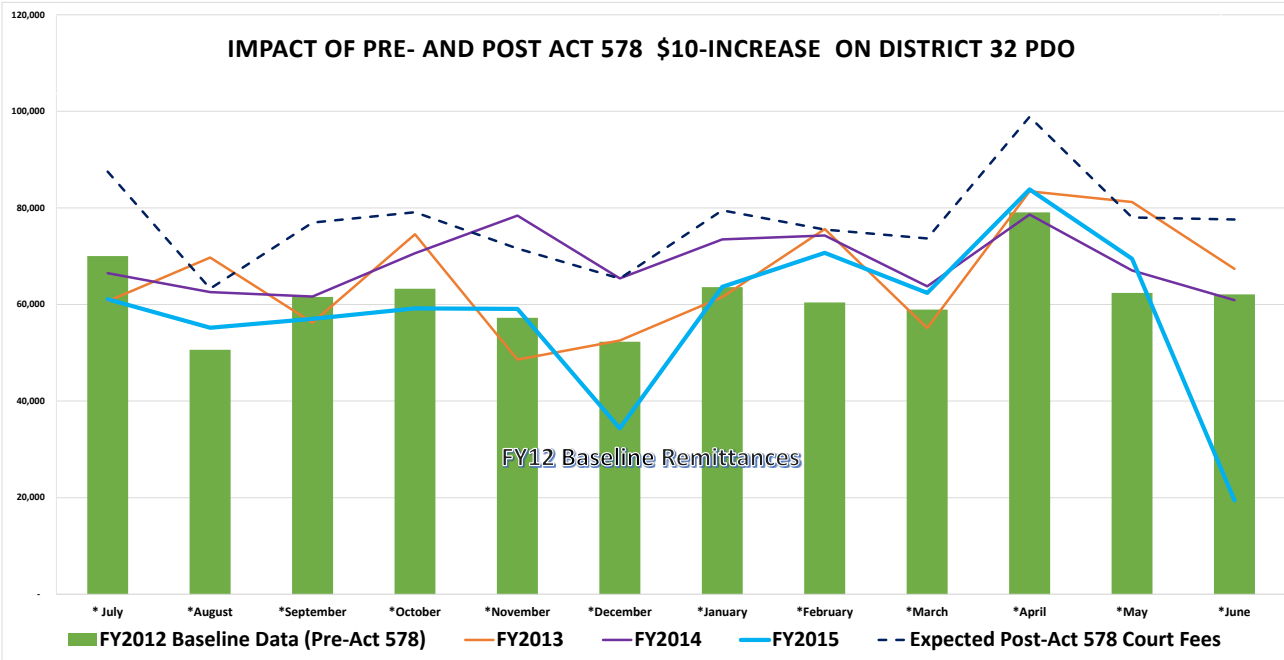
With the exception of a few anomalies, the 32nd has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 32nd Judicial District office has nearly exhausted its fund balance as expenditures typically exceeded the office's revenues. The office is expected to become insolvent near the end of FY16.

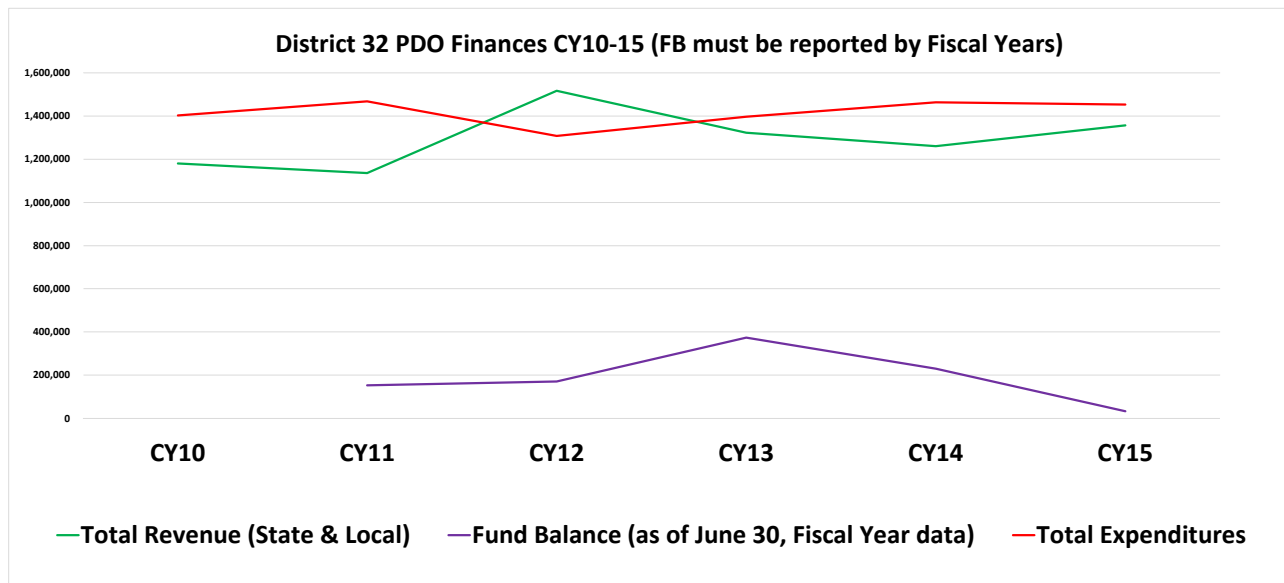
**District 32 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 32 PDO**

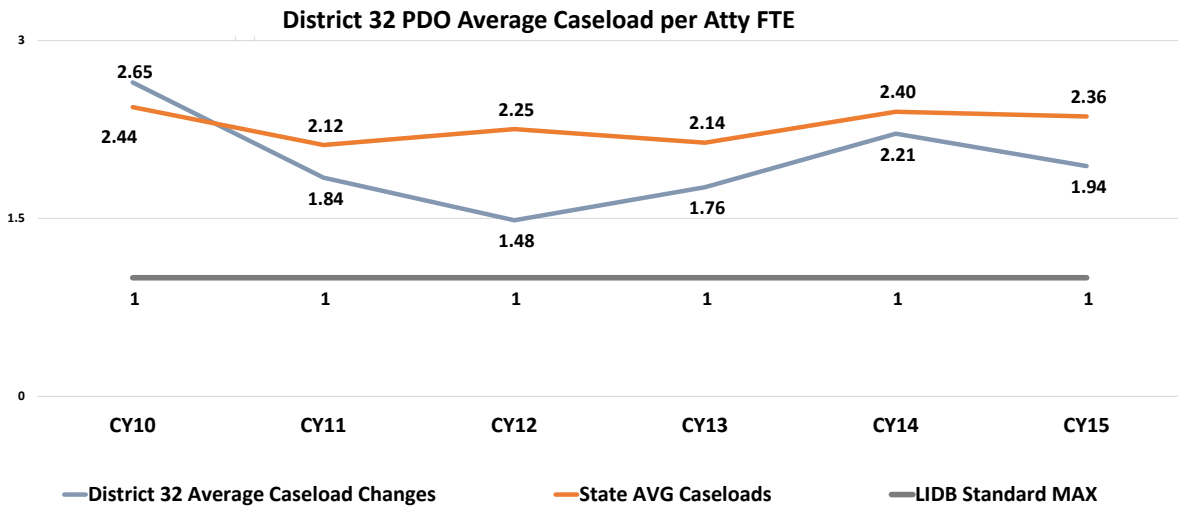


**District 32 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



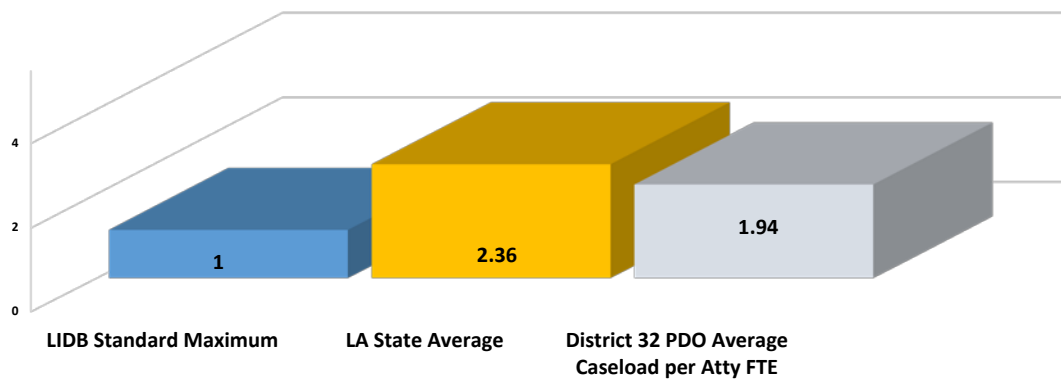
## 32nd JUDICIAL DISTRICT : TERREBONNE PARISH

Anthony Champagne  
District Defender  
504 Belanger Street  
Houma, LA 70360  
985-873-6831



In the 32nd Judicial District, public defense attorneys maintain caseloads almost twice the recommended caseload limit for each attorney.

**District 32 PDO Average Caseloads Compared to State Average & State Standard Maximums**



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 32ND JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Terrebonne - Houma
<b>Population</b>	113,328
<b>Juvenile Population</b>	29,012
<b>District Defender</b>	Anthony Champagne
<b>Years as District Defender</b>	29
<b>Years in Public Defense</b>	29
<b>Office Manager</b>	Quita Wallace
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Anthony Champagne-District Defender; Brea Verret, Holly Adams, Hailley Roussel, Kaylin Collins, Nancy Gomez, Quita Wallace, Rebecca James-secretaries; Allie Lblanc, Carmelita Ratna, Teresa King, Jessica Duet, Jacques Beebe, Michael Billiot, Kathryn Lirette, Keara Plaisance, Kerry Byrne, Carolyn McNabb, Todd Joffrion, Vanessa Zeringue, Tanner Magee, Heather McAllister, Robert Pastor, Craig Stewart, Carl Schwab, Patricia Reeves Floyd-attorneys.
<b>Primary Office Street Address</b>	504 Belanger Street
<b>City</b>	Houma
<b>ZIP</b>	70360
<b>Primary Phone</b>	985-873-6831
<b>Primary Mailing Address</b>	504 Belanger Street, Houma, LA 70360
<b>Primary Fax Number</b>	985-873-6574
<b>Primary Emergency Contact</b>	Anthony Champagne
<b>Primary Emergency Phone</b>	985-209-0755 (cell phone)
<b>Secondary Emergency Contact</b>	Quita Wallace
<b>Secondary Emergency Phone</b>	985-873-6831
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Anil K. Chagarlamudi - 504 Belanger Street; Storage Owner: Eric Duplantis 242 Enterprise Drive
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Total: \$5,596; Rent \$4,800; Storage: \$328; Monthly Utilities \$486
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Both in house and by, Terri St. Peter.
<b>Courts and Locations</b>	32nd Judicial District Court, Divisions A-E , 7856 Main St. Courthouse Annex, Houma, 70360 Houma City Court, 8046 Main St., Houma, 70360.

<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	5 District Court Divisions and 1 City Court
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Various attorneys are assigned to specific court rooms. We file Motions to Allot cases within 24-48 hours of appointment. Those cases go to the attorneys assigned to those divisions. This pertains to in-house attorneys. Conflict cases are assigned to conflict attorneys by the District Public Defender.
<b>Name of Adult Detention Facilities in This District</b>	Terrebonne Parish Criminal Justice Complex, 3211 Grand Caillou Rd., Houma, LA 70363.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Normally, outside facilities do not hold clients.
<b>Name of Juvenile Detention Facilities In This District</b>	Terrebonne Parish Juvenile Detention Center, 3182 Grand Caillou Rd., Houma, LA 70363.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None used outside of the parish for juveniles.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	None, other than lengthy waiting periods to be able to see clients.
<b>District Attorney</b>	Joseph Waitz, Jr.
<b>Chief Judge of Criminal District Court</b>	Randall Bethancourt
<b>Juvenile Court Judges (Specify District of City Court)</b>	Matthew Hagen-City Judge
<b>Drug Court Judges</b>	John Walker
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A - None
<b>Indigency Determined by Whom and How?</b>	Initial determination is made by the Court. Applications are taken from clients. These applications are reviewed by the District Defender who makes a determination of concurrence or disagreement and signs a certificate which is filed into the record indicating final decision.
<b>When is Assignment/Appointment of Counsel Made?</b>	Assignment of counsel is made upon allotment of cases in most cases which takes place within 24 to 48 hours of appointment by the Court. In cases of conflict assignments those are made as soon as possible by the District Defender upon being notified of the existence of the conflict.
<b>What steps does your office take to ensure conflict – free representation</b>	Upon each appointment, staff researches in the Data Base, defendants, co-defendants, victims and any pertinent witnesses referenced in the initial reports. The research aims at determining prior representation and outcome.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Teresa King Full Time Staff Attorney.

<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	All persons making application with the Office are required to pay a \$40.00 fee. In some instances the District Defender may waive the fee. Those persons who are incarcerated can not pay the fee upfront and same can be waived. Some persons do not appear at the office to pay the application fee. Failure to pay is not pursued by the office as a condition of representation.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	2,070
<b>How Many Application Fees Were Waived?</b>	0
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2015</b>	13,642
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Yes, Sheriff's Office
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	789,285
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Recently, pursuant to meeting between District Public Defender and the five district judges application fees maybe tacked on as a condition of probation after a plea is entered by certain clients. This would then be collected by the Sheriff's Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	The District Attorney's Office, Sheriff's Office and City Court provide us with an accounting breakdown.
<b>Who Collects the Assessed Court Fees?</b>	The District Attorney's Office, City Court and Sheriff's Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Spreadsheet of person's name and amount being paid to our office (Sheriff/District Attorney/City Court/Police Jury)
<b>Who Remits the Court Fees Collected?</b>	Remittance of Court Cost are as follows: 1 - all cost collected at City Court are remitted by City Court directly to the Office of the District Public Defender. 2 - All cost collected pursuant to pleas and convictions which take place in District Court are collected and remitted by the Sheriff's Office. 3 - All cost collected pursuant to payment of traffic tickets at the Terrebonne Parish District Attorney's Office are remitted by the Terrebonne Parish Consolidated Government to the Office of the District Public Defender.

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Fees remitted by City Court of Houma; City Court of Houma provides the Office of the District Public Defender with a complete list of all payments made by persons in City Court of Houma. 2 - Payments remitted by the Terrebonne Parish Consolidated Government; The District Attorney's Office, who initially collects all of these provides our office with a complete break down of cost collected in all different types of violations. In addition the name of each person making payments is listed with the amounts collected from each person. 3 - Payments remitted by the Terrebonne Parish Sheriff's Office provides our office with a complete break down of cost collected in all different types of violations. In addition the name of each person making payments is listed with amounts collected from each person.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	No formula used.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	1 - City Court of Houma documentation is provided to our office by City Court of Houma regarding payments by clients for Court Ordered Reimbursement. 2 - Terrebonne Parish Sheriff's Office documentation is provided to our office by The Terrebonne Parish Sheriff's Office regarding payments by clients for Court Ordered Reimbursement.
<b>Who Collects the Assessed Partial Payments?</b>	City Court of Houma and Terrebonne Parish Sheriff's Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Remittance of Court Cost are as follows: 1 - all cost collected at City Court are remitted by City Court directly to the Office of the District Public Defender. 2 - All cost collected pursuant to pleas and convictions which take place in District Court are collected and remitted by the Sheriff's Office. 3 - All cost collected pursuant to payment of traffic tickets at the Terrebonne Parish District Attorney's Office are remitted by the Terrebonne Parish Consolidated Government to the Office of the District Public Defender.
<b>Who Remits the Partial Payments Collected?</b>	City Court of Houma and Terrebonne Parish Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Remittance of Court Cost are as follows: 1 - all cost collected at City Court are remitted by City Court directly to the Office of the District Public Defender. 2 - All cost collected pursuant to pleas and convictions which take place in District Court are collected and remitted by the Sheriff's Office. 3 - All cost collected pursuant to payment of traffic tickets at the Terrebonne Parish District Attorney's Office are remitted by the Terrebonne Parish Consolidated Government to the Office of the District Public Defender.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	29,987



<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted- yes Criminal - yes
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes (see attached)
<b>Primary Immediate Needs</b>	As mentioned on this item in previous reports, this office once employed two attorneys for each district court division. One attorney handled all cases involving violations of control dangerous substance statutes. The other attorney handled all other cases. Three years ago, before the State Board adopted the restriction of service protocol rules, this office cut the five positions for handling drug violation cases. Even with the legislation for increase of court costs, we have not realized the type of revenue that would allow for the reinstatement of those positions. Reinstatement of these positions would help substantially in the reduction of caseloads for the remaining five division attorneys.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes. District Defender met with judges in August, 2015 to advise of the possibility of ROS and the need for cooperation by the judges on assessing all local funding available by law. Further, the judges were advised of the possibility that the office would no longer be able to pay conflict counsel.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	In January 2015, the office lost the 1st assistant public defender, Amanda Mustin, to Office of the District Attorney. She was the highest paid assistant. The office hired a new assistant at a reduced salary and continued to employ one other assistant, Tanner Magee, to assist in training the newest assistant. The training assistant, Magee, resigned midyear to engage in what turned out to be a successful bid for State Representative. The loss of these assistants resulted in a decrease in salary paid by the office.
<b>Immediate Critical Issue Areas</b>	Lack of Needed Personnel.
<b>Long-Term Critical Issue Areas</b>	Shortage of funding for provision of services and resources as required by standards.
<b>Please List All New Hires in 2015 (Name and Title)</b>	Nancy Gomez--secretary; Craig Stewart, Heather McAllister--conflict attorneys.
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	N/A
<b>Number of Expected New Attorney Hires in 2016</b>	Due to shortage of funding the office does not expect to hire new attorneys in 2016.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. Attorneys are sent to various training sessions the District Defender also meets with new attorneys to coach and mentor.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	We do not provide employee policy manuals. We do provide Statutory Criminal Law and Procedure handbooks, as well as Criminal Trial Practice handbooks by Gail Dalton Schlosser.

<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Quita Wallace is the senior secretary supervising all other secretaries. Anthony Champagne, District Defender supervises attorneys.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	Quita Wallace, senior secretary, assists District Defender by supervising secretaries and training new secretary hires. District Defender supervises all attorneys, secretarial staff and investigator.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	N/A
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes - Full Time employees only, 99% of policy paid by employer and 1% of policy paid by employee.
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, the secretarial staff meets every one to three weeks; the District Defender meets with attorneys approximately once every month or two.
<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	None
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	All appeals are handled by the Louisiana Appellate Project.
<b>Number of Writs Your District Handled in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	It is very rare that cases are transferred from our City Court which handles all juvenile matters to District Court. In those instances the attorneys who handle felonies in the District Court take over the file, unless the case was originally handled in juvenile court by a contract or conflict attorney, in that instance the case is handled by the same attorney if qualified.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Representatives: Gordon Dove, Joe Harrison, Lenar Whitney; Senators: Brett Allain, Norbert Chabert.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Shortage of attorneys interested in doing this type of work.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Anthony P. Champagne	985-873-6831
Keara Plaisance	985-873-6831
Teresa King	985-873-6831
Allie LeBlanc	985-873-6831

<u>Part-Time Contract Attorneys</u>	<u>Contact Information</u>
Kathryn Lirette	985-873-6831
Kerry P. Byrne	985-873-6831
Magee, Tanner	985-873-6831
<u>Non Attorney Employees and Contractors and Other Staff</u>	<u>Contact Information</u>
Robert Pastor	504-486-0402
Todd Joffrion	985-223-3392
Carolyn McNabb	985-851-2533
Vanessa Zeringue	985-872-2877
Quita Wallace	985-873-6831
Amy Lavender	985-873-6831
Robert Brown	985-873-6831
Holly Adams	985-873-6831
Billiot Michael	985-873-8307
Carmelita Ratna	504-388-7170
Rebecca James	985-873-6831
Kaylyn Collins	985-873-6831
Hailley Roussell	985-873-6831
Brea Verret	985-873-6831
Nancy Gomez	985-873-6831
Craig Stewart	985-223-2000
Jacques Beebe	985-872-2828
Jessica Duet	985-872-2828
Patricia Reeves Floyd	985-868-1342
Carl Schwab	985-262-0587
Paul Lapeyrouse	985-594-7285
William Yates	985-851-4423

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Quita L. Wallace
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	X
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	x
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	x
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	4
DVD	1
VCR	1
Desktop PCs	10
Laptops	17
Video Cameras	1
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	2
Color Printers	10
Wireless Cards	
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	1
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	100.0 MBPS
Provider Name:	TRIPARISH.NET
Email Provider:	TRIPARISH.NET & YAHOO.COM
Please list any software or computer equipment in which you need training:	

### 32nd District Defender Office CY 2015 Caseloads & Outcomes

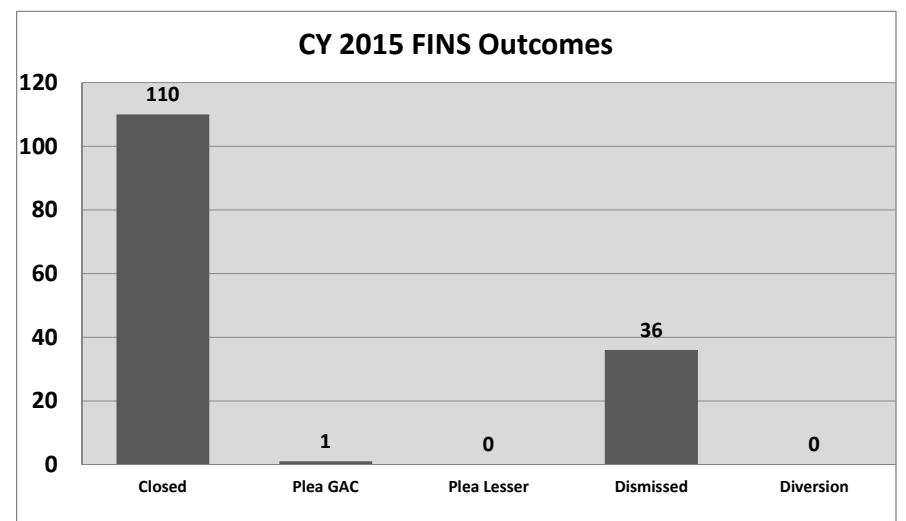
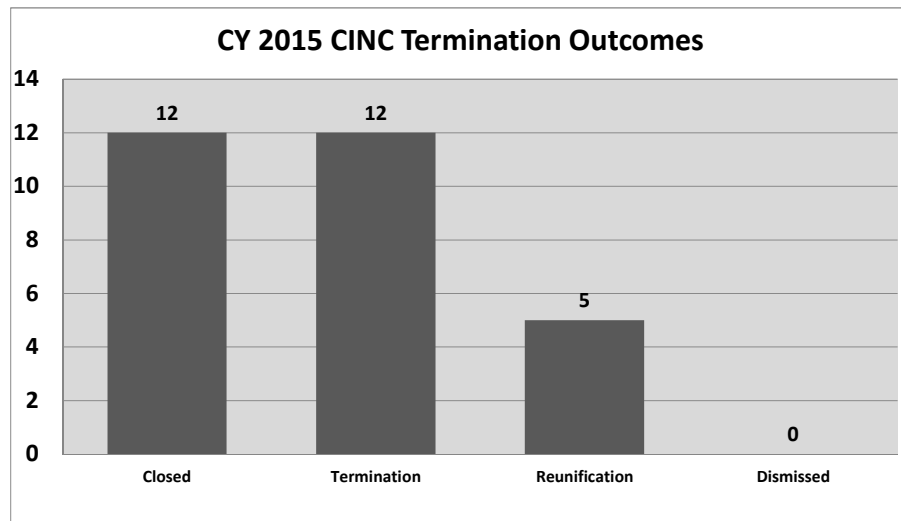
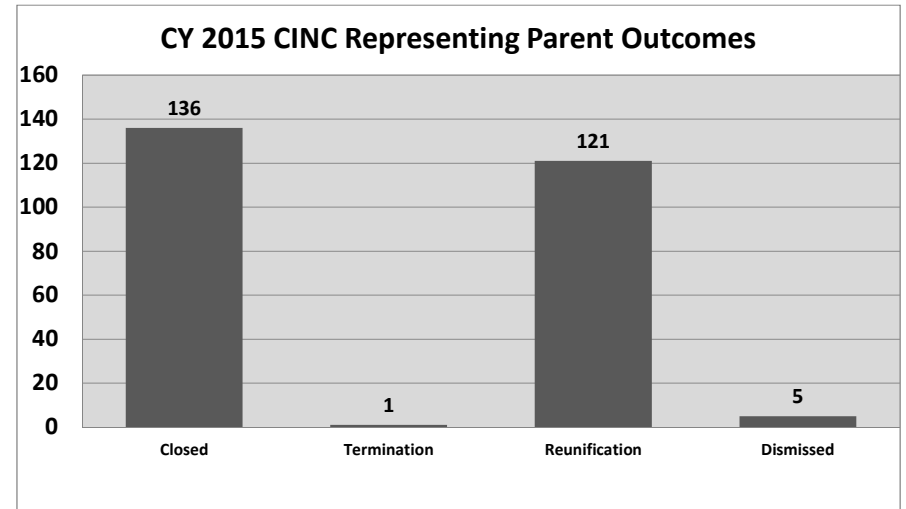
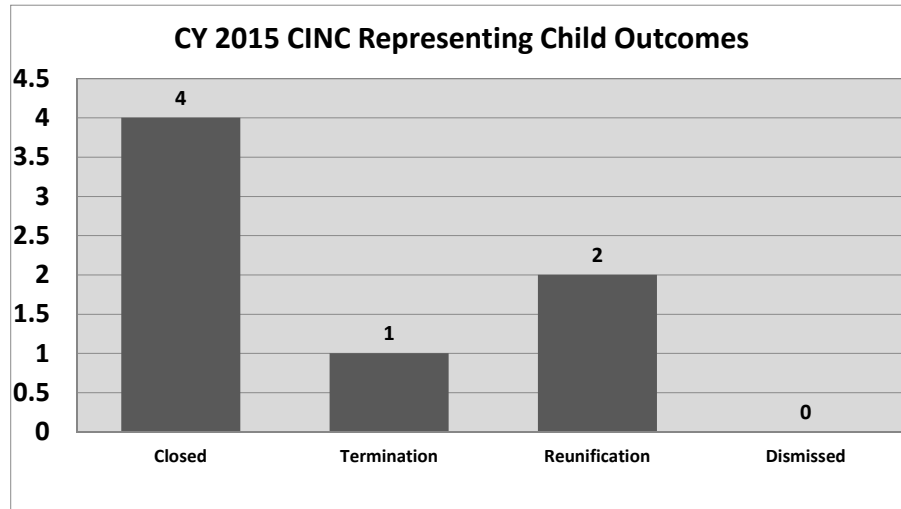
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	3	4	5	8	1	2	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	171	136	136	307	1	121	N/A	N/A	5	N/A	N/A	N/A	N/A	N/A	0
Termination	9	12	6	15	12	5	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	127	110	32	159	N/A	N/A	1	0	36	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	380	453	162	542	N/A	N/A	330	15	225	64	N/A	N/A	0	4	4
Delinquency Felony	133	145	57	190	N/A	N/A	117	52	94	6	N/A	N/A	0	4	4
Delinquency-Life	3	5	3	6	N/A	N/A	14	1	2	0	N/A	N/A	0	0	0
Juvenile Revocations	48	192	47	95	N/A	N/A	26	4	4	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	1027	1023	289	1316	N/A	N/A	978	103	472	4	0	0	1	4	5
Adult Felony Non-LWOP**	1589	1442	640	2229	N/A	N/A	1064	334	586	2	1	7	2	3	13
Adult LWOP	9	5	15	24	N/A	N/A	0	1	0	0	0	1	0	0	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	20	116	23	43	N/A	N/A	1	0	2	0	N/A	N/A	N/A	N/A	0
PCR	2	4	8	10	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	1	1
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

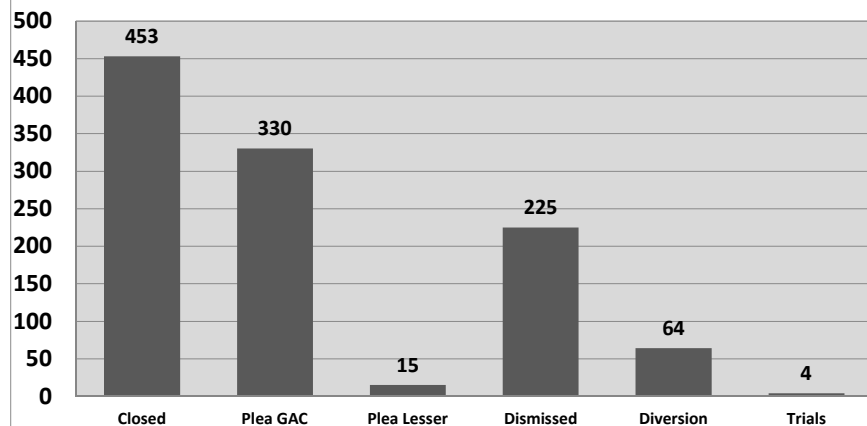
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

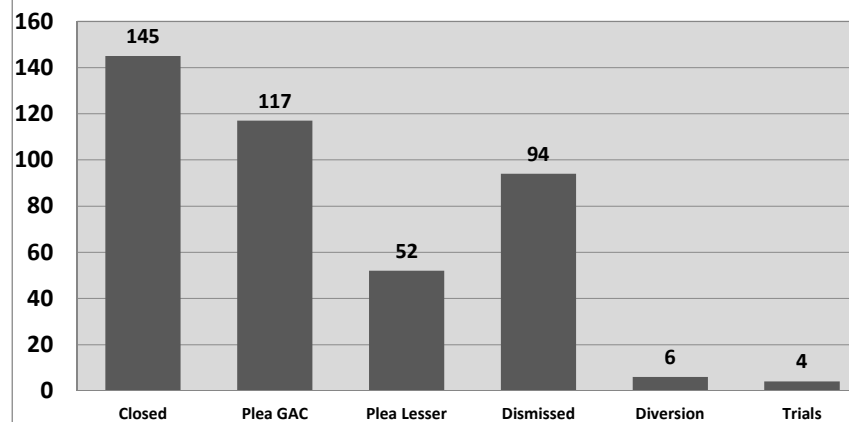
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



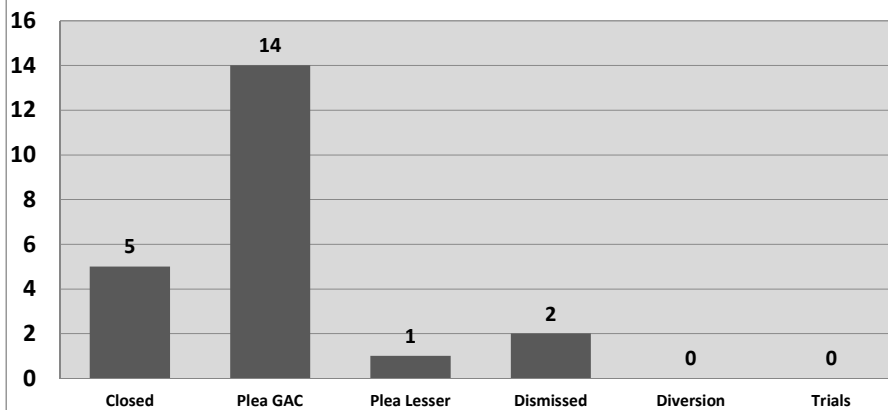
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



**CY 2015 Delinquency Felony-Grade Outcomes**

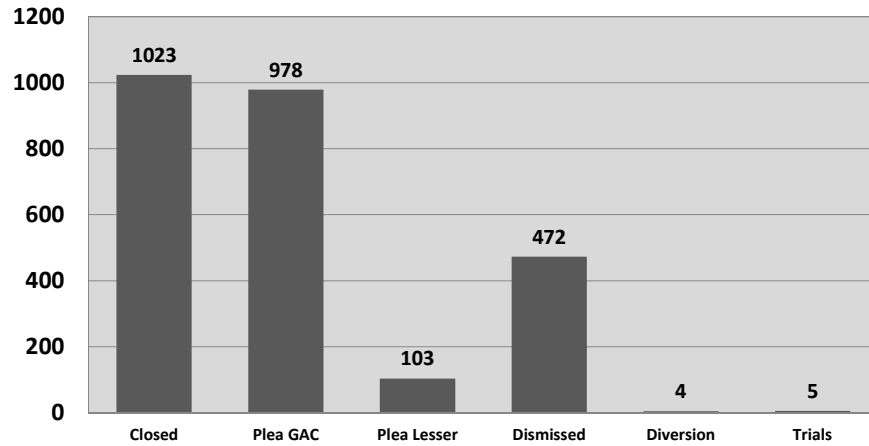


**CY 2015 Delinquency Life Outcomes**

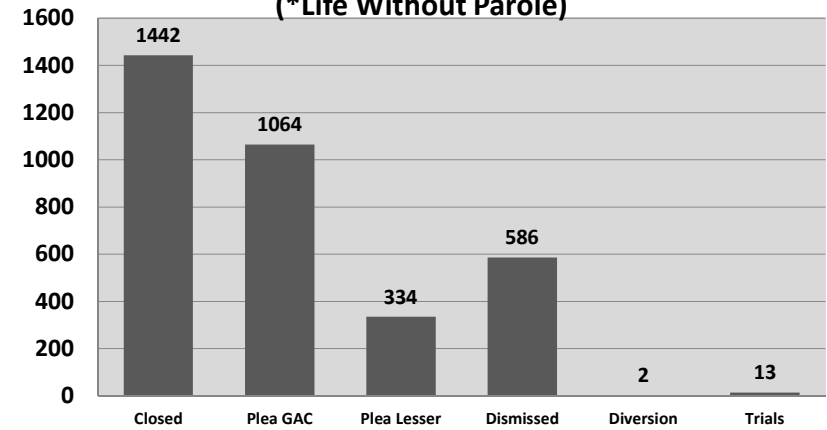




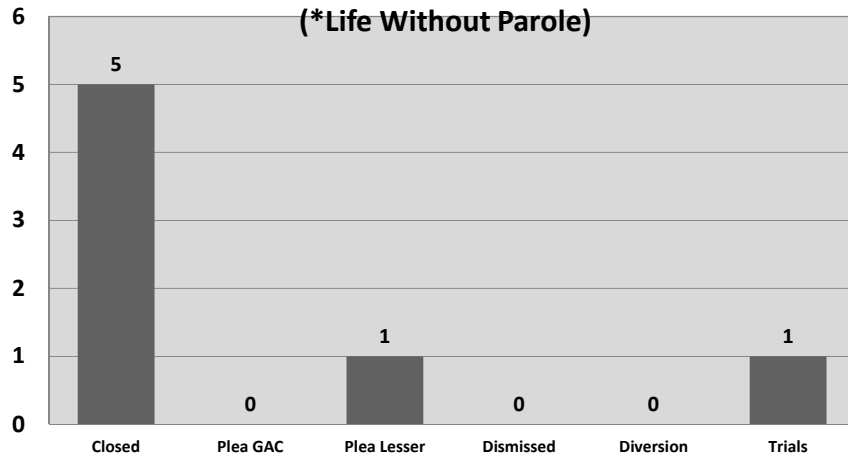
**CY 2015 Adult Misdemeanor Outcomes**



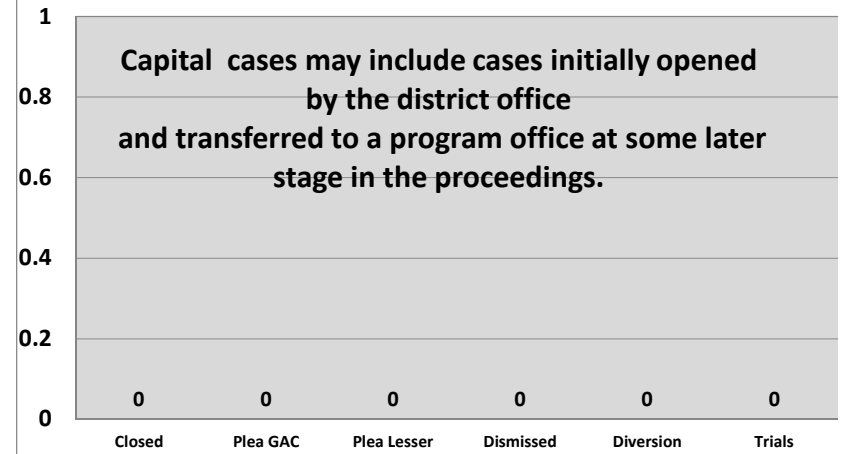
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

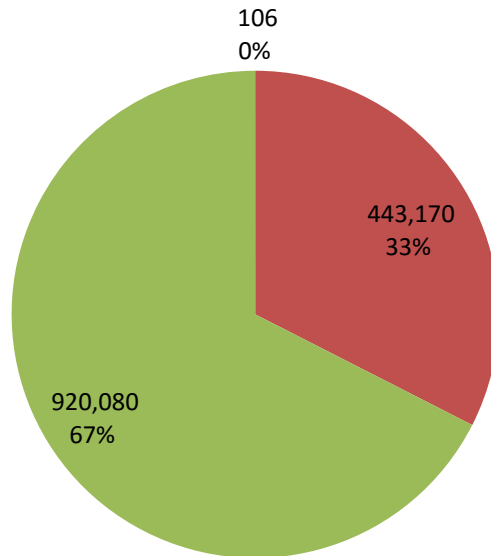


District 32 CY2015	Total CY2015
<b>District Defender: Anthony Champagne</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	32,392
District Assistance Fund (DAF)	410,778
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	443,170
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	93,212
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	167,992
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	75,735
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	539,612
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	783,339
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	13,642
Partial Attorney Fees	
Reimbursements [as per 15:176]	29,887
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	43,529
Total for Local Government	920,080
Investment Earnings	
Interest Income	106
Other Investment Income - List source(s)	-
Total for Investment Earnings	106
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	1,363,356

District 32 CY2015	Total CY2015
<b>District Defender: Anthony Champagne</b>	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	760,839
Accrued Leave	-
Payroll Taxes	21,761
Hospitalization and Disability Insurance	64,008
Retirement	85,237
Other	-
Total for Personnel Services and Benefits	931,845
Travel/Training	
Parking/Auto Tolls	60
Travel/Lodging/Per Diem/Mileage	5,410
Total for Travel/Training	5,470
Operating Services	
Advertisements	23
Workers' Compensation	2,003
Insurance - Malpractice	14,384
Insurance - Auto/Physical Liability	9,483
Insurance - Other	-
Lease - Office	55,797
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	12,523
Office - Telephone/Utilities/Postage/Internet	6,452
Dues and Seminars	3,285
Law Library/Journals/Subscriptions	14,937
Office Supplies	18,262
Total for Operating Services	137,149
Professional Services	
Audit/Accounting Expense	14,530
Contract Clerical	-
Expert Witness	500
Investigators	280
Interpreters	4,525
Social Workers	-
Capital Representation	-
Conflict	178,034
Contract - Juvenile Attorneys or CINC	66,000
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	112,369
IT/Technical Support	-
Total for Professional Services	376,238
Capital Outlay	
Major Acquisitions	1,258
Total for Capital Outlay	1,258
Other Charges	
Other Operating Expenses	1,019
Total for Other Charges	1,019
Total for EXPENDITURES	1,452,979

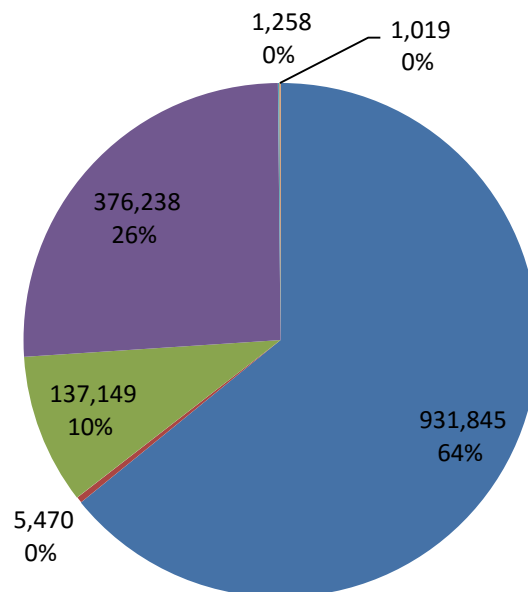
## Total CY15 Revenues

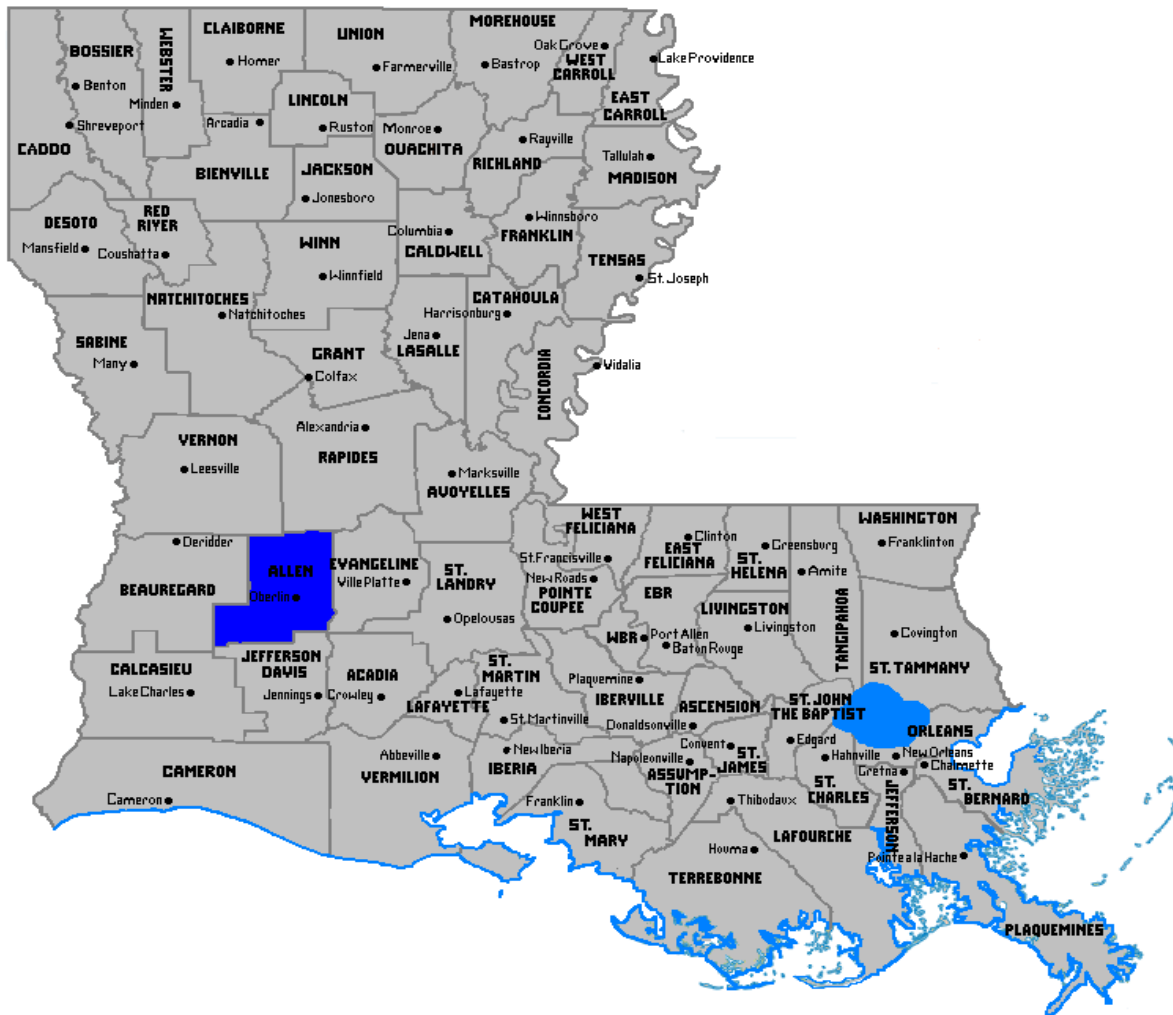
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





# THE 33<sup>RD</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE ALLEN (OBERLIN)

DISTRICT DEFENDER: CHAD GUIDRY  
400 WEST SIXTH AVE, COURTHOUSE BLDG.  
OBERLIN, LA 70655  
(337) 639-2475

## 33rd JUDICIAL DISTRICT : ALLEN PARISH

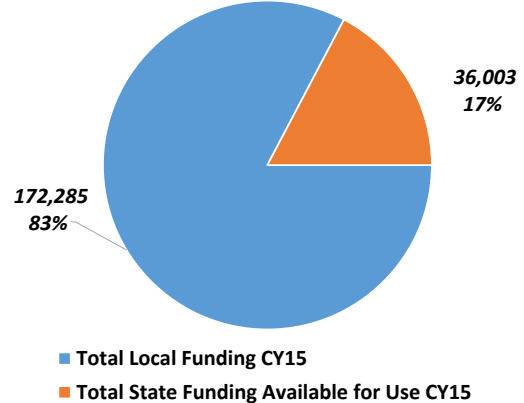
Chad Guidry  
District Defender  
400 West Sixth Ave Courthouse Bldg  
Oberlin, LA 70655  
337-639-2475

During Calendar Year 2015, the 33rd Judicial District Public Defenders Office handled 468 cases. The office received \$208,288 in total revenues to handle these cases, approximately 83% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

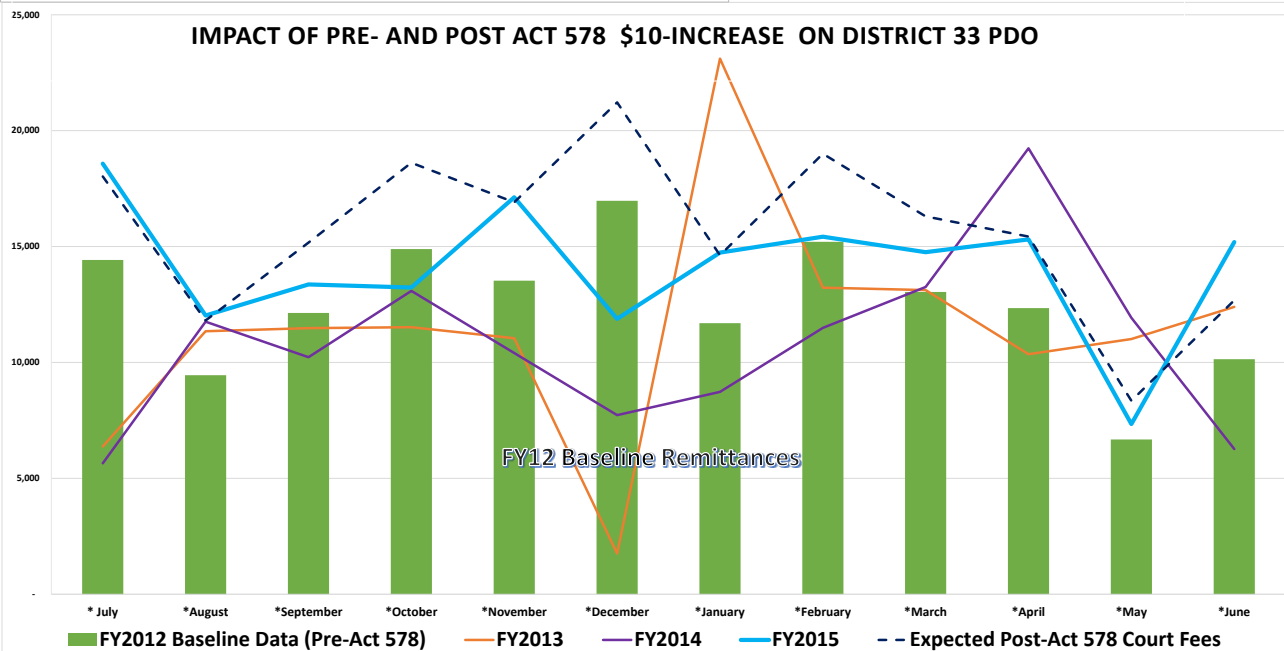
With the exception of a few anomalies, the 33rd has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 33rd Judicial District office avoided service restriction during FY15 after the resignation of the former district defender who was elected to the judiciary. His resignation reduced the office's salary-related expenditures for several months. However, now that a new district defender has been hired, the office is again facing insolvency and will enter service restrictions in either February or March of 2016.

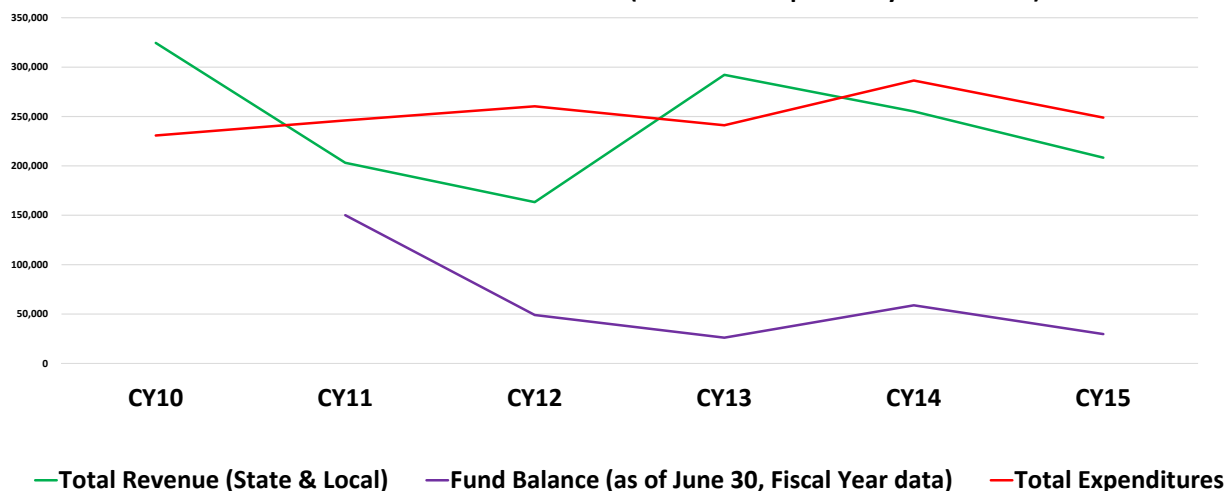
**District 33 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 33 PDO**



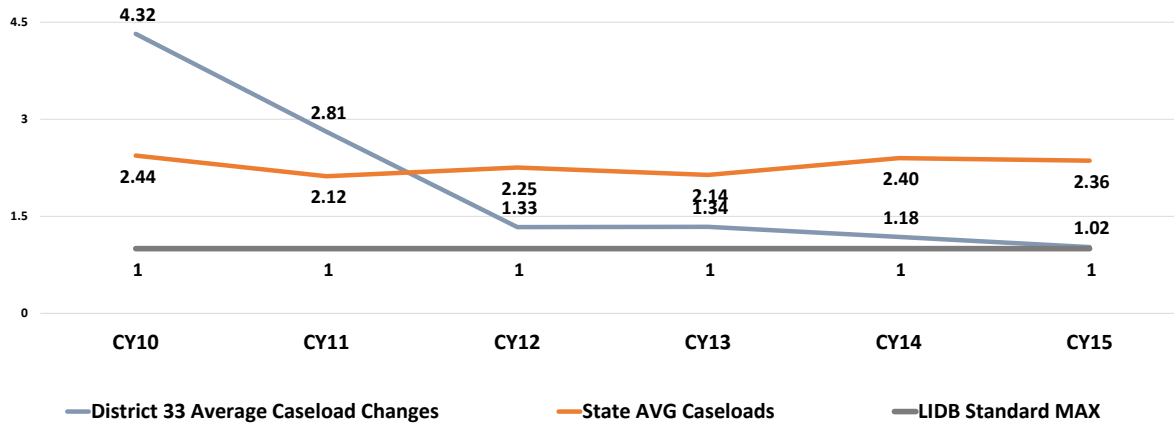
**District 33 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



## 33rd JUDICIAL DISTRICT : ALLEN PARISH

Chad Guidry  
District Defender  
400 West Sixth Ave Courthouse Bldg  
Oberlin, LA 70655  
337-639-2475

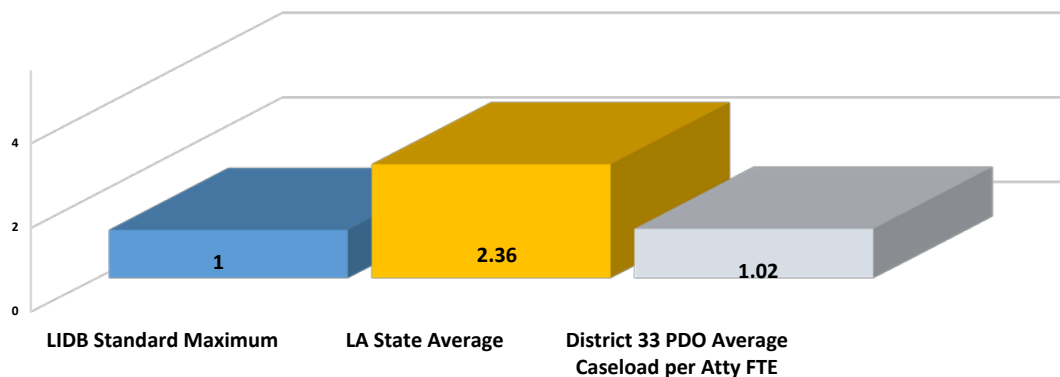
District 33 PDO Average Caseload per Atty FTE



In the 33rd Judicial District, public defense attorneys maintain caseloads which are in compliance with the recommended caseload limit for each attorney.

The 33rd Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.

District 33 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 33RD JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Allen-Oberlin
<b>Population</b>	25,440
<b>Juvenile Population</b>	4,269
<b>District Defender</b>	Judge Deshotels resigned as of 12/31/15. Alex Chapman was appointed as interim defender from 1/1/15 until 10/1/15 and Chad Guidry was been appointed as interim defender from 10/1/15 to present.
<b>Years as District Defender</b>	0.25
<b>Years in Public Defense</b>	9
<b>Office Manager</b>	Shirley Brady
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Karli Rae and Megan Comeaux
<b>Primary Office Street Address</b>	400 West Sixth Ave Courthouse Bldg
<b>City</b>	Oberlin
<b>ZIP</b>	70655
<b>Primary Phone</b>	337-639-2475
<b>Primary Mailing Address</b>	PO Box 399; Oberlin, LA 70655
<b>Primary Fax Number</b>	337-639-2474
<b>Primary Emergency Contact</b>	Chad Guidry
<b>Primary Emergency Phone</b>	337-738-2280
<b>Secondary Emergency Contact</b>	Karli Rae
<b>Secondary Emergency Phone</b>	337-639-2475
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	PO Box 447; 831 Fourth Ave.; Kinder, LA 70648; 337-738-2280
<b>Other District Office Contact Personnel (Primary Only)</b>	Megan Comeaux; Mr. Guidry's assistant; 337-738-2280
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Allen Parish Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	The Public Defender's office is located in the courthouse. The office space was not being used by the court's staff. Accordingly, the police jury is allowing us to utilize the space rent free.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Shirley Brady does all reports and is assisted by the Districts CPA.
<b>Courts and Locations</b>	33rd District- Oberlin; Oakdale City Court, Oakdale Louisiana.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	2 Divisions in District Court and 1 in Oakdale City Court.



<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Chad Guidry and John Demoruelle are share the case loads on an alternating basis. If a conflict arises a number of local contracted attorneys have agreed to take assignments.
<b>Name of Adult Detention Facilities in This District</b>	Allen Parish Jail, Oberlin. Oakdale City Jail, Oakdale. Kinder City Jail, Kinder. In the past there was a problem with over crowding and inmates were housed at other detention facilities around the state. However, the APSO just opened a new jail and that is no longer an issue.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles Parish Jail, Concordia Parish Jail, Vernon Parish Jail and Beauregard Parish Jail and Allen Correctional Facility, which is privately run.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	During overcrowding clients held at several other facilities in different parishes.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	This was a problem for accessing clients. However, it is anticipated that with the new jail this problem will be alleviated.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Not routinely. To my knowledge the 33rd doesn't not have a shackling policy and procedure in place for juveniles.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Rarely. See above answer
<b>District Attorney</b>	Todd Nesom (District Attorney)
<b>Chief Judge of Criminal District Court</b>	Judge Joel Davis, Div A
<b>Juvenile Court Judges (Specify District or City Court)</b>	Judge Joel Davis and Judge David Deshotels
<b>Drug Court Judges</b>	None
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	None
<b>Indigency Determined by Whom and How?</b>	After arrest the clients are brought before the Court for 72 hours hearings. The Judge does a brief interview on the record and if the defendant appears indigent he/she is referred to the IDB. Karli Rae interviews the prospective clients and either Chad Guidry or John Demorelle will notarize the application and review it to determine if the person qualifies.
<b>When is Assignment/Appointment of Counsel Made?</b>	Soon after 72 hour hearing.
<b>What steps does your office take to ensure conflict – free representation</b>	Mr. Guidry and Mr. Domoruelle both perform conflict searches on clients and co-defendants upon appointment.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Karli Rae, Public Defender Secretary
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes

<b>Brief Explanation of Intake Process</b>	After arrest the clients are brought before the Court for 72 hours hearings. The Judge does a brief interview on the record and if the defendant appears indigent he/she is referred to the IDB. Karli Rae interviews the prospective clients and either Chad Guidry or John Demourelle will notarize the application and review it to determine if the person qualifies.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Attempts are made to collect the \$40.00 dollar application fee, but clients seldom pay.
<b>How Many Applications for Services Were Received?</b>	446
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	2,680
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	None
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	136,419
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	None
<b>Who Collects the Assessed Court Fees?</b>	The District Attorney's office collects the fees.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Court Fees Collected?</b>	Karli Rae
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Debt to income ratio.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	DA or Probation Officer.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	Karli Rae
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	4,990

<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	The lawyers are not to take hired criminal cases. They do part-time civil cases.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Contract is verbal with Lawyers in District.
<b>Primary Immediate Needs</b>	None at this time
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	The district will likely enter ROS in 2016. I have discussed this possibility with the judges and DA. I recently was appointed as the district defender. Accordingly, I am in the process of determining our plan of action should ROS become necessary.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No staff reduction has occurred.
<b>Immediate Critical Issue Areas</b>	Lack of funding will likely lead us into ROS. This is our biggest most pressing issue currently.
<b>Long-Term Critical Issue Areas</b>	As stated above funding is an immediate and long term issue.
<b>Please List All New Hires in 2015 (Name and Title)</b>	Karli Rae was hired in August, 2015 to perform data entry and secretarial services for the PD.
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	Unknown at this time
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. I personally assist other attorneys with case issues. I also ask for their assistance on issues.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chad Guidry is the current District Defender and he oversees work of the other attorneys and office employees.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	None
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	Mr. Guidry sees other lawyers and employees on daily basis in office and in court room.
<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	None
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	All appeals are handled by the Louisiana Appellate Project.
<b>Number of Writs Your District Handled in 2015</b>	Unknown

<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	N/A
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Myself and other attorneys are certified and experienced juvenile attorney's. However, no such cases have been transferred in 10 or more years.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	State Rep. Dorothy Sue Hill; State Senator Eric LaFluer.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	The location of inmates was always a huge inconvenience. However, I have seen improvement in this area with the opening of our new jail.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	I have only been appointed since Oct. but we have recently implemented new procedures that have streamlined the application process for prospective clients. I hope these procedures will result in increased collection of the \$40 app fee as well.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Chad Guidry	337-738-2280
John Demoruelle	337-639-2220
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Meagan Miller	318-215-8155
Craig R. Hill	337-639-2127
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Shirley Brady	337-639-2266
Karli Rae	337-639-2475

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.

**Survey Completer's Name**

Chad Guidry

**SOFTWARE:**

Mark an X in all that apply

**Operating Systems Used:**

Windows 10

x

Windows 8

Windows 7

Windows Vista

Windows Server 2000/2003/2008

Windows XP

Mac OSX

**Case Management System(s): Check all that apply**

defenderData (LPDB statewide system)

x

Other System (please name)

**Productivity Suites Used:**

Microsoft Office 2016 (Word, Excel, etc.)

x

Microsoft Office 2013

Microsoft Office 2010

Microsoft Office 2007

Microsoft Office 2003

Previous Microsoft Office version

Corel Word Perfect

Other

**Accounting Software**

QuickBooks

x

Quicken

Intuit

Other (list here):

**Internet Browsers Used:**

Internet Explorer 6

Internet Explorer 7

Internet Explorer 8

Internet Explorer 9

Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	x
Firefox	
Google Chrome	x
Other	
<b>HARDWARE:</b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	1
Laptops	2
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	2
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	Centurylink
Email Provider:	
Please list any software or computer equipment in which you need training:	

### 33rd District Defender Office CY 2015 Caseloads & Outcomes

(Note that given the recent change in Management, some cases may not be reported as of 1/08/2016)

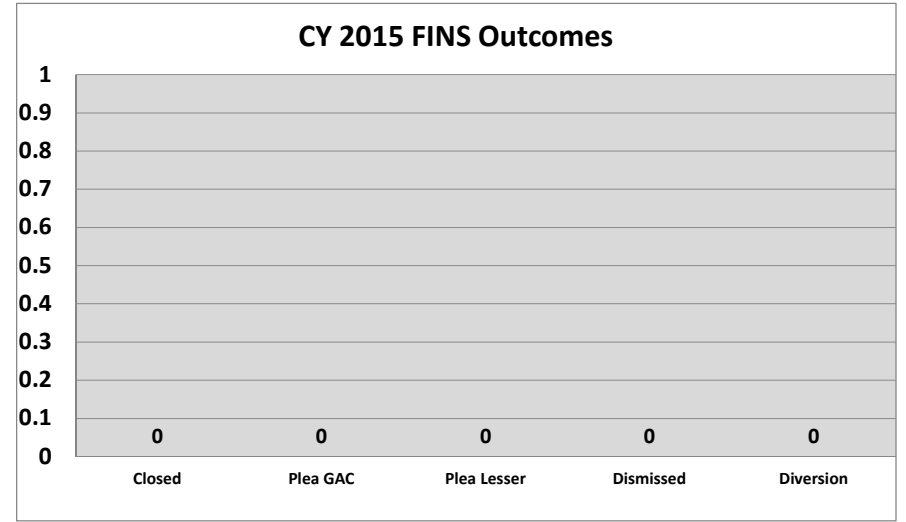
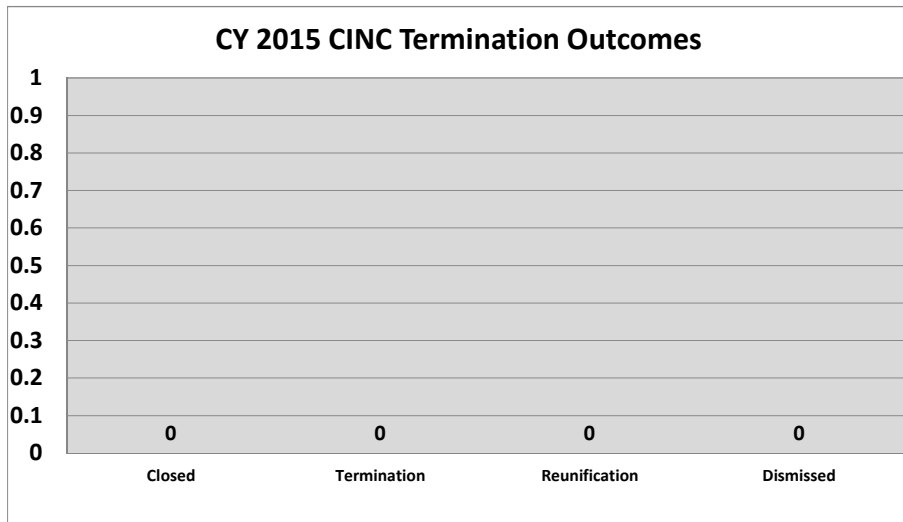
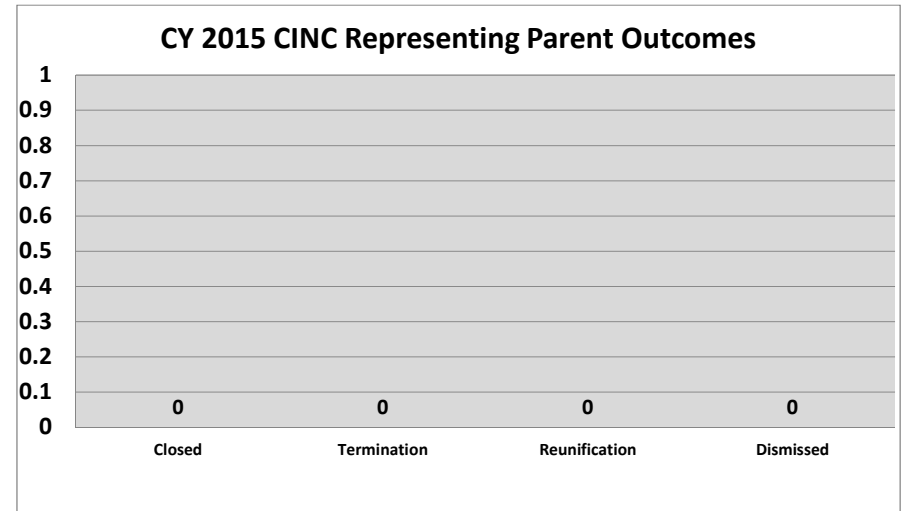
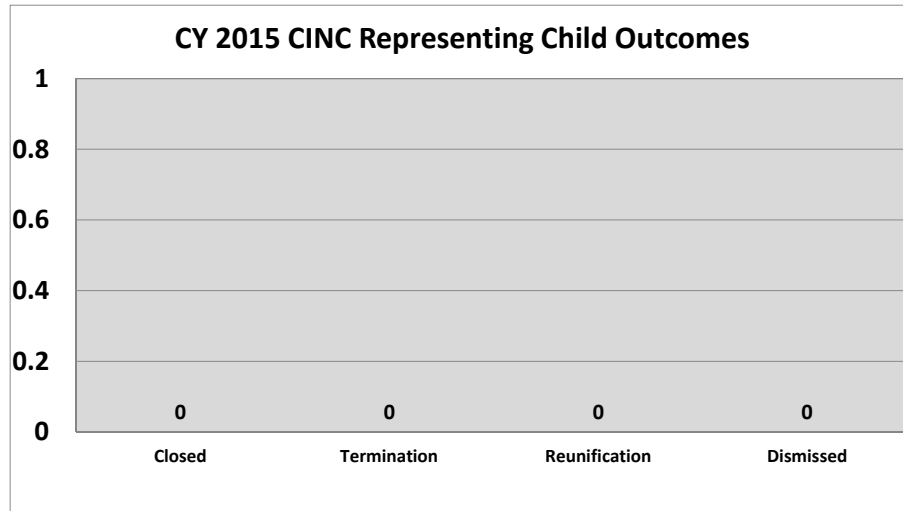
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	14	0	0	14	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	5	0	0	5	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	30	9	0	30	N/A	N/A	6	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	1	0	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	154	10	4	158	N/A	N/A	1	6	5	0	0	0	0	0	0
Adult Felony Non-LWOP**	202	29	17	219	N/A	N/A	3	27	34	0	0	0	0	0	0
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	41	0	0	41	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

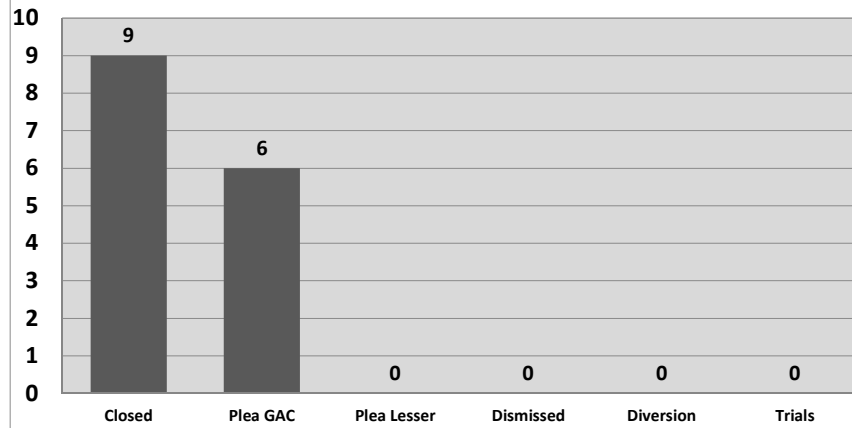
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

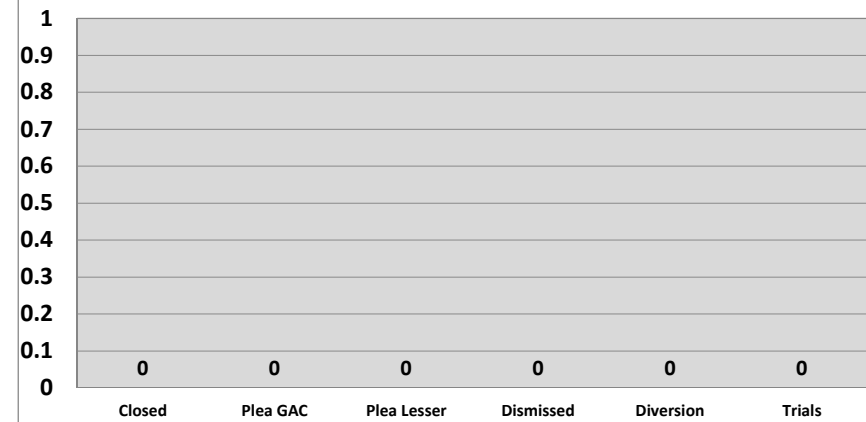




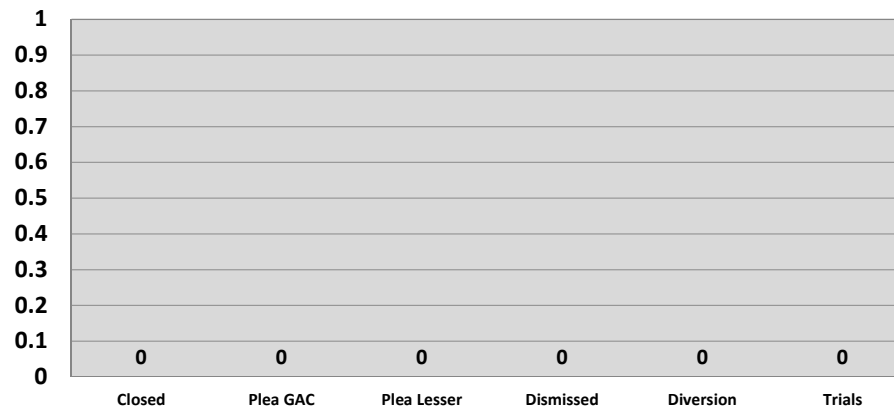
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



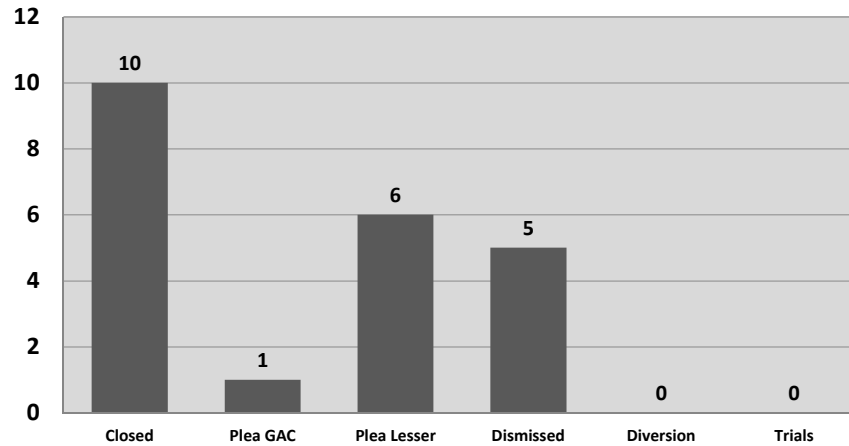
**CY 2015 Delinquency Felony-Grade Outcomes**



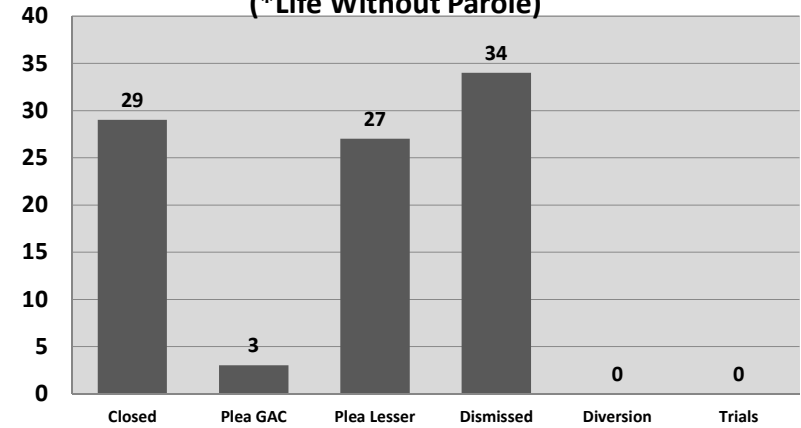
**CY 2015 Delinquency Life Outcomes**



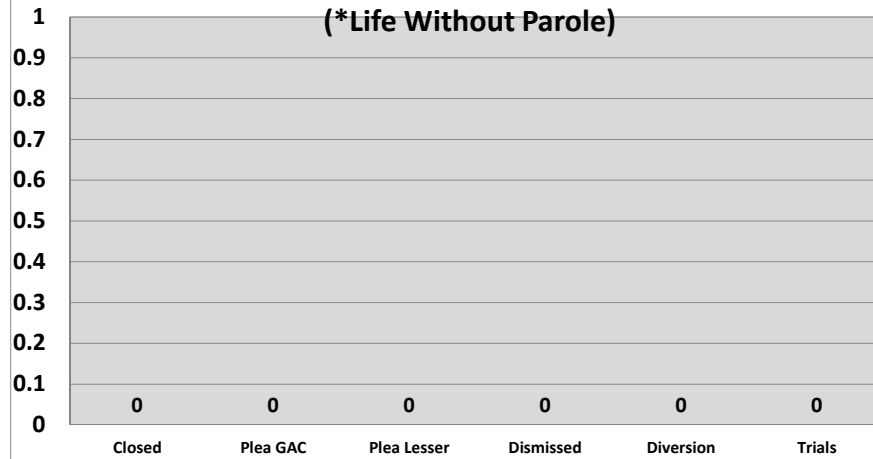
**CY 2015 Adult Misdemeanor Outcomes**



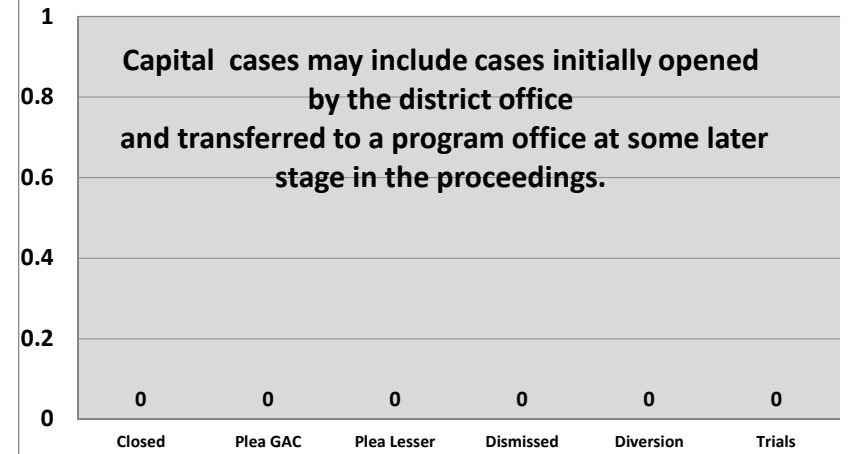
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

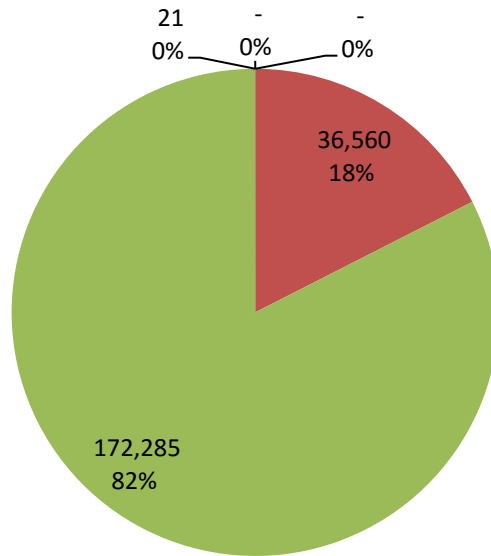


District 33 CY2015	Total CY2015
<b>District Defender: Chad Guidry</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	126
District Assistance Fund (DAF)	36,434
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	36,560
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	7,096
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	8,496
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	17,132
City & City-Ward Courts	38,557
Judicial District Courts	90,095
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	2,367
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	148,150
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	2,840
Partial Attorney Fees	
Reimbursements [as per 15:176]	5,703
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	8,543
Total for Local Government	172,285
Investment Earnings	
Interest Income	21
Other Investment Income - List source(s)	-
Total for Investment Earnings	21
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	-
Total for REVENUE	208,866

District 33 CY2015	Total CY2015
<b>District Defender: Chad Guidry</b>	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	147,575
Accrued Leave	-
Payroll Taxes	6,698
Hospitalization and Disability Insurance	-
Retirement	10,730
Other	132
Total for Personnel Services and Benefits	165,135
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	-
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	20,000
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	1,251
Dues and Seminars	-
Law Library/Journals/Subscriptions	1,252
Office Supplies	440
Total for Operating Services	22,943
Professional Services	
Audit/Accounting Expense	9,227
Contract Clerical	5,599
Expert Witness	4,000
Investigators	-
Interpreters	2,013
Social Workers	-
Capital Representation	-
Conflict	24,453
Contract - Juvenile Attorneys or CINC	5,610
Misdemeanor Attorney Contracts	881
Contract Attorneys - all other	5,881
IT/Technical Support	-
Total for Professional Services	57,662
Capital Outlay	
Major Acquisitions	3,023
Total for Capital Outlay	3,023
Other Charges	
Other Operating Expenses	104
Total for Other Charges	104
Total for EXPENDITURES	248,867

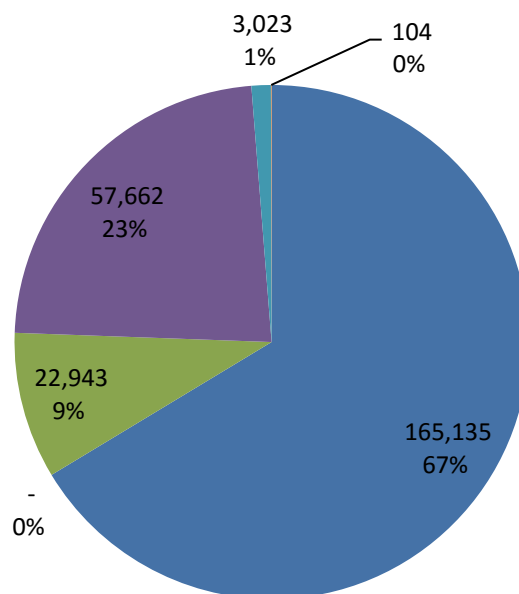
## Total CY15 Revenues

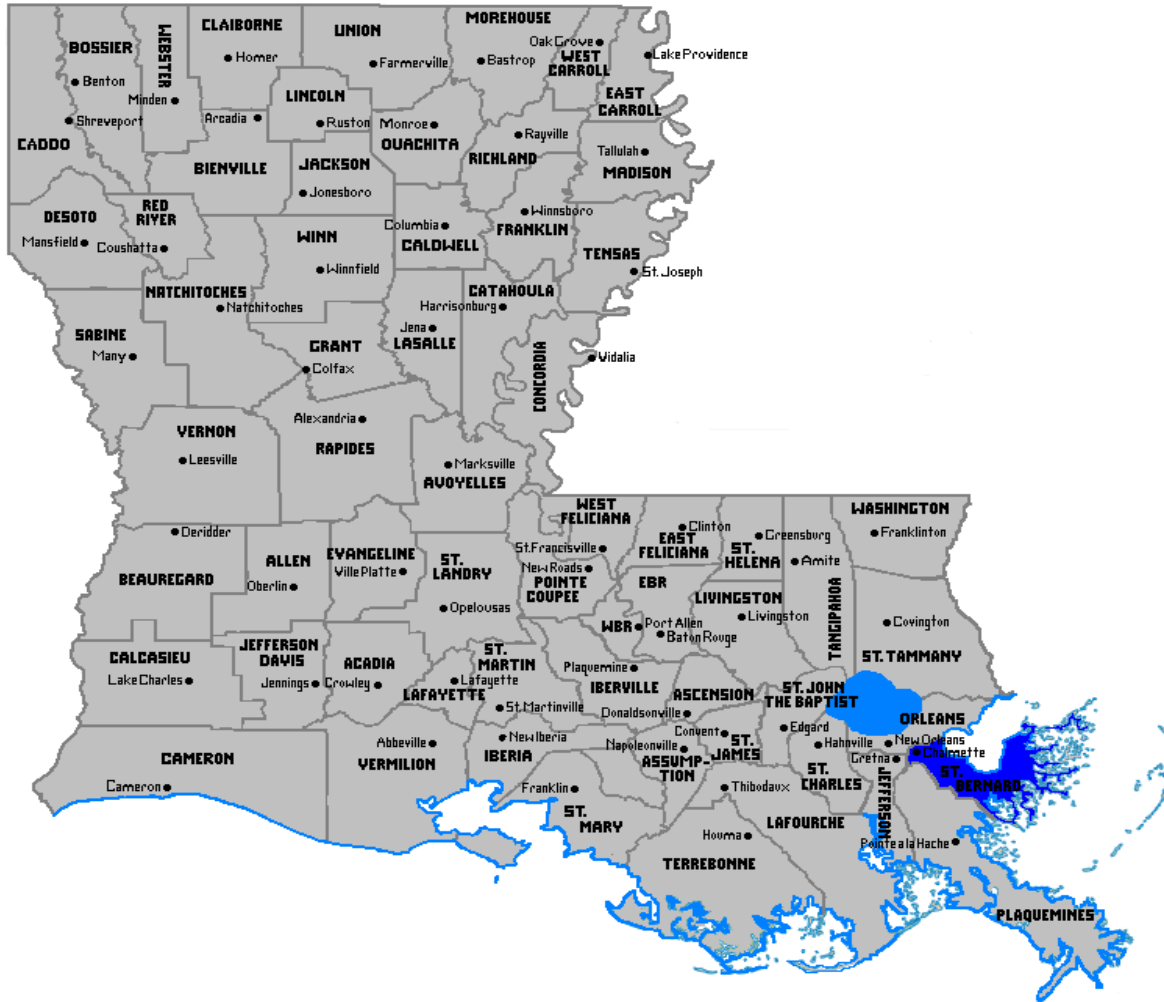
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





# THE 34<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE ST. BERNARD (CHALMETTE)

DISTRICT DEFENDER: THOMAS H. GERNHAUSER  
2118 JACKSON BLVD., SUITE B  
CHALMETTE, LA 70043  
(504) 278-4438

## 34th JUDICIAL DISTRICT : ST. BERNARD PARISH

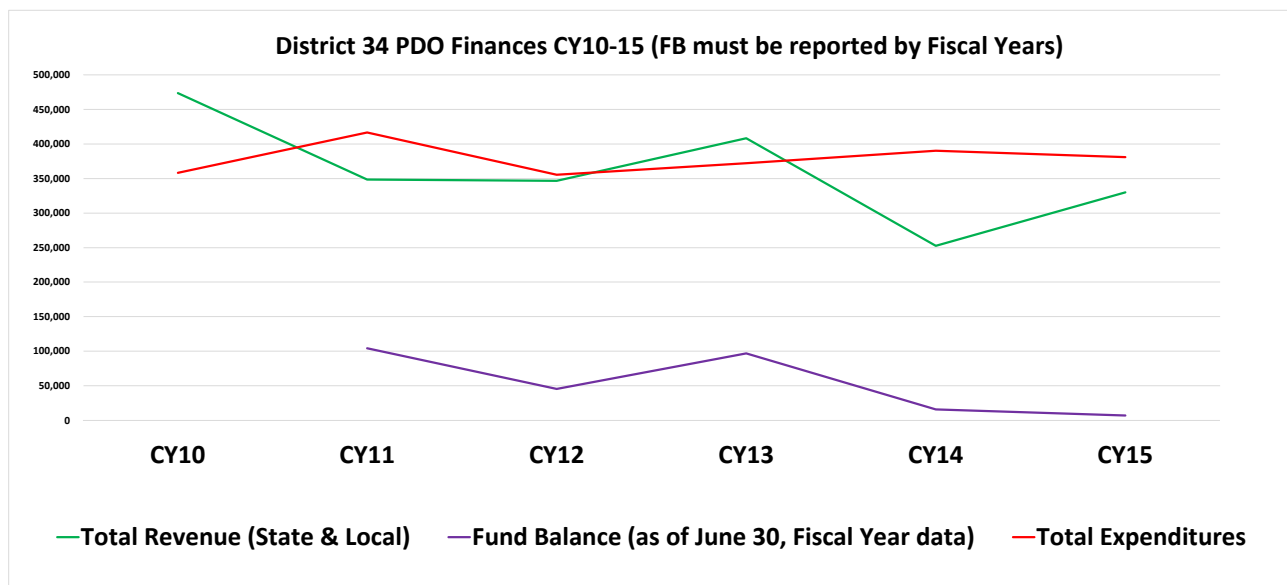
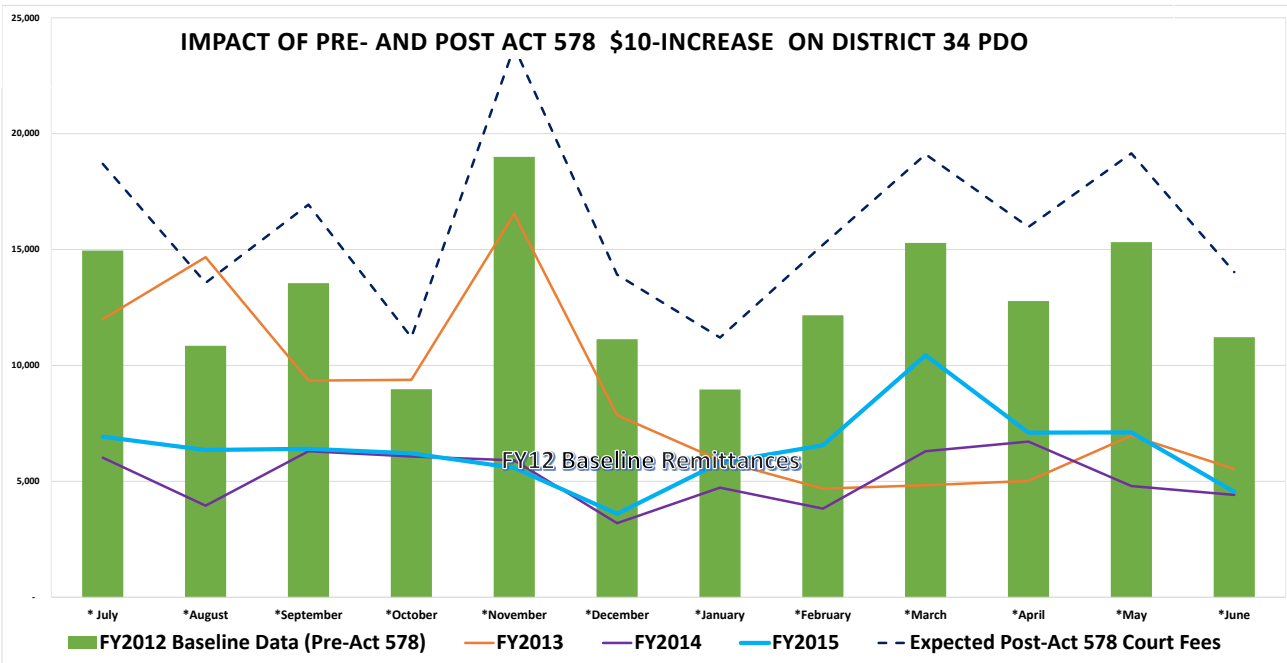
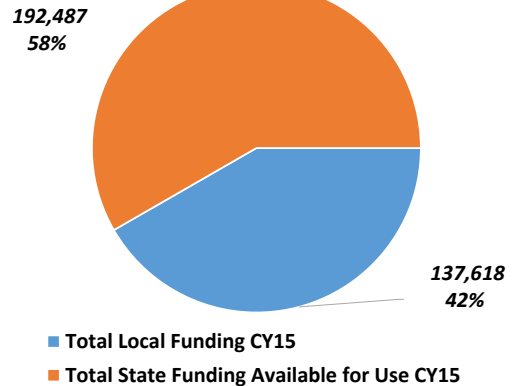
Thomas H. Gernhauser  
District Defender  
2118 Jackson Blvd., Suite B  
Chalmette, LA 70043  
504-278-4438

During Calendar Year 2015, the 34th Judicial District Public Defenders Office handled 2,912 cases. The office received \$330,105 in total revenues to handle these cases. As local funding is largely insufficient, approximately 42% of revenues came from local funding.

The 34th has failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012), in fact revenues are generally lower than pre-Act 578 levels.

The 34th Judicial District office has nearly exhausted its fund balance as the office's expenditures exceed the office's revenues. Insufficient personnel and fiscal resources forced the 34th Judicial District office to begin restricting services on January 1, 2016.

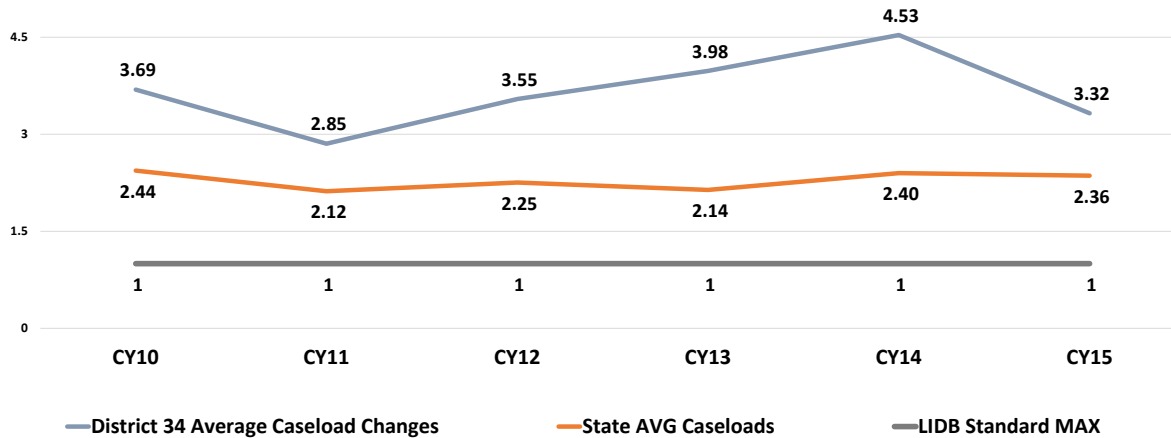
**District 34 PDO Revenue Sources CY15**



## 34th JUDICIAL DISTRICT : ST. BERNARD PARISH

Thomas H. Gernhauser  
District Defender  
2118 Jackson Blvd., Suite B  
Chalmette, LA 70043  
504-278-4438

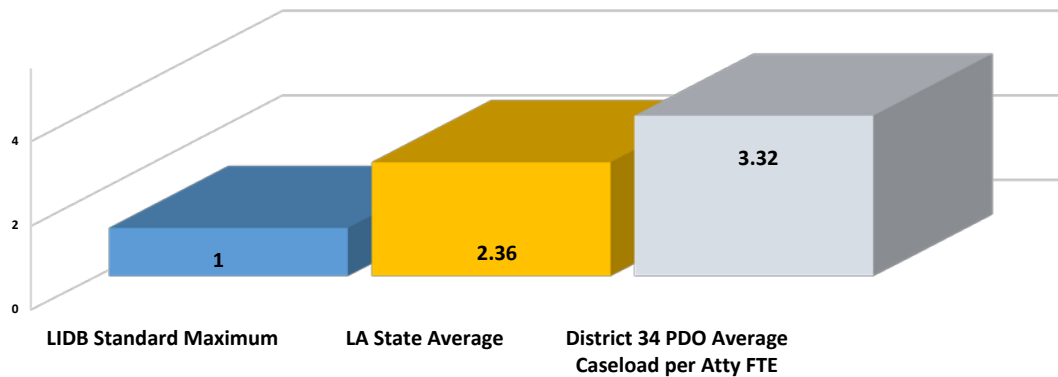
District 34 PDO Average Caseload per Atty FTE



In the 34th Judicial District, public defense attorneys maintain caseloads more than three times the recommended caseload limit for each attorney.

Although caseloads remain high due to insufficient revenues, through increased training and supervision, client outcomes have significantly improved over the last five years.

District 34 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.





## THE 34TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. Bernard - Chalmette
<b>Population</b>	44,409
<b>Juvenile Population</b>	11,946
<b>District Defender</b>	Thomas H. Gernhauser
<b>Years as District Defender</b>	6
<b>Years in Public Defense</b>	15
<b>Office Manager</b>	Bambi Bruscato
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	All contracted attorneys and DD and Office Manager.
<b>Primary Office Street Address</b>	2118 Jackson Blvd., Suite B
<b>City</b>	Chalmette
<b>ZIP</b>	70043
<b>Primary Phone</b>	504-278-4438
<b>Primary Mailing Address</b>	Same as above
<b>Primary Fax Number</b>	504-278-4439
<b>Primary Emergency Contact</b>	Thomas H. Gernhauser
<b>Primary Emergency Phone</b>	504-289-9450-Cell
<b>Secondary Emergency Contact</b>	Bambi Bruscato
<b>Secondary Emergency Phone</b>	504-237-4437 Cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	N/A
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	N/A
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	34 Judicial District Court St. Bernard Parish
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	5 Divisions
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	One attorney is assigned to each division of court and we have a pool of at least 6 conflict attorneys to handle any conflict cases. Motions are filed within 14 days, the clerk of court's office assigns a division of court and then it is assigned to the attorney for that division.
<b>Name of Adult Detention Facilities in This District</b>	St. Bernard Parish Prison

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Louisiana State Penitentiary or Elaine Hunt Correctional Center
<b>Name of Juvenile Detention Facilities In This District</b>	St. Bernard Parish Juvenile Detention Center
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	DOC for storms and seldom in DOC or Orleans in part for overcrowding. Seldom recently.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Perry Nicosia
<b>Chief Judge of Criminal District Court</b>	Rotates per year per division, Judge Jones
<b>Juvenile Court Judges (Specify District of City Court)</b>	All five divisions sit as Juvenile and adult Judges.
<b>Drug Court Judges</b>	Juvenile- Judge Jones, Adult- Judge Vaughn
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	By office manager, each attorney, and by affidavit sheet. See attached sheet.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest - Magistrate Court.
<b>What steps does your office take to ensure conflict – free representation</b>	Review of arrest reports, police reports, and prior representation.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Bambi Bruscato-Legal Secretary / Office Manager.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	See Attached Form
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	193
<b>How Many Application Fees Were Waived?</b>	38
<b>How Many Application Fees Were Reduced?</b>	10
<b>Total Application Fee Dollars Collected in 2015</b>	6,290
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	67,614
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	The fee is included in all Court Costs, in cases where the defendant has been incarcerated and will continue incarceration after conviction without release, costs may not be assessed.

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Yes, an accounting pursuant to Act 366 will be provided with each disbursement.
<b>Who Collects the Assessed Court Fees?</b>	St. Bernard Sheriff's Dept.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	See above
<b>Who Remits the Court Fees Collected?</b>	St. Bernard Sheriff's Dept.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Act 366 documentation is now being provided by the SBSO.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	This office may file a motion to determine counsel.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Act 366 documentation is now being provided by the SBSO.
<b>Who Collects the Assessed Partial Payments?</b>	St. Bernard Parish Sheriff's Department
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Act 366 documentation is now being provided by the SBSO.
<b>Who Remits the Partial Payments Collected?</b>	Office does not levy fees but when income and/or financial information may lead to a belief of non-indigence courts have fixed fees when "motion to determine counsel" is heard and court feels a fee should be paid to the Public Defender Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Documentation pursuant to Act 366.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	13,849
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	All attorneys in our office are part-time independent contractors and are allowed to have a private practice.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes, please see attached
<b>Primary Immediate Needs</b>	Funding and an increased DAF for same reasons as well as an open contract for an Investigator, and the need for more attorneys and staff.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	ROS began on 1/4/2016.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Already previously downsized.
<b>Immediate Critical Issue Areas</b>	Investigator, additional attorneys and staff.

<b>Long-Term Critical Issue Areas</b>	Funding to acquire Juvenile attorney, Misdemeanor attorney and Division C attorney where the DD presently handles all matters.
<b>Please List All New Hires in 2015 (Name and Title)</b>	None
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	2 motions to quash granted on a 2nd degree murder and an attempted murder charge. 1 jury trial acquittal. 1 felony jury trial with a lesser misdemeanor conviction. 1 felony bench trial acquittal. 1 misdemeanor trial acquittal. 2 LWOP pled to lesser felony charge and 3 LWOP dismissed. 1 felony jury mistrial granted. 2 Writs filed against parents in CINC case reversed in favor of parents.
<b>Number of Expected New Attorney Hires in 2016</b>	0 No funding
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	This year both the DD and AS gave one on one Database instruction on multiple occasions to all attorneys. Mentoring included participation of DD in drafting and filing of Capital Cases reduced to LWOP.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Monthly staff meetings, unannounced observation of attorney during court proceeding. Constant review of database reports, one on one database training and assistance and individual meetings with staff and attorneys to discuss performance issues.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	Attached separately
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Funding needed for additional staff for assistance in Database input as well as need for additional attorneys.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Bambi Bruscatto -Legal Secretary/Office Manger is the only staff member. She is provided medical benefits through the St. Bernard Parish Government.
<b>Regular Meetings for Any Staff, Please Describe</b>	We have regular meetings twice a month.
<b>Number of NEW capital cases in CY15 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	0
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2015</b>	5
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	2
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0

<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	The Juvenile would remain in the same division with same attorney throughout.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator A.G. Crowe and Representative Ray Garafalo.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	CINC appointments, trials and subsequent Termination Appeals and lack of attorneys as the DA's office has increased the number of ADA attorneys as well as staffing.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Recovered \$45.00 fees that were not collected on traffic tickets that were paid early to SBSO.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Thomas Gernhauser	504-278-4438
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Joshua Gordon	504-278-4438
Joseph Browning	504-278-4438
Gregory S. Duhy	504-278-4438
Thomas Dunn	504-669-1129
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Bambi Bruscato	504-278-4438

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Thomas Gernhauser
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	x
Internet Explorer 11	

Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	1
DVD	1
VCR	1
Desktop PCs	
Laptops	8
Video Cameras	1
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	4
Color Printers	1
Wireless Cards	1
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
	Shredder - 1
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	4g
Provider Name:	Verizon
Email Provider:	Yahoo
Please list any software or computer equipment in which you need training:	New computers with new operating software as many office computers are now well over 5 years old, as well as all operating software.

### 34th District Defender Office CY 2015 Caseloads & Outcomes

Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	72	54	60	132	0	13	N/A	N/A	18	N/A	N/A	N/A	N/A	N/A	0
Termination	3	5	6	9	1	2	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	68	68	11	79	N/A	N/A	60	0	23	3	N/A	N/A	0	1	1
Delinquency Felony	25	25	8	33	N/A	N/A	15	1	14	0	N/A	N/A	0	0	0
Delinquency-Life	2	1	1	3	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	4	5	0	4	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	614	929	462	1076	N/A	N/A	394	65	455	25	0	0	1	2	3
Adult Felony Non-LWOP**	685	1259	843	1528	N/A	N/A	236	162	534	25	1	3	1	0	5
Adult LWOP	4	8	10	14	N/A	N/A	0	2	4	0	0	1	0	0	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	20	30	12	32	N/A	N/A	0	0	2	0	N/A	N/A	N/A	N/A	0
PCR	1	1	1	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	1	1
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

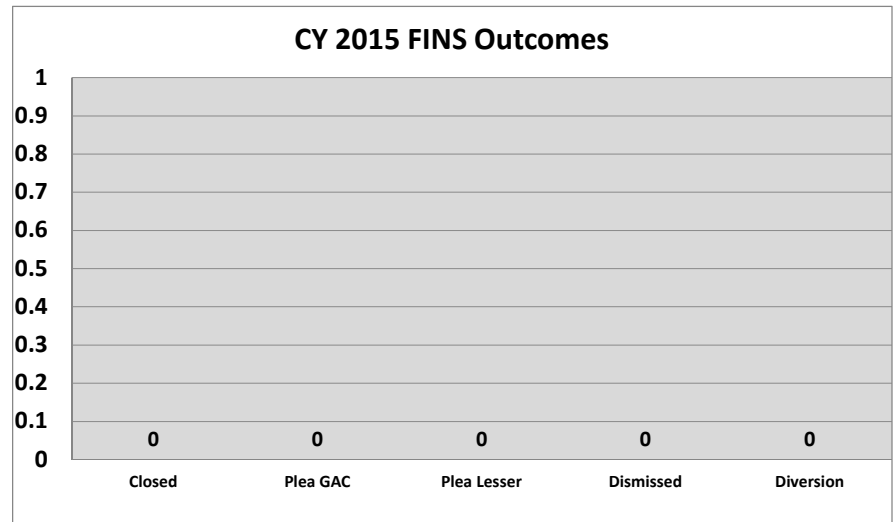
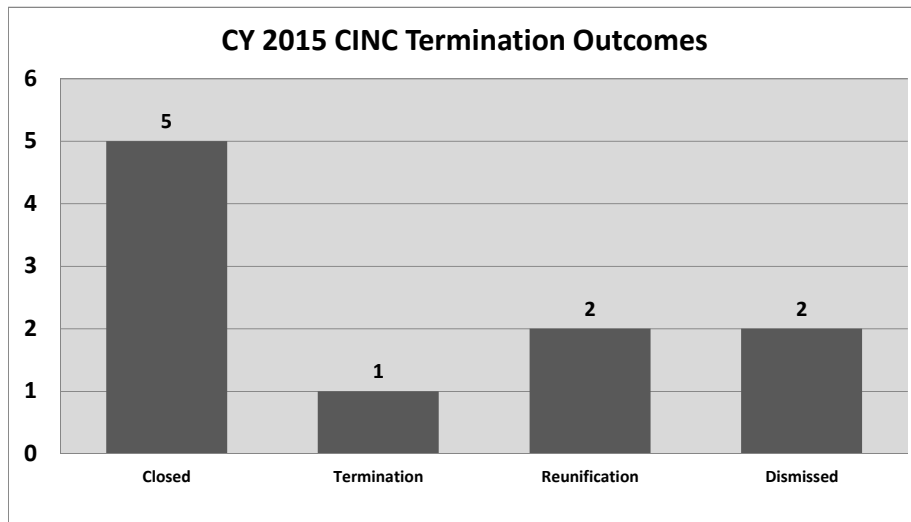
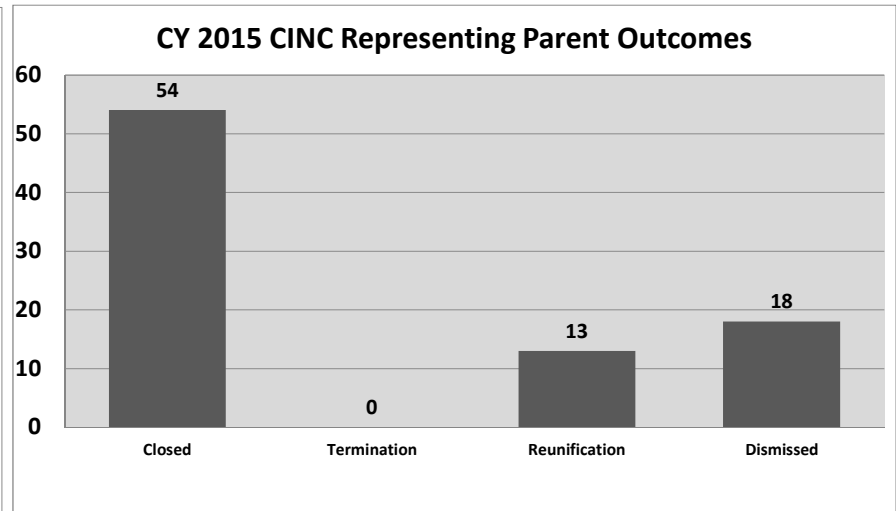
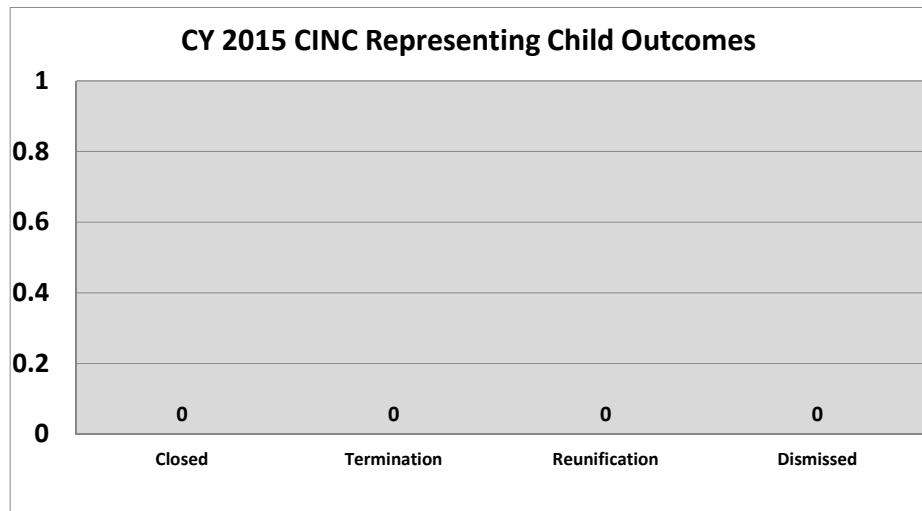
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

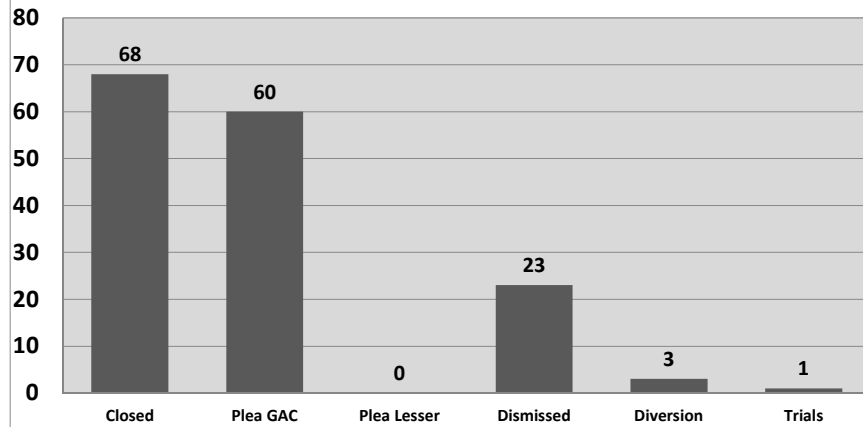
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

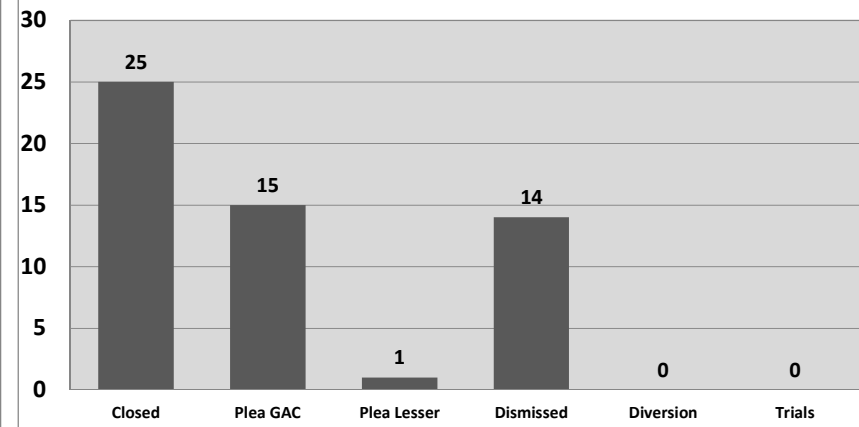




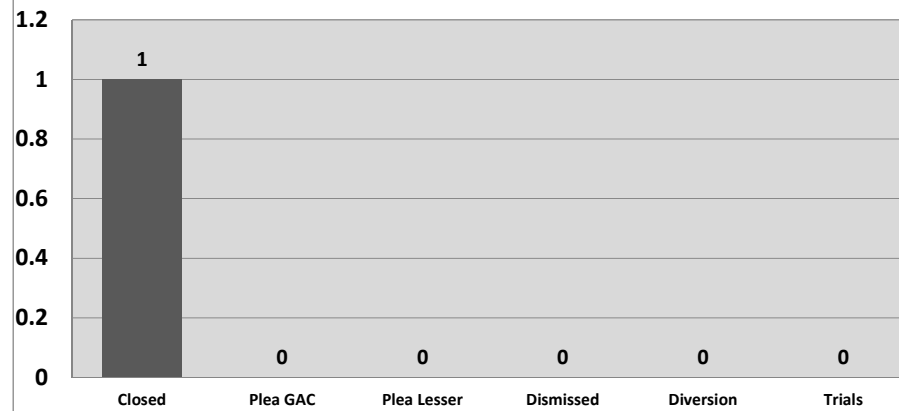
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



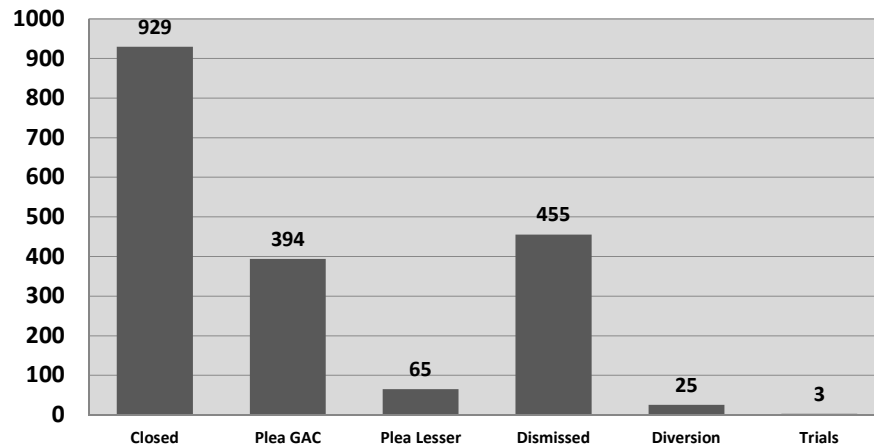
**CY 2015 Delinquency Felony-Grade Outcomes**



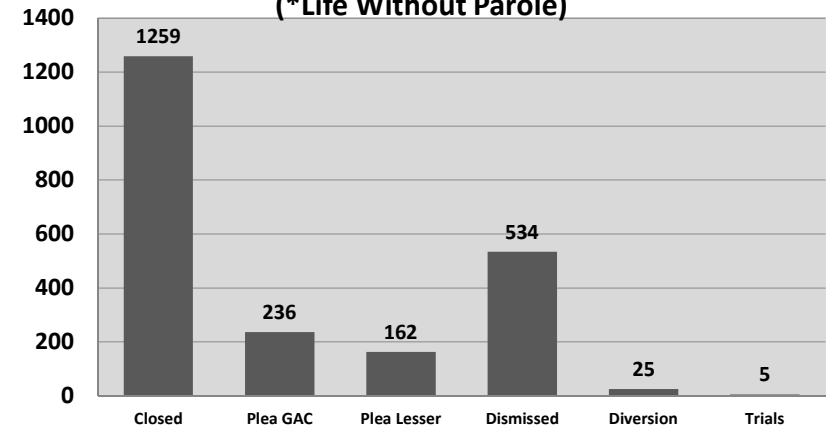
**CY 2015 Delinquency Life Outcomes**



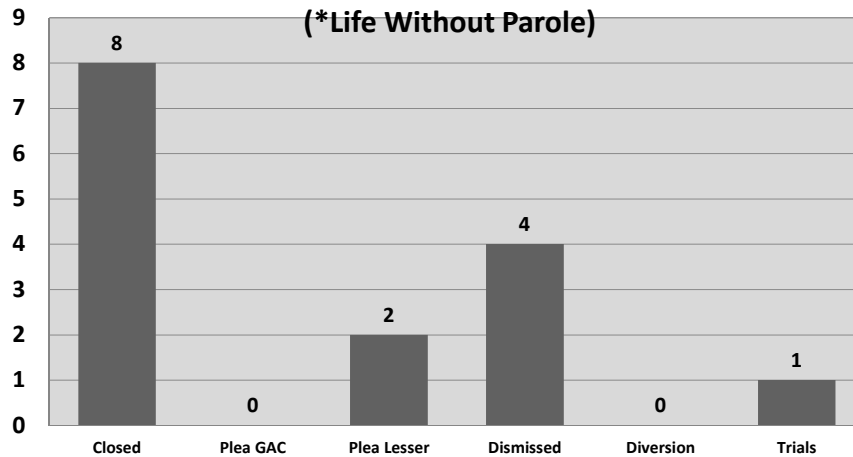
**CY 2015 Adult Misdemeanor Outcomes**



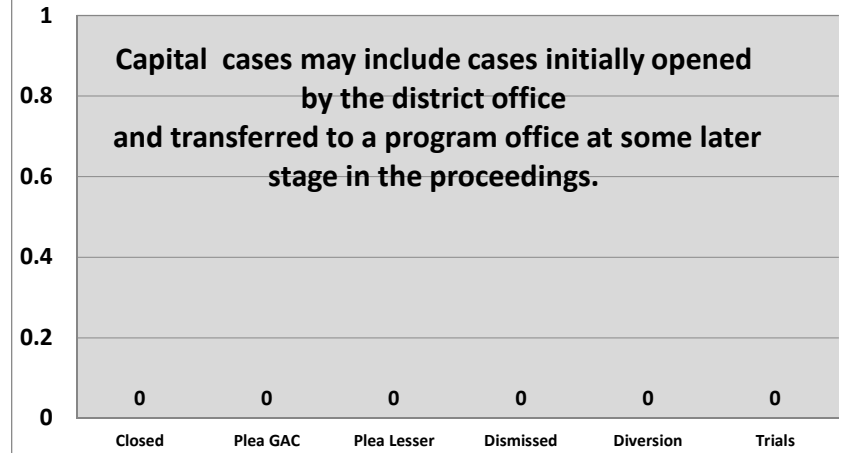
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

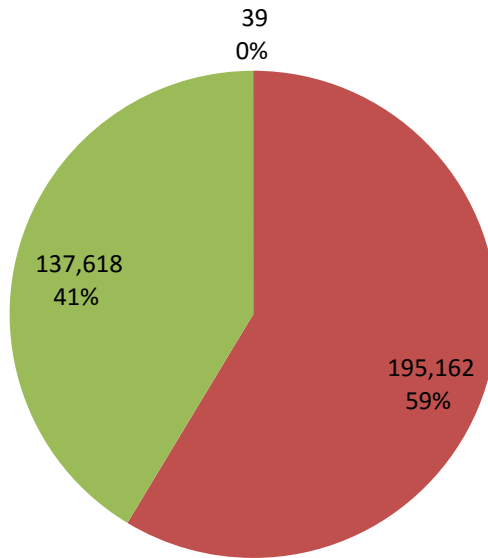


District 34 CY2015	Total CY2015
<b>District Defender: Thomas Gernhauser</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	20,214
District Assistance Fund (DAF)	174,948
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	195,162
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	44,659
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	20,102
City & City-Ward Courts	-
Judicial District Courts	50,619
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	70,720
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	6,875
Partial Attorney Fees	
Reimbursements [as per 15:176]	15,364
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	22,239
Total for Local Government	137,618
Investment Earnings	
Interest Income	39
Other Investment Income - List source(s)	-
Total for Investment Earnings	39
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	332,819

District 34 CY2015	Total CY2015
District Defender: Thomas Gernhauser	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	94,000
Accrued Leave	-
Payroll Taxes	30,623
Hospitalization and Disability Insurance	-
Retirement	11,339
Other	-
Total for Personnel Services and Benefits	135,962
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	
Operating Services	
Advertisements	40
Workers' Compensation	-
Insurance - Malpractice	2,122
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	98
Office - Telephone/Utilities/Postage/Internet	629
Dues and Seminars	910
Law Library/Journals/Subscriptions	1,039
Office Supplies	1,923
Total for Operating Services	6,761
Professional Services	
Audit/Accounting Expense	8,500
Contract Clerical	8,357
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	45,291
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	175,600
IT/Technical Support	-
Total for Professional Services	237,748
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	386
Total for Other Charges	386
Total for EXPENDITURES	380,857

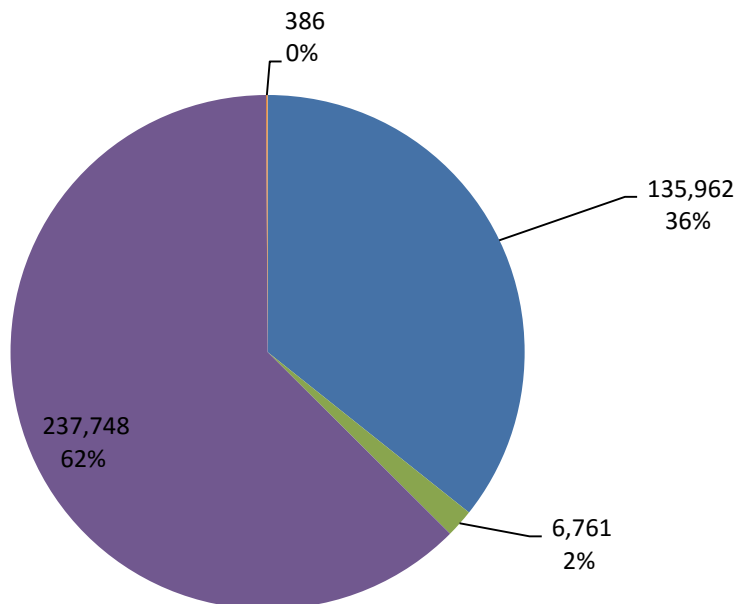
## Total CY15 Revenues

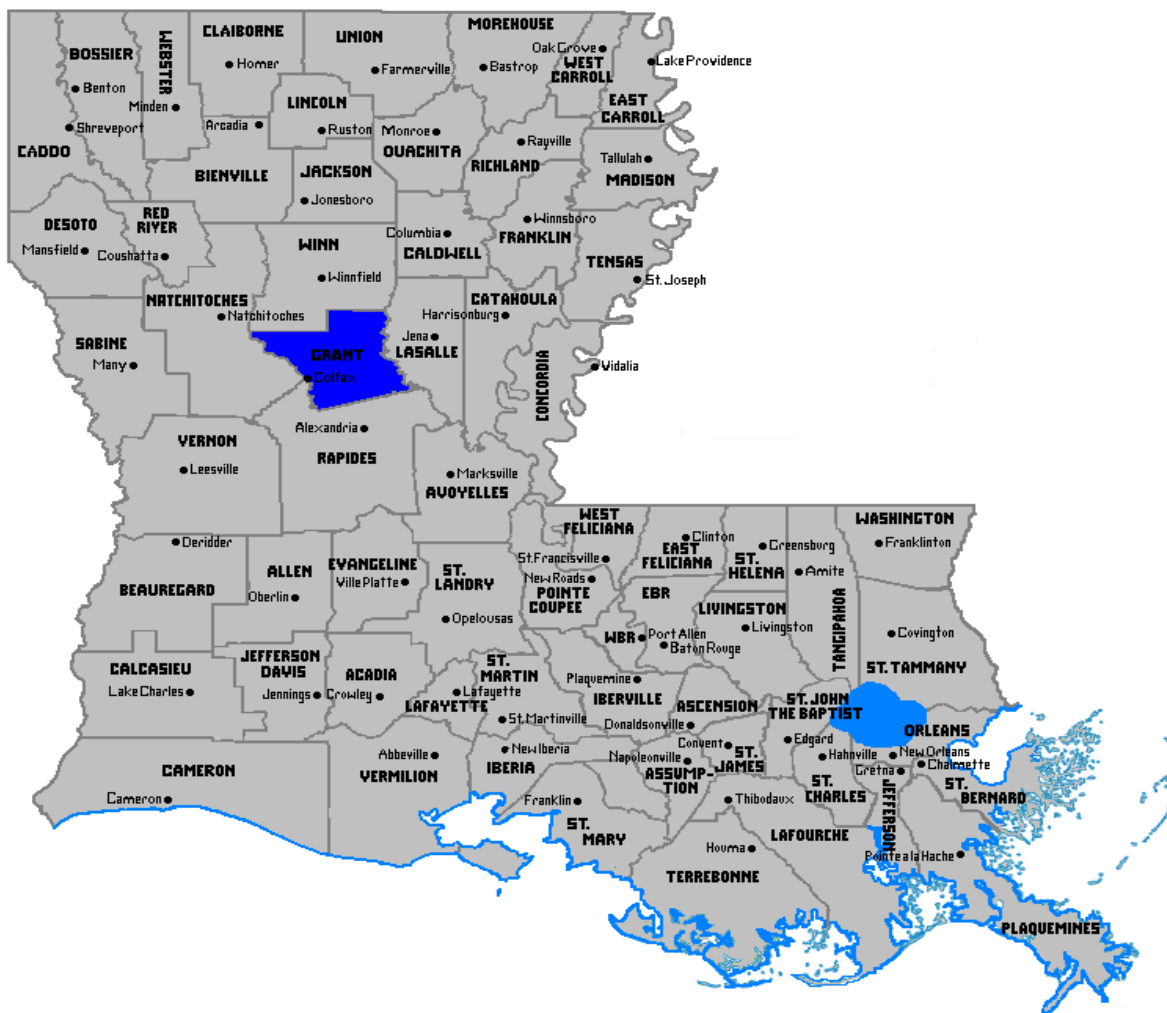
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





# THE 35<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE GRANT (COLFAX)

DISTRICT DEFENDER: ROBERT L. KENNEDY  
352 SECOND STREET  
COLFAX, LA 71417  
(318) 627-3255

## 35TH JUDICIAL DISTRICT : GRANT PARISH

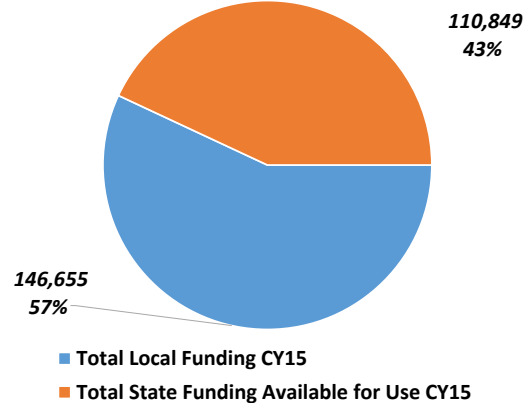
Robert L. Kennedy  
District Defender  
352 Second Street  
Colfax, LA 71417  
318-627-3255

During Calendar Year 2015, the 35th Judicial District Public Defenders Office handled 753 cases. The office received \$257,504 in total revenues to handle these cases, approximately 57% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

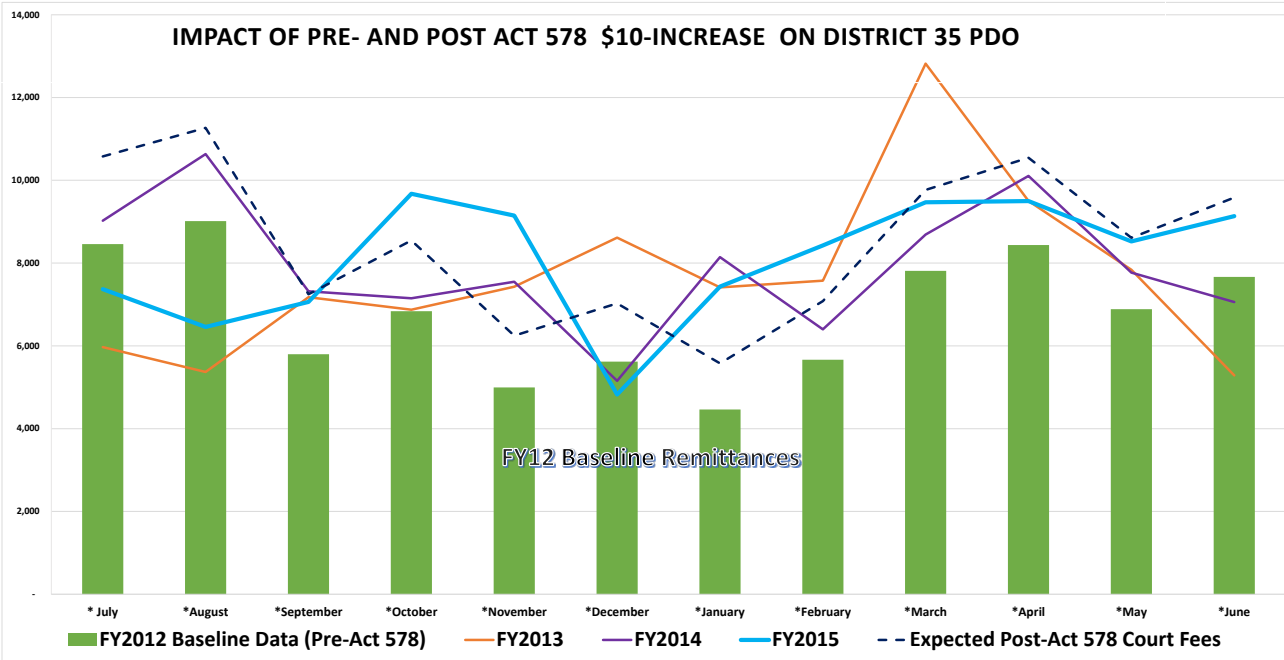
With the exception of a few anomalies, the 35th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 35th Judicial District office nearly exhausted its fund balance during FY14. However, increased local revenues and state supplemental assistance have allowed the office to remain solvent.

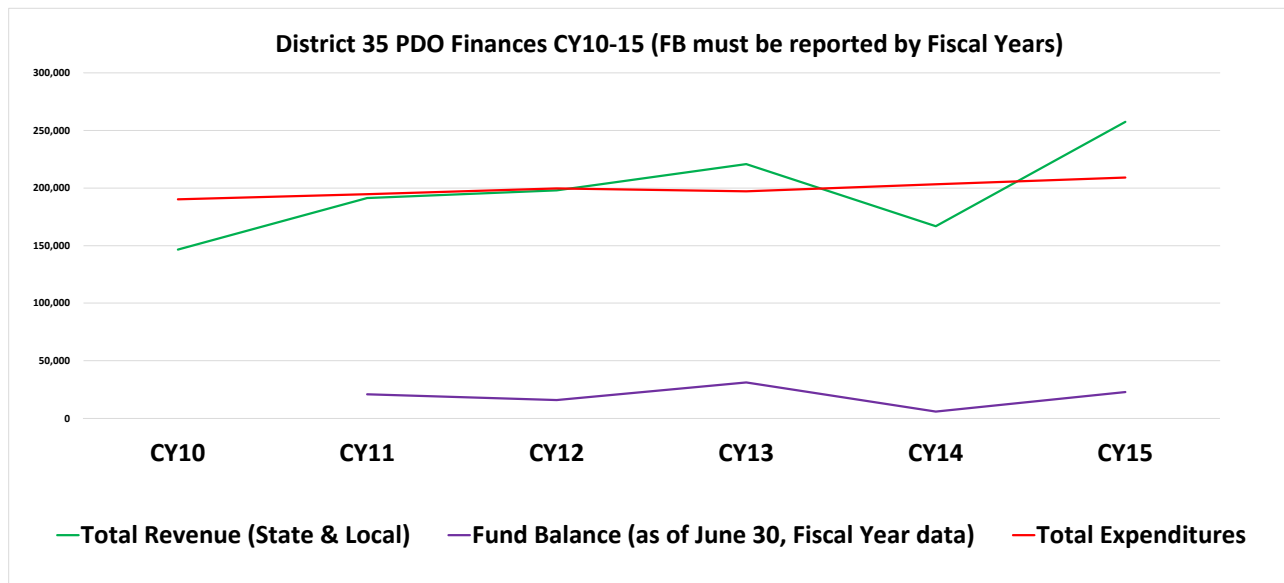
**District 35 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 35 PDO**



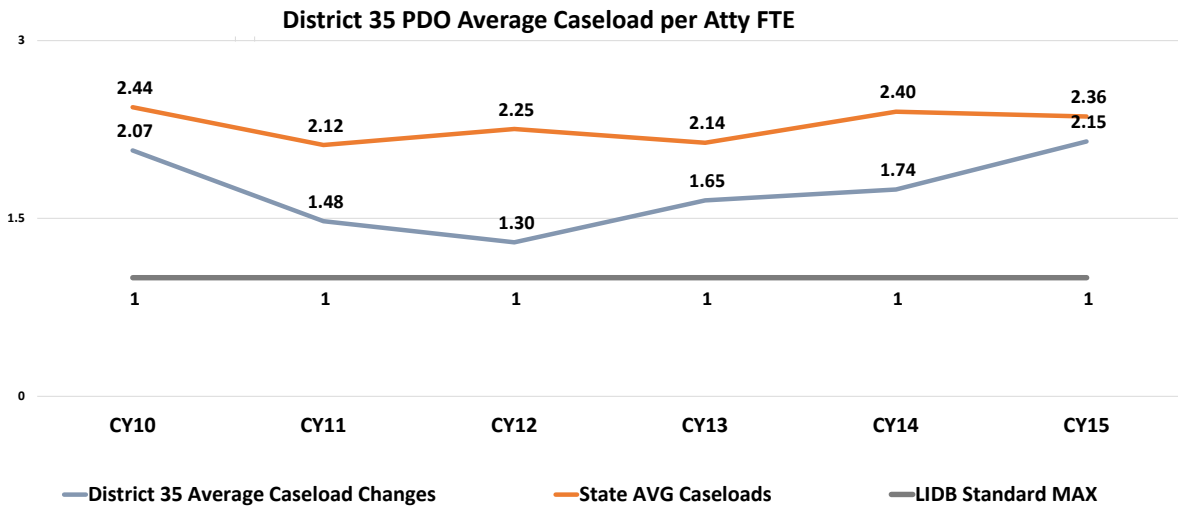
**District 35 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**





## 35TH JUDICIAL DISTRICT : GRANT PARISH

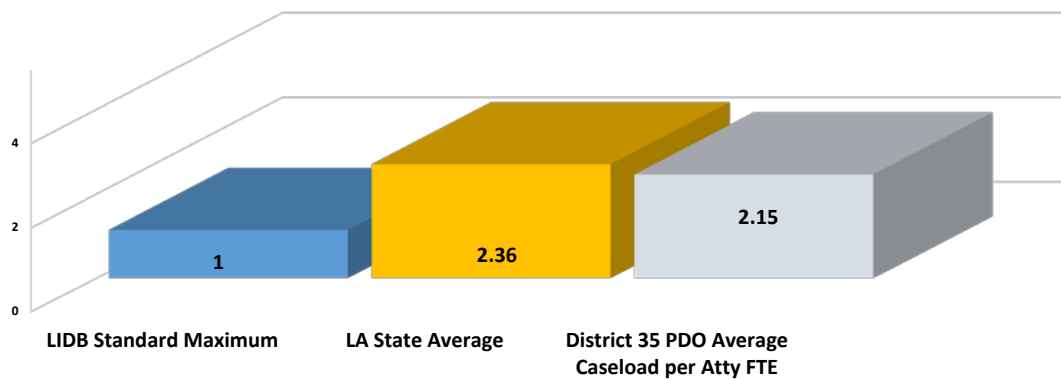
Robert L. Kennedy  
District Defender  
352 Second Street  
Colfax, LA 71417  
318-627-3255



In the 35th Judicial District, public defense attorneys maintain caseloads more than two times the recommended caseload limit for each attorney.

The 35th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.

**District 35 PDO Average Caseloads Compared to State Average & State Standard Maximums**



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 35<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Grant - Colfax
<b>Population</b>	22,384
<b>Juvenile Population</b>	4,857
<b>District Defender</b>	Robert L. Kennedy
<b>Years as District Defender</b>	Since inception of District Defender System.
<b>Years in Public Defense</b>	47.5
<b>Office Manager</b>	Bettye F. Wall
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Bettye F. Wall, Office Manager
<b>Primary Office Street Address</b>	352 Second Street
<b>City</b>	Colfax
<b>ZIP</b>	71417
<b>Primary Phone</b>	318-627-3255
<b>Primary Mailing Address</b>	P.O. Box 222, Colfax, 71417
<b>Primary Fax Number</b>	318-627-2432
<b>Primary Emergency Contact</b>	Robert L. Kennedy
<b>Primary Emergency Phone</b>	318-792-7914 - cell
<b>Secondary Emergency Contact</b>	Brett Brunson
<b>Secondary Emergency Phone</b>	318-352-9311
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Robert L. Kennedy
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	None paid to Owner.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	35th Judicial District Court, 200 Main Street, Colfax LA 71417
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	One
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Cases are assigned to two part-time contract attorneys and District Defender who are on salary. If more than 3 co-defendants non-contract conflict attorneys are assigned who are paid by the case.
<b>Name of Adult Detention Facilities in This District</b>	Grant Parish Detention Facility

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles Parish Detention Facility
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles and Rapides Parish
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Often persons are arrested and shipped before PDO is notified and they can be interviewed. When an attorney is appointed he has to expend extra time for travel to meet with the client.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No. The court has no shackling policy and procedure, however if a juvenile is brought to court in shackles, the public defender will request that the shackles be removed.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	James P. Lemoine
<b>Chief Judge of Criminal District Court</b>	Warren Willett
<b>Juvenile Court Judges (Specify District of City Court)</b>	Yes. Warren Willett
<b>Drug Court Judges</b>	No
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	No
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Chief Indigent Defender by application (see form attached)
<b>When is Assignment/Appointment of Counsel Made?</b>	Within 72 hours of arrest.
<b>What steps does your office take to ensure conflict – free representation</b>	The database is checked for conflicts. A list of co-defendants is maintained and checked. That attorneys notify the District Defender if a conflict is discovered and the case is reassigned.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Robert L. Kennedy, Chief
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Bettye Wall interviews when Chief is out of the office and unable to interview within above time period.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	386
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	1,305
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Louisiana Fee Collection
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	108,596

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Copy of court minutes is provided by the Clerk of Court.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	The Sheriff provides a print-out of their computer accounting each month.
<b>Who Remits the Court Fees Collected?</b>	Sheriff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The Sheriff provides a print-out of their computer accounting each month.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Standard fees:\$600 for felonies, \$300 for misdemeanors; Felony Category 1 - 750 Felony Category 2 - 1,050, Felony Category 3 - 1,550.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Clerk of Court by providing copy of court minutes and Office of Probation and Parole.
<b>Who Collects the Assessed Partial Payments?</b>	Louisiana Fee Collection
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Provided by Louisiana Fee Collection
<b>Who Remits the Partial Payments Collected?</b>	Louisiana Fee Collection
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Louisiana Fee Collection shows on check stubs
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	18,617
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted - yes
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Funding to avoid deficit and Restriction of Services
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Funding
<b>Long-Term Critical Issue Areas</b>	Funding
<b>Please List All New Hires in 2015 (Name and Title)</b>	None
<b>Please List All Promotions in 2015 (Name and Title)</b>	None

<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	N/A
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chief supervises attorney and non-attorneys.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	None
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	Daily interaction. I have a staff of one (1), the office manager.
<b>Number of NEW capital cases in CY15 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	0
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Sen. Gerald Long, Sen. Rick Gallot, Sen. Robert W. Kostelka
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Unable to answer without clarification of meaning of "External Factors".
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Requiring contract attorneys to attend more training seminars.
<b>Staff Directory:</b>	
<u><b>Full-Time Staff Attorneys</b></u>	<u><b>Contact Information</b></u>
None	
<u><b>Part-Time Contract Attorneys</b></u>	<u><b>Contact Information</b></u>
Beck, III, Joseph P.	318-640-9202

Wilson, Thomas G.	318-201-2807
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Wall, Bettye F.	318-627-3255

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Bettye F. Wall
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	Apache Open Office 4
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	x

Microsoft Edge	x
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	1
VCR	
Desktop PCs	1
Laptops	1
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	2
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	1
No Internet Connection	
Connection Speed:	150KB/sec
Provider Name:	AT&T
Email Provider:	yahoo
Please list any software or computer equipment in which you need training:	



### 35th District Defender Office CY 2015 Caseloads & Outcomes

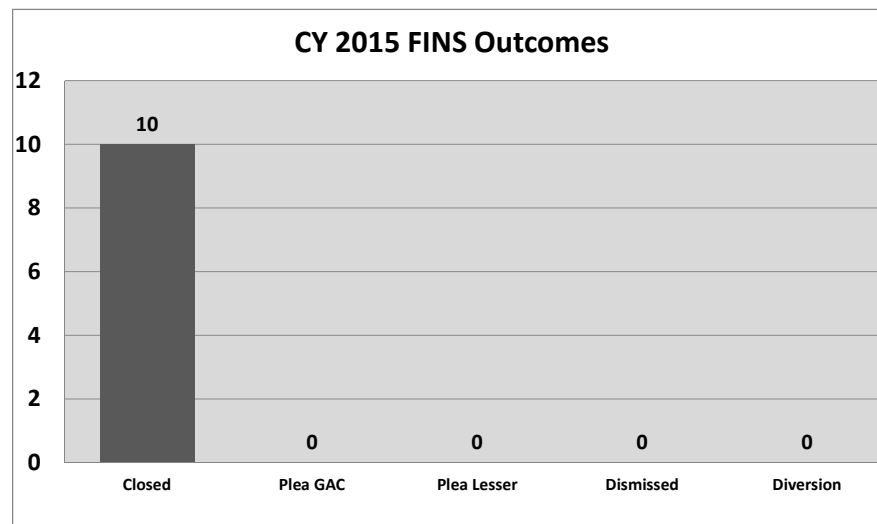
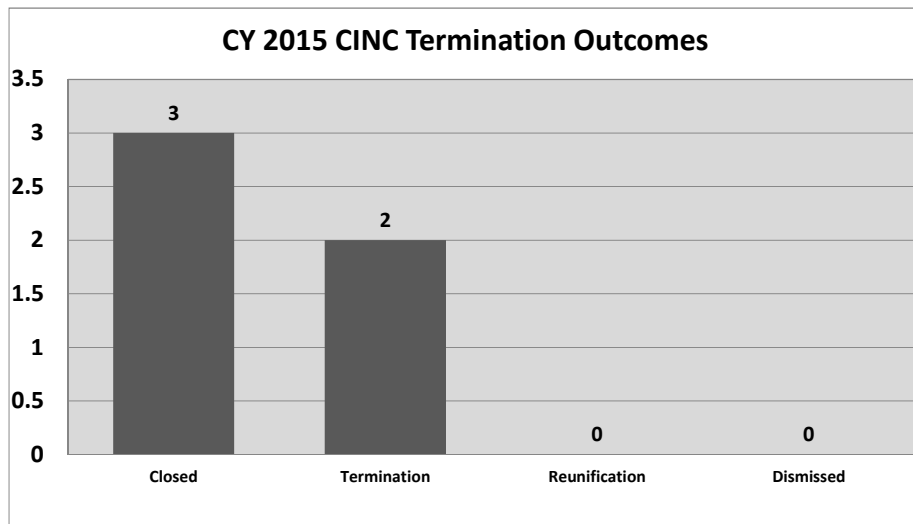
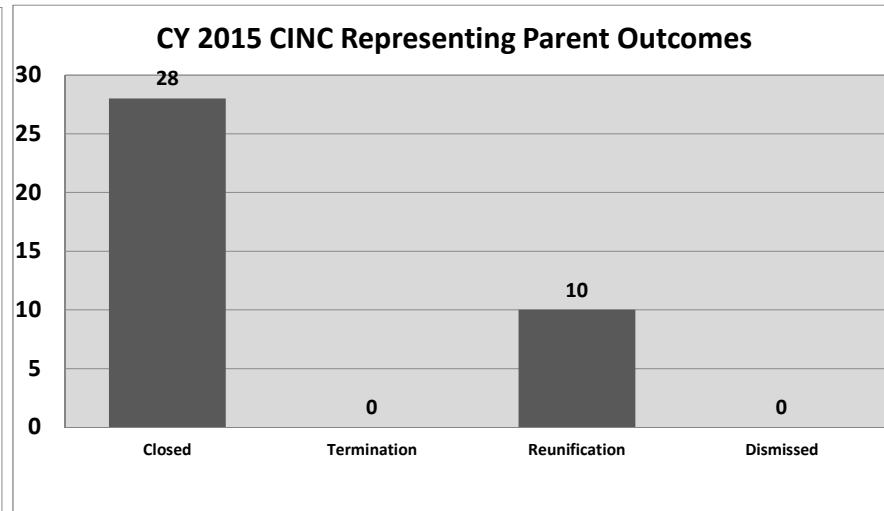
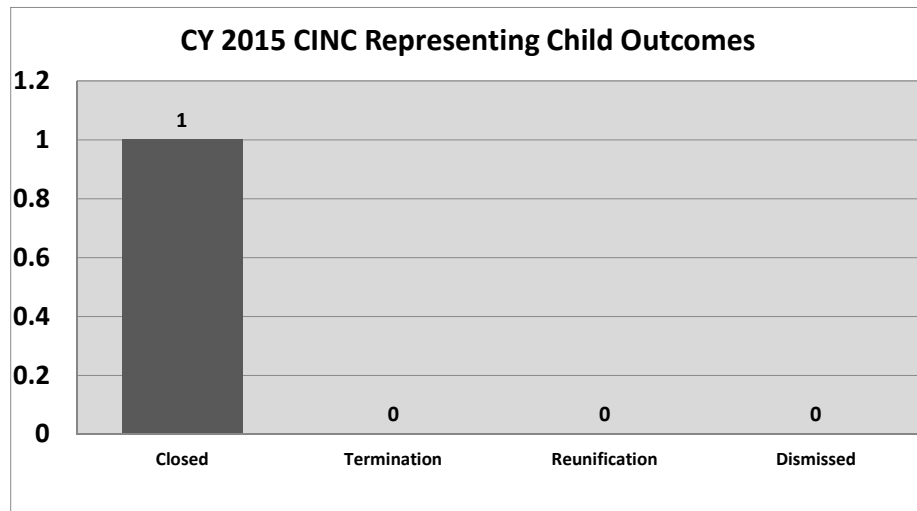
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	1	1	1	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	21	28	21	42	0	10	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	4	3	2	6	2	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	7	10	5	12	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	20	22	7	27	N/A	N/A	17	0	3	12	N/A	N/A	0	1	1
Delinquency Felony	12	13	6	18	N/A	N/A	11	0	3	3	N/A	N/A	0	4	4
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	1	2	1	2	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	109	123	62	171	N/A	N/A	28	0	146	0	0	0	0	0	0
Adult Felony Non-LWOP**	318	275	156	474	N/A	N/A	199	2	162	0	0	0	0	0	0
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

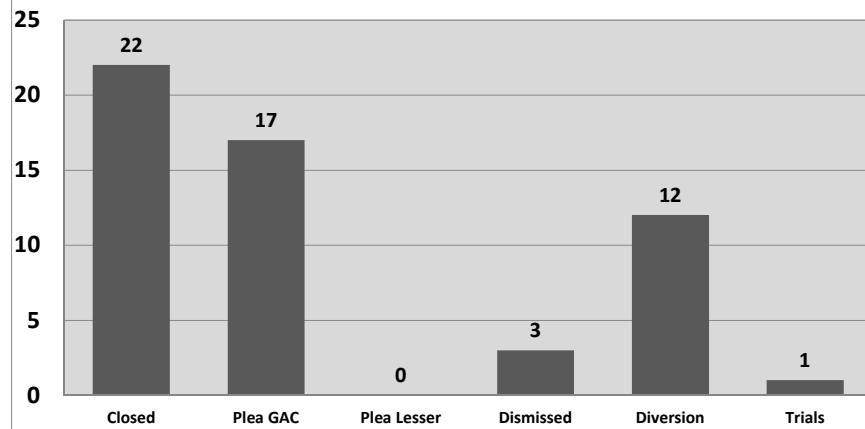
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

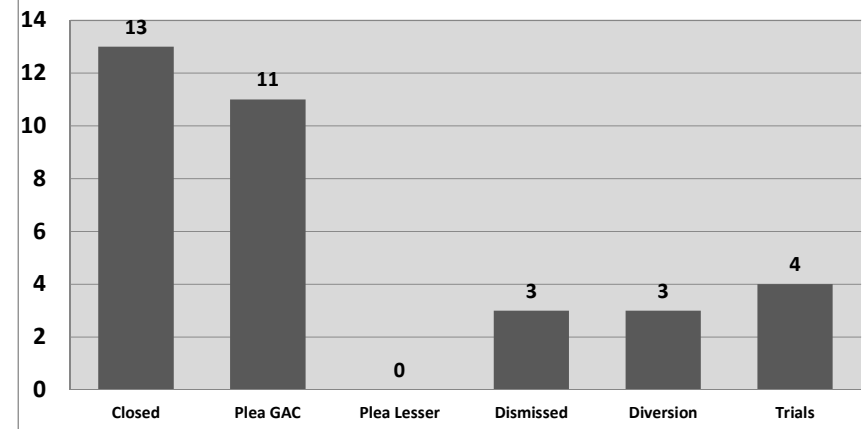
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



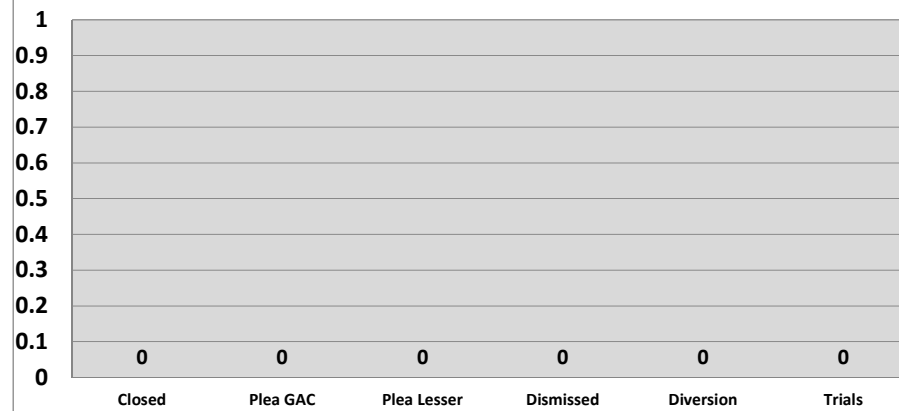
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



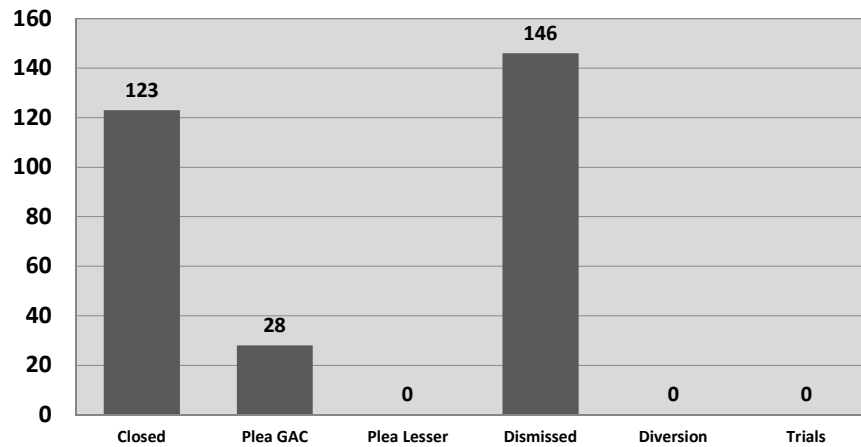
**CY 2015 Delinquency Felony-Grade Outcomes**



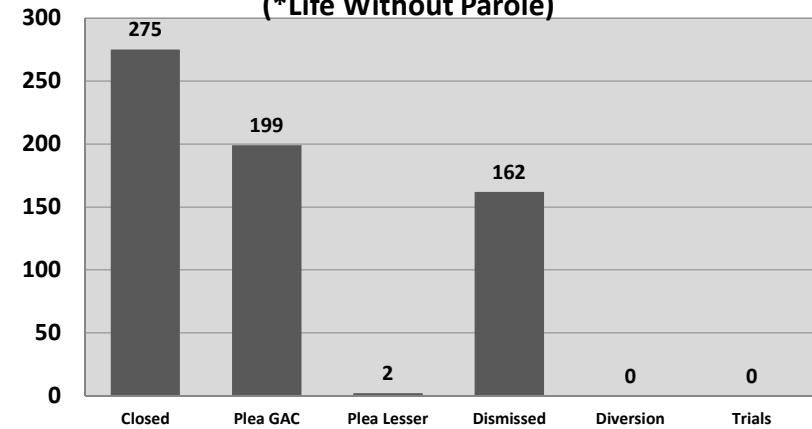
**CY 2015 Delinquency Life Outcomes**



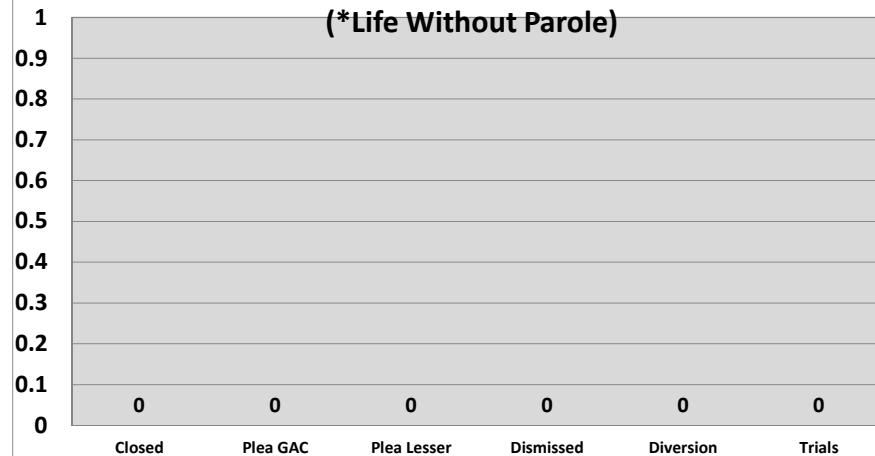
**CY 2015 Adult Misdemeanor Outcomes**



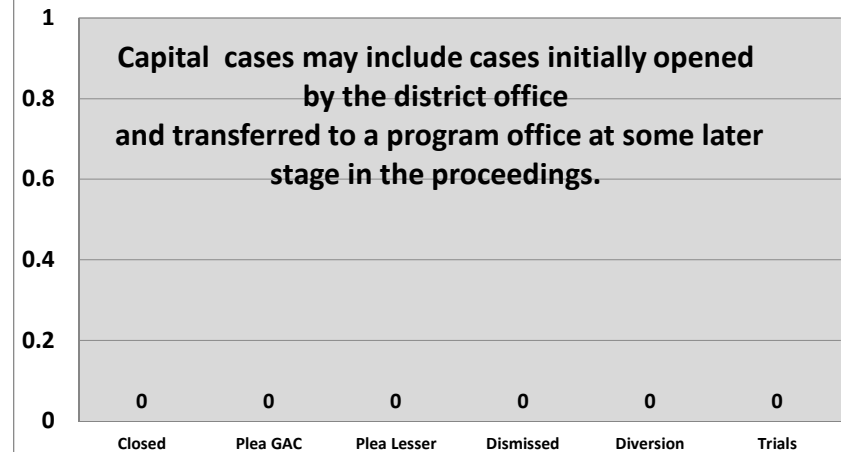
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

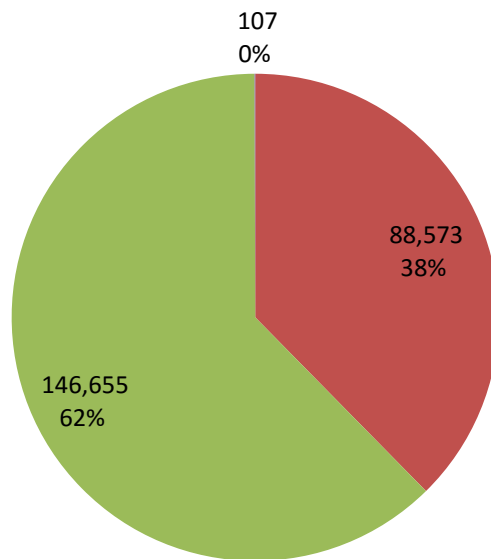


District 35 CY2015	Total CY2015
<b>District Defender: Robert Kennedy</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	9,667
District Assistance Fund (DAF)	34,356
Supplemental/Emergency Funds	44,550
Grants	-
Other State Income -List source(s)	-
Total for State Government	88,573
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	18,136
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	108,596
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	108,596
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	1,305
Partial Attorney Fees	
Reimbursements [as per 15:176]	18,617
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	19,922
Total for Local Government	146,655
Investment Earnings	
Interest Income	107
Other Investment Income - List source(s)	-
Total for Investment Earnings	107
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	235,335

District 35 CY2015	Total CY2015
District Defender: Robert Kennedy	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	24,753
Accrued Leave	-
Payroll Taxes	3,235
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	27,989
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	
Operating Services	
Advertisements	22
Workers' Compensation	-
Insurance - Malpractice	1,914
Insurance - Auto/Physical Liability	-
Insurance - Other	226
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	329
Dues and Seminars	-
Law Library/Journals/Subscriptions	311
Office Supplies	475
Total for Operating Services	3,277
Professional Services	
Audit/Accounting Expense	1,453
Contract Clerical	-
Expert Witness	2,600
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	4,200
Contract - Juvenile Attorneys or CINC	14,091
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	154,998
IT/Technical Support	150
Total for Professional Services	177,492
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	159
Total for Other Charges	159
Total for EXPENDITURES	208,918

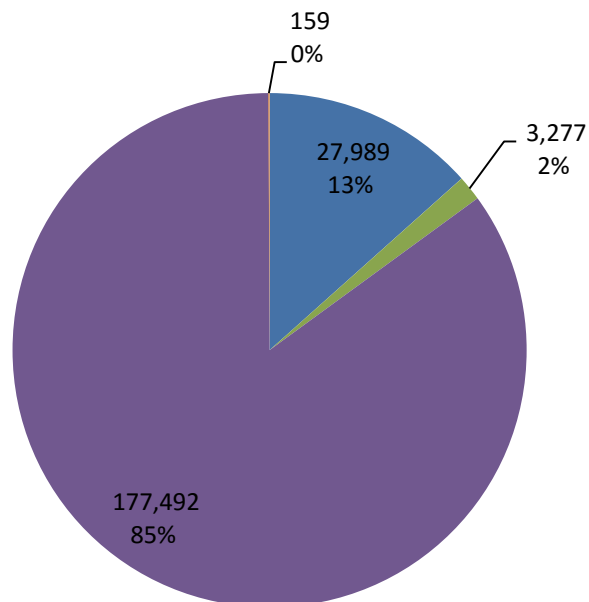
## Total CY15 Revenues

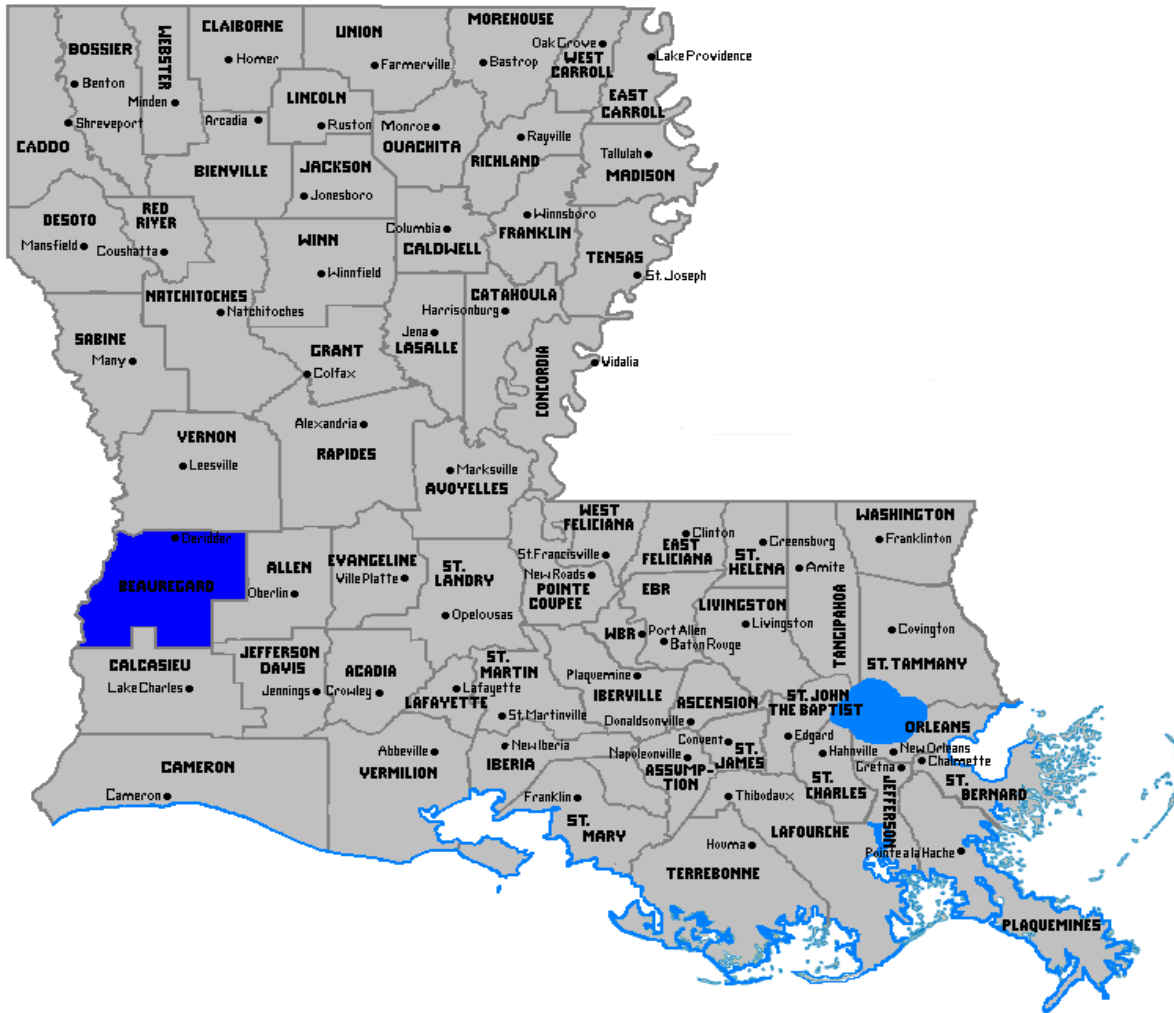
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





THE 36<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
BEAUREGARD (DERIDDER)

DISTRICT DEFENDER: DAVID L. WALLACE  
518 NORTH PINE STREET  
DERIDDER, LA 70634  
(337) 462-8891



## 36th JUDICIAL DISTRICT : BEAUREGARD PARISH

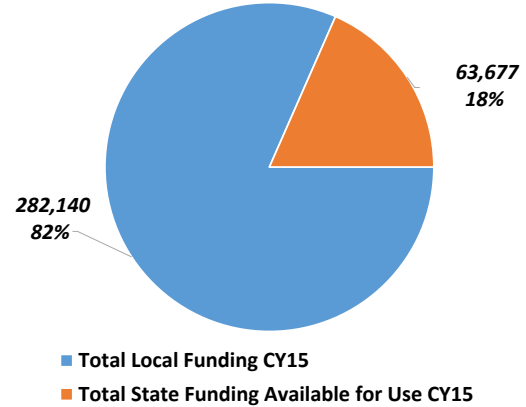
David L. Wallace  
District Defender  
518 North Pine Street  
DeRidder, LA 70634  
337-462-8891

During Calendar Year 2015, the 36th Judicial District Public Defenders Office handled 1,028 cases. The office received \$345,817 in total revenues to handle these cases, approximately 82% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

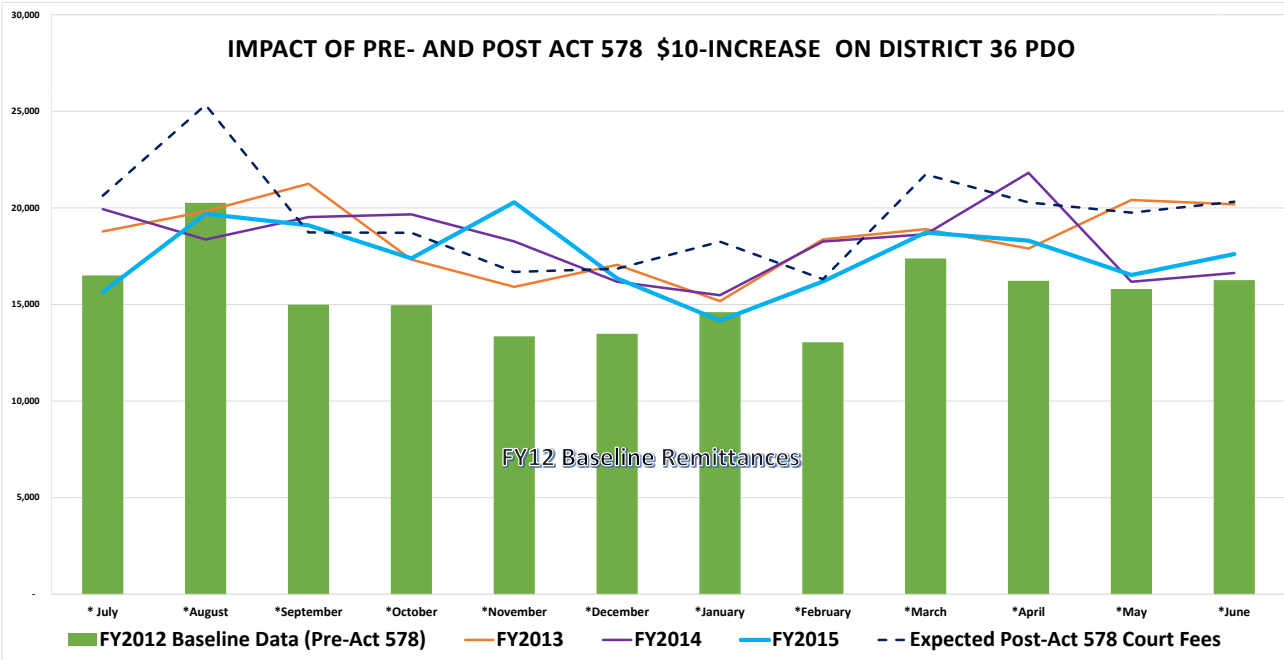
With the exception of a few anomalies, the 36th Judicial District has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

Over the past three years, revenues have exceeded or kept pace with expenditures, and the fund balance has remained low but fairly stable since CY14.

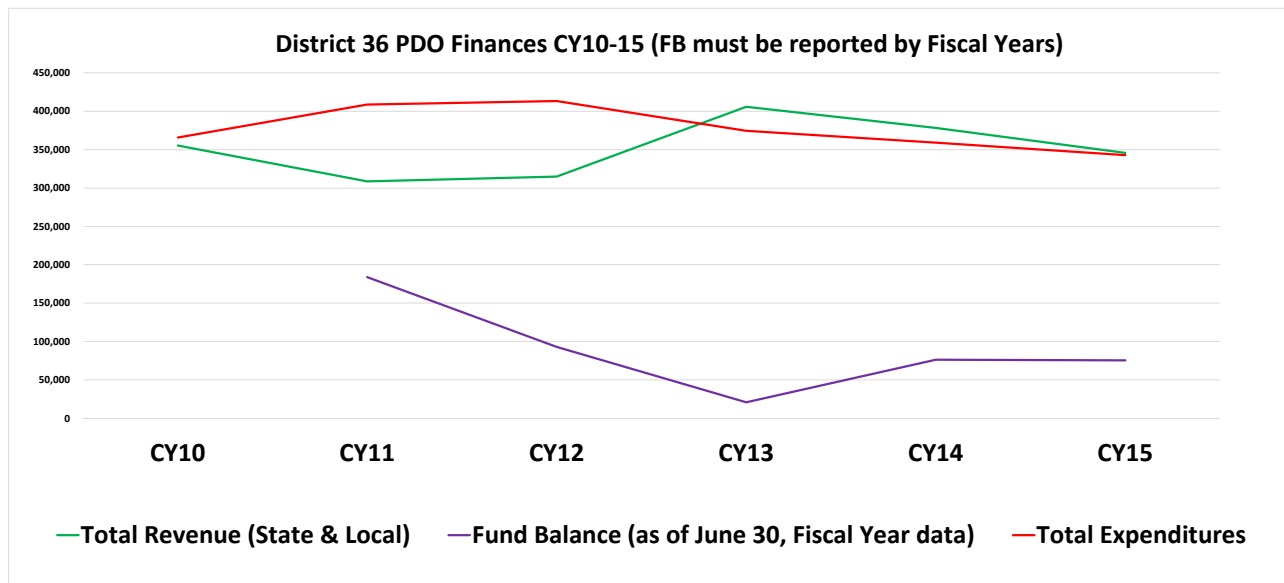
**District 36 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 36 PDO**

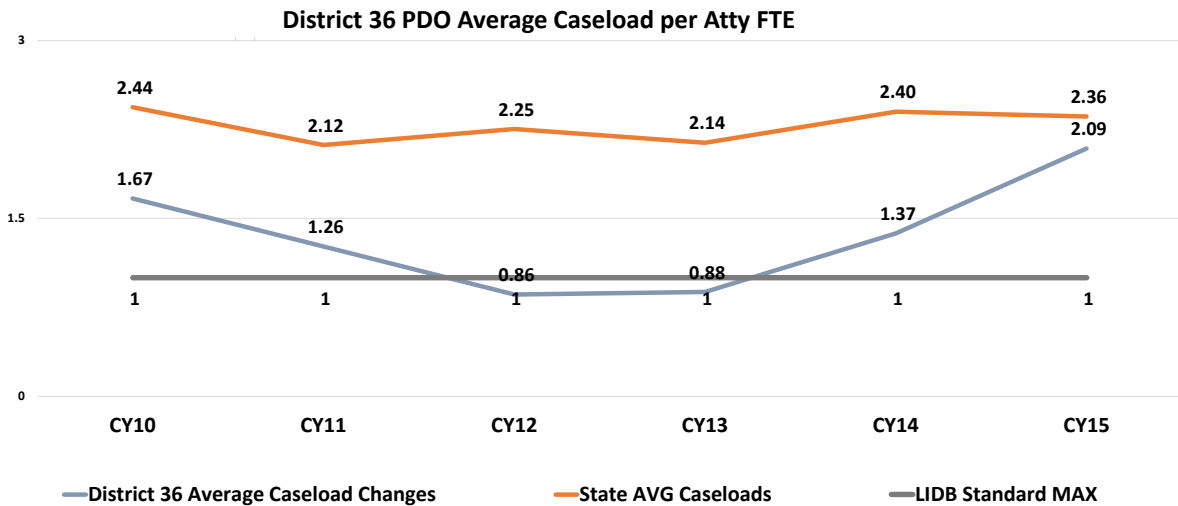


**District 36 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



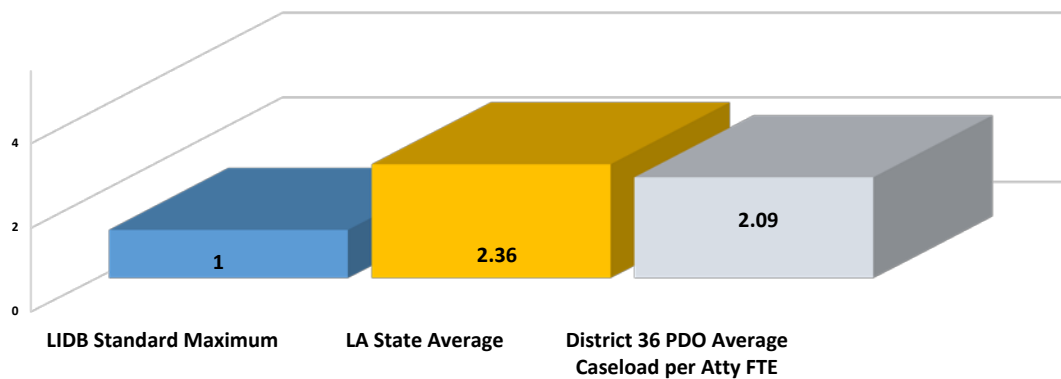
## 36th JUDICIAL DISTRICT : BEAUREGARD PARISH

David L. Wallace  
District Defender  
518 North Pine Street  
DeRidder, LA 70634  
337-462-8891



In the 36th Judicial District, public defense attorneys maintain caseloads two times the recommended caseload limit for each attorney.

**District 36 PDO Average Caseloads Compared to State Average & State Standard Maximums**



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 36TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Beauregard - DeRidder
<b>Population</b>	35,654
<b>Juvenile Population</b>	9,295
<b>District Defender</b>	David L. Wallace
<b>Years as District Defender</b>	7
<b>Years in Public Defense</b>	33
<b>Office Manager</b>	Rosie Kolarik
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Cathy Lopez, Data Entry Clerk & Inmate Liaison
<b>Primary Office Street Address</b>	518 North Pine Street
<b>City</b>	DeRidder
<b>ZIP</b>	70634
<b>Primary Phone</b>	337-462-8891
<b>Primary Mailing Address</b>	PO Box 489, DeRidder, 70634
<b>Primary Fax Number</b>	337-462-3810
<b>Primary Emergency Contact</b>	David L. Wallace
<b>Primary Emergency Phone</b>	337-462-0473 office
<b>Secondary Emergency Contact</b>	337-462-8891 office
<b>Secondary Emergency Phone</b>	337-462-2144 office
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	David L. Wallace
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$300 Month (Utilities Only)
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	36th Judicial District Court, Divisions A & B, P.O. Box 1148, DeRidder, 70634
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	(2) Two Divisions: Division A - Judge Martha A. O'Neal; Division B - Judge C. Kerry Anderson. Judges rotate on a monthly basis between civil and criminal dockets.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	The presiding Judge issues an Appointment of Counsel Order or Assigns the client to the PDO at the 72 hour hearing, which is noted on the "Notice of Custody Order" either of these are forwarded to the PDO for assignment of counsel on a rotational basis.

<b>Name of Adult Detention Facilities in This District</b>	C. Paul Phelps Correctional closed on 11/01/2013. The only adult facility in this parish is the Beauregard Parish Jail.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles-Simmesport Women's Detention Ctr., Simmesport, LA Parish females are often housed there due to overcrowding.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center 3565 Highway 71 Coushatta, LA; Calcasieu Parish Juvenile Detention Center Lake Charles, LA; The District used the St. James Juvenile Detention Center until its closure in June, 2013, and since then juvenile clients have been housed in Bridge City Center for Youth in Bridge City, Louisiana.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	This causes lack of access to clients, as well as additional expense and time traveling to these facilities. Ware Youth Center – 225 miles roundtrip; Calcasieu Juv. Center – 105 miles roundtrip; St. James Youth Ctr – 430 miles roundtrip.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No. Officers are in court room and holding room if juveniles are in custody.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Upon arrest clients are only allowed one phone call to a bondsman only. Often clients are denied phone access and/or knowledge of bond amount if any has been set.
<b>District Attorney</b>	New DA as of 01/12/15 - Jame R. Lestage
<b>Chief Judge of Criminal District Court</b>	Martha Ann O'Neal
<b>Juvenile Court Judges (Specify District of City Court)</b>	Same as above
<b>Drug Court Judges</b>	Same as above
<b>Mental Health Court Judges</b>	Same as above
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Judge, based upon application completed by defendant and interview conducted by Judge.
<b>When is Assignment/Appointment of Counsel Made?</b>	Judge assigns PDO within 72 hours of arrest, at arraignment or other court hearing.
<b>What steps does your office take to ensure conflict – free representation</b>	Compares co-defendants and talks with clients to not allow for conflict. If conflict does occur, re-assignment of counsel is done ASAP.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Cathy Lopez, PDO Liaison
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes

<b>Brief Explanation of Intake Process</b>	Application completed by client, \$40 fee paid to Ms. Lopez at arraignment, or paid at office in person at a later time. Application is then presented to the Judge who interviews the client, determines indigency and amount of fees to be paid to the PDO. Judge then signs and forwards an "Appointment of Counsel Order" to the PDO. For incarcerated clients, Ms. Lopez meets with client at jail to complete the application; she submits the application to the presiding Judge at the time of the 72 hour hearing. Judge completes Notice of Custody Order to either deny or approve. Ms. Lopez brings the completed order to the PDO. PDO makes assignment and advises Ms. Lopez what attorney will represent what client. Ms. Lopez then meets with client within 24 hours to advise them who their attorney is as well as conducting the initial interview and advising client of their rights, and contact information for their counsel.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	809
<b>How Many Application Fees Were Waived?</b>	0
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2015</b>	13,321
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Probation & Parole collects fees after conviction of defendants.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	198,687
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Appointment of Counsel Order signed by Judge; notes the application fee as well as any ordered amount.
<b>Who Collects the Assessed Court Fees?</b>	State Probation Office if client placed on Felony Probation. Local office if misdemeanor case. Louisiana District Probation Offices forward collected fees to our office via U. S. mail.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Fees collected in office are given a written receipt as well as receipt from PDO database. Sheriff's Office, Civil Division.
<b>Who Remits the Court Fees Collected?</b>	District Attorney – Bond Forfeitures; Sheriff's Office provides a "break-down" of fees with each payment.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	District Attorney also provides name, total bond amount, and amount allotted to PDO with each payment.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Determined by District Judge.

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Application for court appointed counsel filled out by applications & final determination of fees by Judge(s).
<b>Who Collects the Assessed Partial Payments?</b>	PDO Office if paid before conviction. Probation & Parole after conviction.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Probation & Parole sends money orders from defendants.
<b>Who Remits the Partial Payments Collected?</b>	Defendants individually before conviction and Probation & Parole after conviction.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Letter from Probation & Parole along with payment.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	49,262
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted - yes; Criminal Practice - yes; Private Practice Policy - yes.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Not at this time.
<b>Primary Immediate Needs</b>	Funding for experts & all other expenses.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Unknown at this time.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Funding
<b>Long-Term Critical Issue Areas</b>	Funding
<b>Please List All New Hires in 2015 (Name and Title)</b>	None
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, as needed or as requested.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Director, Individual Attorneys, Support Staff; Individual Defenders supervise their assistants in their offices.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	District Director, Office Manager, Clerk
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None

<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	None regular, meetings held as needed
<b>Number of NEW capital cases in CY15 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	0
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	All referred to Appellate Counsel
<b>Number of Writs Your District Handled in 2015</b>	2
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	All District Defenders are experienced in Juvenile Defense. Clients are assigned on a rotational basis just as adult cases are.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator – John R. Smith; Representative Dorothy S. Hill; Representative James K. Armes III; Representative Michael E. Danahay; Representative Brett F. Geymann.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	We constantly work to get bonds set on individuals (even misdemeanor) some may get set several days later, but the jail doesn't get them in and tell the client the amount so they can bond. Also, clients are only allowed one phone call and only to a bondsman. Clients are not allowed to contact a family or friend to assist them. PDO staff has to take the initiative to contact City PD or Sheriff, then Judge to try to get a bond set, this is even on Disturbing the Peace charges etc.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Our staff meets with the client within 24 hours of appointment to advise them of their rights, who their counsel is and how to contact him/her. Staff makes phone calls for client to contact family for bond assistance or to ask them to bring items the clients that are allowed at the jail.

<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
David L. Wallace	337-462-8891
Mitchel M. Evans, II	337-462-5225
Jodi C. Andrews	337-460-7987
Elizabeth B. Carr	337-238-4704
Shanta Tomka Gilbert	337-202-1871
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Rosie Kolarik	337-462-0473
Paul Lopez	337-463-4700
Cathy Lopez	337-462-8891



## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Rosie Kolarik
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	x
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	x
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	1
Laptops	1
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	x
Broadband	
No Internet Connection	
Connection Speed:	DSL
Provider Name:	AT&T
Email Provider:	AT&T
Please list any software or computer equipment in which you need training:	

### 36th District Defender Office CY 2015 Caseloads & Outcomes

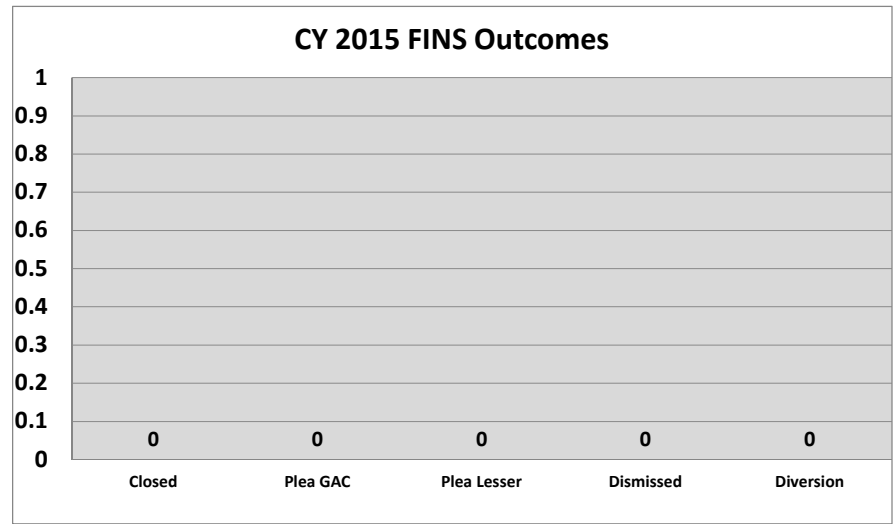
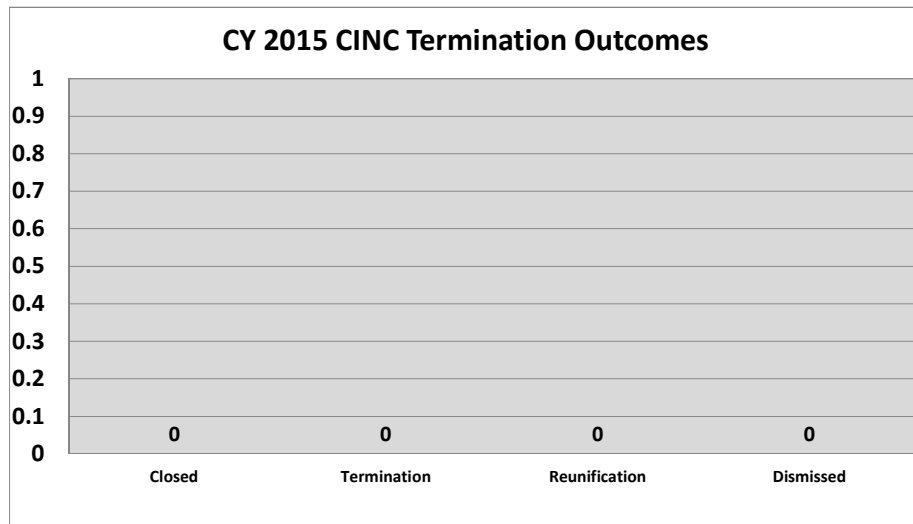
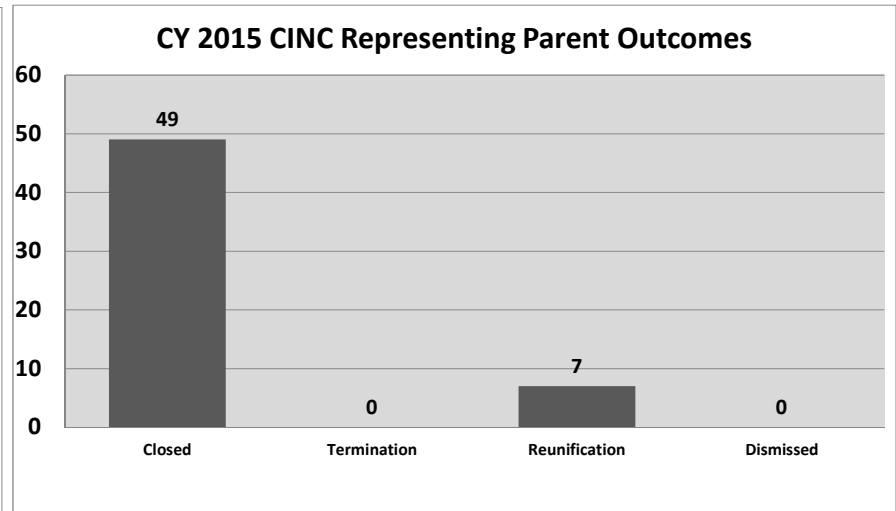
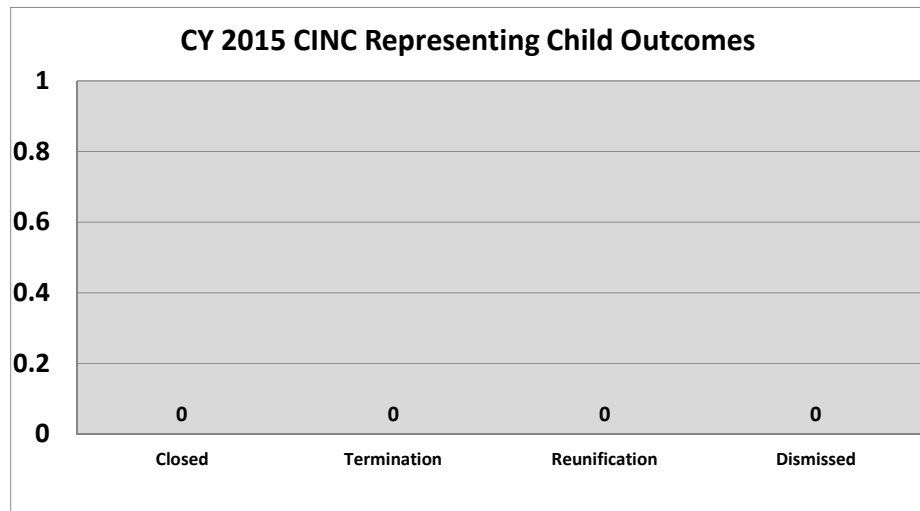
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	40	49	49	89	0	7	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	4	0	2	6	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	4	7	6	10	N/A	N/A	3	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	7	5	3	10	N/A	N/A	0	1	1	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	412	388	117	529	N/A	N/A	263	7	117	0	0	1	1	1	3
Adult Felony Non-LWOP**	254	209	120	374	N/A	N/A	150	22	78	2	0	0	0	1	1
Adult LWOP	1	5	8	9	N/A	N/A	0	3	3	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	1	1	0	1	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

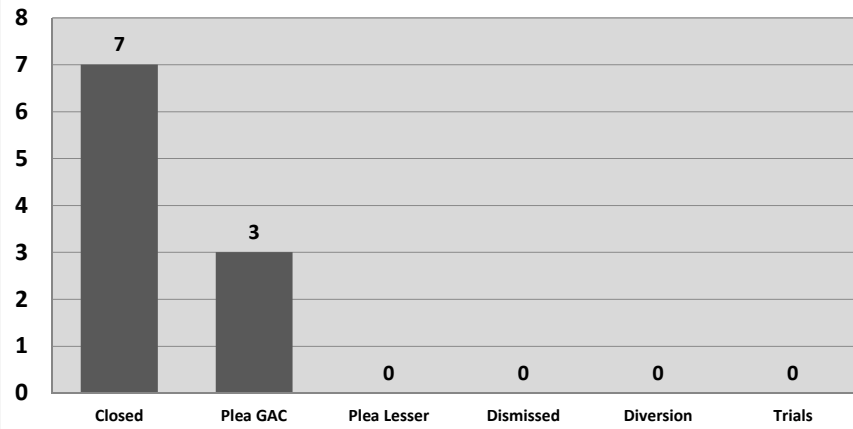
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

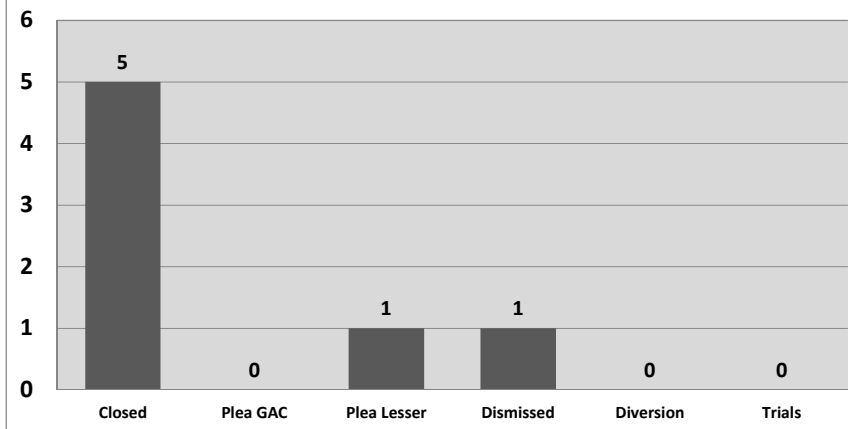
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



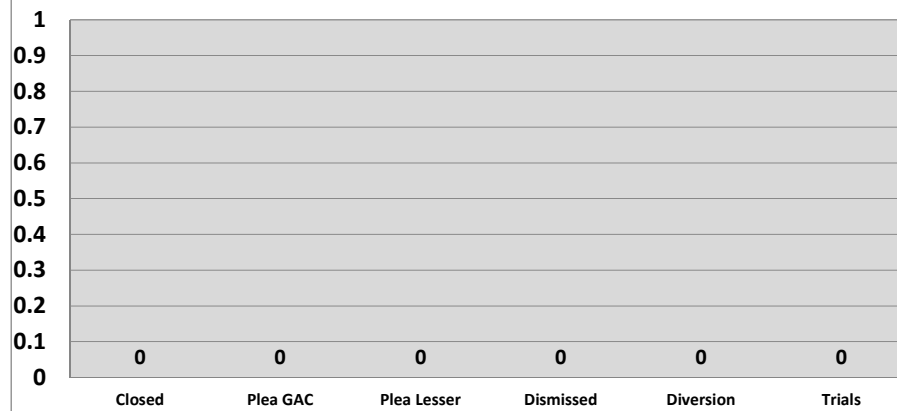
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



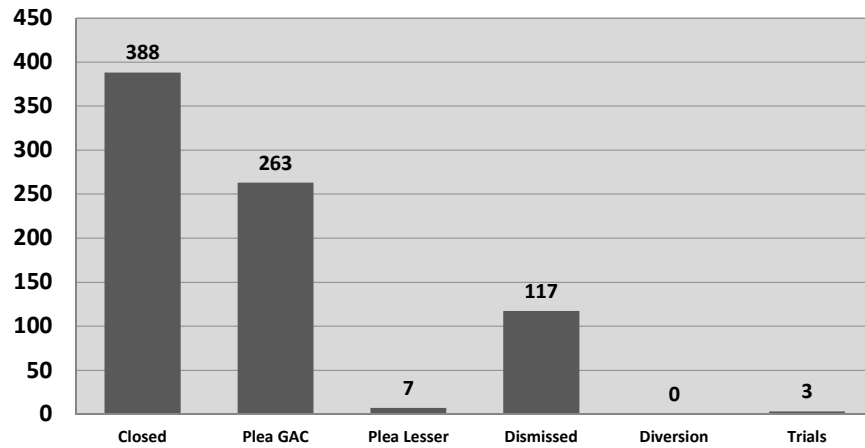
**CY 2015 Delinquency Felony-Grade Outcomes**



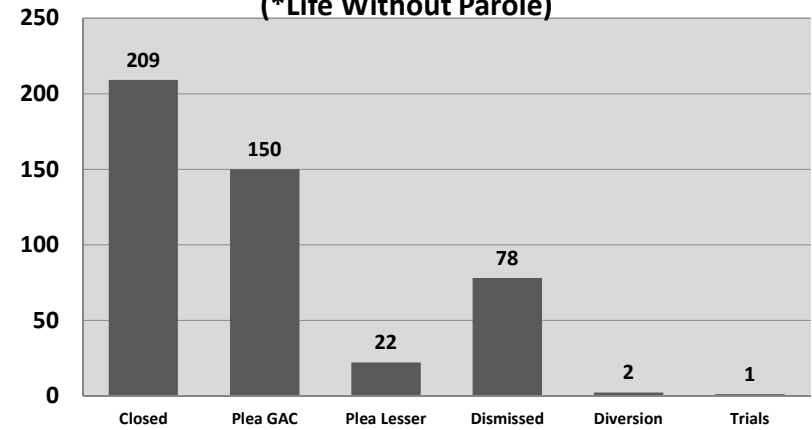
**CY 2015 Delinquency Life Outcomes**



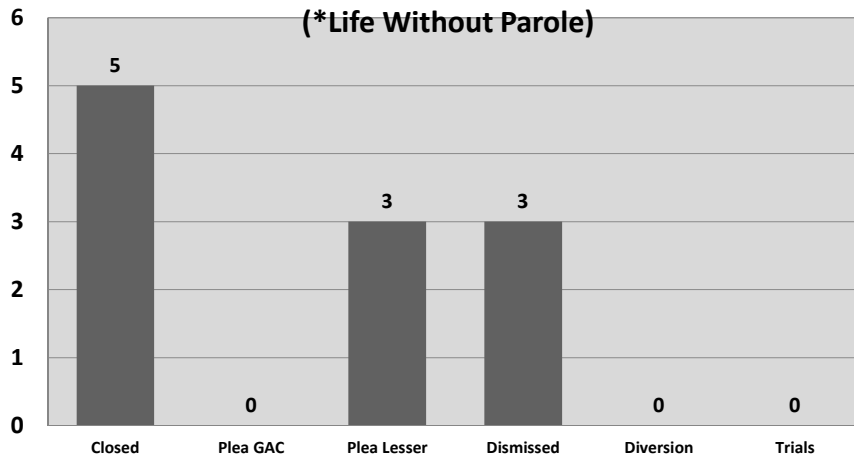
**CY 2015 Adult Misdemeanor Outcomes**



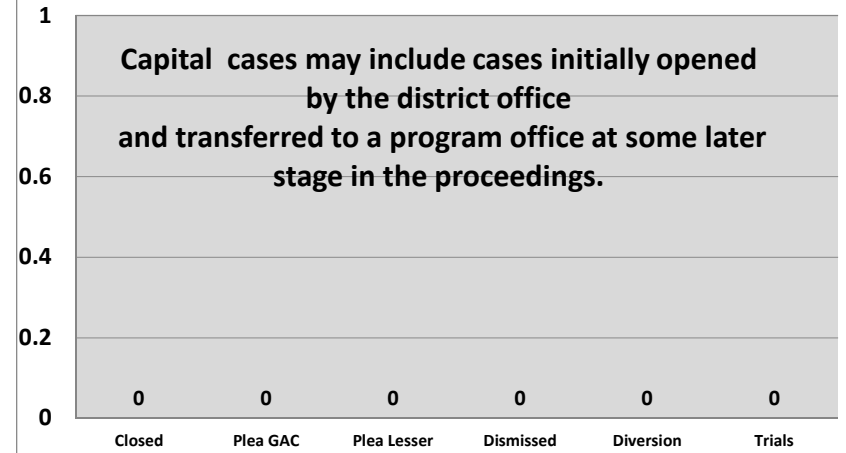
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**



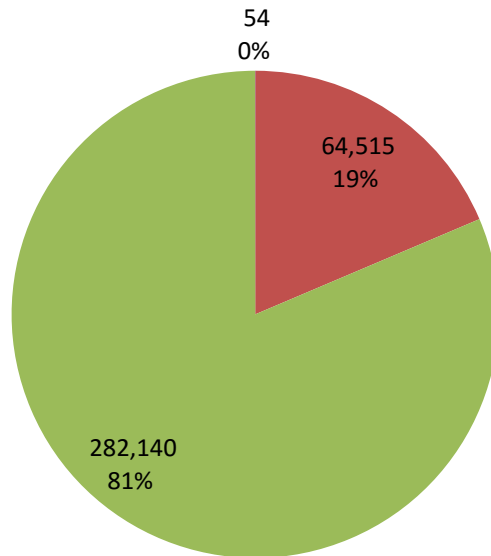
District 36 CY2015	Total CY2015
District Defender: David Wallace	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	9,667
District Assistance Fund (DAF)	54,848
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	64,515
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	19,060
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	1,810
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	37,993
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	160,694
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	198,687
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	13,321
Partial Attorney Fees	
Reimbursements [as per 15:176]	49,262
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	62,583
Total for Local Government	282,140
Investment Earnings	
Interest Income	49
Other Investment Income - List source(s)	6
Total for Investment Earnings	54
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	346,710

District 36 CY2015	Total CY2015
District Defender: David Wallace	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	-
Accrued Leave	-
Payroll Taxes	-
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	1,041
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	192
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	3,026
Dues and Seminars	-
Law Library/Journals/Subscriptions	3,390
Office Supplies	991
Total for Operating Services	8,639
Professional Services	
Audit/Accounting Expense	5,600
Contract Clerical	15,350
Expert Witness	2,525
Investigators	71,750
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	72,750
Contract Attorneys - all other	162,750
IT/Technical Support	-
Total for Professional Services	330,725
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	3,174
Total for Other Charges	3,174
Total for EXPENDITURES	342,539



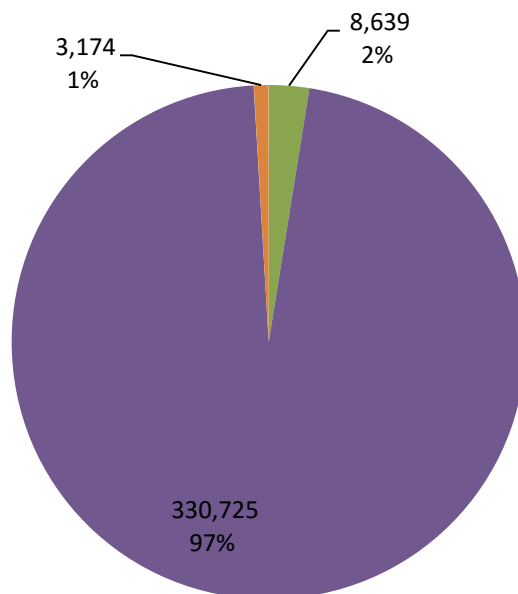
## Total CY15 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





THE 37<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
CALDWELL (COLUMBIA)

DISTRICT DEFENDER: LOUIS CHAMPAGNE  
301 WALL STREET  
COLUMBIA, LA 71418  
(318) 649-2626

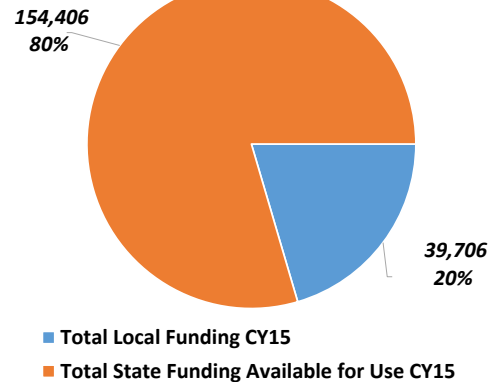
## 37th JUDICIAL DISTRICT : CALDWELL PARISH

Louis Champagne  
District Defender  
301 Wall Street  
Columbia, LA 71418  
318-649-2626

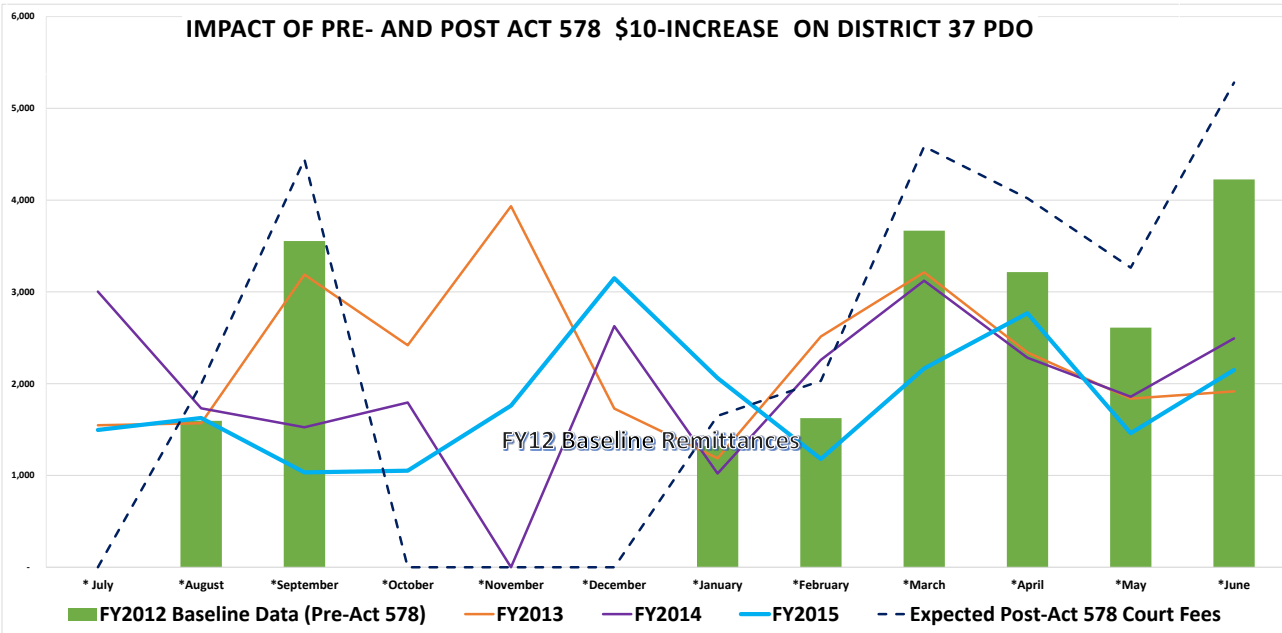
During Calendar Year 2015, the 37th Judicial District Public Defenders Office handled 481 cases. The office received \$194,112 in total revenues to handle these cases. As local funding is largely insufficient, approximately 80% of revenues came from state funding. With the exception of those months when no local funds were remitted in the baseline year of 2012, the 37th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012). The fund balance has hovered near zero since CY11 leaving the district in need of emergency funding.

Additional state supplemental assistance during FY15 prevented insolvency, however without a reliable increase in revenues or reduction in expenditures, the 37th Judicial District office will deplete its relatively small fund balance and eventually become insolvent.

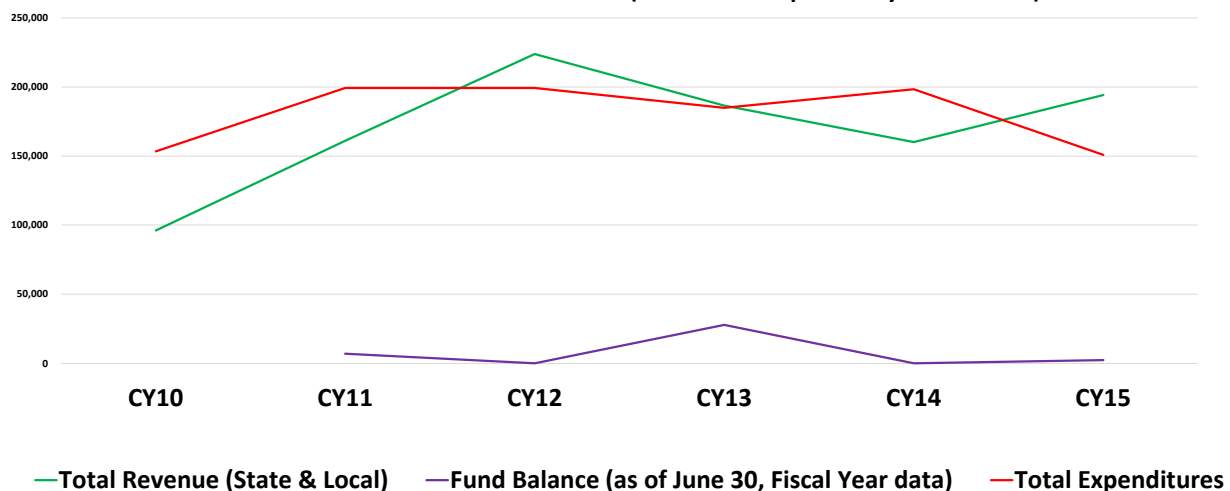
**District 37 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 37 PDO**



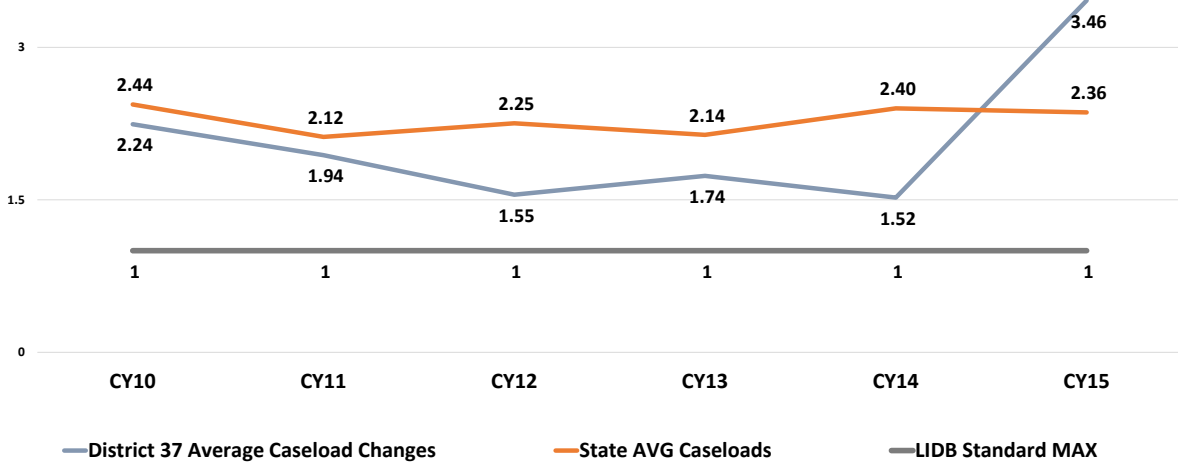
**District 37 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



## 37th JUDICIAL DISTRICT : CALDWELL PARISH

Louis Champagne  
District Defender  
301 Wall Street  
Columbia, LA 71418  
318-649-2626

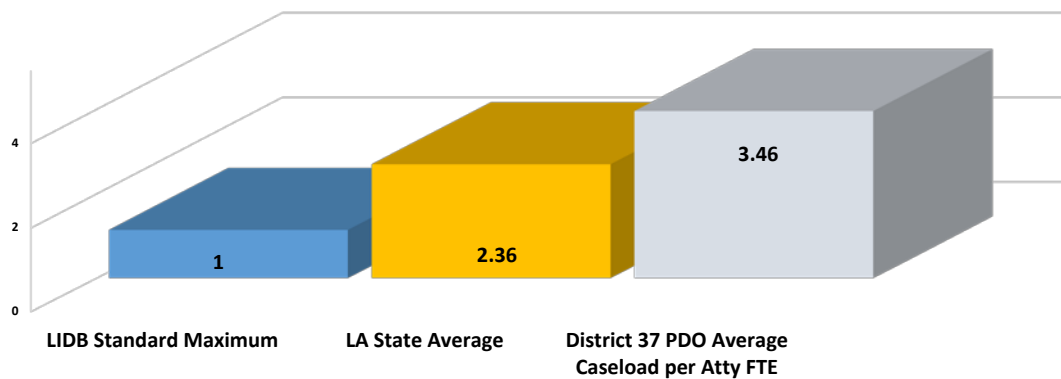
District 37 PDO Average Caseload per Atty FTE



In the 37th Judicial District, public defense attorneys maintain caseloads more than three times the recommended caseload limit for each attorney.

The 37th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.

District 37 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 37TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Caldwell - Columbia
<b>Population</b>	10,132
<b>Juvenile Population</b>	2,374
<b>District Defender</b>	Louis Champagne
<b>Years as District Defender</b>	14
<b>Years in Public Defense</b>	18
<b>Office Manager</b>	Terri L. Graves
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Terri L. Graves
<b>Primary Office Street Address</b>	301 Wall Street
<b>City</b>	Columbia
<b>ZIP</b>	71418
<b>Primary Phone</b>	318-649-2626
<b>Primary Mailing Address</b>	P.O. Box 1029, Columbia, 71418
<b>Primary Fax Number</b>	318-649-0212
<b>Primary Emergency Contact</b>	Louis Champagne
<b>Primary Emergency Phone</b>	318-649-2626
<b>Secondary Emergency Contact</b>	Terri L. Graves
<b>Secondary Emergency Phone</b>	318-649-7046
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	No other addresses or phone numbers.
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Louis Champagne owns 1/2 of the office building and the Estate of Governor John J. McKeithen, owns 1/2 of the office building. IDB doesn't pay any rent, utilities, or any other office expenses at this time.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,400
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Day to day bookkeeping is handled in this office, however, our annual Audit is done by Mary Jo Finley, CPA.
<b>Courts and Locations</b>	37th Judicial District Court, Columbia, Louisiana
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	1
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Mixed Delivery
<b>Name of Adult Detention Facilities in This District</b>	Caldwell Correctional Center, Caldwell Parish Detention Center and Caldwell Parish Jail.

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	No adult facilities outside the district house prisoners. Women are now being held in Caldwell Parish.
<b>Name of Juvenile Detention Facilities In This District</b>	Swanson Center for Youth at Columbia, this facility is located in Columbia, however, the Parish is not allowed to hold juveniles there.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Green Oaks - Ouachita Parish
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Very rarely. If they are being held in detention at the time of juvenile hearing, the Office of Juvenile Justice officer brings them and they are in handcuffs.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Brian Frazier is now the District Attorney for the Parish of Caldwell.
<b>Chief Judge of Criminal District Court</b>	Ashley Paul Thomas is now the District Court Judge for the 37th Judicial District.
<b>Juvenile Court Judges (Specify District of City Court)</b>	Ashley Paul Thomas is now the District Court Judge for the 37th Judicial District. He handles all Juveniles
<b>Drug Court Judges</b>	Ashley Paul Thomas is now the District Court Judge for the 37th Judicial District. He is handling one case in Drug Court. Judge Don Burns handles the previous clients in our Drug Court program.
<b>Mental Health Court Judges</b>	Ashley Paul Thomas is now the District Court Judge for the 37th Judicial District.
<b>Other Specialty Court</b>	No
<b>Name of Specialty and Brief Description:</b>	None
<b>Indigency Determined by Whom and How?</b>	Chief Defender, Information from IDB Application.
<b>When is Assignment/Appointment of Counsel Made?</b>	72 hour hearing and sometimes when person comes for arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	If a true conflict exists with our office, I refer the case to one of our conflict attorneys in a neighboring parish.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Terri L. Graves, Legal Assistant; Billy Varnell, Investigator.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Billy Varnell handles all investigation and some intake. Terri L. Graves handles all intake and interviews with female prisoners.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	150
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	3,240

<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	30,836
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	A monthly statement is provided by the Caldwell Parish Sheriff Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	A monthly statement is provided by the Caldwell Parish Sheriff's Office.
<b>Who Collects the Assessed Court Fees?</b>	CPSO & DOC probation and parole.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	A monthly statement is provided by the CPSO and probation and parole.
<b>Who Remits the Court Fees Collected?</b>	CPSO & DOC probation and parole.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	A monthly statement is provided by the CPSO and probation and parole.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	If ordered by the Judge - after a hearing to determine how much the defendant can afford. The Judge usually determines the amount owed to IDB.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	There is no accounting documentation, other than my receipt.
<b>Who Collects the Assessed Partial Payments?</b>	Those fees are collected by this office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	There is no accounting documentation, other than my receipt.
<b>Who Remits the Partial Payments Collected?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	N/A
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	0
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	IDB attorneys can have a private practice but must devote majority of their time to IDB based on caseload.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Increase funding received to provide quality IDB defense.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Our office is in constant communication regarding changes we need to make concerning our budget. As of this date, we trying to obtain local funding as well.

<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No staff have been terminated. We moved our investigator to part time status and cut his salary in half.
<b>Immediate Critical Issue Areas</b>	None
<b>Long-Term Critical Issue Areas</b>	Having enough funding to provide quality IDB defense.
<b>Please List All New Hires in 2015 (Name and Title)</b>	None
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, in office training on Motions, Trials, and all other aspects of legal representation is provided. The attorneys also meet to discuss cases.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	None at this time.
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Louis meets with attorneys and staff on a daily basis to discuss status of cases and review work product.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	Yes
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Monitor cases for compliance with state guidelines.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, meet on weekly basis
<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	None
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Juvenile Attorney, Dina Domangue, handles all juvenile cases. Our juvenile is handled by the 4th JD IDB office in Monroe.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Representative Steven E. Pylant and Senator Neil Riser.



<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	We believe LACE tickets are being given, however, the new District Attorney has not shared any of the proceeds from that program. There has been a new Sheriff elected and he will take over on July 1, 2016. Hopefully, this will dismiss any political turmoil between the Sheriff and the District Attorney.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Mandatory attendance to CLE provided by IDB.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Champagne, Louis V.	318-649-2626
Joseph W. Grassi	318-649-2626
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Graves, Terri L.	318-649-2626
Varnell, Billy	318-649-2626

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Terri L. Graves
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x Professional
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	Abacus
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	12
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	x
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	x
Internet Explorer 11	x

Microsoft Edge	
Firefox	x
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	3
Laptops	3
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	4
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	2
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	IP DSL
No Internet Connection	
Connection Speed:	18 meg
Provider Name:	AT&T
Email Provider:	AT&T, America Online & Yahoo
Please list any software or computer equipment in which you need training:	None

### 37th District Defender Office CY 2015 Caseloads & Outcomes

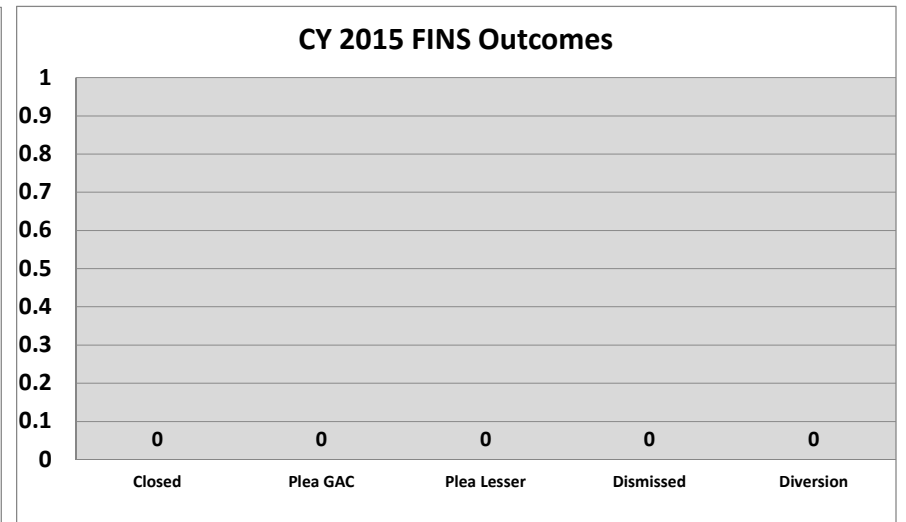
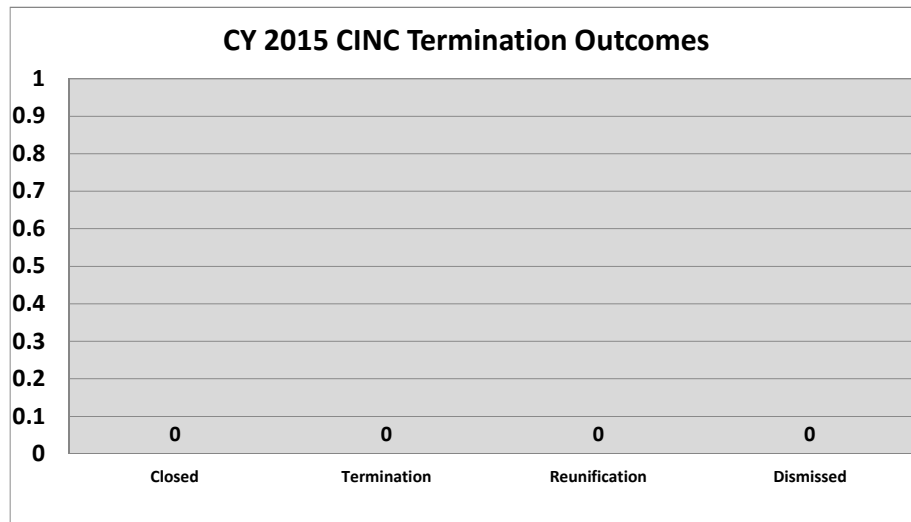
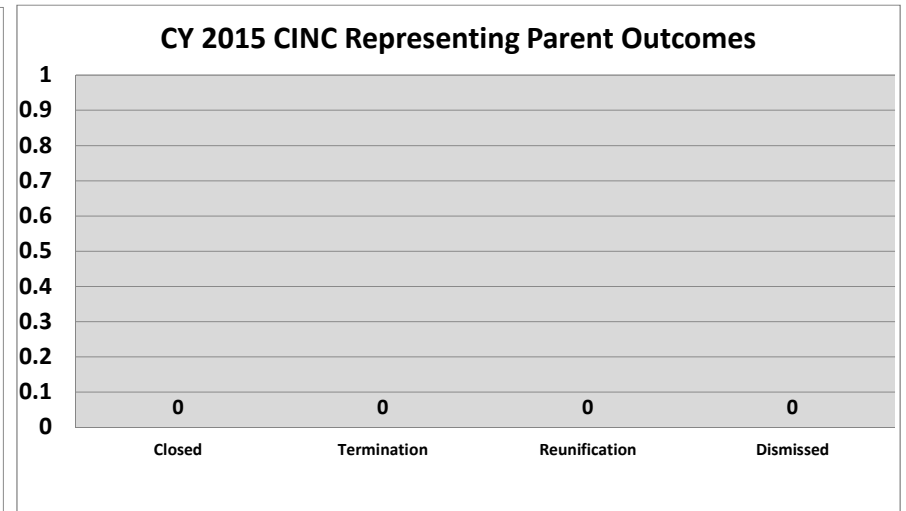
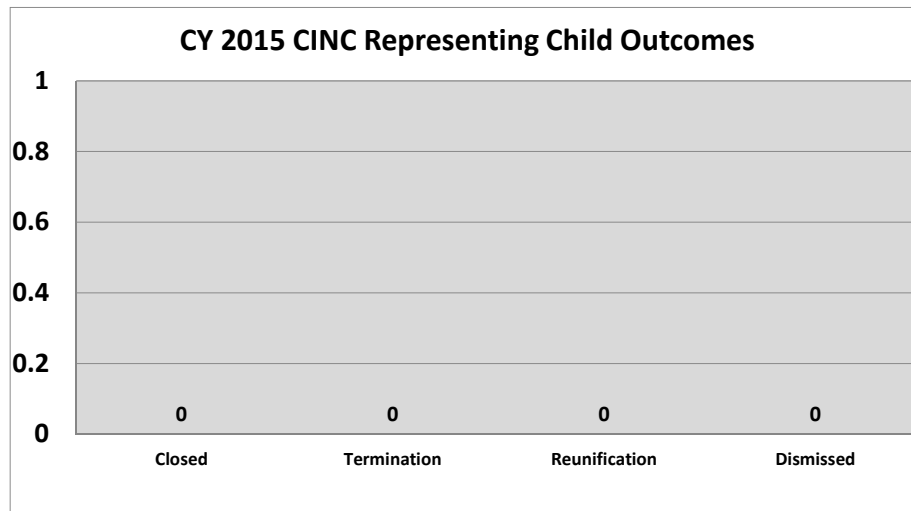
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	178	265	64	242	N/A	N/A	28	2	124	0	1	0	0	7	8
Adult Felony Non-LWOP**	136	205	103	239	N/A	N/A	83	23	106	0	1	1	0	0	2
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

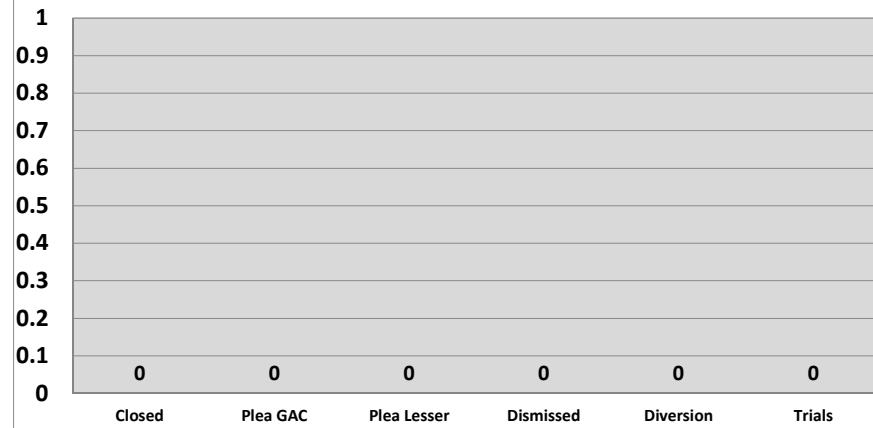
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

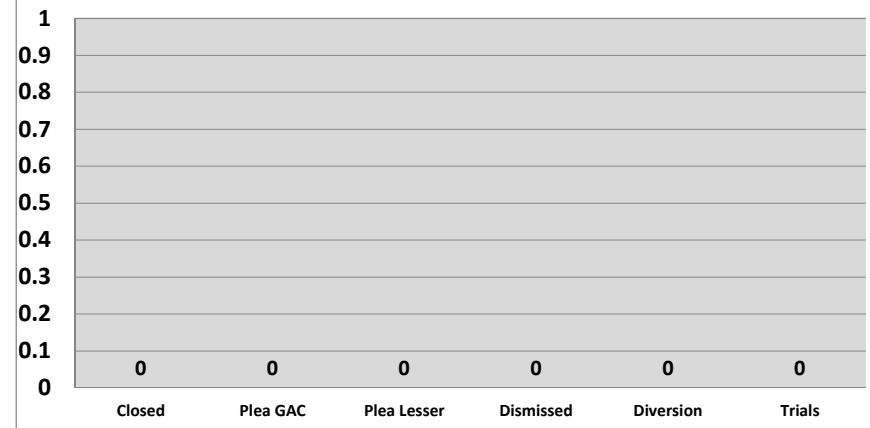
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



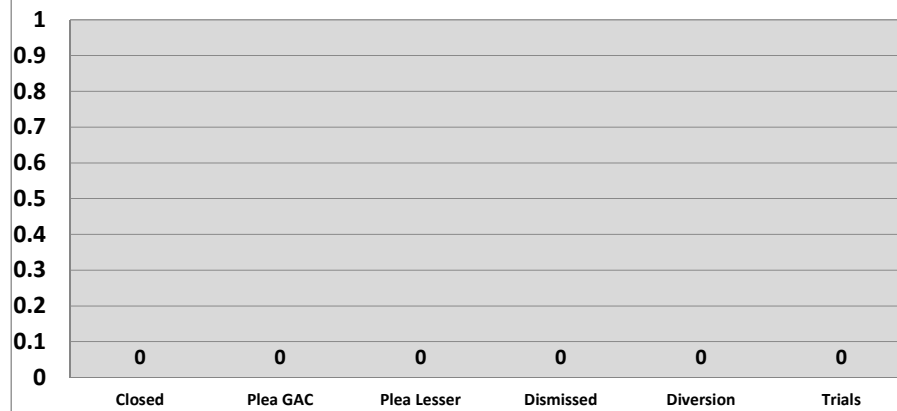
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**

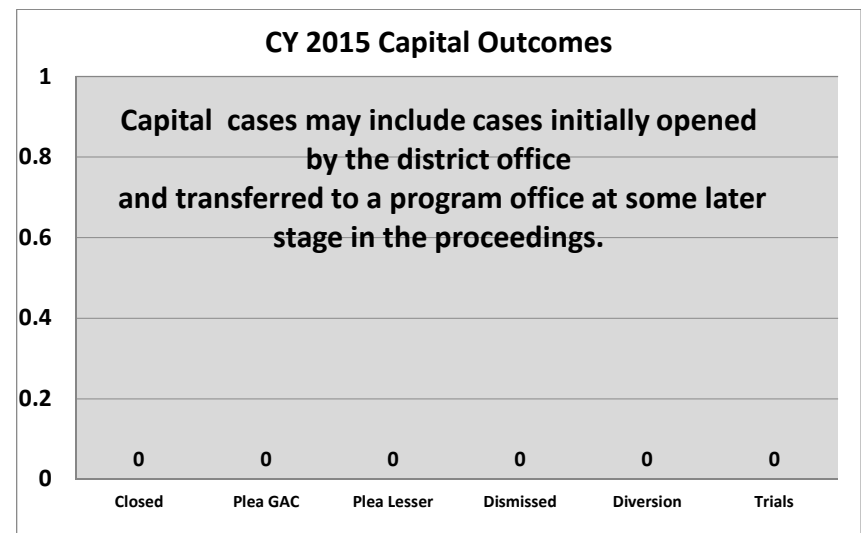
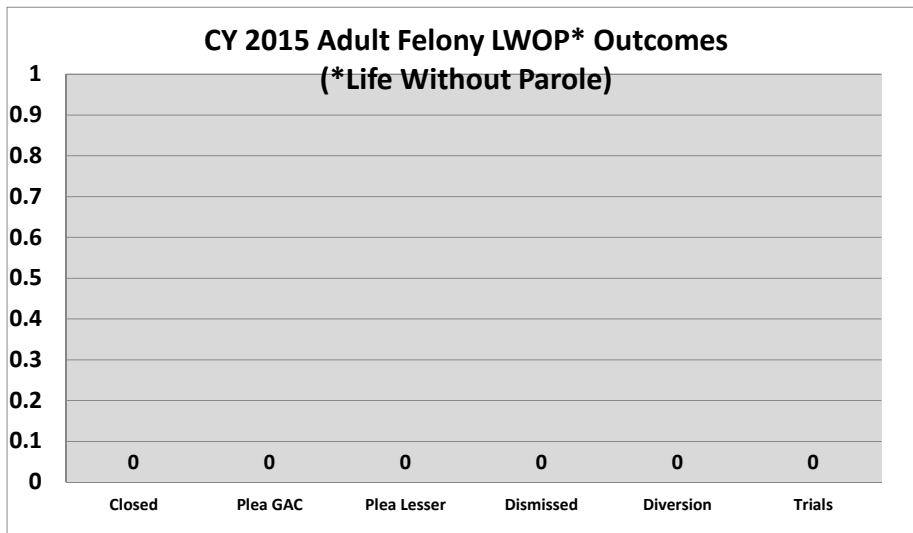
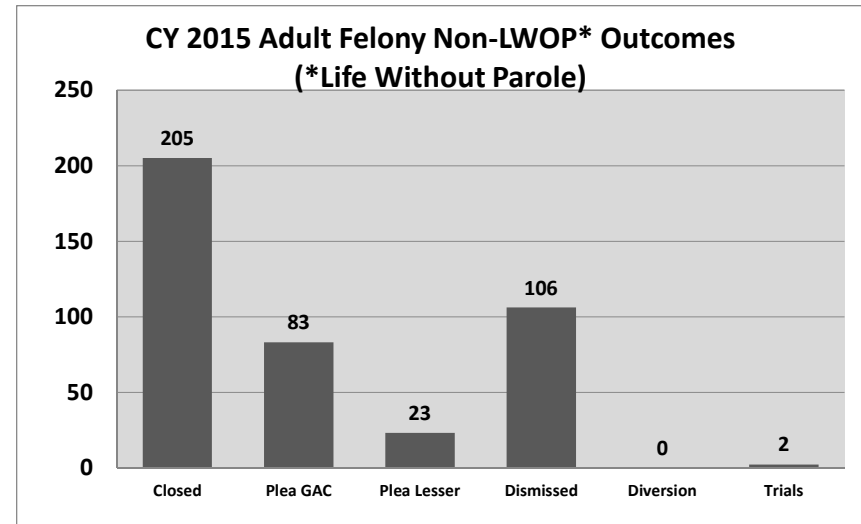
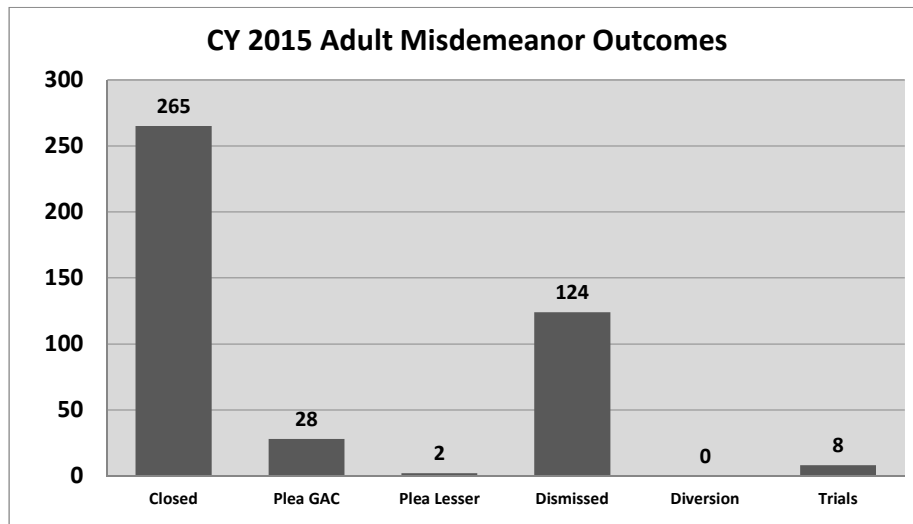


**CY 2015 Delinquency Felony-Grade Outcomes**



**CY 2015 Delinquency Life Outcomes**





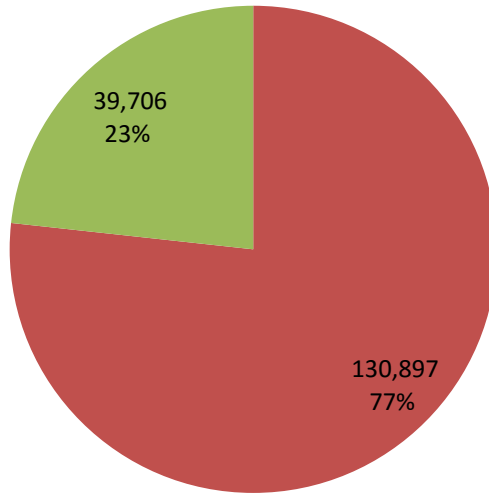
District 37 CY2015	Total CY2015
<b>District Defender: Louis Champagne</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	-
District Assistance Fund (DAF)	83,879
Supplemental/Emergency Funds	47,018
Grants	-
Other State Income -List source(s)	-
Total for State Government	130,897
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	4,180
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	-
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	1,450
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	30,836
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	30,836
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	3,240
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	3,240
Total for Local Government	39,706
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	170,603



District 37 CY2015	Total CY2015
District Defender: Louis Champagne	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	15,000
Accrued Leave	-
Payroll Taxes	4,167
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	19,167
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	-
Dues and Seminars	-
Law Library/Journals/Subscriptions	-
Office Supplies	-
Total for Operating Services	
Professional Services	
Audit/Accounting Expense	2,177
Contract Clerical	-
Expert Witness	-
Investigators	9,000
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	120,508
IT/Technical Support	-
Total for Professional Services	131,685
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	-
Total for Other Charges	
Total for EXPENDITURES	150,852

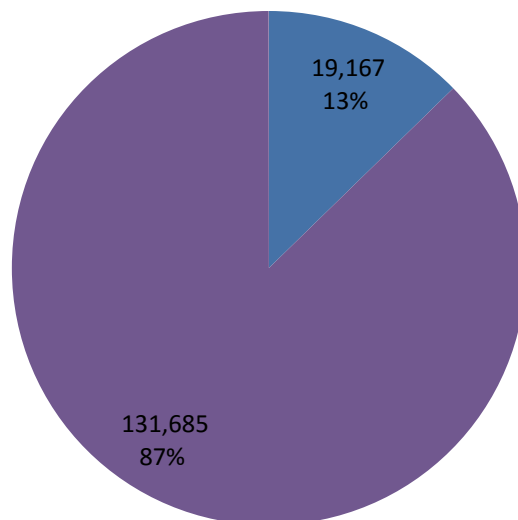
## Total CY15 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





THE 38<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
CAMERON (CAMERON)

DISTRICT DEFENDER: HARRY FONTENOT  
CAMERON PARISH COURTHOUSE, 124 SMITH CIRCLE, 3RD FLOOR  
CAMERON, LA 70631  
(337) 775-8131

## 38th JUDICIAL DISTRICT : CAMERON PARISH

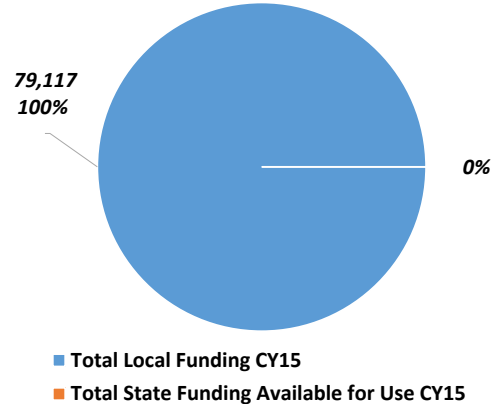
Harry Fontenot  
District Defender  
Cameron Courthouse, 3rd Floor, 124 Smith Circle  
Cameron, LA 70631  
337-775-8131

During Calendar Year 2015, the 38th Judicial District Public Defenders Office handled 225 cases. The office received \$79,117 in total revenues to handle these cases, 100% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

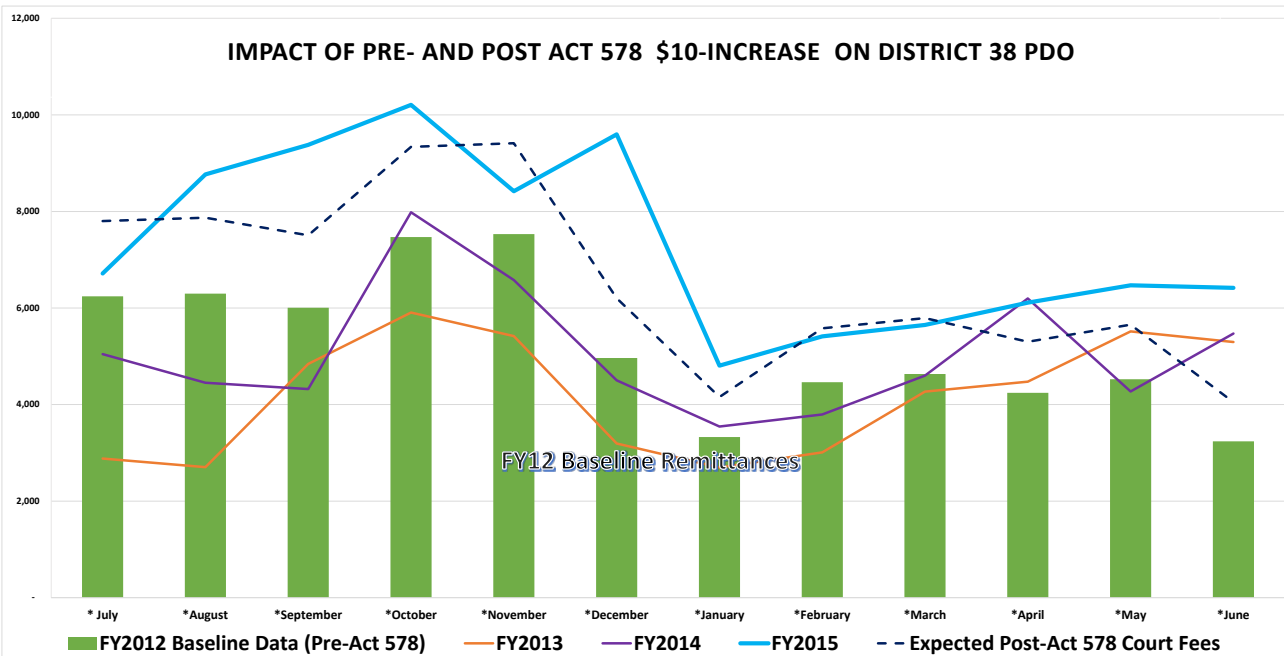
During Fiscal Years 2013 and 2014, the office generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012). However, during FY15, revenues met or exceeded projections for eight months in that fiscal year.

The 38th Judicial District office is not currently engaged in deficit spending and maintains a fund balance which exceeds annual expenditures.

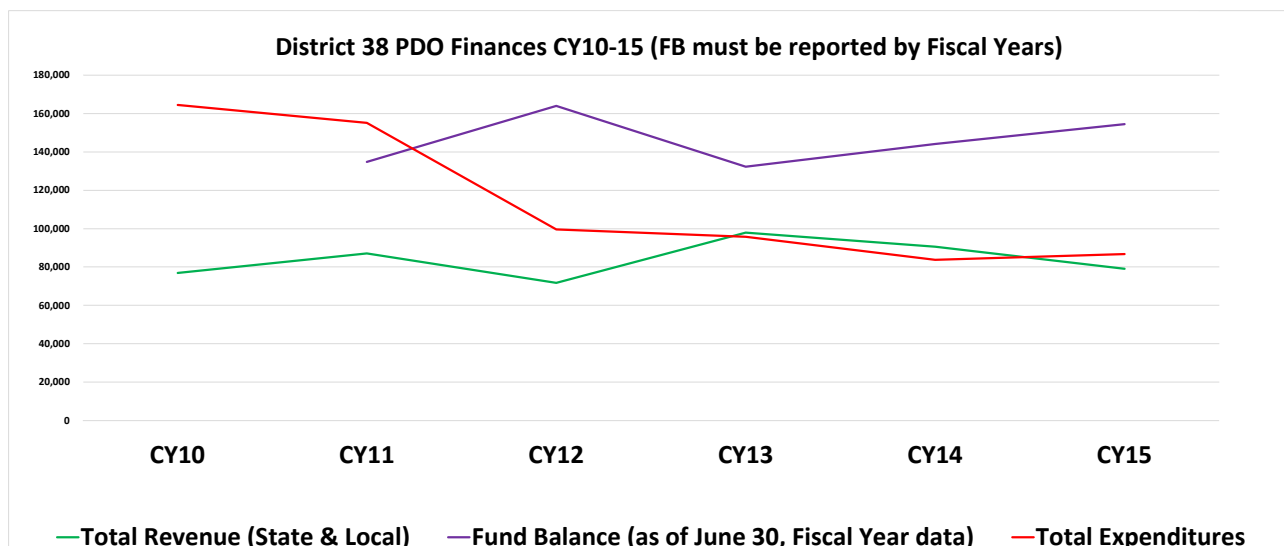
**District 38 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 38 PDO**

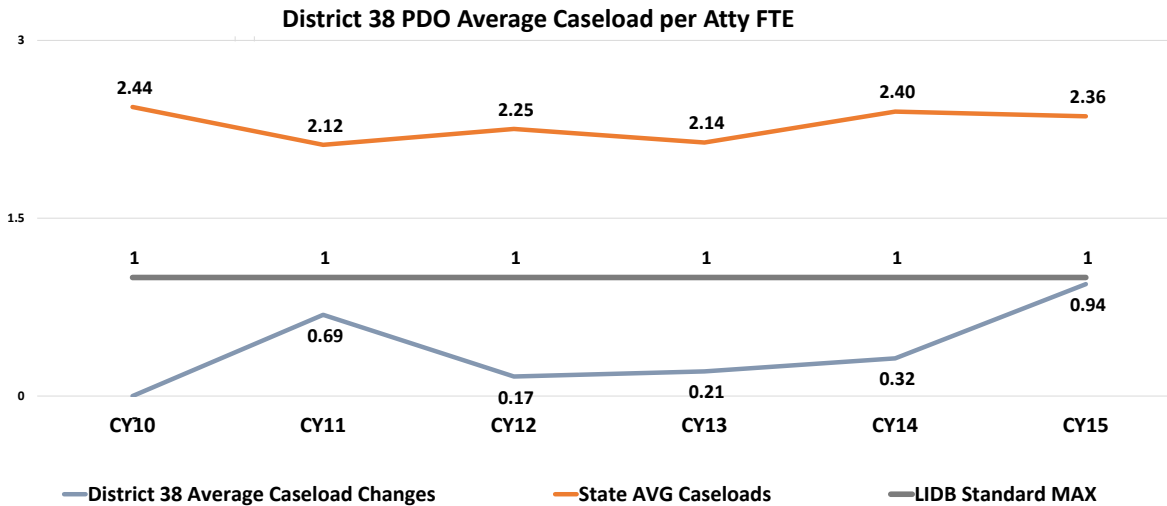


**District 38 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



## 38th JUDICIAL DISTRICT : CAMERON PARISH

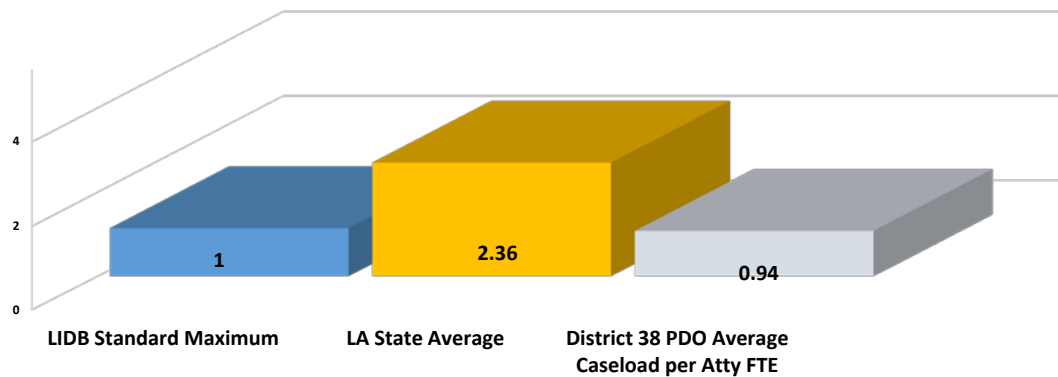
Harry Fontenot  
District Defender  
Cameron Courthouse, 3rd Floor, 124 Smith Circle  
Cameron, LA 70631  
337-775-8131



In the 38th Judicial District, public defense attorneys maintain caseloads in compliance with recommended caseload limits for each attorney.

The 38th Judicial District is a rural district that handles only a small number of cases each year. However, public defense attorneys have benefited from the training and supervision offered by LPDB.

**District 38 PDO Average Caseloads Compared to State Average & State Standard Maximums**



## CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 38TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Cameron - Cameron
<b>Population</b>	6,839
<b>Juvenile Population</b>	1,656
<b>District Defender</b>	Harry Fontenot
<b>Years as District Defender</b>	3
<b>Years in Public Defense</b>	17
<b>Office Manager</b>	Lance Thibodeaux
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Lance Thibodeaux, Office Manager; Contract attorneys are responsible for entering their own data.
<b>Primary Office Street Address</b>	Cameron Parish Courthouse, 3rd Floor, 124 Smith Circle
<b>City</b>	Cameron
<b>ZIP</b>	70631
<b>Primary Phone</b>	337-775-8131
<b>Primary Mailing Address</b>	Same
<b>Primary Fax Number</b>	337-775-8136
<b>Primary Emergency Contact</b>	Harry Fontenot
<b>Primary Emergency Phone</b>	337-405-9771
<b>Secondary Emergency Contact</b>	Lance Thibodeaux 337-309-0854
<b>Secondary Emergency Phone</b>	N/A
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	P.O. Box 3757, Lake Charles, LA 70602
<b>Other District Office Contact Personnel (Primary Only)</b>	Lance Thibodeaux, 337-309-0854
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Cameron Parish Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Space provided by parish at no cost.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Bonnie Connor, accountant for Cameron Parish.
<b>Courts and Locations</b>	38th JDC, Cameron, LA
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	One division with both adult and juvenile sections.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Chief Defender is assigned all cases. If conflict arises, conflict counsel appointed.
<b>Name of Adult Detention Facilities in This District</b>	Cameron Parish Jail
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	N/A

<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	N/A
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No. Juveniles are usually not held in detention and appear with their parents for court. They are not shackled since they are not in custody.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Jennifer Jones
<b>Chief Judge of Criminal District Court</b>	Penelope Richard
<b>Juvenile Court Judges (Specify District of City Court)</b>	Penelope Richard
<b>Drug Court Judges</b>	N/A
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	By the Judge upon application. Defendant submits written application and they are questioned by Judge.
<b>When is Assignment/Appointment of Counsel Made?</b>	During 72-hour court or Arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	During initial interview Defendant is asked about co-defendants and witnesses. These names are checked for conflicts.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Chief Defender or Conflict Attorney Assigned.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes, same as last year.
<b>Brief Explanation of Intake Process</b>	Defendant completes application and pays \$40 application fee. Application is given to Judge at arraignment. If Judge makes appointments at 72 hour hearing then no application fee is taken.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	59
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	2,460
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Cameron Parish Sheriff's Office
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	67,418

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Fee is assessed as part of court costs.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Unknown
<b>Who Collects the Assessed Court Fees?</b>	Parish Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Unknown
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Department
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The Sheriff's department sends a list every month of the fees collected and the person's name who paid the fees.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	The judge makes an assessment upon reviewing the application for services.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	N/A
<b>Who Collects the Assessed Partial Payments?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	N/A
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted. Criminal practice permitted. No written private practice policy in place.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	No written contract.
<b>Primary Immediate Needs</b>	N/A
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	N/A
<b>Long-Term Critical Issue Areas</b>	Funding
<b>Please List All New Hires in 2015 (Name and Title)</b>	N/A
<b>Please List All Promotions in 2015 (Name and Title)</b>	None



<b>2015 Media Coverage and/or Major Accomplishments</b>	N/A
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	I meet with new attorneys on conflict list to discuss procedures.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	The District Defender supervises all contract attorneys.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	None
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	Quarterly meetings are called for all contract attorneys.
<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	None
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Handled in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	N/A
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator Dan "Blade" Morrish; Rep. Bob Hensgens
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	The population in the parish is small and dispersed.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Have established an office in Calcasieu which Cameron attorneys can use.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Harry Fontenot	337-405-9771
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Ben Cormier	337-564-6863

Claude Devall	337-439-5788
Bryan Gill	337-433-8116
Michael McHale	337-990-0093
Robert Sheffield	337-855-4887
Leslie Musso	337-433-1414
Brent Hawkins	337-502-5146
<b><u>Non Attorney Employees and Contractors and Other</u></b>	<b><u>Contact Information</u></b>
<b><u>Staff</u></b>	
Lance Thibodeaux	337-309-0854
Bonnie Conner	337-775-5718

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Harry Fontenot
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b>Operating Systems Used:</b>	
Windows 10	
Windows 8	x
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b>Case Management System(s): Check all that apply</b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b>Productivity Suites Used:</b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b>Accounting Software</b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	x
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	2
Laptops	
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	256 kb
Provider Name:	Camtel
Email Provider:	gmail
Please list any software or computer equipment in which you need training:	

### 38th District Defender Office CY 2015 Caseloads & Outcomes

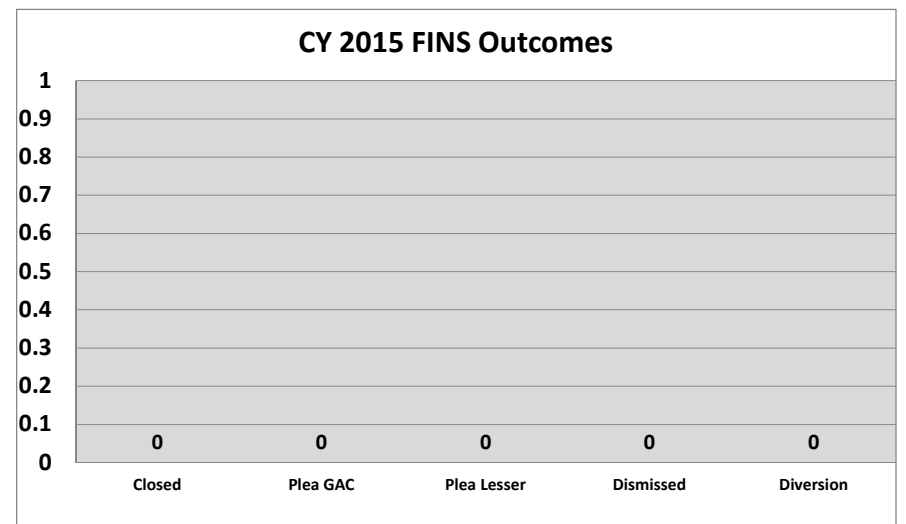
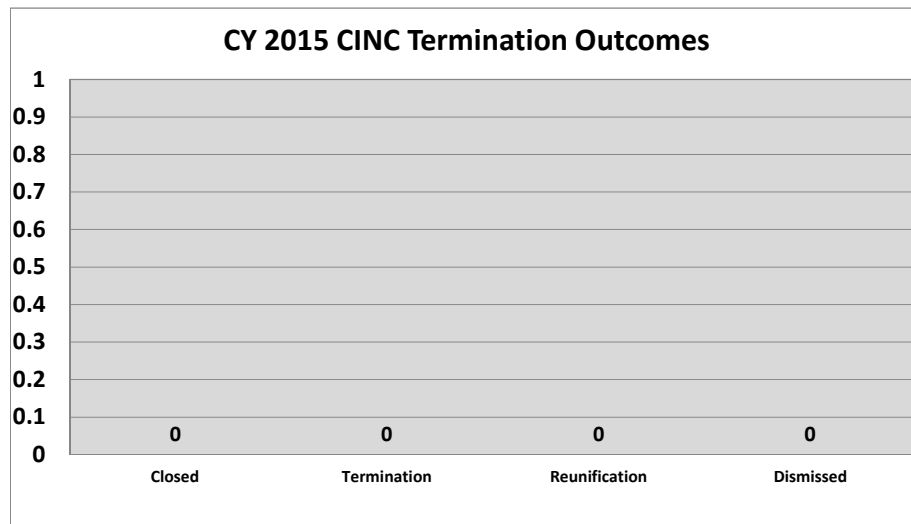
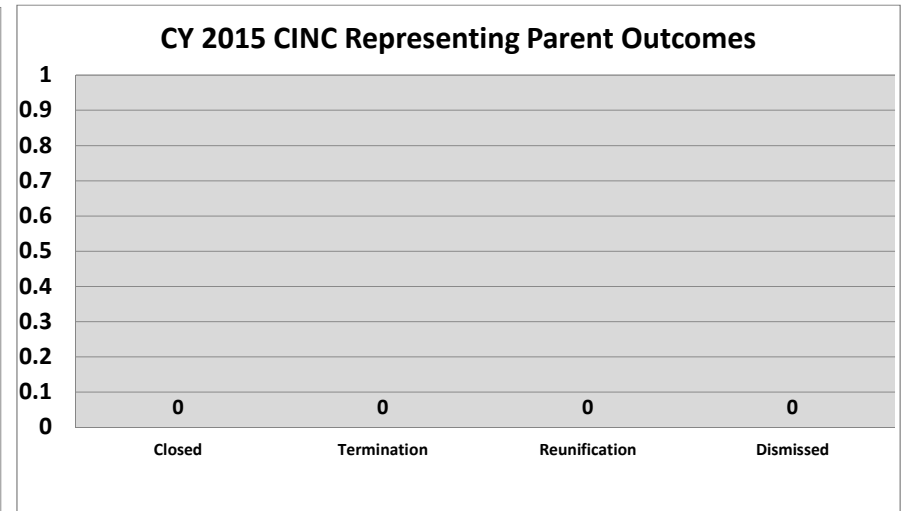
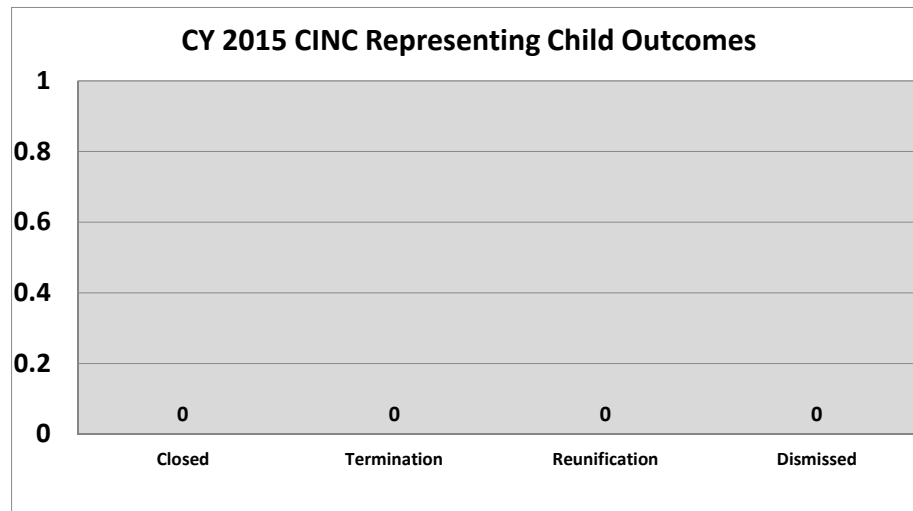
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	0	0	2	2	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	21	6	108	129	N/A	N/A	2	3	1	0	0	0	0	0	0
Adult Felony Non-LWOP**	31	8	58	89	N/A	N/A	2	3	1	0	0	0	0	0	0
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	2	2	3	5	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

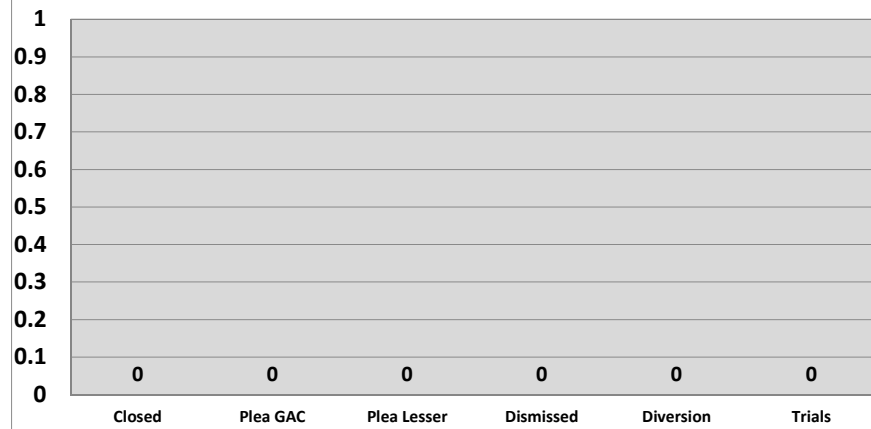
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

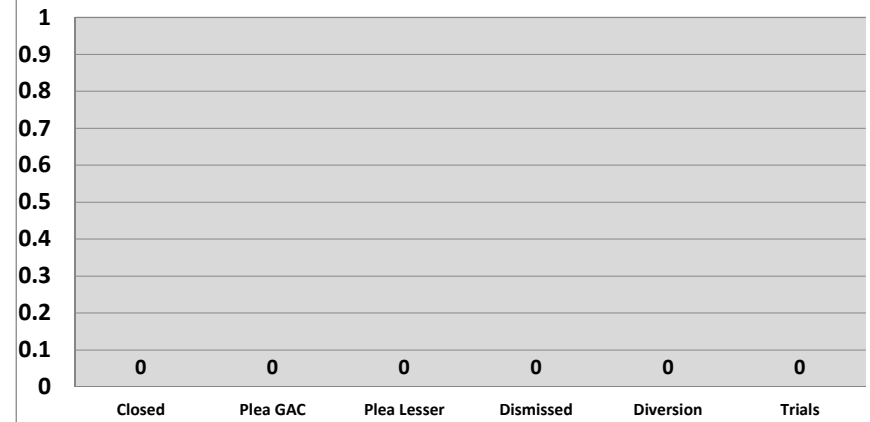
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



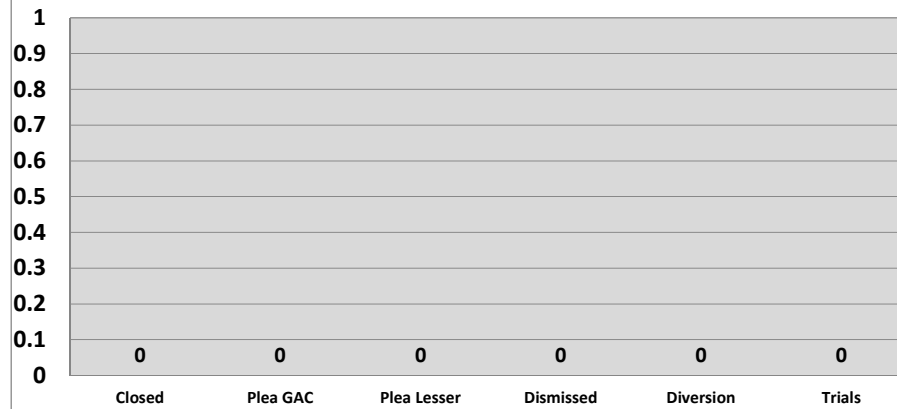
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



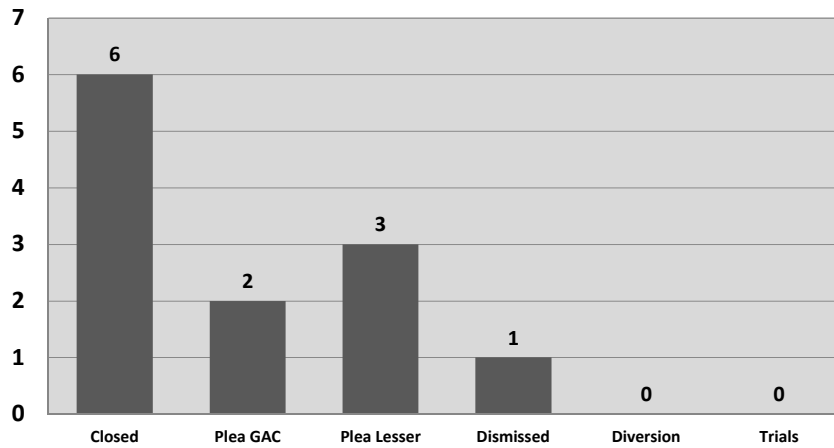
**CY 2015 Delinquency Felony-Grade Outcomes**



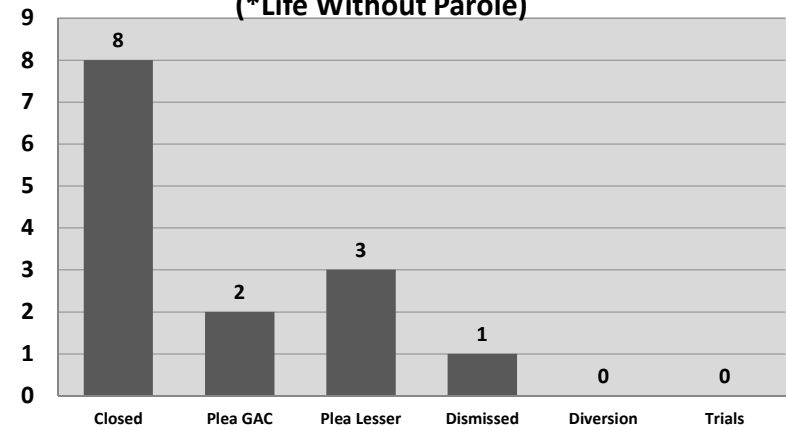
**CY 2015 Delinquency Life Outcomes**



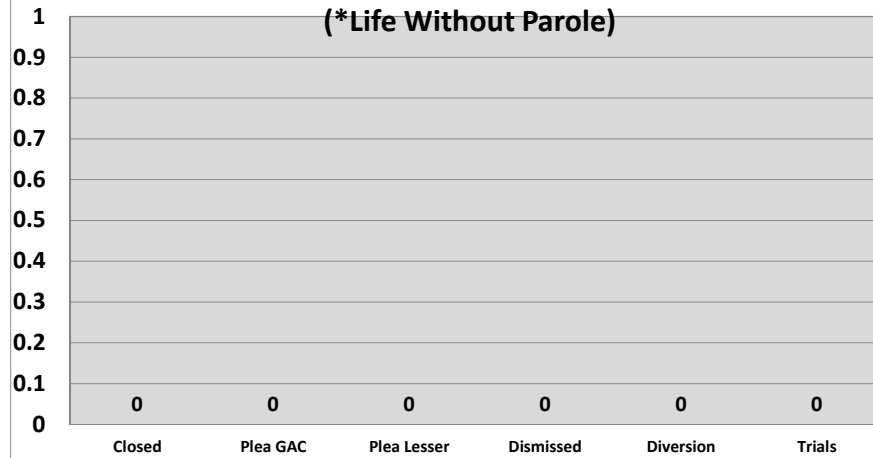
**CY 2015 Adult Misdemeanor Outcomes**



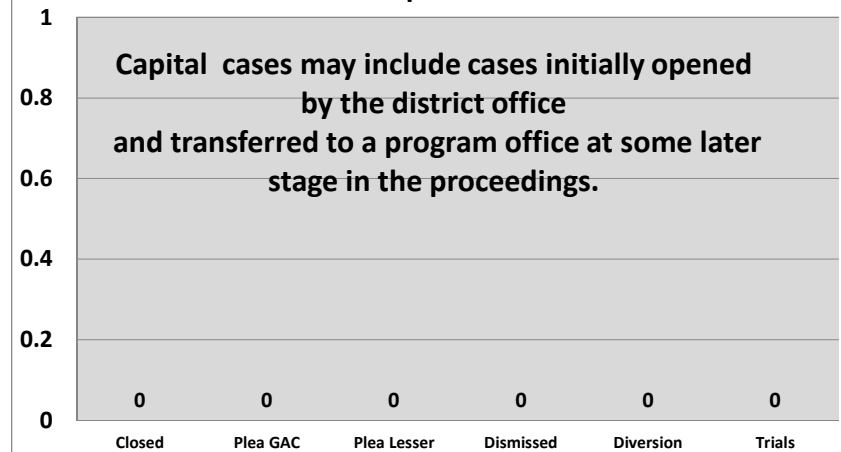
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**



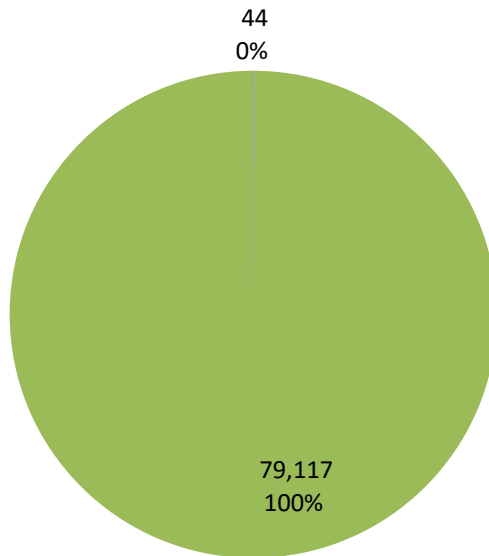


District 38 CY2015	Total CY2015
District Defender: Harry Fontenot	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	-
District Assistance Fund (DAF)	-
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	9,239
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	67,418
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	67,418
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	2,460
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	2,460
Total for Local Government	79,117
Investment Earnings	
Interest Income	44
Other Investment Income - List source(s)	-
Total for Investment Earnings	44
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	79,161

District 38 CY2015	Total CY2015
District Defender: Harry Fontenot	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	40,000
Accrued Leave	-
Payroll Taxes	580
Hospitalization and Disability Insurance	546
Retirement	5,800
Other	-
Total for Personnel Services and Benefits	46,927
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	2,685
Total for Travel/Training	2,685
Operating Services	
Advertisements	-
Workers' Compensation	469
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	2,636
Dues and Seminars	-
Law Library/Journals/Subscriptions	-
Office Supplies	875
Total for Operating Services	3,981
Professional Services	
Audit/Accounting Expense	10,000
Contract Clerical	19,200
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	3,853
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	-
IT/Technical Support	-
Total for Professional Services	33,053
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	
Other Charges	
Other Operating Expenses	35
Total for Other Charges	35
Total for EXPENDITURES	86,680

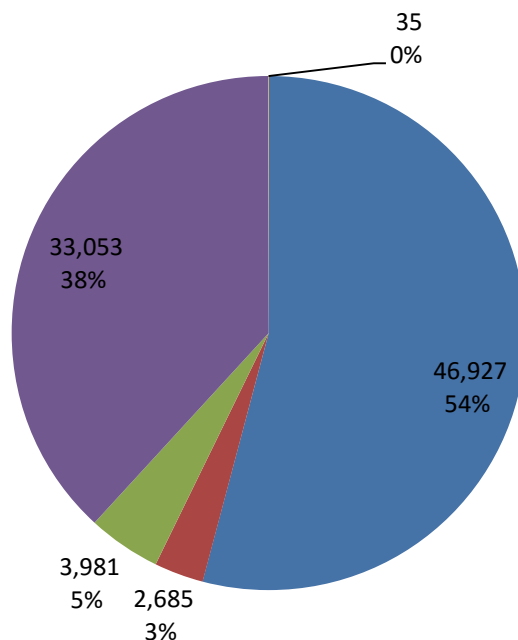
## Total CY15 Revenues

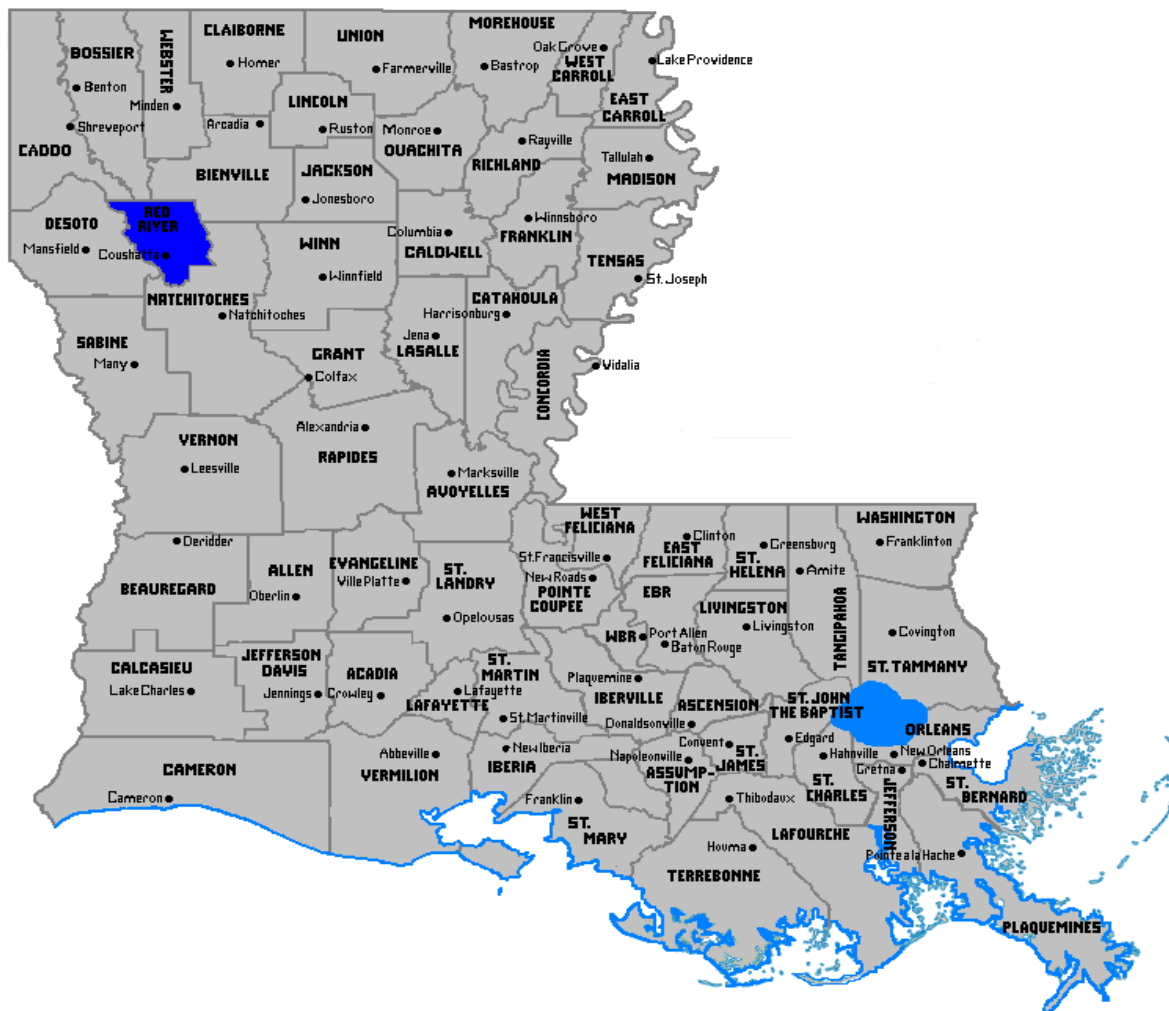
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





# THE 39<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE RED RIVER (COUSHATTA)

DISTRICT DEFENDER: BRIAN MCRAE  
111 N. WASHINGTON STREET  
MANSFIELD, LA 71052  
(318) 872-2973

## 39th JUDICIAL DISTRICT : RED RIVER PARISH

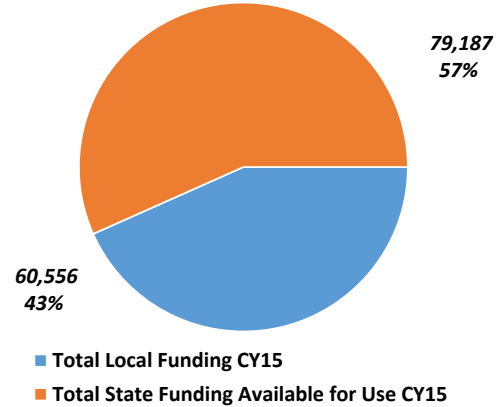
Brian McRae  
District Defender  
111 N. Washington St.  
Mansfield, LA 71052  
318-872-2973

During Calendar Year 2015, the 39th Judicial District Public Defenders Office handled 595 cases. The office received \$139,743 in total revenues to handle these cases, approximately 43% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

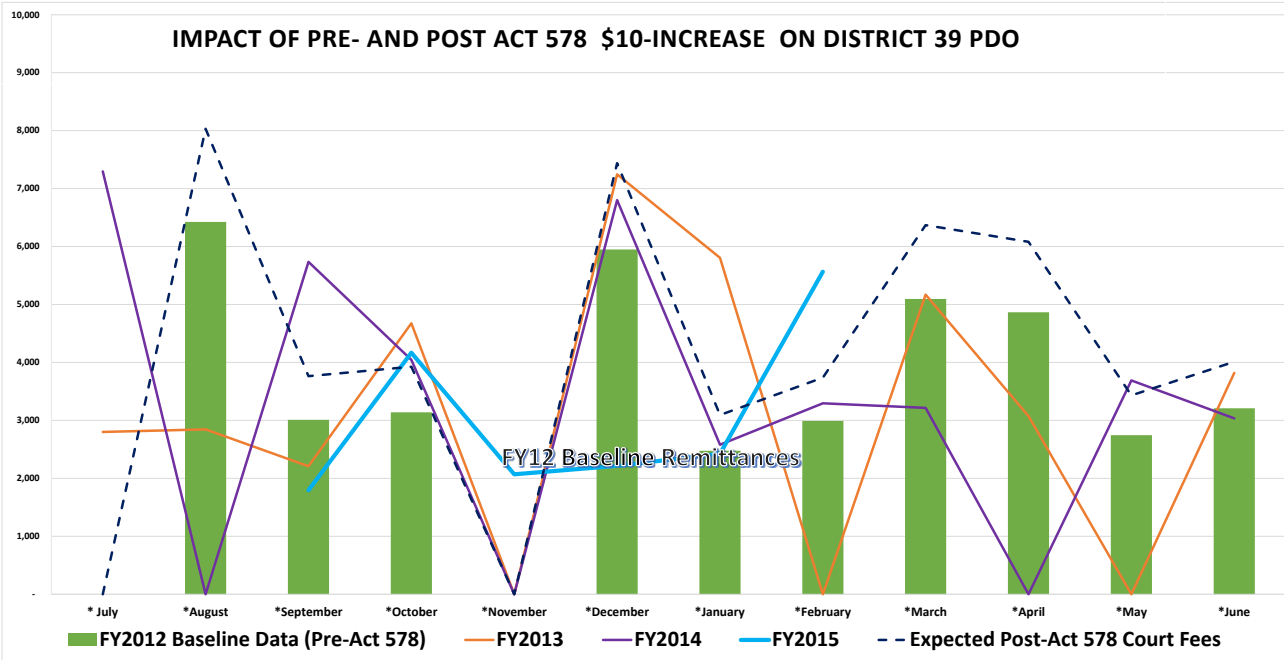
With the exception of a few anomalies, the 39th Judicial District has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

The 39th Judicial District office nearly exhausted its fund balance however additional support from the local police jury and judiciary prevented service restrictions during Calendar Year 2015.

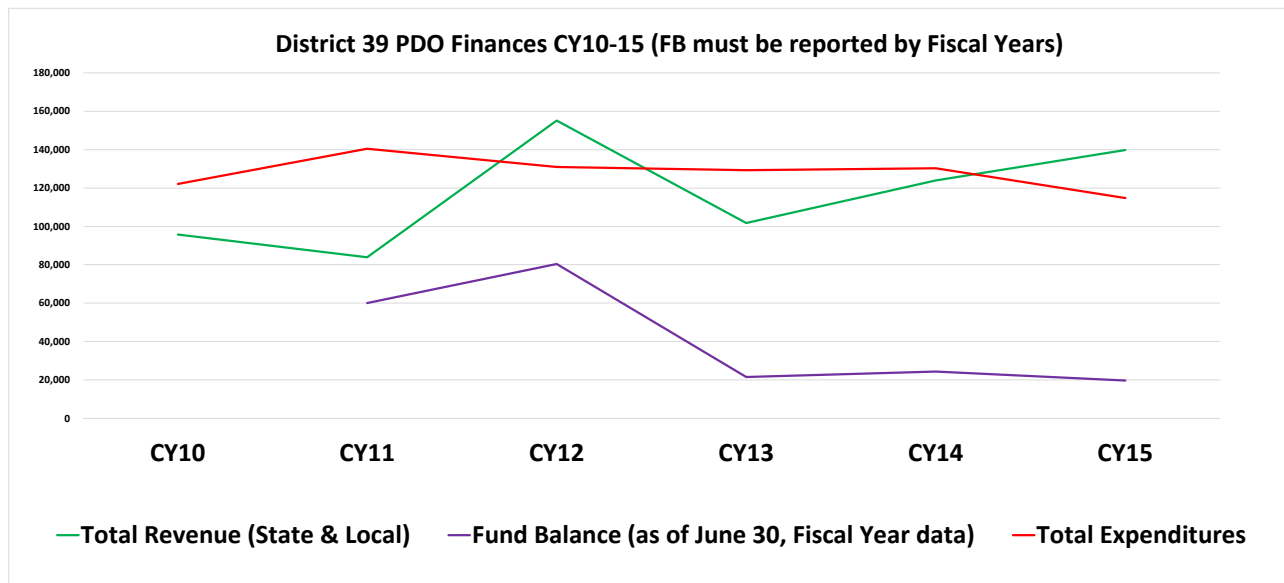
**District 39 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 39 PDO**



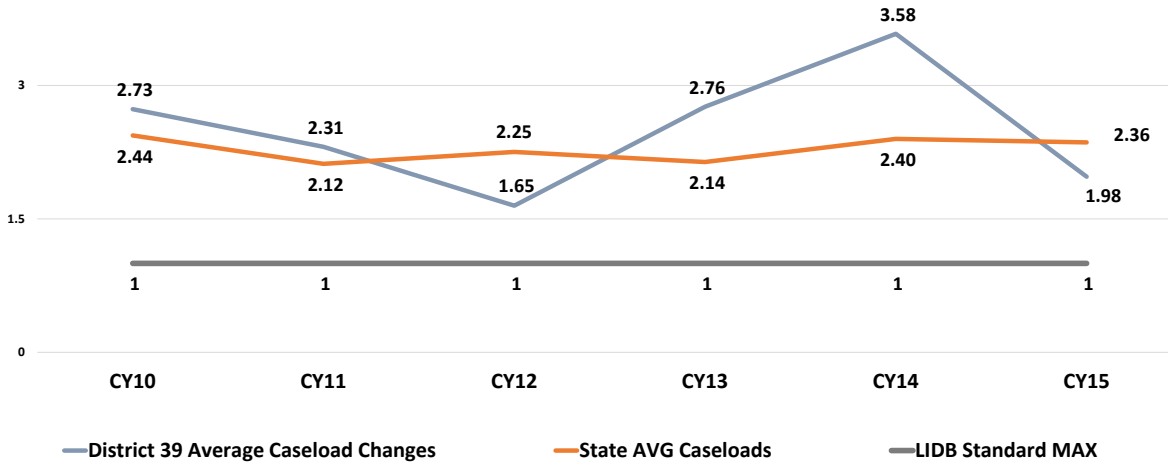
**District 39 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



## 39th JUDICIAL DISTRICT : RED RIVER PARISH

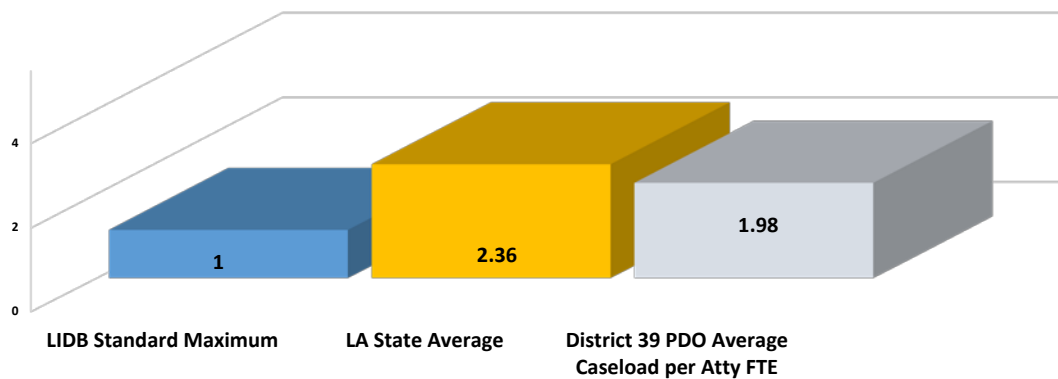
Brian McRae  
District Defender  
111 N. Washington St.  
Mansfield, LA 71052  
318-872-2973

District 39 PDO Average Caseload per Atty FTE



In the 39th Judicial District, public defense attorneys maintain caseloads almost two times the recommended caseload limit for each attorney.

District 39 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 39TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Red River - Coushatta
<b>Population</b>	9,091
<b>Juvenile Population</b>	2,313
<b>District Defender</b>	Brian McRae
<b>Years as District Defender</b>	6
<b>Years in Public Defense</b>	21
<b>Office Manager</b>	Valerie Wells
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Valerie Wells, Data Base Supervisor
<b>Primary Office Street Address</b>	111 N. Washington St.
<b>City</b>	Mansfield
<b>ZIP</b>	71052
<b>Primary Phone</b>	318-872-2973
<b>Primary Mailing Address</b>	P.O. Box 612 Mansfield La. 71052
<b>Primary Fax Number</b>	318-872-6262
<b>Primary Emergency Contact</b>	Brian McRae
<b>Primary Emergency Phone</b>	cell 318-286-2486 Brian McRae
<b>Secondary Emergency Contact</b>	Valerie Wells
<b>Secondary Emergency Phone</b>	cell 318-455-1077
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	Valerie Wells
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Brian McRae
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Donated by Chief Public Defender Brian McRae
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Peggy McCoy
<b>Courts and Locations</b>	District, Coushatta
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	1
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	I have one contract attorney, Scott Kendrick. Cases are assigned once I receive a copy of the 72-hour, the client is interviewed via closed circuit TV and the interview sheet at 72 is forwarded to counsel.
<b>Name of Adult Detention Facilities in This District</b>	Red River Detention Center

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Women are housed in other parish's.
<b>Name of Juvenile Detention Facilities In This District</b>	Ware Youth Center, Coushatta
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Julie Jones
<b>Chief Judge of Criminal District Court</b>	Lewis Sams
<b>Juvenile Court Judges (Specify District of City Court)</b>	Lewis Sams
<b>Drug Court Judges</b>	No
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	No
<b>Name of Specialty and Brief Description:</b>	None
<b>Indigency Determined by Whom and How?</b>	Judge Sams, at 72-hour interview, poverty level of client.
<b>When is Assignment/Appointment of Counsel Made?</b>	At 72 Hour
<b>What steps does your office take to ensure conflict – free representation</b>	Careful review of indigence at 72 hour notice by DD, to identify conflicts. On going review of case developments.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Brian McRae, Chief Defender
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Primarily by teleconference within 72 hours of notice of appointment.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	145
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	1,080
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	29,740
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes



<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Form provided by Red River Sheriffs Department.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Sheriff's Office, per court minutes.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Form provided by Red River Sheriffs Office.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	District Defender makes determination.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Provided by Probations Office/ form.
<b>Who Collects the Assessed Partial Payments?</b>	Peggy McCoy
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Report from Probation Office.
<b>Who Remits the Partial Payments Collected?</b>	Probation Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Report from Probation Office.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted - yes, Criminal Practice yes, Private Practice Policy - no. I have no policy prohibiting a contract attorney from private practice.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	None
<b>Primary Immediate Needs</b>	More Funding
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes, DAF will carry us through.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	More Funding
<b>Long-Term Critical Issue Areas</b>	More Funding
<b>Please List All New Hires in 2015 (Name and Title)</b>	None
<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	None

<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, I pay for seminars and require attendance at LPDB training. I also work individually with attorneys about strategies and approach on particular cases. We also train on the data base. We have quarterly training as well.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Brian McRae, Scott Kendrick, Valerie Wells and Peggy McCoy.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	No
<b>Please Attach Your Office Organizational Chart</b>	Attached
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	N/A
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, monthly for defenders. Weekly for office staff.
<b>Number of NEW capital cases in CY15 handled by your office</b>	0
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	0
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2015</b>	Unknown
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	N/A
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Gerald Long (Senator) Terry Brown and Kenny Cox (Representatives).
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Inability to hire lawyers within the district.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Increased use of investigator services; More aggressive approach to addressing state's factual allegations.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Brian McRae	318-286-2486
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
D. Scott Kendrick	318-354-9146

<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Valerie Wells	318-455-1077
Peggy McCoy	318-932-6206

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Valerie Wells
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b>Operating Systems Used:</b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b>Case Management System(s): Check all that apply</b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b>Productivity Suites Used:</b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b>Accounting Software</b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	

Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	1
VCR	
Desktop PCs	3
Laptops	1
Video Cameras	1
Digital Cameras	
Video Conferencing Systems	1
B&W Laser Printers	
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	High
Provider Name:	cp-tel
Email Provider:	Hotmail, AOL
Please list any software or computer equipment in which you need training:	

### 39th District Defender Office CY 2015 Caseloads & Outcomes

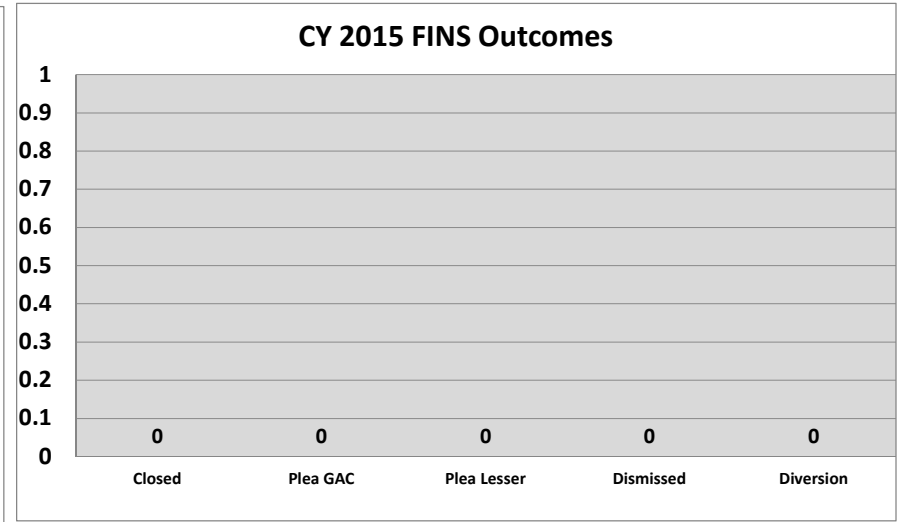
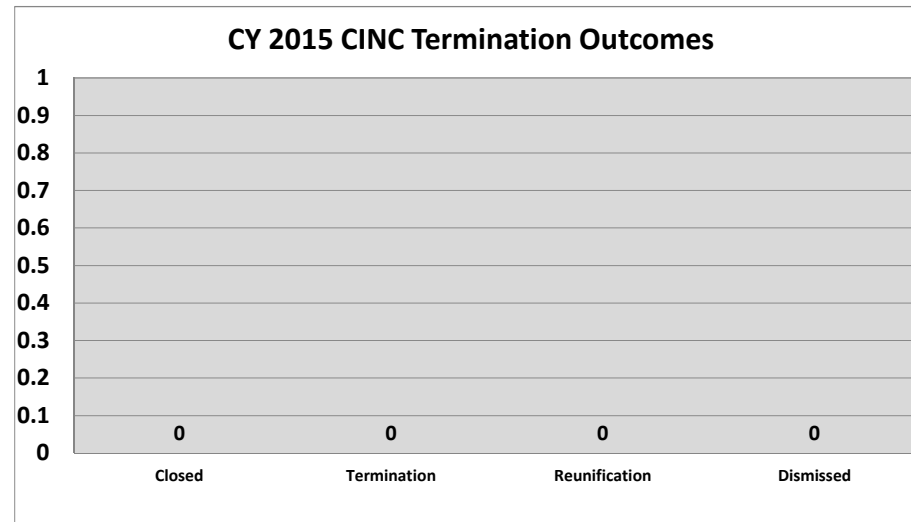
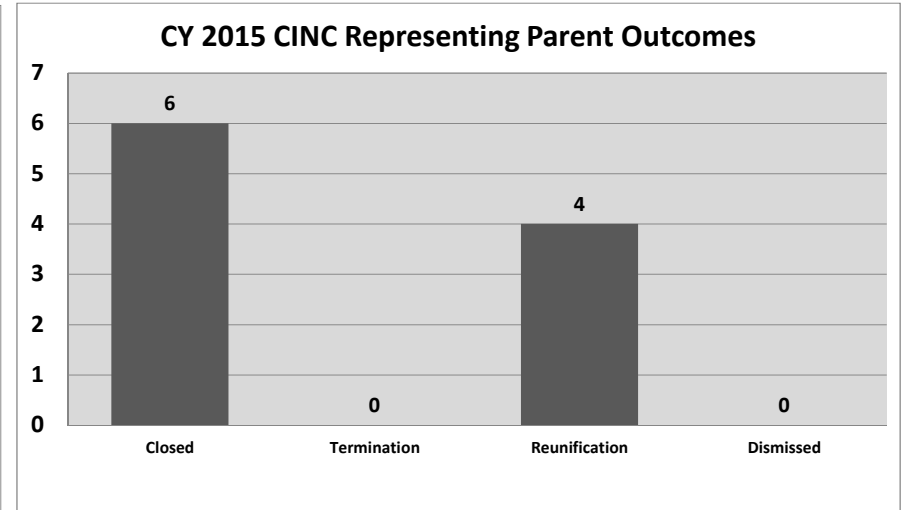
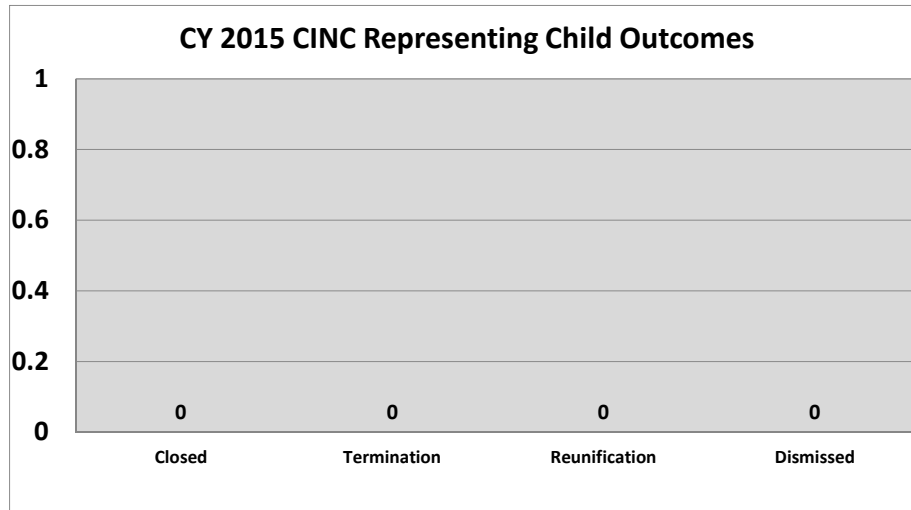
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	6	6	6	12	0	4	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	276	189	38	314	N/A	N/A	136	2	85	15	0	0	2	0	2
Adult Felony Non-LWOP**	175	80	37	212	N/A	N/A	42	14	20	1	0	1	0	2	3
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	42	26	14	56	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	1	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	1	1
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

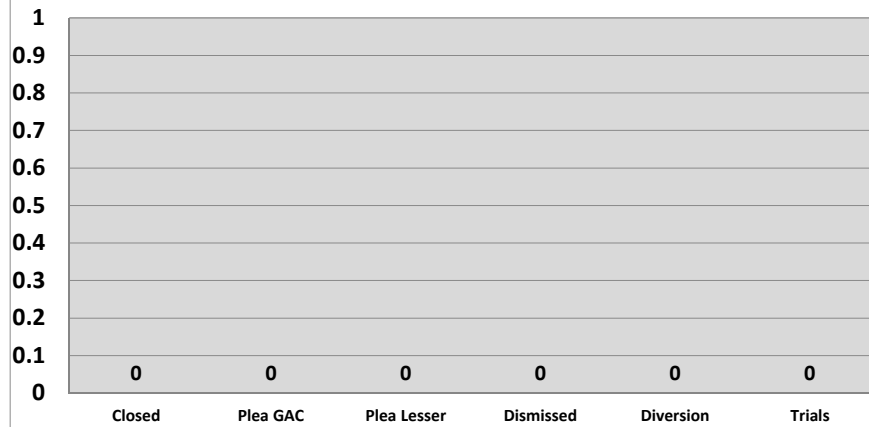
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

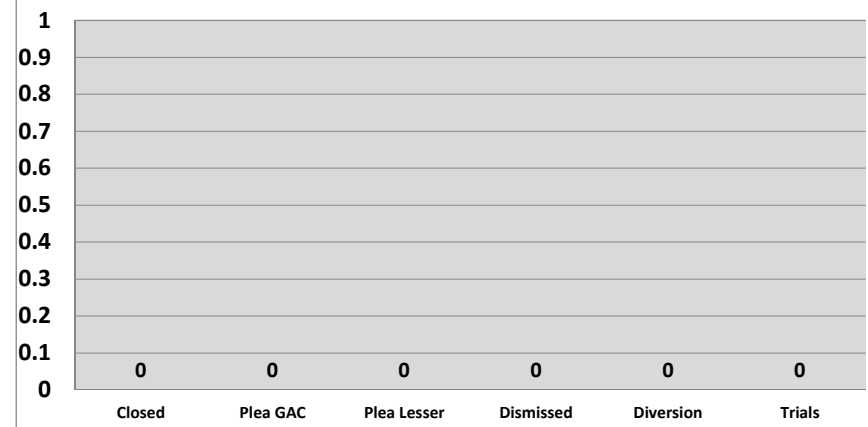
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



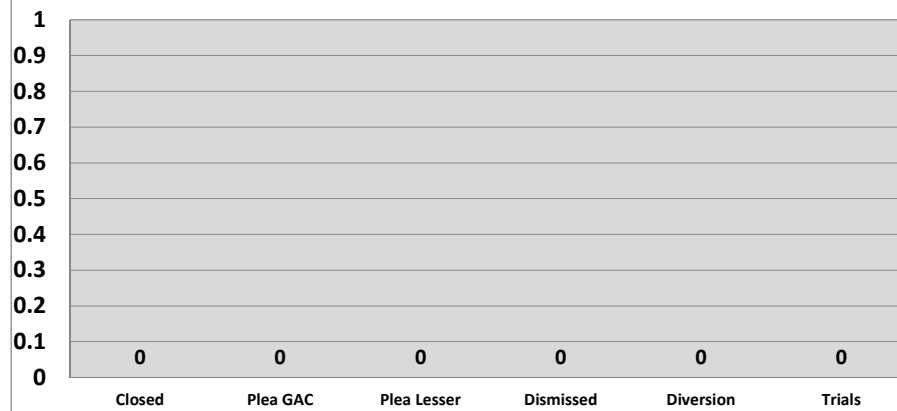
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



**CY 2015 Delinquency Felony-Grade Outcomes**

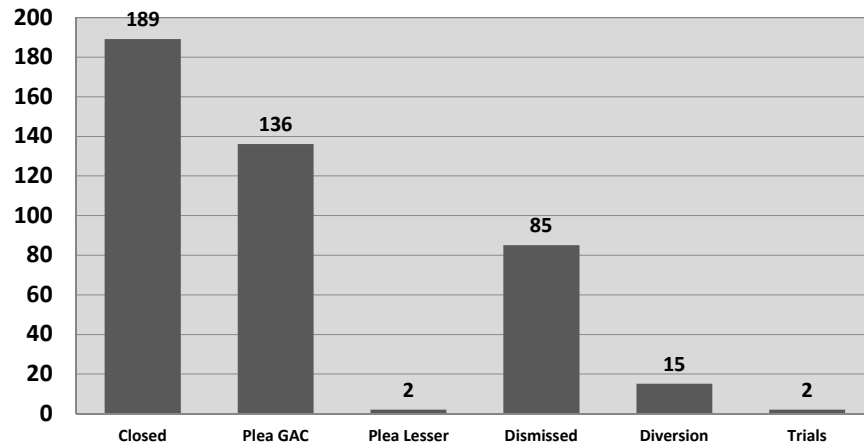


**CY 2015 Delinquency Life Outcomes**

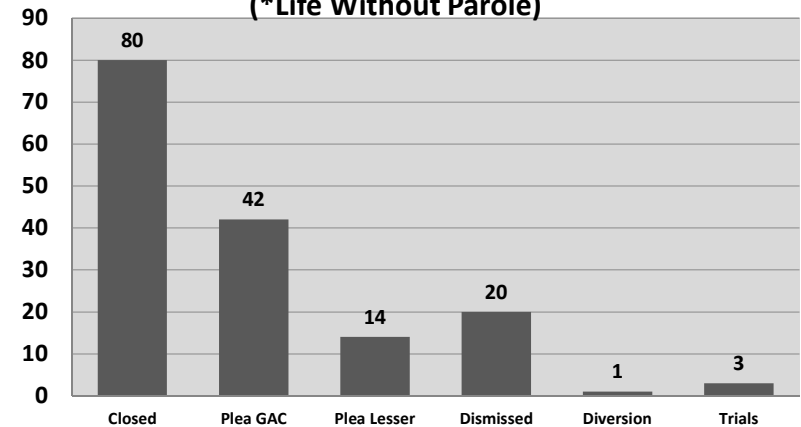




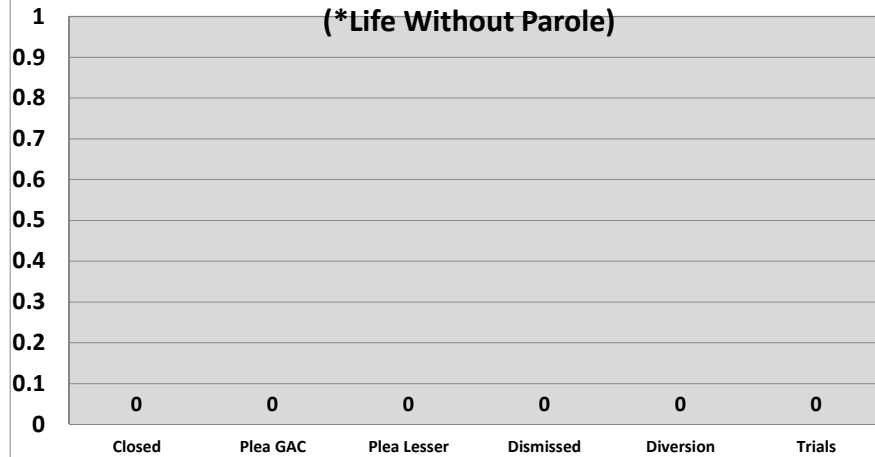
**CY 2015 Adult Misdemeanor Outcomes**



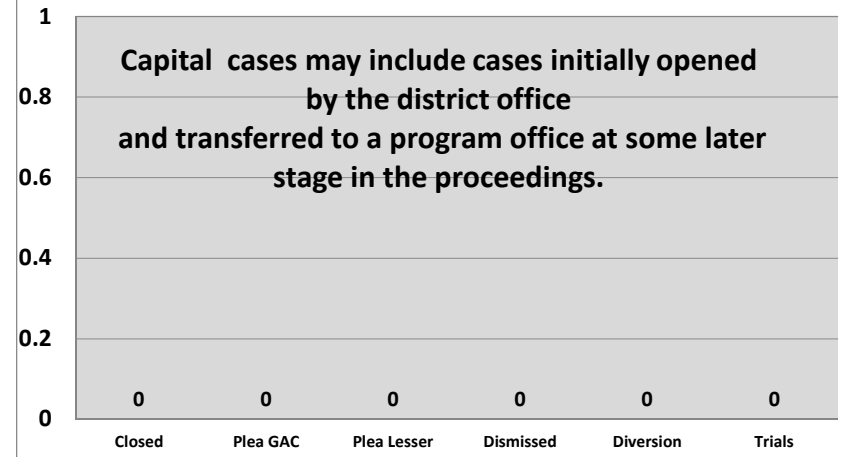
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

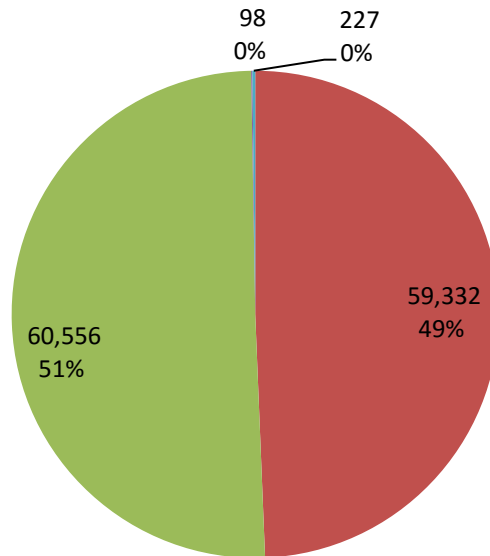


District 39 CY2015	Total CY2015
<b>District Defender: Brian McRae</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	1,256
District Assistance Fund (DAF)	18,367
Supplemental/Emergency Funds	39,709
Grants	-
Other State Income -List source(s)	-
Total for State Government	59,332
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	7,761
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	18,000
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	33,715
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	33,715
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	1,080
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	1,080
Total for Local Government	60,556
Investment Earnings	
Interest Income	98
Other Investment Income - List source(s)	-
Total for Investment Earnings	98
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	227
Total for Other Sources (Grants & Contributions)	227
Total for REVENUE	120,213

District 39 CY2015	Total CY2015
<b>District Defender: Brian McRae</b>	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	47,685
Accrued Leave	-
Payroll Taxes	9,230
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	56,915
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	251
Total for Travel/Training	251
Operating Services	
Advertisements	-
Workers' Compensation	400
Insurance - Malpractice	1,441
Insurance - Auto/Physical Liability	1,009
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	-
Dues and Seminars	-
Law Library/Journals/Subscriptions	-
Office Supplies	23
Total for Operating Services	2,873
Professional Services	
Audit/Accounting Expense	1,000
Contract Clerical	-
Expert Witness	-
Investigators	1,035
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	51,000
IT/Technical Support	1,752
Total for Professional Services	54,786
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
Total for EXPENDITURES	114,825

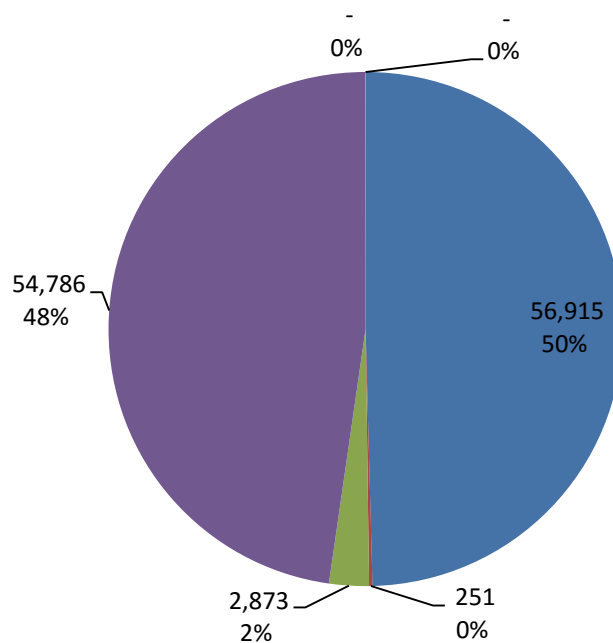
## Total CY15 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





THE 40<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
ST. JOHN THE BAPTIST (EDGARD)

DISTRICT DEFENDER: RICHARD B. STRICKS  
75 DOMINICAN DRIVE, SUITE 202  
LAPLACE, LA 70068-3400  
(985) 651-6677 x 200

## 40th JUDICIAL DISTRICT : ST. JOHN PARISH

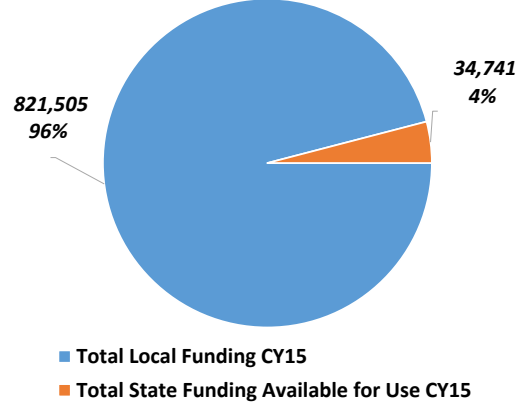
Richard B. Stricks  
District Defender  
75 Dominican Drive, Suite 202  
La Place, LA 70068  
985-651-6677

During Calendar Year 2015, the 40th Judicial District Public Defenders Office handled 3,243 cases. The office has traditionally been self-reliant as 100% of its revenues were derived from local funding which came primarily from traffic tickets and special court costs.

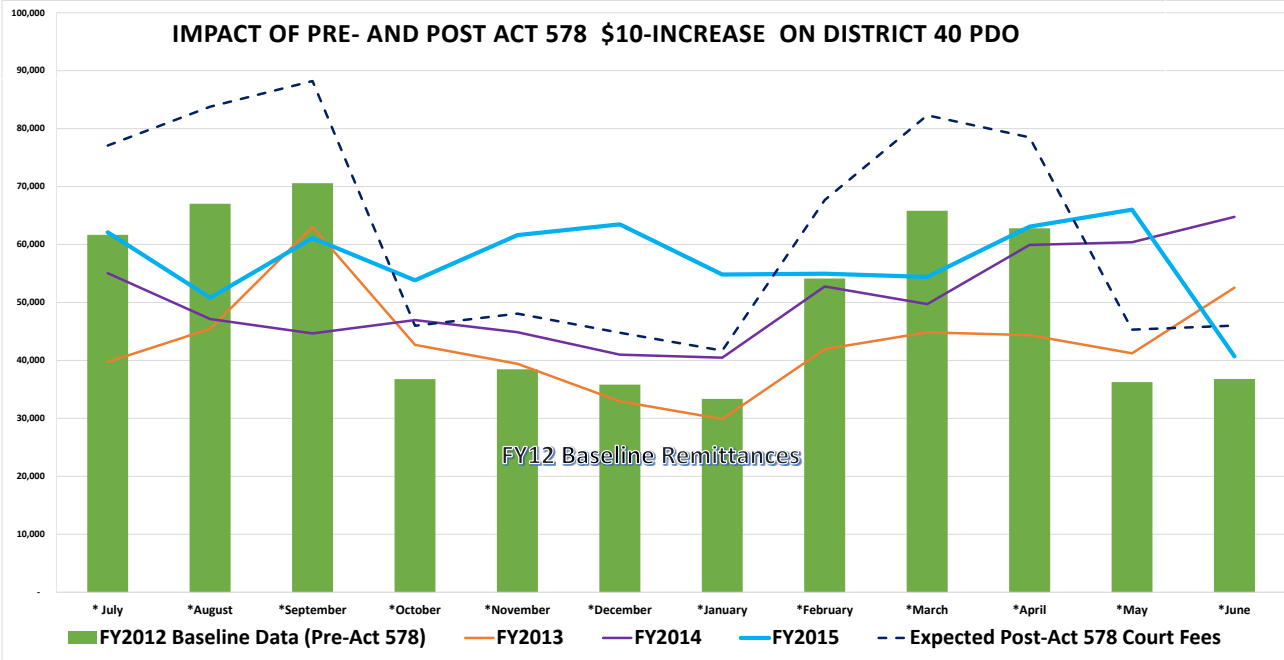
Since the passage of Act 578 (2012) in the 40th Judicial District, the expected 25% increase in local revenues has failed to materialize with the exception of eight months over the past three years.

Between CY11 and CY13, the 40th Judicial District Office's local revenues had decreased, falling well short of covering expenditures. Local revenues had decreased to the extent that in FY14, the State began providing an appropriation to help cover the gap between the district's revenues and expenditures (which accounts for the increase in CY14 revenues.) In FY15, the office once again received state supplemental assistance.

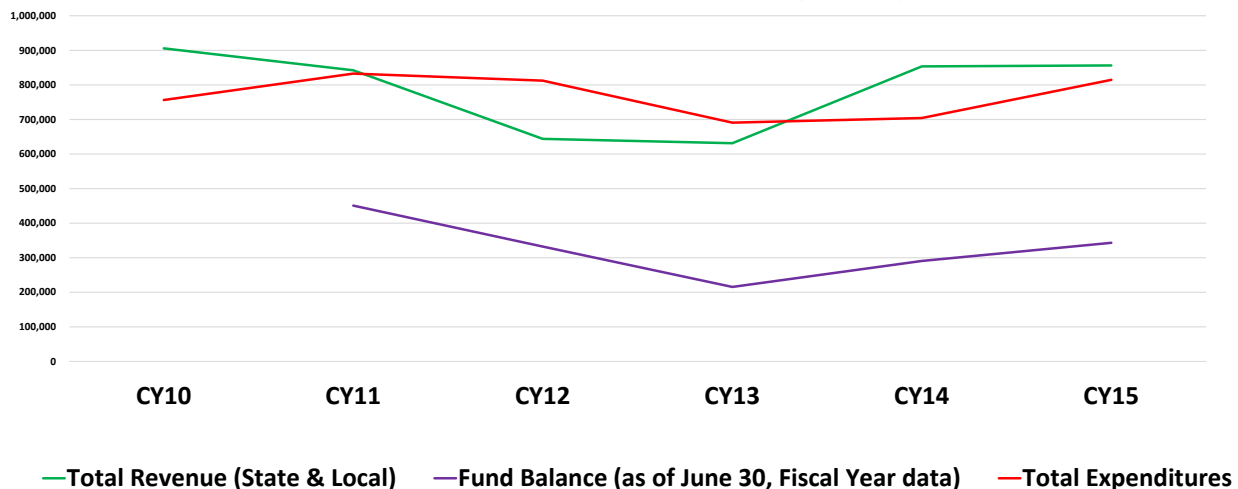
**District 40 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 40 PDO**

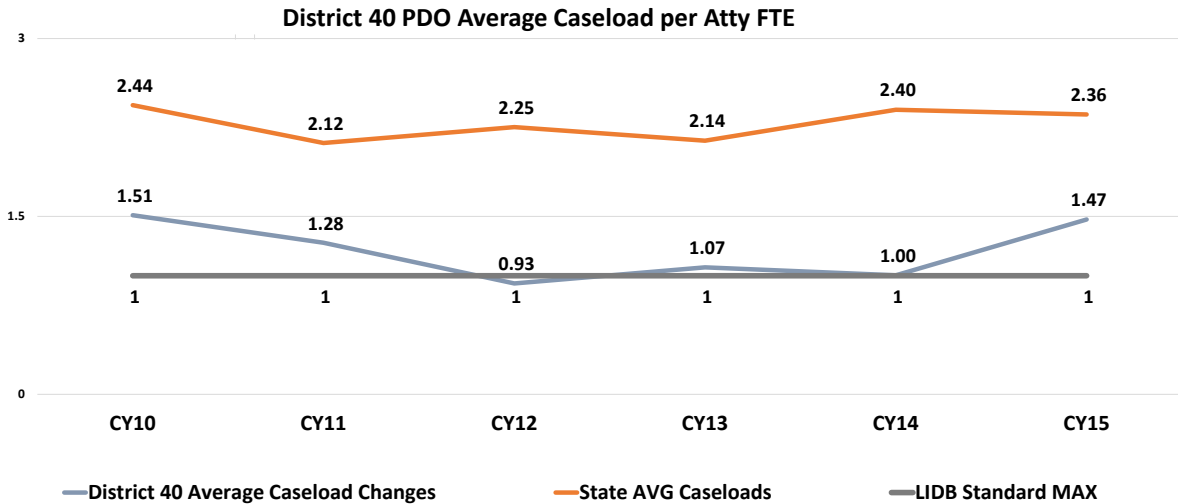


**District 40 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



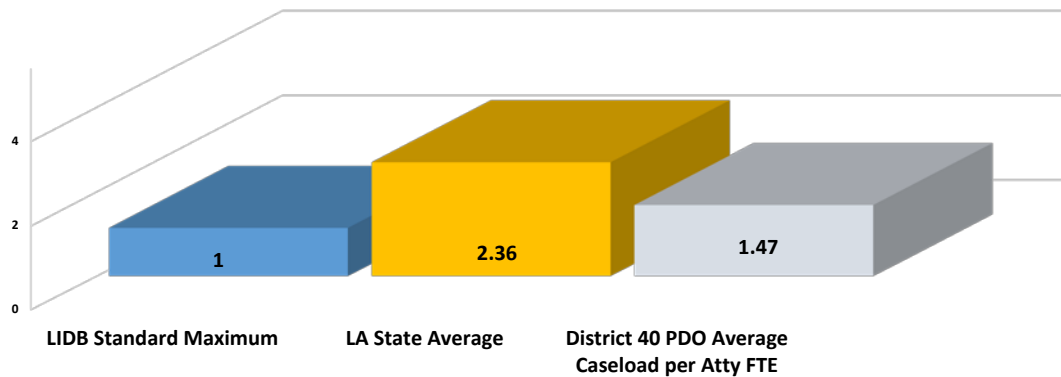
## 40th JUDICIAL DISTRICT : ST. JOHN PARISH

Richard B. Stricks  
District Defender  
75 Dominican Drive, Suite 202  
La Place, LA 70068  
985-651-6677



In the 40th Judicial District, public defense attorneys maintain caseloads in excess of recommended caseload limits for each attorney.

**District 40 PDO Average Caseloads Compared to State Average & State Standard Maximums**



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 40TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. John the Baptist - Edgard
<b>Population</b>	43,745
<b>Juvenile Population</b>	11,024
<b>District Defender</b>	Richard B. Stricks
<b>Years as District Defender</b>	20
<b>Years in Public Defense</b>	20
<b>Office Manager</b>	None
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Ashley A. Bogac, secretarial; Erica N. Carter, secretarial; Diana G. Tambunga, secretarial.
<b>Primary Office Street Address</b>	75 Dominican Drive, Suite 202
<b>City</b>	La Place
<b>ZIP</b>	70068-3400
<b>Primary Phone</b>	985-651-6677 ext. 200
<b>Primary Mailing Address</b>	Same as primary office street address.
<b>Primary Fax Number</b>	985-651-5800
<b>Primary Emergency Contact</b>	Richard B. Stricks
<b>Primary Emergency Phone</b>	cell: 504-559-1434
<b>Secondary Emergency Contact</b>	Ashley A. Bogac, Erica N. Carter, or Diana G. Tambunga
<b>Secondary Emergency Phone</b>	cell: 504-982-4001, cell: 504-813-2328, or cell: 504-462-8577
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Cypress Property Management, Henry W. Tatje III, Managing Partner (lessor).
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$1200 office space rent, \$135 file storage space rent, and \$620 utilities, including phone, long distance, electricity, postage, and internet connections.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes; except that the annual audit is handled by Keith M. Rivere, CPA
<b>Courts and Locations</b>	District Court is located in Edgard (West Bank); Annex Courthouse is located in La Place (East Bank).
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Three Divisions of Court. Each Division holds court in both the District and Annex Courthouses.



<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	According to a pre-set grid or table, the cases are generally divided among the lawyers based on the division of court and the last digit of the case number. Example: In each division of court, the cases that end in an odd digit are normally assigned to one attorney and those ending in an even digit are assigned to another. When a defendant has more than one case in a division of court, the same lawyer is assigned to all such cases. When there are more than two clients in any case, the lawyers who handle cases in another division of court are assigned according to that grid. A copy of the grid has been attached to the electronic version of the district narrative.
<b>Name of Adult Detention Facilities in This District</b>	1. Sherman Walker Correctional Center; 2. St. John the Baptist Parish Jail ("old jail"); Both are located in La Place.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	For security reasons, some St. John inmates are housed in other parishes, including Nelson Coleman Correction Center in St. Charles Parish, Tangipahoa Parish Jail, and Concordia Parish Correctional Center.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Assumption Parish Youth Detention Center; Napoleonville, Louisiana.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes; to get to the Youth Detention Center from the Public Defenders Office requires approximately 2 hours and is a 85.2 miles round trip.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No; due to the efforts of the juvenile Public Defenders, this practice has stopped. The juveniles are transported to the courthouse shackled, but they are unshackled for the court appearances.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Yes; Attorney/Client visitation areas are very unsatisfactory. They are noisy and communications between attorneys and clients can be heard outside of the immediate area. The hours for attorney visitation are restricted, limited to only 6 hours per day, 3 hours in the morning and 3 hours in the afternoon, with a 2 hour break in between. Attorney visitation during weekends and holidays is also restricted and requires advanced permission from the warden.
<b>District Attorney</b>	Bridget Dinvaut
<b>Chief Judge of Criminal District Court</b>	Rotates annually; 2015 = Judge Mary Hotard Becnel; 2016 = Judge J. Sterling Snowdy; 2017 = Judge Madeline Jasmine.
<b>Juvenile Court Judges (Specify District of City Court)</b>	Division A- Judge Madeline Jasmine; Division B= Judge Mary Hotard Becnel; Division C= Judge Sterling J. Snowdy; All are District Court Judges
<b>Drug Court Judges</b>	Judge Madeline Jasmine
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	Yes

<b>Name of Specialty and Brief Description:</b>	<p>Truancy Court. The judge reviews the attendance of juveniles registered in schools of St. John the Baptist Parish, including absences and tardiness. Nearly 80% of cases are resolved during the initial stage, where the judge orders that both the juvenile and the parent comply with the attendance policy of the school. At a subsequent date, if the juvenile is not in compliance, the FINS coordinator files a truancy petition alleging that the juvenile is either not attending school or has a substantial amount of tardiness. If the District Attorney determines that the parent is at fault, a misdemeanor charge of improper supervision may be filed against him/her and a trial may be held in truancy or misdemeanor court. Judge Mary Hotard Becnel presides over Truancy Court.</p>
<b>Indigency Determined by Whom and How?</b>	<p>Every Thursday, during office hours, the Public Defender Office takes applications from persons who are not incarcerated and who are seeking a public defender. The applicant is questioned using a standardized application form, which may be longer depending on the financial circumstances. The sworn application is reviewed by the District Defender who then either assigns counsel or files a certification of ineligibility. Both the "Affidavit of Poverty and Application for Public Defender Services" (short form) and the "Application for Public Defender Services" (long form) have been attached to the electronic version of the district narrative. Also the "Notice of Assignment of Counsel" and the "Certification Regarding Eligibility for the Services of a Public Defender" have been attached to the electronic version of the district narrative.</p>
<b>When is Assignment/Appointment of Counsel Made?</b>	<p>Within 72 hours after arrest, the duty judge speaks to the inmates by telephone or by video. An order appointing counsel is faxed to the PDO. The District Public Defender is appointed by name to all cases. He or an investigator does the initial jail visit to assign a line defender, generally within 3 judicial days. The incarcerated client is given a paper with information about applying for services upon release on bail and the name and phone number (free, not collect, calls) of the line defender who is assigned. That information is also filed into the court record. For those who post bail, counsel is assigned after a formal application is made (see previous answer).</p>
<b>What steps does your office take to ensure conflict – free representation</b>	<p>At intake, item numbers are cross-checked to determine whether more than one party is charged. We review police documents for names of witnesses and victims to see if they are charged in cases assigned to the PDO. We require that the lawyers immediately report if they perceive a conflict of any type. Members of the private bar have agreed to accept cases when the District Defender anticipates a conflict requiring "outside counsel."</p>

<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	When the order appointing counsel is received at the PDO, or after formal application, the information is entered into the database by either Ashley A. Bogac, secretary, Erica N. Carter, secretary, or Diana G. Tambunga, secretary.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	The lawyers have access to a multi-page interview sheet to use when conducting client interviews at the jail. The first jail visit is done by the District Defender, during which data is entered into the database and notes are made. In most misdemeanor cases, no formal interview sheet is used for initial interviews. A copy of the interview sheet has been attached to the electronic version of the district narrative, labeled Exhibit A.
<b>Brief Explanation of Intake Process</b>	The lawyers have access to a multi-page interview sheet to use when conducting client interviews at the jail. The first jail visit is done by the District Defender, during which data is entered into the database and notes are made. A line defender is assigned by the District Defender. A copy of the interview sheet has been attached to the electronic version of the district narrative, labeled Exhibit A.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	Approximately 454
<b>How Many Application Fees Were Waived?</b>	Unknown; the requirements that applications be made and application fees be paid are waived while defendants are incarcerated. It is also waived when a defendant has applied and been approved in an open, pending case, and is subsequently charged in a new case. Only then is the fee waived in the second case.
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	\$12,223
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No; except when reported as delinquent debt to the Office of Debt Recovery. Only then is the application fee collected by the Louisiana Department of Revenue.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	\$741,258 (approximately 86% of PDO's revenue in 2015).
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes; except in some cases, where a term of incarceration, without suspension, is actually imposed. If a client is arrested for failing to appear in court to prove that they have paid the court costs, the appointed lawyer may request credit for time served, in lieu of payment, in which case, the money is not collected. However, lately, the DA opposes this and the judges will then not grant the request.

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	In those cases handled by a Public Defender, information is received from the line defender or by review of the court minutes, which is routinely done by the clerical staff. Ordered fees, over and above the mandatory \$45 court fee, are entered into the database from this information. A collection letter is then sent out to the client and followed up by a report to the Louisiana Department of Revenue's Office of Debt Recovery if said fees are not paid in a timely manner.
<b>Who Collects the Assessed Court Fees?</b>	As to the mandatory \$45 court fee, the sheriff collects the funds and distributes them monthly. Other court ordered fees are collected directly from the clients at the Public Defender Office or by a probation officer.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	As to the mandatory \$45 court fee, a monthly statement is received from the sheriff specifying the amount collected. The Sheriff provides a form similar to that created by the LPDB. The District Attorney provides a print-out of costs collected in connection with bond forfeitures.
<b>Who Remits the Court Fees Collected?</b>	Court Costs, including the mandatory \$45 court fee, are distributed by the sheriff.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	As to the mandatory \$45 court fee, a monthly statement is received from the sheriff specifying the amount distributed. Ordered fees, over and above the mandatory \$45 court fee, are entered into the database when received.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	At the time of application, if the answers to the financial inquiries indicate that the defendant is partially indigent, he/she is requested by the District Defender to pay a set amount based on the type of case (\$550 for a felony, \$250 for a misdemeanor) to defray the costs of representation by the PDO, if that can be paid without creating a substantial financial hardship to him/herself or to his/her dependent(s).
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	A record is made at the time of the application and certification is submitted to the judge. If the judge orders the payment, it is entered into the database as an ordered fee by either Ashley A. Bogac, Erica N. Carter, or Diana G. Tambunga.
<b>Who Collects the Assessed Partial Payments?</b>	The PDO staff collects the assessed partial payments.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	A receipt is given and the payment is entered into the database by PDO staff.
<b>Who Remits the Partial Payments Collected?</b>	The clients, either in person or by mail, remit the payments.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	See above.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	34,787
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Yes; Yes.

<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes. Copies of the "Independent Contractor Agreement" effective July 1, 2015 and the "Guidelines for District Personnel Associated with the 40th Judicial District Public Defender Office" effective July 1, 2015 have been attached to the electronic version of the district narrative, both labeled Exhibit B.
<b>Primary Immediate Needs</b>	Reinstatement of expert testing funds for all felonies, maintaining traffic ticket issuances and collections at current (2015) levels.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	N/A
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Monthly fluctuation of locally generated funds, particularly court cost (special assessments) and the capital and non-capital cases involving Brian Smith, Kyle Joekel, and Charles McQuarter III.
<b>Long-Term Critical Issue Areas</b>	Monthly fluctuation of locally generated funds, particularly court cost (special assessments) and capital cases.
<b>Please List All New Hires in 2015 (Name and Title)</b>	Erica N. Carter - receptionist/secretarial; Lashanda Q. Webb - contract attorney; Cherry Roberts-Matherne - summer intern
<b>Please List All Promotions in 2015 (Name and Title)</b>	Lisa M. Parker - supervisory position
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	1
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, principally on a case by case basis and at monthly meetings of the District Personnel.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	In addition to the District Defender, Lisa M. Parker has been given some supervisory duties.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	Erica N. Carter - receptionist/secretary
<b>Please Attach Your Office Organizational Chart</b>	In development.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	The District Defender has agreed to limit Lisa M. Parker's caseload to principally two divisions of court.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None; all dental and medical insurance benefits have been eliminated. There is no employer contribution for health insurance.
<b>Regular Meetings for Any Staff, Please Describe</b>	There is a meeting of the District Personnel usually on the last Wednesday of each month, ten months of the year (excluding November and December).

<b>Number of NEW capital cases in CY15 handled by your office</b>	None
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	Four; however, 3 of these cases, Brian Smith, Kyle Joekel, and Charles McQuarter, are now being handled by the Capital Defender Programs. Only 1, Dracier Dewey, is being handled by the PDO, but he is no longer facing the death penalty.
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	1
<b>Number of Writs Your District Handled in 2015</b>	4
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Initially juvenile defenders are assigned; they coordinate with the adult defenders.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	State Representatives: Clay Schexnayder, District 81, Gregory A. Miller, District 56, Randal L. Gaines, District 57; State Senators: Troy Brown, District 2, Gary Smith, District 19
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	With only one closed attorney booth at the jail, there is a lack of private facilities for more than one attorney to interview clients at the jail. Also, there are restrictive time limitations at the jail for the attorneys to meet with their clients. Elimination of the Reserve/Edgard Ferry now requires a 48 mile round trip to the Edgard court house from the office.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Monthly monitoring of Sheriff's Office activity regarding traffic ticket issuance and jail visitation conditions; meeting monthly with the District Attorney regarding a broad range of issues including finances and individual cases; and recruiting lawyers with jury trial experience.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Richard B. Stricks	985-651-6677 ext 201
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Ambres, Kevin L.	985-651-3838
Fontella D. Baker	504-628-7538
Eric R. Goza	225-926-6384
Leigh Ann Rood	504-451-6830
Victor M. Ortiz	985-651-6677 ext 202
Webb, Lashanda	504-717-3497
Mengisen, Annika K.	504-913-5234
Whitworth, Matthew J.	504-491-0225

Parker, Lisa M.	985-651-6677 ext 204
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Ashley A. Bogac	985-651-6677 ext 203
Don Carter	504-559-5871
Diana G. Tambunga	985-651-6677 ext 205
Cheryl R. Taylor	985-359-8947
Gregory Scott	985-487-3383
Carter, Erica	985-651-6677 ext 200

## 2015 District Office Technology Survey

<p>The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.</p>	
<b>Survey Completer's Name</b>	Richard B. Stricks
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	x
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	x
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	x



Microsoft Edge	x
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	0; some laptops and all desktops have DVD player capabilities.
VCR	
Desktop PCs	7
Laptops	12
Video Cameras	
Digital Cameras	
Video Conferencing Systems	3
B&W Laser Printers	2
Color Printers	2
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	1
	1 B&W Inkjet Printer
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	download speed: 35.49 Mbps; upload speed: 2.35 Mbps
Provider Name:	Reserve Telecommunications (RTC)
Email Provider:	GoDaddy.com
Please list any software or computer equipment in which you need training:	Excel & Database training

### 40th District Defender Office CY 2015 Caseloads & Outcomes

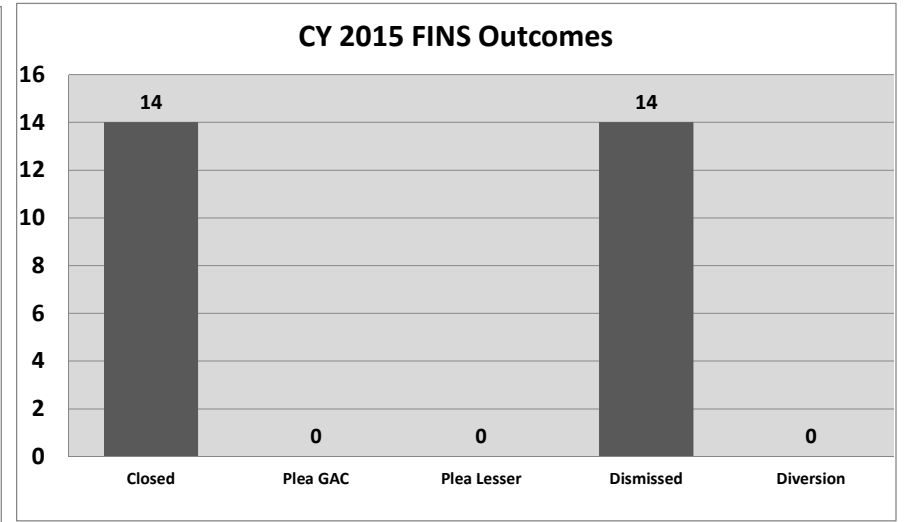
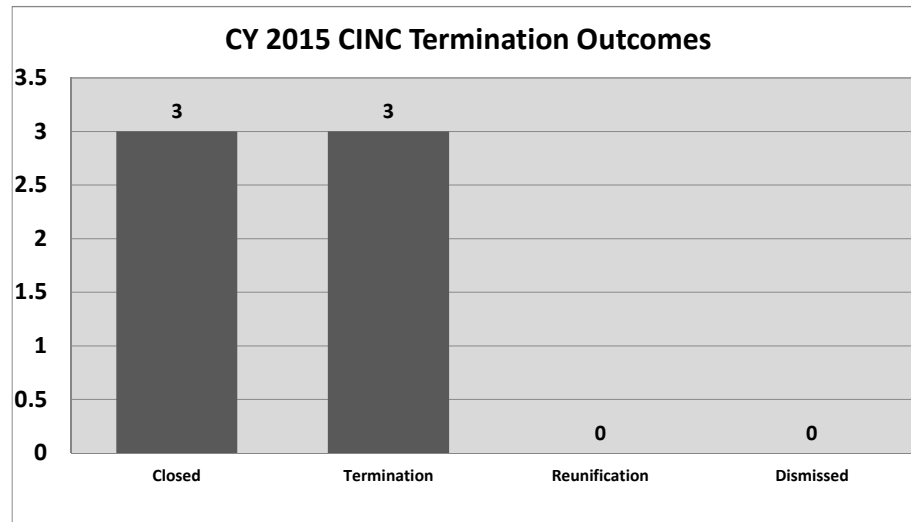
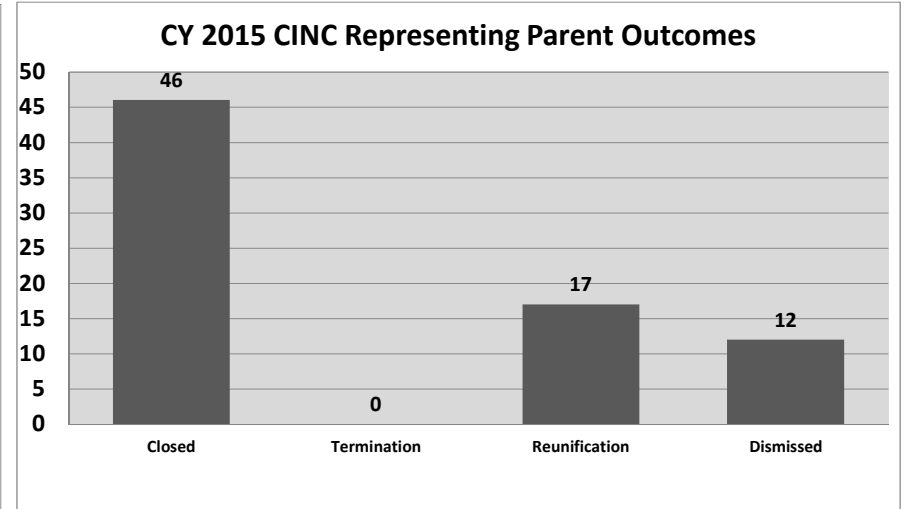
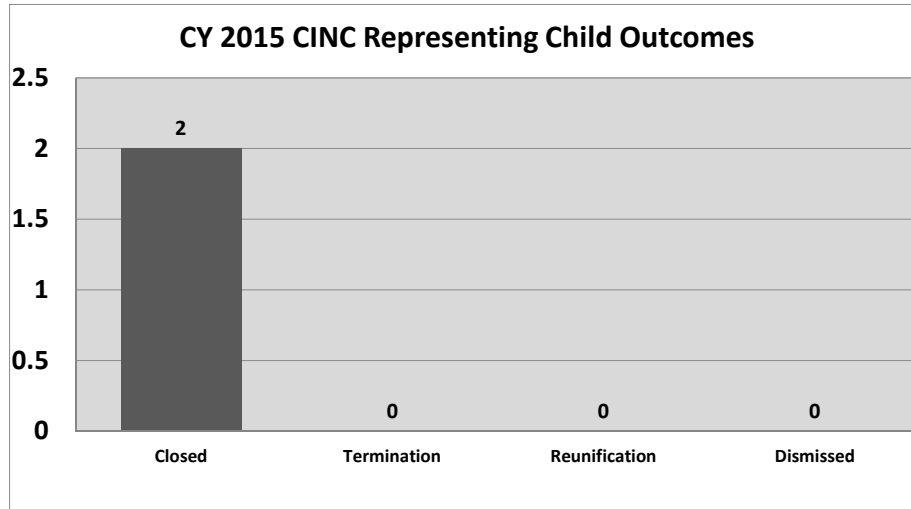
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	14	20	14	28	N/A	N/A	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	1	2	1	2	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	23	46	44	67	0	17	N/A	N/A	12	N/A	N/A	N/A	N/A	N/A	0
Termination	4	3	10	14	3	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	35	14	10	45	N/A	N/A	0	0	14	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	104	37	37	141	N/A	N/A	4	0	38	6	N/A	N/A	0	1	1
Delinquency Felony	53	13	15	68	N/A	N/A	0	0	10	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	947	1058	740	1687	N/A	N/A	326	21	706	2	0	0	1	7	8
Adult Felony Non-LWOP**	470	672	659	1129	N/A	N/A	125	82	237	1	0	0	0	1	1
Adult LWOP	1	11	17	18	N/A	N/A	4	2	3	0	0	0	0	0	0
Capital***	0	3	5	5	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	13	66	23	36	N/A	N/A	0	0	1	0	N/A	N/A	N/A	N/A	0
PCR	0	0	3	3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

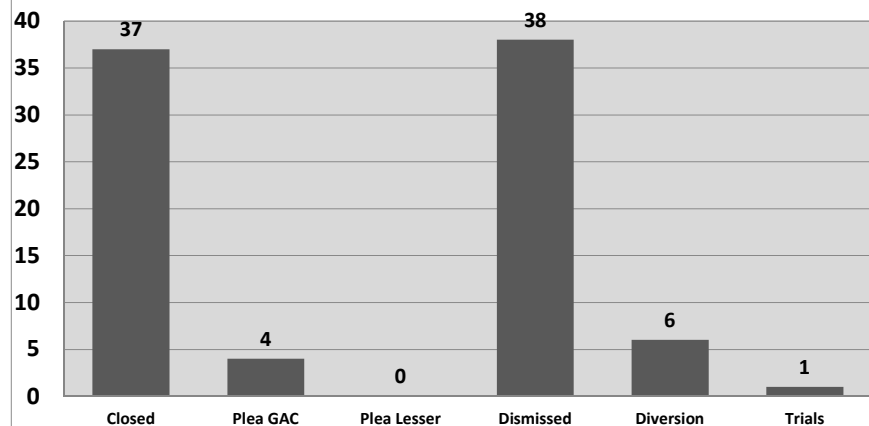
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

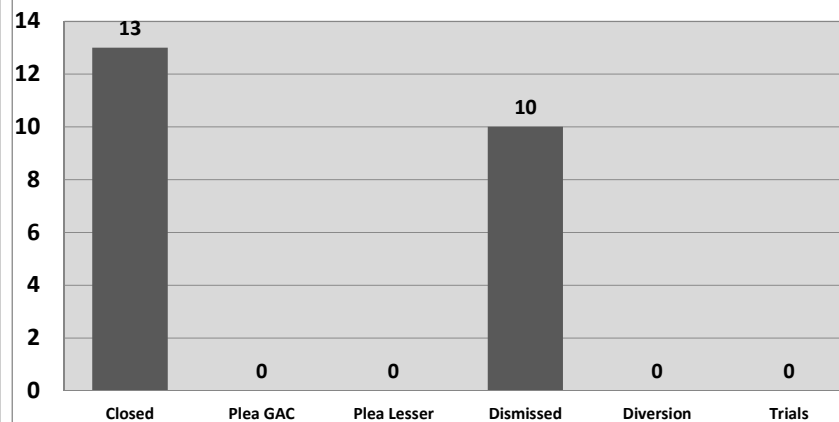
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



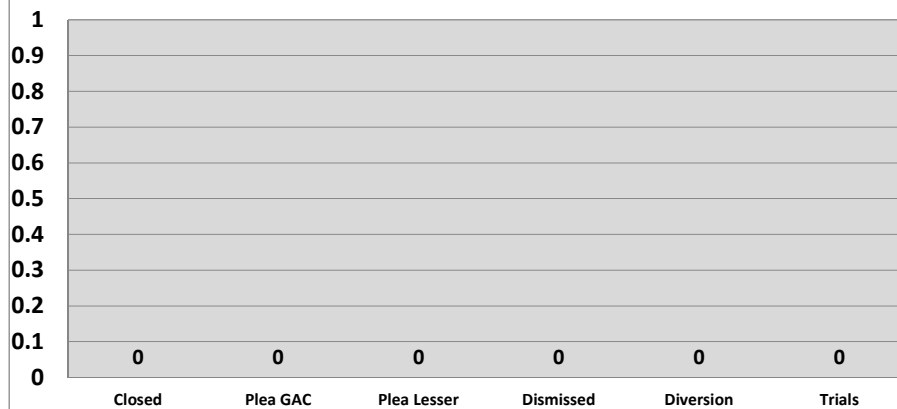
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**

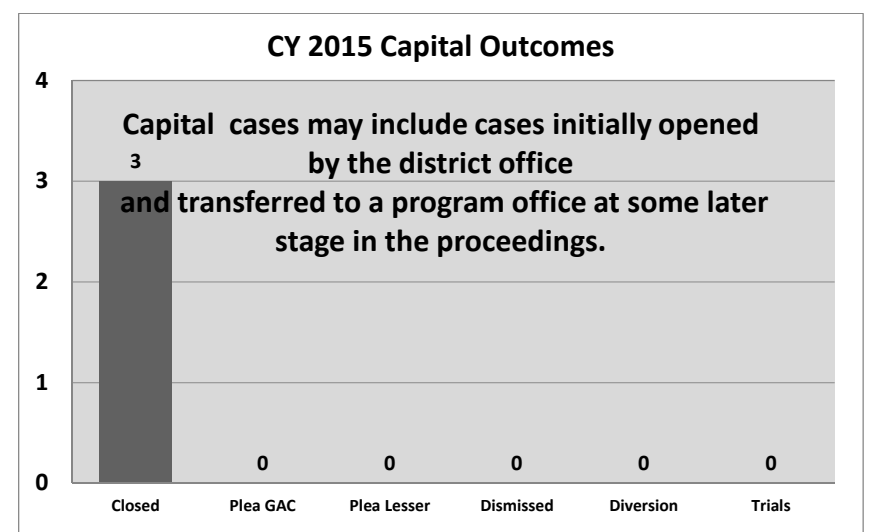
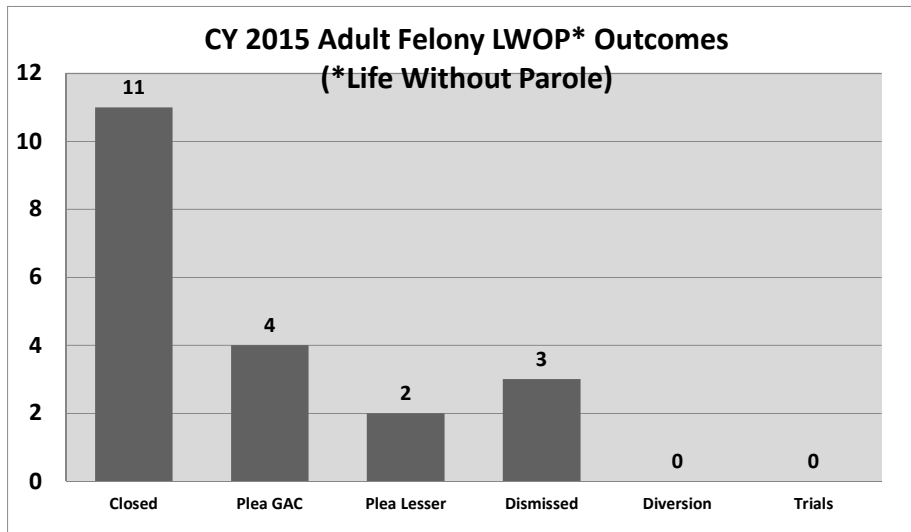
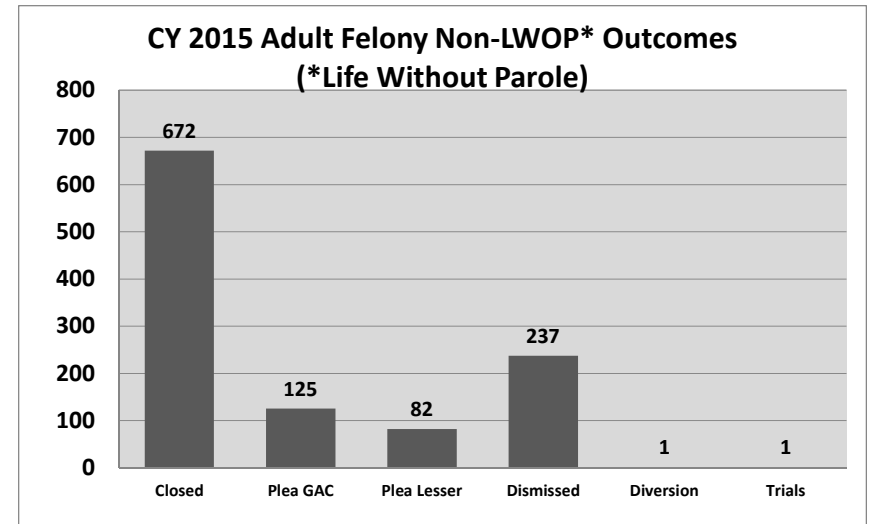
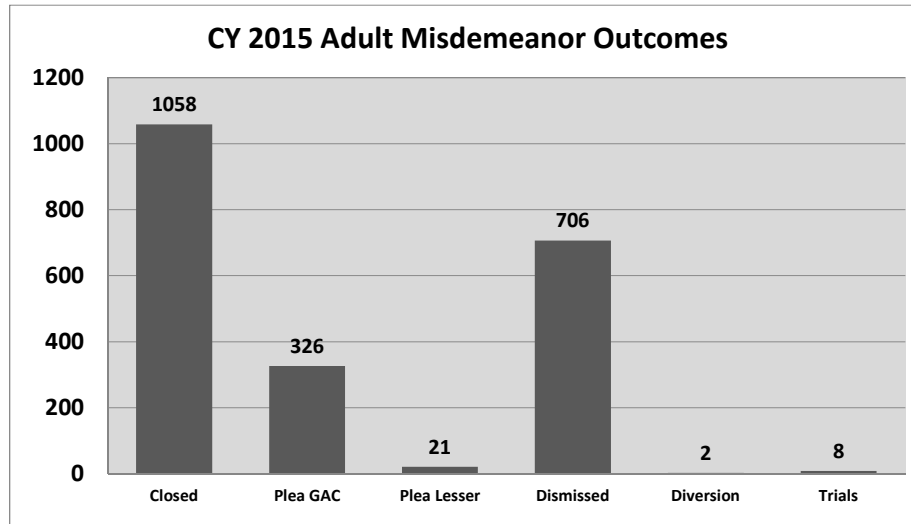


**CY 2015 Delinquency Felony-Grade Outcomes**



**CY 2015 Delinquency Life Outcomes**



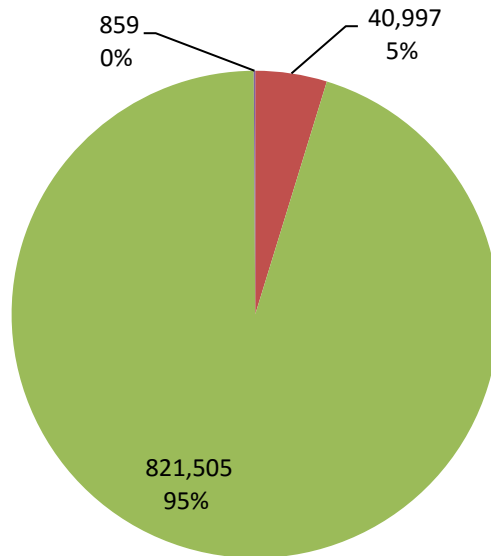


District 40 CY2015	Total CY2015
District Defender: Richard Stricks	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	7,408
District Assistance Fund (DAF)	27,757
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	5,832
Total for State Government	40,997
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	32,557
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	28,734
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	3,406
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	286,622
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	454,635
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	180
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	741,438
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	12,223
Partial Attorney Fees	
Reimbursements [as per 15:176]	2,230
Other Reimbursements	287
Other Local Income -List source(s)	630
Total for Charges For Services	15,370
Total for Local Government	821,505
Investment Earnings	
Interest Income	859
Other Investment Income - List source(s)	-
Total for Investment Earnings	859
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	863,361

District 40 CY2015	Total CY2015
District Defender: Richard Stricks	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	301,460
Accrued Leave	-
Payroll Taxes	22,779
Hospitalization and Disability Insurance	-
Retirement	-
Other	2,542
Total for Personnel Services and Benefits	326,781
Travel/Training	
Parking/Auto Tolls	72
Travel/Lodging/Per Diem/Mileage	3,898
Total for Travel/Training	3,970
Operating Services	
Advertisements	81
Workers' Compensation	1,568
Insurance - Malpractice	9,104
Insurance - Auto/Physical Liability	2,139
Insurance - Other	-
Lease - Office	14,400
Lease - Auto/Equipment	2,916
Lease - Other	1,791
Office Repair and Maintenance	4,244
Office - Telephone/Utilities/Postage/Internet	7,765
Dues and Seminars	2,910
Law Library/Journals/Subscriptions	526
Office Supplies	2,666
Total for Operating Services	50,108
Professional Services	
Audit/Accounting Expense	7,000
Contract Clerical	-
Expert Witness	8,438
Investigators	39,134
Interpreters	552
Social Workers	-
Capital Representation	-
Conflict	5,350
Contract - Juvenile Attorneys or CINC	101,107
Misdemeanor Attorney Contracts	20,954
Contract Attorneys - all other	239,158
IT/Technical Support	6,271
Total for Professional Services	427,963
Capital Outlay	
Major Acquisitions	1,599
Total for Capital Outlay	1,599
Other Charges	
Other Operating Expenses	4,246
Total for Other Charges	4,246
Total for EXPENDITURES	814,666

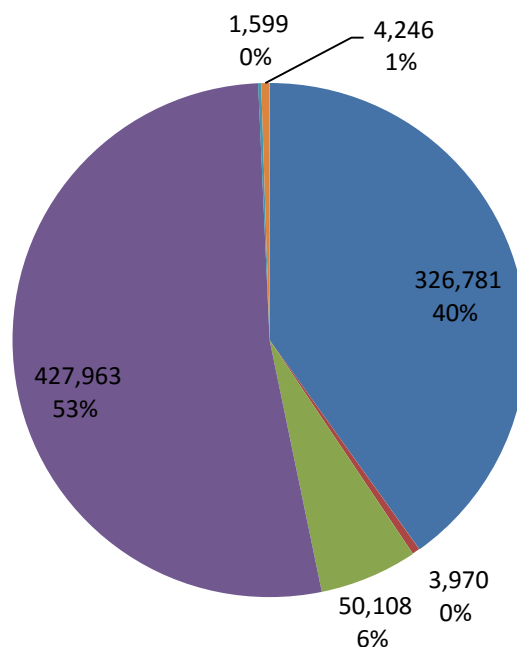
## Total CY15 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges







# THE 41<sup>ST</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE ORLEANS (NEW ORLEANS)

DISTRICT DEFENDER: DERWYN D. BUNTON  
2601 TULANE AVENUE, STE. 700  
NEW ORLEANS, LA 70119  
(504) 821-8101

# 41ST JUDICIAL DISTRICT : ORLEANS PUBLIC DEFENDERS

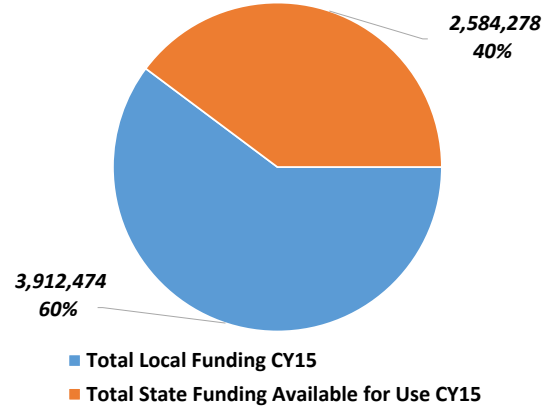
Derwyn D. Bunton  
District Defender  
2601 Tulane Avenue; Suite 700  
New Orleans, LA 70119  
504-821-8101

During Calendar Year 2015, the 41st Judicial District Public Defenders Office handled 21,184 cases. The office received \$6,496,752 in total revenues to handle these cases, approximately 60% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs, as well as a significant investment from the City of New Orleans in the form of a non-statutorily-required appropriation.

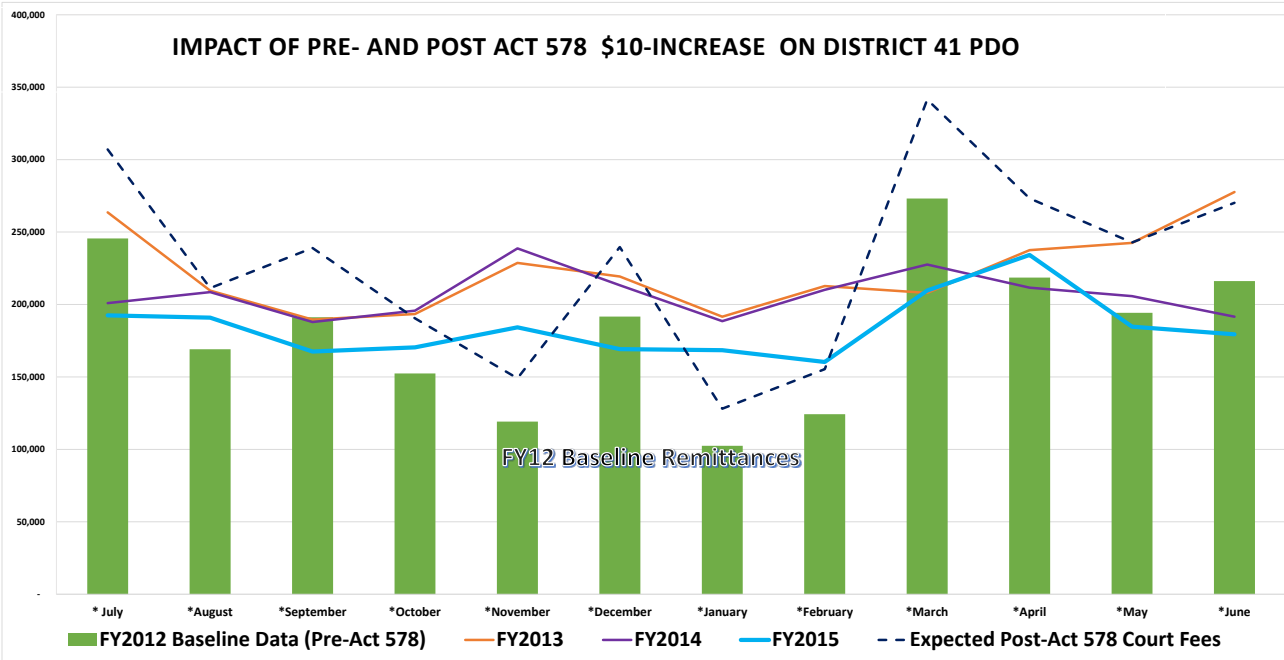
With the exception of a few anomalies, the 41st Judicial District has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

Despite significant investments made by the City of New Orleans, the 41st Judicial District office nearly exhausted its fund balance and was forced to officially begin restricting services on December 1, 2015.

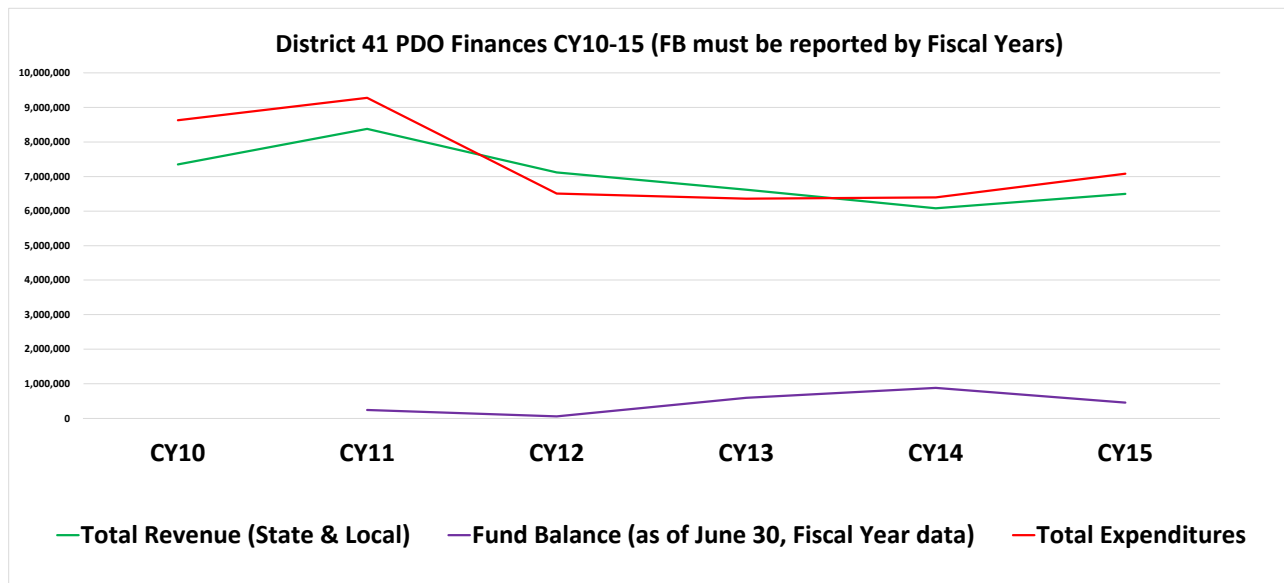
**District 41 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 41 PDO**

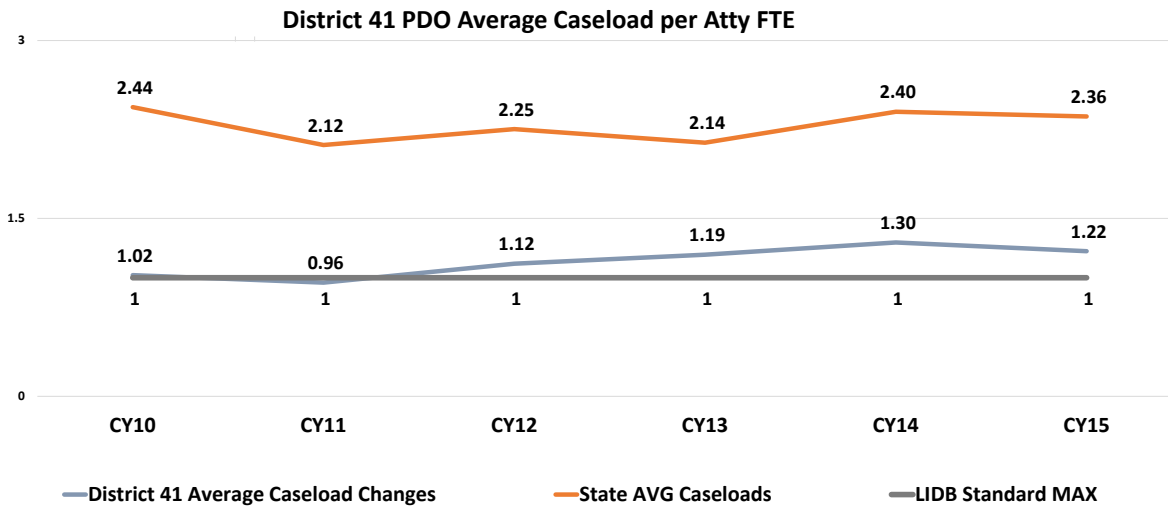


**District 41 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



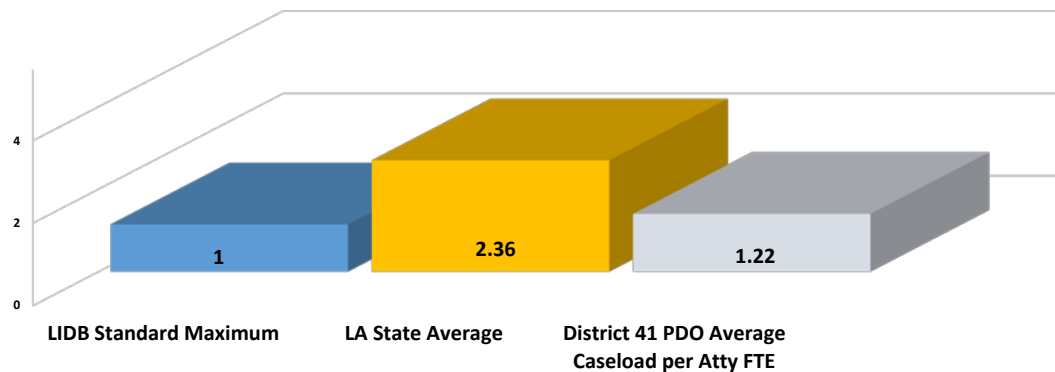
## 41ST JUDICIAL DISTRICT : ORLEANS PUBLIC DEFENDERS

Derwyn D. Bunton  
District Defender  
2601 Tulane Avenue; Suite 700  
New Orleans, LA 70119  
504-821-8101



The 41st Judicial District Public Defenders Office designates attorney representation based on attorney practice level. The office's fiscal crisis has led to significant attrition amongst the office's most experienced attorneys. While as an agency, the average attorney caseload is near LIDB standard maximums, the most experienced attorneys exceed both caseload and workload standards as the 41st district has the highest trial rate in the state. Attrition has forced the office to develop a wait list in some of the district's more serious felony cases to ensure ethical representation as there are simply not enough qualified attorneys to handle these cases.

**District 41 PDO Average Caseloads Compared to State Average & State Standard Maximums**



### CAPITAL REPRESENTATION

This PDO has limited capacity to accept capital cases as it does not have two certified counsel or otherwise does not have capacity to provide core team members as required by the Capital Performance Standards. Further, the Board passed a Resolution in 2015 to prohibit districts in restriction of services from accepting new capital appointments. As a result, all capital cases in this high-volume capital prosecution districts fall to the state to supply capital representation because the district is facing Restriction of Services.



## THE 41<sup>ST</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Orleans - New Orleans
<b>Population</b>	384,320
<b>Juvenile Population</b>	78,401
<b>District Defender</b>	Derwyn D. Bunton
<b>Years as District Defender</b>	7
<b>Years in Public Defense</b>	10
<b>Office Manager</b>	Dannielle Berger, Director of Administration
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Marya Earl, Catherine Forrester, April LeBlanc, Jacob McCarty, Jenna Raden, Chasity Redman
<b>Primary Office Street Address</b>	2601 Tulane Avenue; Suite 700
<b>City</b>	New Orleans
<b>ZIP</b>	70119
<b>Primary Phone</b>	504-821-8101
<b>Primary Mailing Address</b>	2601 Tulane Avenue; Suite 700;, New Orleans, LA 70119
<b>Primary Fax Number</b>	504-821-5285
<b>Primary Emergency Contact</b>	Derwyn D. Bunton
<b>Primary Emergency Phone</b>	504-224-0958
<b>Secondary Emergency Contact</b>	Jee Park, Deputy District Defender
<b>Secondary Emergency Phone</b>	504-224-0963
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Karen Glaser (Tulane Towers)
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$23,250/month
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Accounting Services are handled in house. Annual financial and compliance audit provided by Bruno & Tervalon CPA's. Semi-monthly payroll provided by ADP, Inc.
<b>Courts and Locations</b>	Criminal District Court - 2700 Tulane Avenue, New Orleans, 70119; Juvenile Court, 421 Loyola Avenue, New Orleans, LA, 70112; Municipal Court, 727 South Broad, New Orleans, 70119; Traffic Court, 727 South Broad, New Orleans, 70119; Magistrate Court, 2700 Tulane Avenue, New Orleans, 70119
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Criminal District Court (12); Juvenile Court (6); Municipal Court (4); Traffic Court (4); Criminal Magistrate Court (1); Criminal Commissioners (4).

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	<p>Once appointed to the case by a judicial officer, after an initial conflict analysis, OPD assigns the case to either the OPD trial division, the OPD conflict division, or the OPD conflict panel. Within each of these, a case is assigned to an individual attorney based on the type of case/charge and the practice level of the attorney. OPD does continuous representation of all clients from appointment through the final disposition of the case. In the OPD Trial Division, case assignments are also made based on the initial allotment of the section of court for the case. In Municipal Court, all cases are misdemeanors and are at the same practice level. During 2015, OPD has been staffing Municipal Court both with full time Municipal Lawyers and through a "rotation" of attorneys in their first or second year of practice. OPD employs one part-time attorney for Traffic Court and all traffic cases go to that attorney. Juvenile Court work is mostly handled independently by the Louisiana Center for Children's Rights (formally Juvenile Regional Services) through a contract between LCCR and the Louisiana Public Defender Board. In 2015, OPD began representing conflict cases in juvenile court. OPD also continued to represent juvenile clients who face the possibility of either discretionary or mandatory transfer from Juvenile Court to Criminal District Court. There is continuous representation of juvenile transfer clients -- starting from the clients initial continued custody through disposition of the case in either Juvenile or Criminal District Court.</p>
<b>Name of Adult Detention Facilities in This District</b>	<p>Until September 2015, the facilities included: Orleans Parish Prison, Templeman Phase V, Conchetta, Tents, Temporary Detention Center, and Central Lockup. In September, 2015, the Orleans Sheriff opened up the "Orleans Justice Complex" to replace and closed all remaining facilities for males. Females continue to be housed at the Temporary Detention Center.</p>
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	<p>Orleans Parish may house many pre-trial clients outside the parish -- for what is claimed to be lack of capacity at the new "Orleans Justice Complex" (despite housing non pre-trial inmates at the center). Pre-trial clients are housed throughout the state at various facilities - and create great difficulties for attorney client consultation and time needed to travel and visit clients. In addition, OPD clients with acute mental illness are housed at the Hunt Correctional Facility. Other OPD clients are housed in St. Charles Parish.</p>
<b>Name of Juvenile Detention Facilities In This District</b>	<p>Youth Study Center and the Orleans Parish Prison.</p>
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	<p>N/A</p>
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	<p>OPD is not able to adequately represent clients held at facilities outside Orleans Parish. The quality of representation is significantly impaired. In addition, the time necessary to travel out of parish to visit clients taxes already thin staff resources and adds budget costs for travel costs.</p>

<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Due to difficulties seeing our detained clients in Orleans Parish Prison - long wait-times, lack of confidential and private meeting areas, irregular visitation hours - OPD sued Sheriff Marlin Gusman in Orleans Parish Civil District Court in 2010. OPD entered into a stipulated judgment -- which improved visitation conditions. However with the new jail, there are less visitation rooms and longer wait times. For instance, there are only 2 contact visitation rooms in the entire male facility. Also, a significant number of clients have been housed out of parish in 2015 -- making access more difficult.
<b>District Attorney</b>	Hon. Leon Cannizzaro
<b>Chief Judge of Criminal District Court</b>	Hon. Laurie A. White
<b>Juvenile Court Judges (Specify District of City Court)</b>	Judges: Ernestine Gray (Chief Judge), Candice Bates-Anderson, Desiree Cook-Calvin, Mark Doherty, Tammy Stewart.
<b>Drug Court Judges</b>	Judges: Tracey Flemmings-Daviller "B"; Benedict Willard "C"; Camille Buras "H"; Karen Herman "I"; Darryl Derbigny "J"; Franz Zibilich "L"; and Harry Cantrell "Magistrate".
<b>Mental Health Court Judges</b>	Judge Karen Herman "I", Judge Desiree Charbonnet "C" Municipal Court.
<b>Other Specialty Court</b>	Re-entry Court, Judge Laurie White "A"; Veteran's Court, Judge Authur Hunter "K"; and Homeless Court, Judge Paul Sens "A" Municipal Court.
<b>Name of Specialty and Brief Description:</b>	The Re-entry Court is designed to assist clients returning to the community after longer term incarceration in State correctional facilities. Veterans Court is designed to assist military veterans gain access to programming and support designed to assist them and prevent criminal involvement. Domestic Violence Court is an intensive probation. Homeless Court is designed to assist the homeless receive much needed treatment and services.
<b>Indigency Determined by Whom and How?</b>	In Criminal District Court, the judicial officer at first appearance determines indigency for arrestees - often with the assistance of information gathered by interviews of the arrestee by New Orleans Pretrial Services. Often, there is also a colloquy between the arrestee and the judicial officer before the determination is made. If an arrestee has not been deemed indigent at first appearances, the arrestee is then set for a hearing to determine counsel (HTDC) within a week. If the arrestee is still incarcerated at the HTDC, and has not secured private counsel, the arrestee is deemed indigent and appointed to OPD. In Criminal District Court, judges routinely revisit indigency determinations at arraignment. In Municipal Court, first appearance and arraignment occur simultaneously. Incarcerated arrestees are presumed indigent by the court. After consultation with OPD in 2015 regarding indigency determination process, most Municipal Courts changed their process. Those not in custody who cannot afford to hire attorneys are preliminary assessed by the Court and if deemed indigent, are referred to OPD staff, who conduct an application for OPD services.

<b>When is Assignment/Appointment of Counsel Made?</b>	OPD assigns counsel after an indigency and appointment determination is made by the Court. For the majority of assignments, OPD assigns an attorney to the case on the same day OPD is assigned to the case. When appointment is made at night or weekends, OPD assigns the case to an attorney within 24 hours.
<b>What steps does your office take to ensure conflict – free representation</b>	OPD has developed both a conflict division and a conflict panel. Before an attorney is assigned a case, a conflict review is done by administrative staff. If a case is deemed a conflict for the trial division, the case is either assigned to the conflict division or the conflict panel. If a potential conflict appears or is discovered after initial assignment a query is sent to either the Deputy Chief Defender or Chief Defender who then determines whether the conflict exists.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	At First Appearances, initial client intake is conducted either by the magistrate attorney or by a client advocate from OPD's Client Services Division. After appointment, the attorney assigned does the initial interview. If the OPD client is incarcerated, the initial interview is conducted by the assigned attorney within 72 hours of appointment.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	OPD and the judges of the Orleans Parish Criminal District Court entered into an agreement to work cooperatively to carry out the mandates of La. R.S. 15:1758. On June 3, 2011, the judges met en banc and approved a plan to assist OPD in the collection of the \$40.00 application fee. If a defendant is deemed to be indigent at arraignment, the judge will order the defendant to pay the application fee of \$40 to the cashier on the first floor of Criminal District Court. In Municipal Court, any application fee is paid to OPD staff.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes, the OPD collects the application fee in Municipal Court. No, the OPD does not collect the application fee in Criminal District Court. The fee is paid to the CDC's cashier.
<b>How Many Applications for Services Were Received?</b>	Once the court determines a defendant to be indigent and appoints OPD to represent the defendant, there is no additional application that the defendant must complete in order to receive representation. The defendant may complete a brief client questionnaire with contact information, medical issues, and other issues the defendant may want to bring to the attention of the assigned attorney.
<b>How Many Application Fees Were Waived?</b>	Pursuant to an agreement entered into with the Criminal District Court, the court will not order pretrial detained, indigent defendants to pay the \$40 application fee. In other words, the fee is practically waived for incarcerated, indigent defendants.
<b>How Many Application Fees Were Reduced?</b>	Pursuant to an agreement entered into with the Criminal District Court, the application fee is not reduced. The defendant must pay the full \$40.
<b>Total Application Fee Dollars Collected in 2015</b>	\$24,224

<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	OPD does not physically collect the \$40 fee from the indigent defendant in Criminal District Court. The defendants are ordered by the court to pay the fee to the Cashier's Office in the Criminal District Court. The defendants are provided with a payment slip which they are to bring to the Cashier's Office. The Criminal District Court charges a 25% collection fee.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	\$2,318,851
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Every time there is a conviction, judges assess court costs. Included in the court costs is the mandatory special cost. Many judges do not specify on the record that they are assessing the mandatory special cost. Thus, the understanding is the special cost is included in the total court costs that is assessed to each convicted defendant.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	In a monthly remittance from Traffic, Municipal and Criminal District Court, a payment summary is included with the payment. The payment summary includes: the defendants name, section and case number, date the costs are assessed and collected, amount of assessment and actual collection.
<b>Who Collects the Assessed Court Fees?</b>	The Cashier's Offices in the courts collect all court fines, fees and costs.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	The Judicial Administrators are responsible for providing documentation to OPD on a monthly basis.
<b>Who Remits the Court Fees Collected?</b>	The Judicial Administrator's Office under the direction of the judges en banc.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	In a monthly remittance from Traffic Court, Municipal Court, the Sheriff's office (quarterly) and Criminal District Court, a payment summary is included with the payment. The payment summary includes: the defendants name, section and case number, date the costs are assessed and collected, amount of assessment and actual collection.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	The judges will determine whether a defendant is indigent or partially indigent. If the defendant is partially indigent, the judges will assess a representation fee to the defendant. The judges do not provide any documentation to the defendant but orders the defendant to pay the Indigent Defender Fund either by the next court date or by the end of the case.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	N/A
<b>Who Collects the Assessed Partial Payments?</b>	The defendant is ordered to pay the Indigent Defender Fund directly. The defendant then comes to OPD and makes a payment or a payment arrangement with the administrative staff.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Since this fee is collected by OPD directly, OPD is responsible for accounting this money.
<b>Who Remits the Partial Payments Collected?</b>	Again, since this fee is collected by OPD directly, OPD is responsible for accounting this money from collection to remittance.



<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Again, since this fee is collected by OPD directly, OPD is responsible for accounting this money from collection to remittance.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	150
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	OPD doesn't allow private practice for its full-time staff attorneys.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes. The contract is attached.
<b>Primary Immediate Needs</b>	Increased funding to provide effective representation to the indigent and experienced legal staff.
<b>Was your office in ROS at any time during 2015</b>	Yes
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	OPD has implemented a number of cost-cutting measures during the last 6 months of 2015. These measures include: a hiring freeze and cuts to operational expenditures. Attached, Restriction of Services Plan.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Yes. Effective July 1, 2015, OPD instituted a hiring freeze in response to a severe funding gap. The following staff terminated 07/1/-12/30/15 and have not been replaced' Carrington, James: Staff Attorney Conflict; Fennell, Nathan: Client Advocate; Kim, Hyung Woo: Staff Investigator; Thomas, Kimberly: Social Worker; Sickie, Allison: Client and Court Support Admin Conflict; Cziment, Stella: Staff Attorney CDC; Valdez, Eladio: Staff Investigator; Fecker, Anna: Staff Attorney Special Lit; Chapman, Christen: Staff Attorney CDC; Derrick, Elizabeth: Staff Investigator; Long, Chanel: Staff Attorney CDC; Pasquarella, Jill: Supervising Attorney; Weeks, Nia: Staff Attorney Municipal Court; Deltufo, Noelle: Client Advocate; Zacharias, Richard: Staff Investigator; Carpenter, Zachary: Staff Attorney CDC; Wayne, Seth: Staff Attorney Special Lit.
<b>Immediate Critical Issue Areas</b>	Data management, training, funding technology (hardware and software) and staff.
<b>Long-Term Critical Issue Areas</b>	Stable adequate funding, training and staff.

<p><b>Please List All New Hires in 2015 (Name and Title)</b></p>	<p>Thomas, Molly: Client Advocate/Interpreter, Holder, Mariah: Staff Attorney CDC; Studer, Brandi: Social Worker Municipal Court; Forrester, Catherine: Client and Court Support Administrator; Raden, Jenna: Conflicts Administrator; Lindner, Rachel: Staff Attorney Municipal Court; Benusa, Elise: Client Advocate; Minter, Dede: Staff Investigator; Duffey, Dylan: Staff Attorney CDC; Markel, Lindsay: Staff Attorney, CDC; McNeil, Brandi: Staff Attorney CDC; Miller, James: Staff Attorney CDC; Bixby, Laura: Staff Attorney Municipal Court; Sgro, Elisabeth: Staff Attorney CDC; O'Brien, Sarah: Paralegal; Anderson, Mary Soo: Paralegal; Fennell, Janet: Staff Attorney Municipal Court; Kelly Orians: Paralegal; Zagory, Aaron: Staff Attorney Municipal Court; Vogel, Matthew: Staff Attorney Capital Division; Robinson, Steven: Social Worker</p> <p>FULL TIME VOLUNTEERS: Anzalone, Grace: Client Services (LA Delta Service Corps); Lloyd, Malcom: Client Services Conflict (LA Delta Service Corps); Ortiz, Ileana: Client Services (LA Delta Service Corps); Pourciau, Christopher: Client Services (LA Delta Service Corps); Roubini, Sonia: Special Lit (LA Delta Service Corps); Harris, Kelly: Client Services (Jesuit Volunteer Corps); Kilbane Myers, Tess: Client Services Municipal Court (Jesuit Volunteer Corps).</p>
<p><b>Please List All Promotions in 2015 (Name and Title)</b></p>	<p>Hardin, Kenneth: Supervising Attorney CDC, Carpenter, Zachary: Supervising Attorney CDC; Samuel, Lindsay: Supervising Attorney Municipal Court</p>
<p><b>2015 Media Coverage and/or Major Accomplishments</b></p>	<p>AWARDS: 2015 LACDL Justice Albert Tate Honoree – Derwyn Bunton; 2015 NLADA Clara Shortridge Foltz Honoree – OPD; 2015 Council on Alcohol and Drug Abuse (CADA) Excellence in Drug Prevention Honoree – Client Services Division; 2015 Vanderbilt Law Social Justice Fellow – Derwyn Bunton; Proclamation from the City of New Orleans for excellence in criminal justice and community advocacy – Nate Fennell; 2015 Tulane School of Social Work Honoree for Excellence in Field Mentorship – Ginger Parsons; 2015 Public Relations Society of America, New Orleans chapter, Fleurish Award Honoree for OPD funding campaign – Lindsey Hortenstine. ACCOMPLISHMENTS: \$400,000 appropriation increase from the City Council and Mayor; Development and Implementation of Municipal Court at the Mission; Raised \$94,126 from crowdfunding campaign. 693 total donations from more than a dozen countries; Communications Director Lindsey Hortenstine led a national NAPD webinar on the importance of annual reports; Southern Rep Theatre hosted benefit night for OPD at the premier of Song of a Man Coming Through; Launch of OPD's YouTube channel and feature of first video on HBO's Last Week Tonight. MEDIA: Major national press includes: BuzzFeed (multiple features); Washington Post; MSNBC – Melissa Harris Perry Show; Sirius Insight – Pete Dominick Show; Marshall Project; HBO – Last Week Tonight; Huffington Post; Al Jazeera America; Christian Science Monitor; CityLab; NPR; Vice; Wired; Substantial increase in local coverage of events, stories, etc. beyond courtroom activity; Substantial increase in responsive; outreach from both local and national media due to media coverage and inclusion; Multiple invitations to regularly appear on local radio stations: WBOK, WHIV, WWL AM; Appearance as The Lens' Breakfast with the Newsmakers – Derwyn Bunton.</p>

<b>Number of Expected New Attorney Hires in 2016</b>	OPD expects to hire approximately three attorneys in 2016. All new attorney hires will be based on budget considerations, grant funding, caseload analysis, office needs, and attrition.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. OPD provides training designed by our Training Director. Newly admitted attorney hires receive approximately 6 weeks of training prior to representing clients autonomously and then weekly training during their first year of practice. Additionally, the Training Director and Training Supervisor provide intensive supervision, including review of written preparation, courtroom observation, and regular meetings to discuss the new attorneys' development.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	OPD is divided into supervisory groups, led by supervising attorneys and leadership staff. A copy of OPD's supervisory tree is included with this narrative.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	Yes. Barksdale, Russell: Juvenile Conflict Attorney; Raden, Jenna: Conflicts Administrator.
<b>Please Attach Your Office Organizational Chart</b>	Attached.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	When staff attorneys reach a certain level, they are taken out of the normal case pick up schedule and given time to work down their existing workload. Supervisors have a half case-load to enable them to better carry out their supervisor duties.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	OPD offers Blue Cross Medical and Dental Insurance. OPD pays 100% percent of the monthly health premium. The employee pays 100% of the monthly dental premium.
<b>Regular Meetings for Any Staff, Please Describe</b>	Quarterly All-Staff Meetings; Monthly Management Meeting; Weekly Leadership Meetings.
<b>Number of NEW capital cases in CY15 handled by your office</b>	3
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	2
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	OPD handled approximately 8 appeals from Municipal Court and 5 appeal responses (regarding motions to quash).
<b>Number of Writs Your District Handled in 2015</b>	OPD filed 135 writs in 2015.
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	Based on OPD's case management system, during 2015, 23 children under the age of 17 were transferred to Adult Court.
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	ODP is unaware of any case(s) wherein a transfer was denied by the Juvenile Court.

<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	During 2015, OPD has assigned these cases to primarily 2 attorneys with at least 3 years of experience and who have been trained in juvenile representation. When a transferable charge enters juvenile court, our office is notified and we send one of these attorneys to juvenile court to do the continued custody/transfer hearing. The assigned OPD attorney then stays on the case through disposition.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	See: <a href="http://house.louisiana.gov/H_Reps/By_Deleg/H_Reps_Deleg_Orleans.asp">http://house.louisiana.gov/H_Reps/By_Deleg/H_Reps_Deleg_Orleans.asp</a>
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Excessive caseloads and depleted staff are the biggest issues regarding our representation. The District Attorney accepts a significantly increased number of cases and pursues harsh, multiple bill sentences even for non-violent offenders. There is still an ongoing issue regarding jail visitation and contact/confidential visits affects delivery of services. There is also hostile and unprofessional reaction to zealous advocacy for our clients, especially in the presence of our clients, affects our delivery of services. The inability to meaningfully consult with and interview clients after appointment and before first appearances continues to affect our advocacy for our clients at First Appearances.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	2015 has been a difficult year at OPD due to funding cuts. Staffing has had to be reduced through attrition and a hiring freeze. Many of the previous changes and reforms have had to be scaled back and/or restricted due to reduced funding. At the same time, OPD has (without development staff) has worked hard to fill gaps with outside grants and other sources of funding. OPD did its second year of a privately funded investigator fellowship. OPD sought and received grant funding for two social workers and a client advocate. In addition, OPD conducted a nation-wide fundraising effort to reduce pending furloughs for staff. Despite reductions, OPD has instituted a bond review project to identify low risk clients who are unable to make a bond and to increase bond advocacy. In addition OPD has been able to increase social service and social work services for its Municipal Court Client. One highlight of these efforts in 2015 has been coordinating Municipal Court sessions at The Mission -- a local homeless shelter. There, OPD did massive coordination and assisted hundreds of homeless clients with their attachments, pending cases, and referrals for social services.
<b>Staff Directory:</b>	
<b><u>Staff Name</u></b>	<b><u>Contact Information</u></b>
Ackerman, John	504-827-8221
Anderson, Lauren	504-827-8190
Anderson, Mary Soo	504-827-8178
Anzalone, Grace	504-827-8181
Barksdale, Russell	504-827-7049
Barksdale, Chasity	504-827-8179
Benusa, Elise	504-827-7047
Berger, Dannielle	504-827-8200
Bixby, Laura	504-827-7051

Blume, Taryn	504-827-8219
Brockway, James	504-571-8919
Bunton, Derwyn	504-827-8204
Burkhart, John	504-827-8167
Chernow, Alexis	504-571-8920
Chervinsky, Sarah	504-827-7050
Corley, Jاليا	504-571-8912
Cousins, Adrienne	504-827-8177
DeMouy, Ashley	504-827-8233
Diemer, Kim	504-827-8199
Duffey, Dylan	504-827-8250
Earl, Marya	504-827-7023
Ellis, Carrie	504-827-8222
Engelberg, Daniel	504-827-8186
Fennell, Janet	504-827-8191
Flanagan, Anne	504-827-8171
Frampton, Thomas	504-827-8165
Fraser, Amanda	504-827-8205
Green, Kendall	504-827-8172
Gumina, Max	504-827-8168
Hardin, Kenneth	504-827-8227
Harris, Kelly	504-827-8252
Heisser, Nicole	504-827-8175
Hill, Nzinga	504-827-8215
Holder, Mariah	504-827-8173
Holladay, Ashley	504-827-8176
Horn, Christine	504-827-8247
Hortenstine, Barksdale	504-827-8207
Hortenstine, Lindsay	504-827-8169
Howard, Kiah	504-827-8163
Hull, Jennifer	504-827-8249
Jeffrey, Lindsay	504-827-8170
Jobe, Phillip	504-827-8208
Jones, Sara	504-827-8174
Kilbane Myers, Tess	504-658-9736
Lampkin, Keith	504-827-8211
LeBlanc, April	504-827-8254
Lindner, Rachel	504-827-8246
Lloyd, Malcolm	504-827-8231
Lommers-Johnson, Hannah	504-827-8244
Markel, Lindsay	504-827-8197
McCarty, Jacob	504-658-9765
McNeil, Brandi	504-827-8189
Miller, Jared	504-571-8921
Miller, James	504-827-8214
Minter, Dede	504-827-8226
Moroz, Stanislav	504-571-8918
Murell, Christopher	504-827-8232
Muse, Jack	504-571-8922

O'Brien, Sarah	504-827-7045
Orians, Kelly	504-821-8101
Orjuela, Zachary	504-827-8257
Ortiz, Ileana	504-658-9720
Orzechowski, Karen	504-821-8103
Park, Jee	504-827-8187
Parsons, Ginger	504-827-8182
Peng, Tina	504-827-8251
Pettingill, Norman	504-658-9691
Pichon, Joshua	504-827-8239
Pourciau, Chris	504-827-8258
Rabinovitz, Chana Rose	504-827-8183
Raden, Jenna	504-571-8924
Redman, Chasity	504-827-8224
Reeds, Laura	504-827-8240
Reingold, Colin	504-827-8220
Robinson, Steven	504-571-8930
Roche', Leon	504-827-8209
Roubini, Sonia	504-827-8213
Rowe, Arthur	504-827-8188
Ryan, Virginia	504-827-8206
Sallah, Joyce	504-827-8210
Sgro, Elisabeth	504-827-8218
Snowden, William	504-827-8225
Studer, Brandi	504-658-7937
Thomas, Molly	504-827-7048
Thompson, Sierra	504-827-8196
VanCleave, Anna	504-827-8185
Vogel, Matthew	504-571-8923
Weidenhaft, Donna	504-827-8203
Woods, Brian	504-827-7058
Zagory, Aaron	504-827-8230

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.

**Survey Completer's Name**

Dannielle Berger

**SOFTWARE:**

Mark an X in all that apply

**Operating Systems Used:**

Windows 10

Windows 8

Windows 7

x

Windows Vista

x

Windows Server 2000/2003/2008

x

Windows XP

Mac OSX

**Case Management System(s): Check all that apply**

defenderData (LPDB statewide system)

x

Other System (please name)

**Productivity Suites Used:**

Microsoft Office 2016 (Word, Excel, etc.)

Microsoft Office 2013

Microsoft Office 2010

x

Microsoft Office 2007

x

Microsoft Office 2003

Previous Microsoft Office version

Corel Word Perfect

Other

**Accounting Software**

QuickBooks

x

Quicken

Intuit

Other (list here):

**Internet Browsers Used:**

Internet Explorer 6

Internet Explorer 7

Internet Explorer 8

Internet Explorer 9

Internet Explorer 10

X

Internet Explorer 11

X

Microsoft Edge

Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	1
DVD	1
VCR	1
Desktop PCs	12
Laptops	101
Video Cameras	1
Digital Cameras	13
Video Conferencing Systems	
B&W Laser Printers	14
Color Printers	5
Wireless Cards	
Smartphones (Funded by Office)	15
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	25mb down
Provider Name:	Cox Communications
Email Provider:	Microsoft Hosted
Please list any software or computer equipment in which you need training:	OPD is in desperate need of laptop computers. 1/3 of our laptops are from 2006-2007



### 41st District Defender Office CY 2015 Caseloads & Outcomes

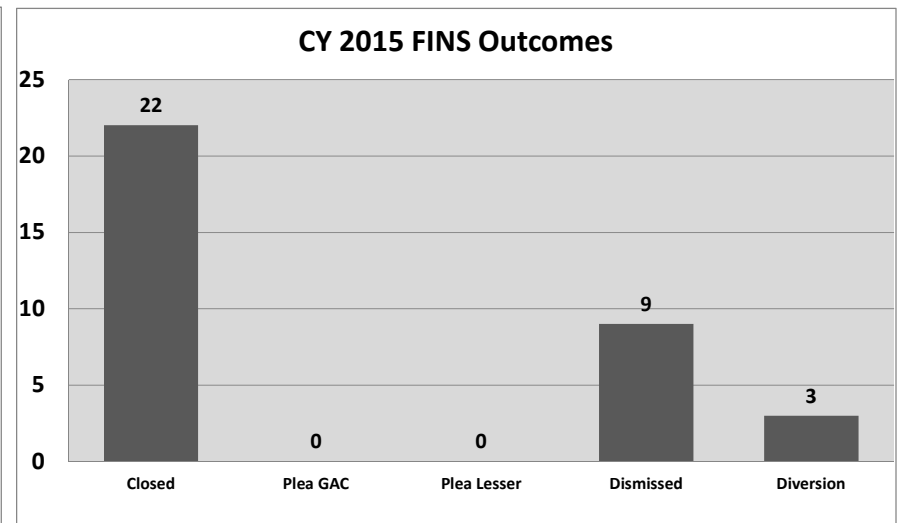
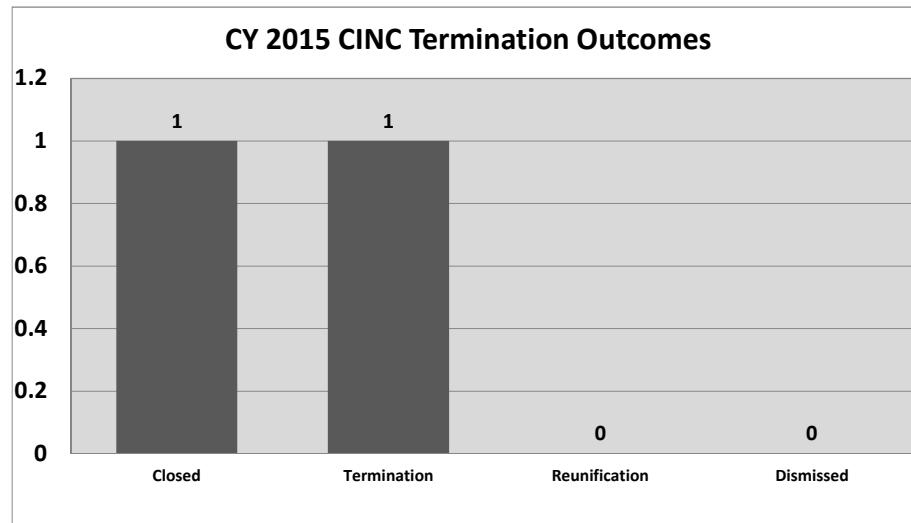
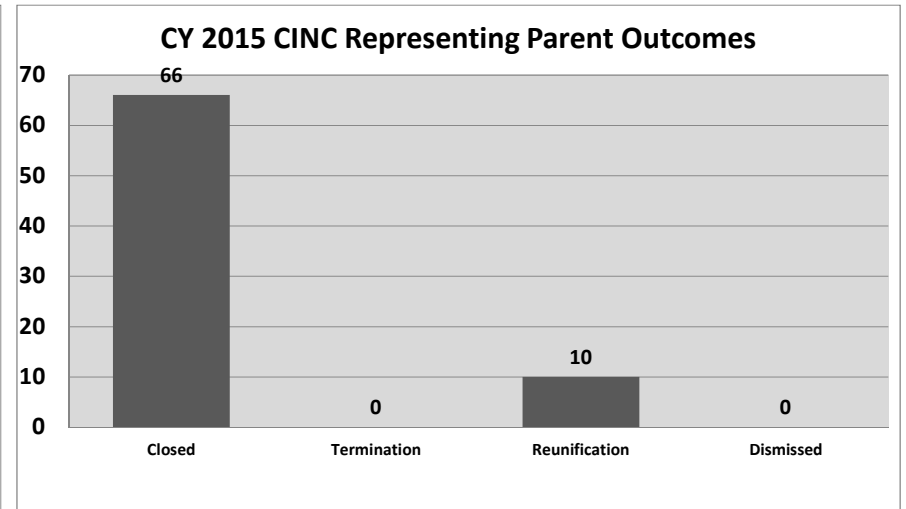
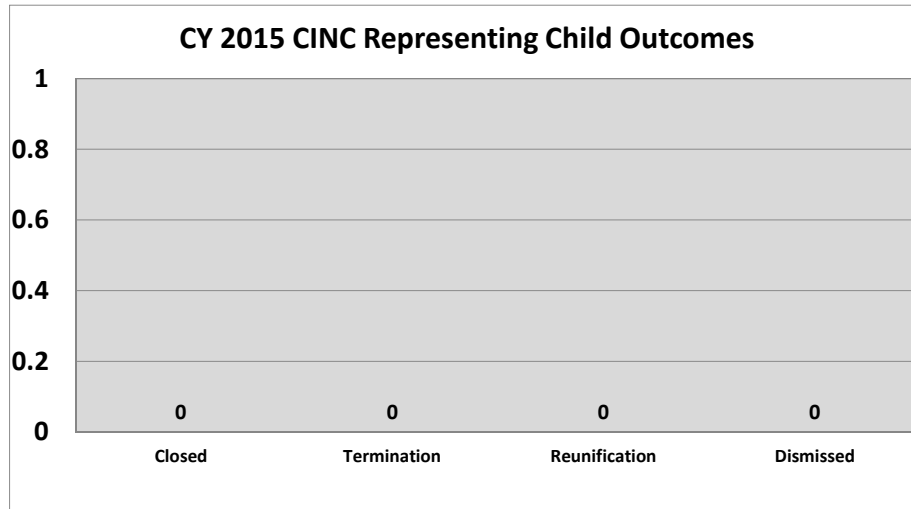
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	121	66	13	134	0	10	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	4	1	0	4	1	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	12	22	16	28	N/A	N/A	0	0	9	3	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	142	134	105	247	N/A	N/A	65	10	28	0	N/A	N/A	1	0	1
Delinquency Felony	460	232	149	609	N/A	N/A	134	22	74	0	N/A	N/A	5	2	7
Delinquency-Life	13	12	24	37	N/A	N/A	3	7	2	0	N/A	N/A	0	1	1
Juvenile Revocations	3	26	0	3	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor	8249	6139	1264	9513	N/A	N/A	3867	241	3027	1	0	0	56	7	63
Adult Felony Non-LWOP	5774	4554	1931	7705	N/A	N/A	3048	1026	430	9	4	5	12	16	37
Adult LWOP	84	100	122	206	N/A	N/A	0	71	11	1	3	7	0	0	10
Capital	5	3	3	8	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	2414	2234	276	2690	N/A	N/A	0	0	27	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

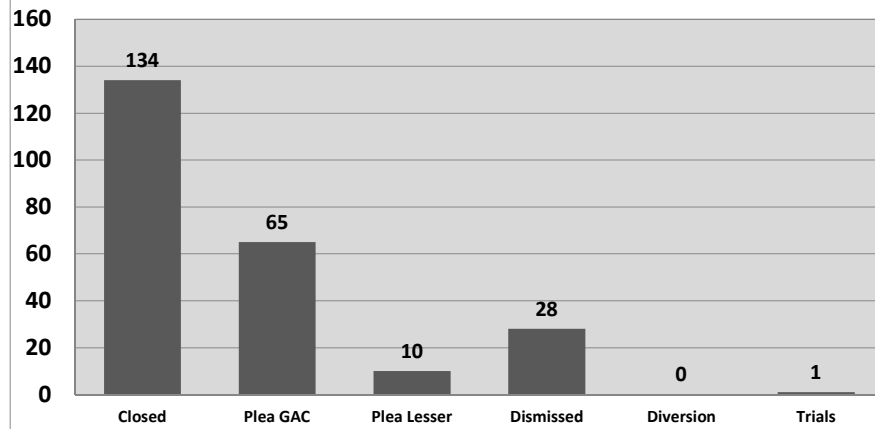
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

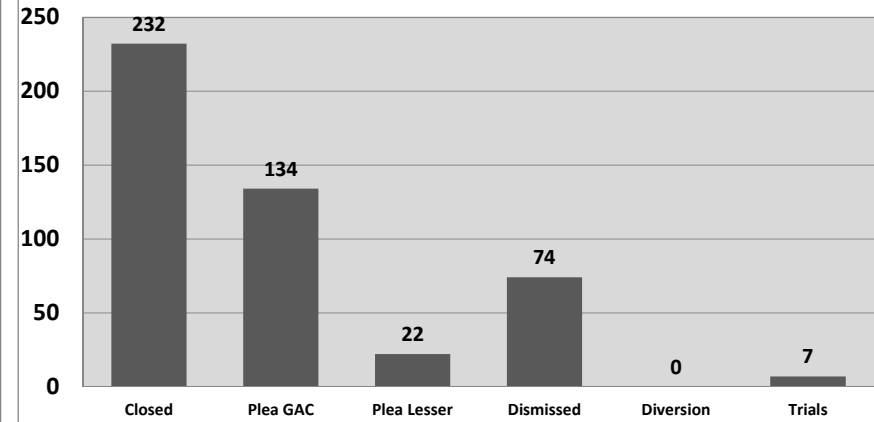
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



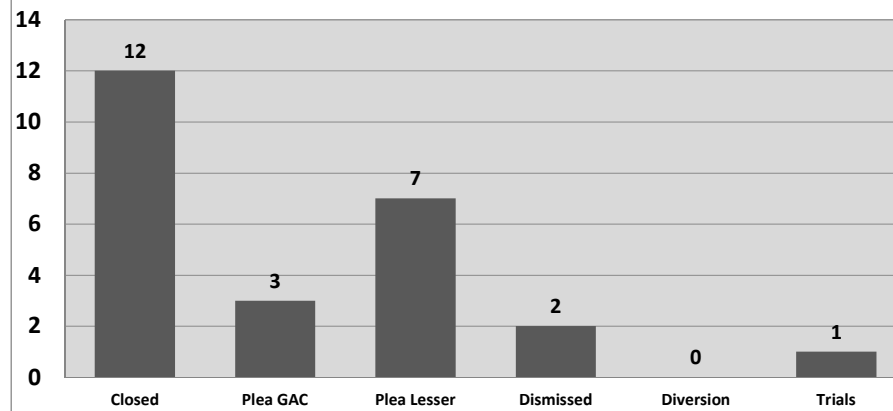
**CY 2015 Delinquency Misdemeanor-Grade Outcomes**



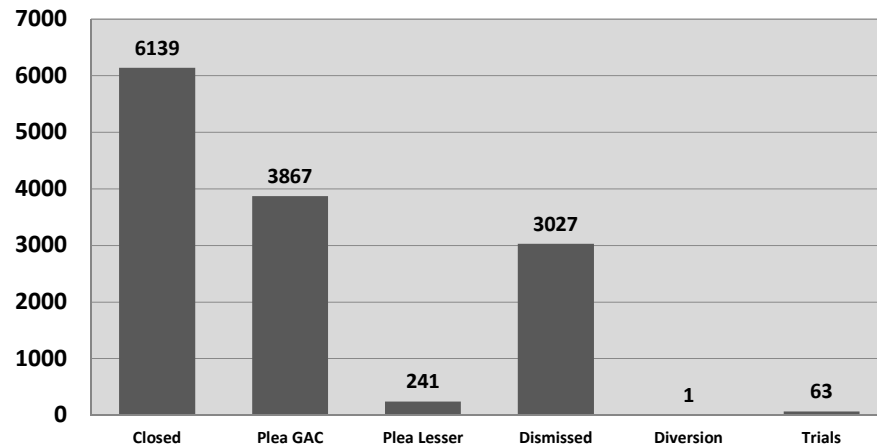
**CY 2015 Delinquency Felony-Grade Outcomes**



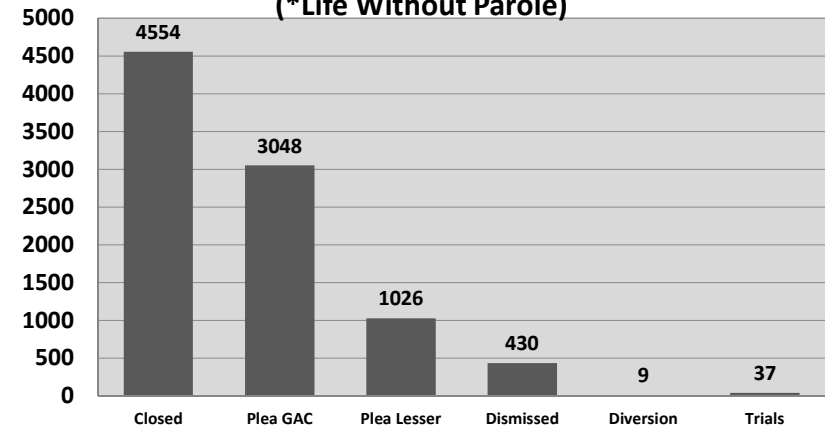
**CY 2015 Delinquency Life Outcomes**



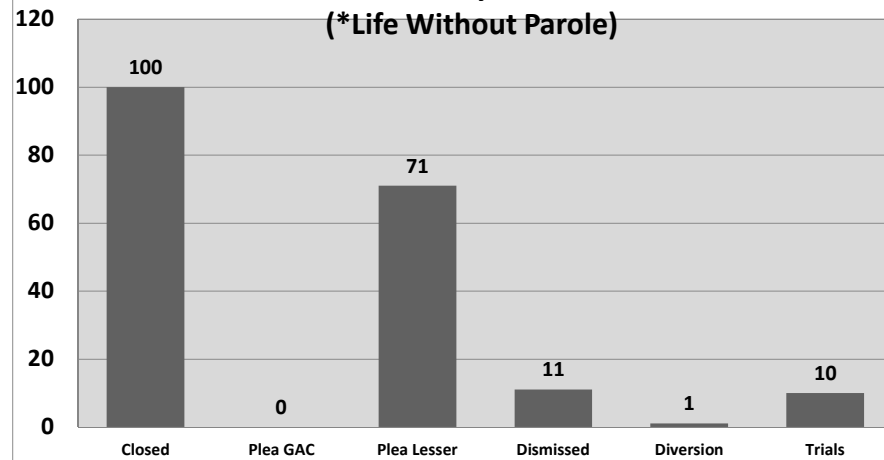
**CY 2015 Adult Misdemeanor Outcomes**



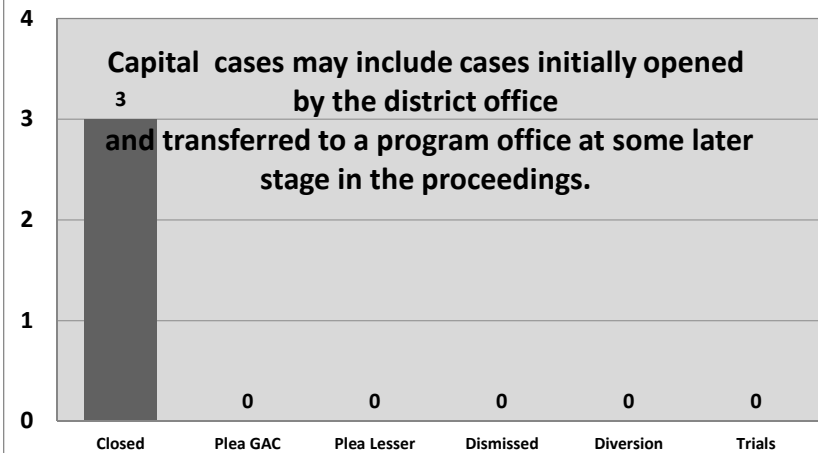
**CY 2015 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2015 Capital Outcomes**

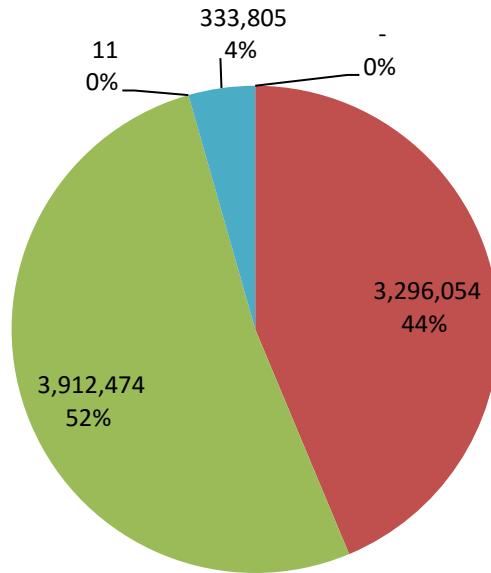


District 41 CY2015	Total CY2015
District Defender: Derwyn Bunton	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	12,268
District Assistance Fund (DAF)	3,078,923
Supplemental/Emergency Funds	204,863
Grants	-
Other State Income -List source(s)	-
Total for State Government	3,296,054
Local Government	
Appropriations - General	971,239
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	3,225
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	248,428
Traffic Camera	733,535
Grants	104,104
Other Local Income -List source(s)	173,113
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	65,226
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	154,657
Parish Courts	-
Traffic Court	1,365,432
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	1,585,316
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	24,224
Partial Attorney Fees	150
Reimbursements [as per 15:176]	69,141
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	93,515
Total for Local Government	3,912,474
Investment Earnings	
Interest Income	11
Other Investment Income - List source(s)	-
Total for Investment Earnings	11
Other Sources (Grants & Contributions)	
Non-Profit Organizations	20,850
Private Organizations	197,040
Corporate	-
Other - List source(s)	115,915
Total for Other Sources (Grants & Contributions)	333,805
Total for REVENUE	7,542,344

District 41 CY2015	Total CY2015
District Defender: Derwyn Bunton	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	4,657,558
Accrued Leave	24,149
Payroll Taxes	371,623
Hospitalization and Disability Insurance	544,623
Retirement	-
Other	-
Total for Personnel Services and Benefits	5,597,954
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	29,925
Total for Travel/Training	29,925
Operating Services	
Advertisements	-
Workers' Compensation	3,230
Insurance - Malpractice	48,934
Insurance - Auto/Physical Liability	8,998
Insurance - Other	-
Lease - Office	252,000
Lease - Auto/Equipment	6,585
Lease - Other	24,500
Office Repair and Maintenance	11,309
Office - Telephone/Utilities/Postage/Internet	61,997
Dues and Seminars	37,584
Law Library/Journals/Subscriptions	36,221
Office Supplies	52,850
Total for Operating Services	544,207
Professional Services	
Audit/Accounting Expense	25,656
Contract Clerical	-
Expert Witness	60,410
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	112,966
Conflict	399,947
Contract - Juvenile Attorneys or CINC	97,900
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	-
IT/Technical Support	71,100
Total for Professional Services	767,979
Capital Outlay	
Major Acquisitions	9,100
Total for Capital Outlay	9,100
Other Charges	
Other Operating Expenses	126,718
Total for Other Charges	126,718
Total for EXPENDITURES	7,075,883

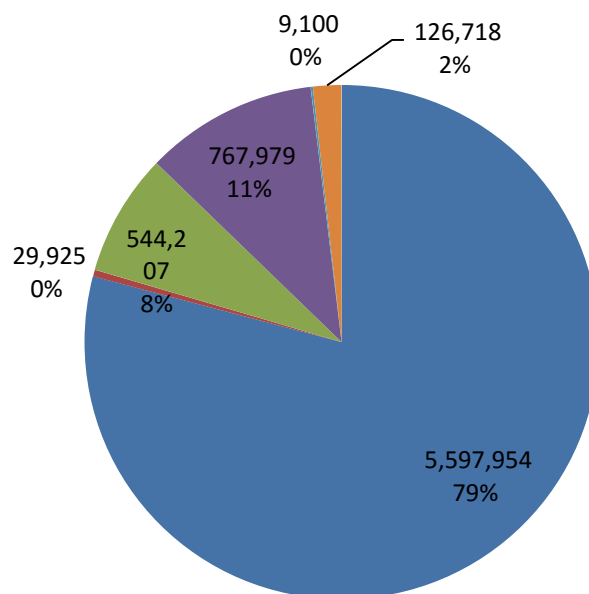
## Total CY15 Revenues

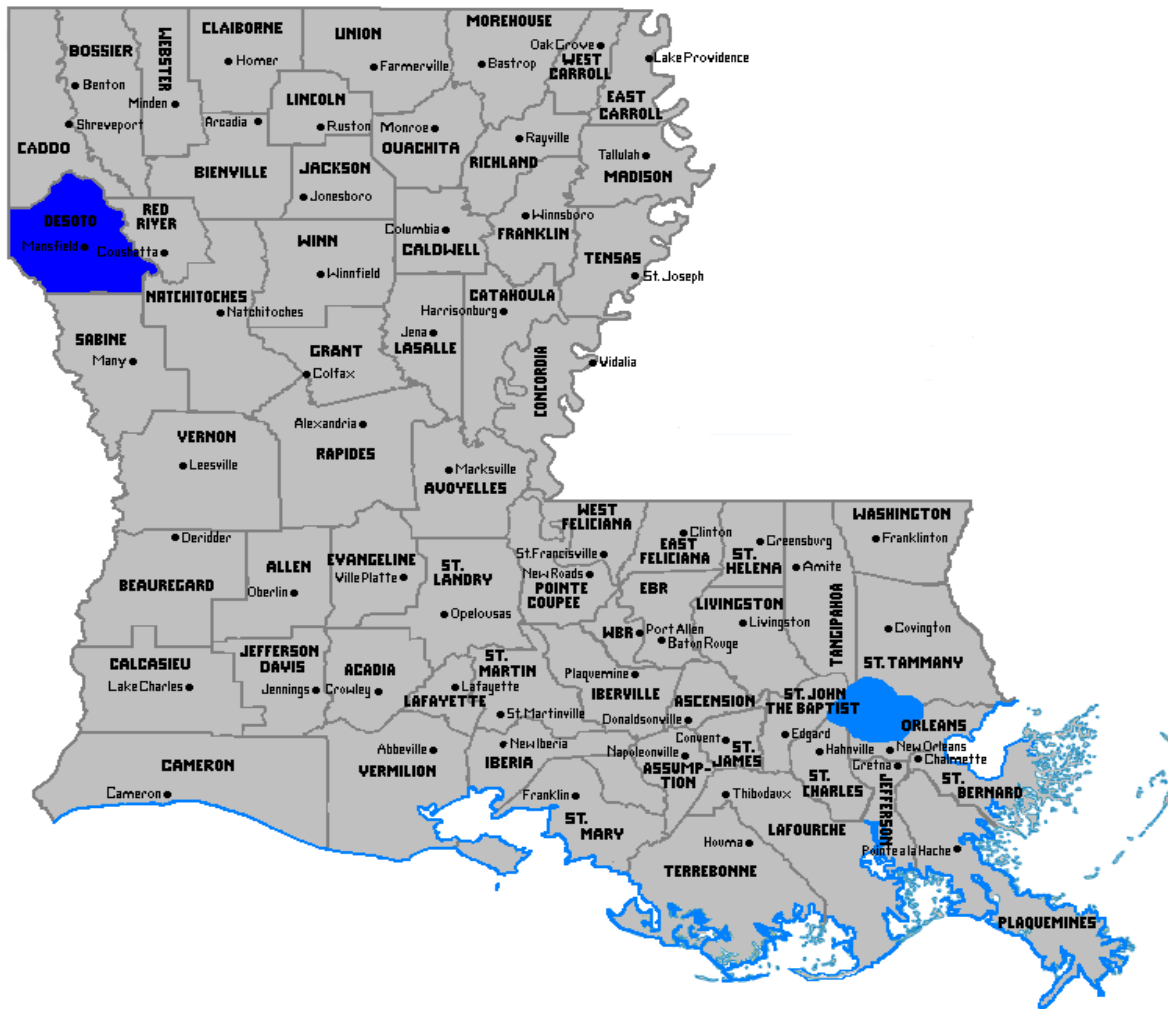
- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges





THE 42<sup>ND</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
DE SOTO (MANSFIELD)

DISTRICT DEFENDER: STEVEN R. THOMAS  
111 NORTH WASHINGTON AVENUE  
MANSFIELD, LA 71052  
(318) 872-6250



## 42nd JUDICIAL DISTRICT : DESOTO PARISH

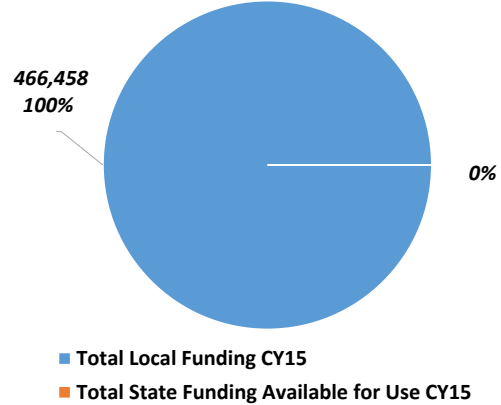
Steven R. Thomas  
District Defender  
111 North Washington  
Mansfield, LA 71052  
318-872-6250

During Calendar Year 2015, the 42nd Judicial District Public Defenders Office handled 1,452 cases. Traditionally self-reliant, the 42nd PDO's local revenues have slowly increased since FY11, primarily from traffic tickets and special court costs.

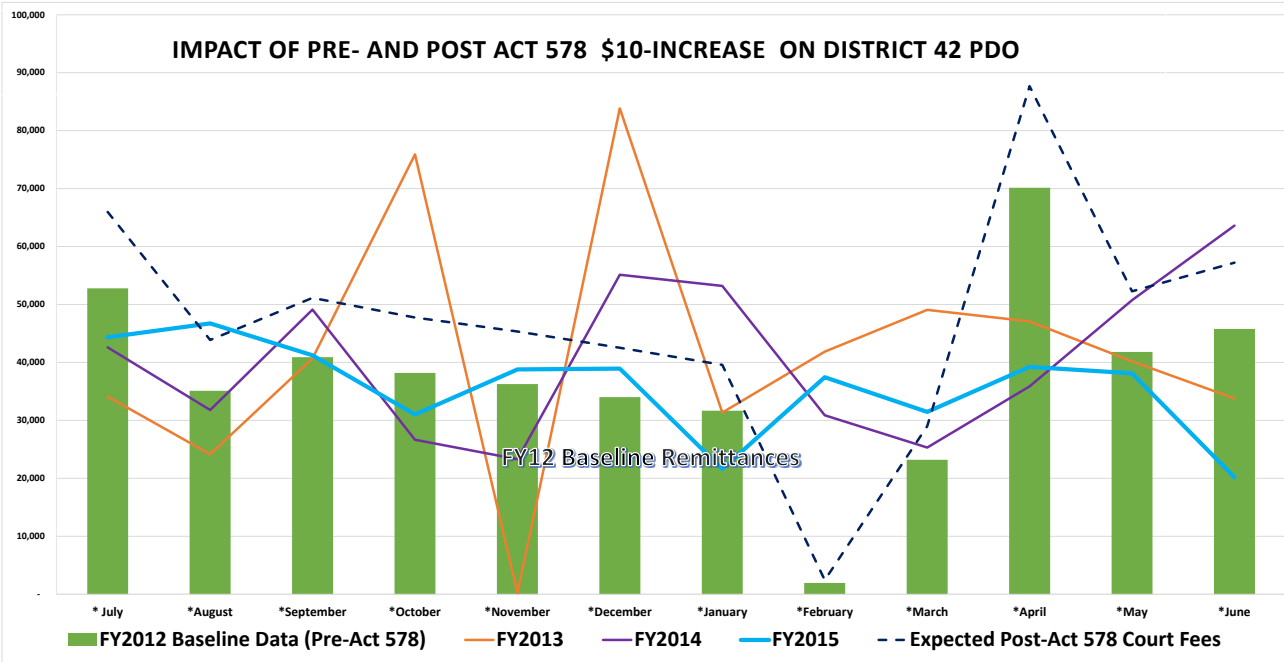
From FY11 to FY15 expenditures have remained fairly constant and revenues have consistently exceeded expenditures, resulting in fund balance accruals. By virtue of a Cooperative Endeavor Agreement with the 11th PDO following the creation of the 42nd, the fund balance of both districts are shared. The shortfalls in the 11th are depleting gains in the 42nd.

Since the passage of Act 578 (2012) in the 42nd PDO, aside from a few anomalies the district has generally failed to realize the 25% increase in local revenues that was expected to materialize as a result of Act 578.

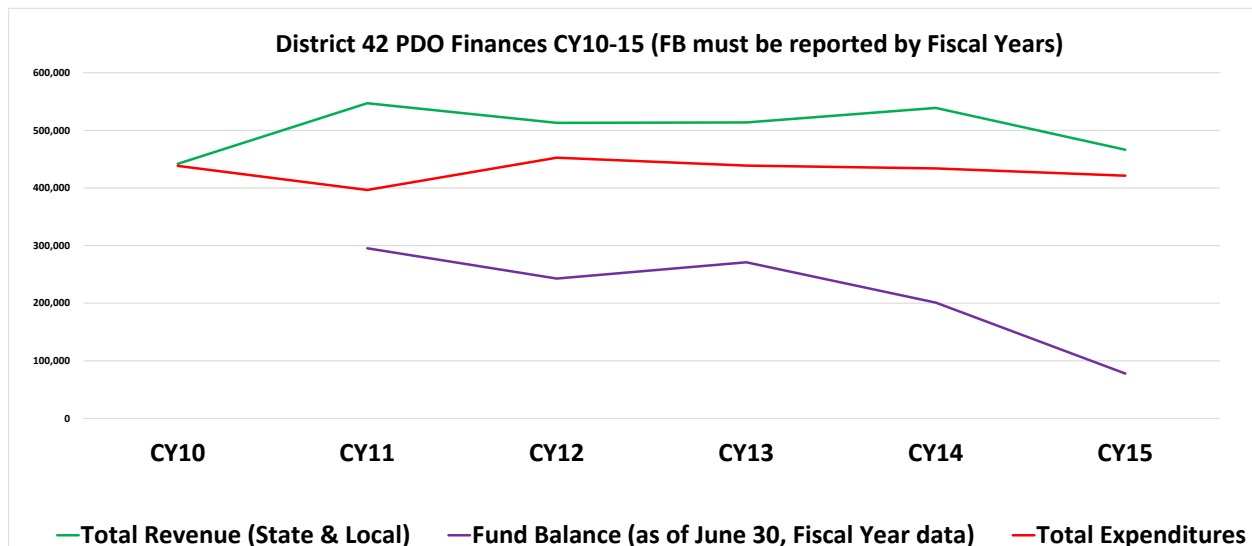
**District 42 PDO Revenue Sources CY15**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 42 PDO**

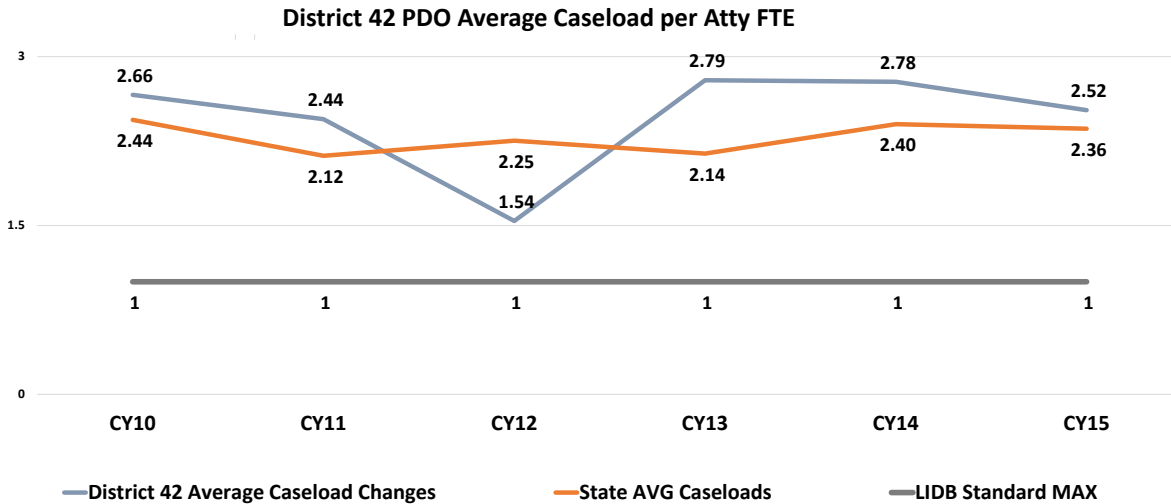


**District 42 PDO Finances CY10-15 (FB must be reported by Fiscal Years)**



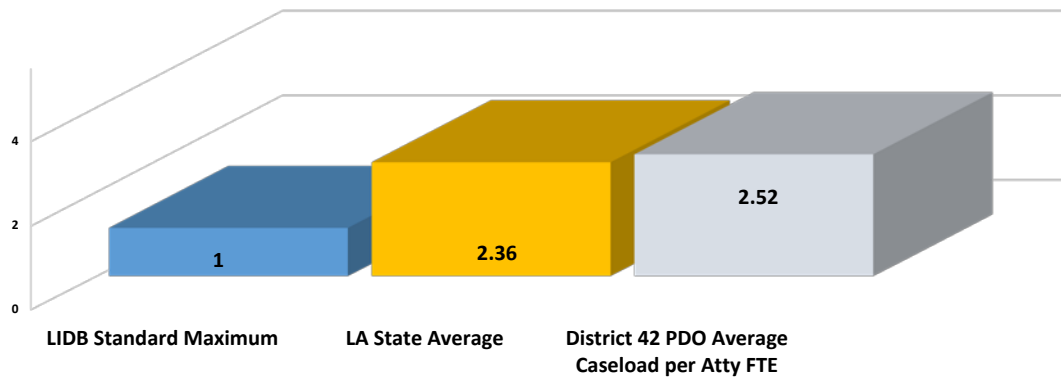
## 42nd JUDICIAL DISTRICT : DESOTO PARISH

Steven R. Thomas  
District Defender  
111 North Washington  
Mansfield, LA 71052  
318-872-6250



In the 42nd Judicial District, public defense attorneys maintain caseloads two and a half times the recommended caseload limits for each attorney.

**District 42 PDO Average Caseloads Compared to State Average & State Standard Maximums**



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, but the district has adequate funds to contract with certified counsel outside the district.



## THE 42ND JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	DeSoto - Mansfield
<b>Population</b>	26,656
<b>Juvenile Population</b>	6,650
<b>District Defender</b>	Steven R. Thomas
<b>Years as District Defender</b>	16
<b>Years in Public Defense</b>	35
<b>Office Manager</b>	Cheri Sewell
<b>Titles &amp; Names of Case Management System (CMS) Database Data Entry Personnel</b>	Cheri Sewell, Valerie Wells & Pam Mathis
<b>Primary Office Street Address</b>	111 North Washington
<b>City</b>	Mansfield
<b>ZIP</b>	71052
<b>Primary Phone</b>	318-872-6250
<b>Primary Mailing Address</b>	P.O. Box 1004 Mansfield La. 71052
<b>Primary Fax Number</b>	318-872-6262
<b>Primary Emergency Contact</b>	Steven R. Thomas
<b>Primary Emergency Phone</b>	Cell 318-465-7001
<b>Secondary Emergency Contact</b>	Brian McRae
<b>Secondary Emergency Phone</b>	cell 318-286-2486
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	Brian McRae cell 318-286-2486
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Steven R. Thomas
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Donated by Steven R. Thomas
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Deborah Dees CPA
<b>Courts and Locations</b>	42nd JDC Desoto Parish, Mansfield, Juvenile and Mayor's court in Mansfield, Stonewall and Logansport, La.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Two CDC Divisions; Three Mayor's Court- Mansfield, Logansport, Stonewall
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	All 72 hour hearing forms are sent to District Defender who assigns attorneys.
<b>Name of Adult Detention Facilities in This District</b>	DeSoto Parish Detention Center, 205 Franklin Mansfield La. 71052
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	N/A

<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center, Coushatta La.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, distance from clients impacts access and greatly increases costs for attorneys, mileage, etc.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Gary Evans takes office 1/12/15
<b>Chief Judge of Criminal District Court</b>	Robert Burgess
<b>Juvenile Court Judges (Specify District of City Court)</b>	Robert Burgess
<b>Drug Court Judges</b>	N/A
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Initially by the Judge.. Subsequently, reviewed after questionnaire by DD.
<b>When is Assignment/Appointment of Counsel Made?</b>	Within 72 hours of Notice to PD office.
<b>What steps does your office take to ensure conflict – free representation</b>	Careful review of indigence at 72 hour notice by DD, to identify conflicts. On going review of case developments.
<b>Initial Client Intake Conducted By Whom? (Name and Title)</b>	Brian C. McRae, Intake Attorney.
<b>Does this District Use an Intake Form? (If So, Please Attach to Hard Copy)</b>	Yes
<b>Brief Explanation of Intake Process</b>	Primarily by teleconference within 72 hours of Notice of appointment.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	387
<b>How Many Application Fees Were Waived?</b>	169
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2015</b>	7,840
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2015</b>	429,043
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Form provided by Desoto Sheriffs Department.
<b>Who Collects the Assessed Court Fees?</b>	Desoto Sheriffs Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Check stub from Desoto Sheriffs Department and copy of disbursement form.
<b>Who Remits the Court Fees Collected?</b>	Desoto Parish Sheriff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Check stub from Desoto Parish Sheriff and disbursement form.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	District Defender makes determination.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Provided by probation office/form.
<b>Who Collects the Assessed Partial Payments?</b>	Probation Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Report from Probation Office
<b>Who Remits the Partial Payments Collected?</b>	Probation Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Report from probation office.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY15</b>	8,048
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private practice is permitted for contract attorneys. No it is not in writing.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes (see attached).
<b>Primary Immediate Needs</b>	More funding.
<b>Was your office in ROS at any time during 2015</b>	No
<b>If you were not in ROS in 2015, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	I do not foresee ROS if our revenue stream can remain constant . I have regular meetings with the Sheriff and staff, DA and staff to discuss this issue.
<b>In CY15, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	I did terminate Shante' Wells who was only handling misdemeanors and that did not fit the model that is most economical for us. Additionally, I had many complaints about his job performance so I trimmed the dead wood.
<b>Immediate Critical Issue Areas</b>	Uncertainty in revenue source makes it difficult to plan and impossible to grow/improve my program. Poor revenue from Sabine is getting progressively worse and any reduction in DAF would force us to reconsider the fairness of the agreement and the practical/moral basis for continuing it.
<b>Long-Term Critical Issue Areas</b>	More funding.
<b>Please List All New Hires in 2015 (Name and Title)</b>	None

<b>Please List All Promotions in 2015 (Name and Title)</b>	None
<b>2015 Media Coverage and/or Major Accomplishments</b>	None
<b>Number of Expected New Attorney Hires in 2016</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	We have quarterly training.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chief Defender- Steven R. Thomas, Assistant District Defender- Brian C. McRae, and staff contract attorneys.
<b>Have Any New Job Titles Been Added to Your District Office in 2015? (Please List Name and Title)</b>	None
<b>Please Attach Your Office Organizational Chart</b>	See attached.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Supervisory staff has reduced caseload.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, quarterly training, staff meetings for attorneys, bi-monthly staff meetings for support staff.
<b>Number of NEW capital cases in CY15 handled by your office</b>	All Capital cases in Desoto are closed with plea bargains or trials. No new cases.
<b>Number of pending capital cases (received prior to CY15) handled by your office during CY15?</b>	3
<b>Number of Appeals Your District Handled in 2015 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Handled in 2015</b>	3
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2015</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Both attorneys responsible for representation in juvenile delinquency cases also handle adult felonies. The case stays with them.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Larry Bagley- State Representative. Senator- John Milkovich.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	There seems to be little or no balance between the 307 board and staff's ever increasing demand for reports and data, micro management and recognition that these increase time and demands that should be devoted to representing indigent accused people. This increases attorney's dissatisfaction.
<b>What Changes Have You Implemented in Your District Office in 2015 That Have Improved the Delivery of Public Defender Services?</b>	Improved in house training for attorney's and staff.
<b>Staff Directory:</b>	

<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Steven R. Thomas	318-465-7001
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Brooks Greer	318-671-4360
Charles H. Kammer, III	318-222-0293
Pugh H. Huckaby, III	318-222-0293
Angela Waltman	318-865-3899
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Maura Dees	318-872-3007
Cheri Sewell	318-872-6250
Pam Mathis	318-872-6250
Valerie Wells	318-872-2973

## 2015 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Valerie Wells
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	



Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	1
VCR	
Desktop PCs	5
Laptops	3
Video Cameras	
Digital Cameras	
Video Conferencing Systems	2
B&W Laser Printers	
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	
No Internet Connection	
Connection Speed:	High
Provider Name:	AT&T
Email Provider:	AT&T
Please list any software or computer equipment in which you need training:	

## 42nd District Defender Office CY 2015 Caseloads & Outcomes

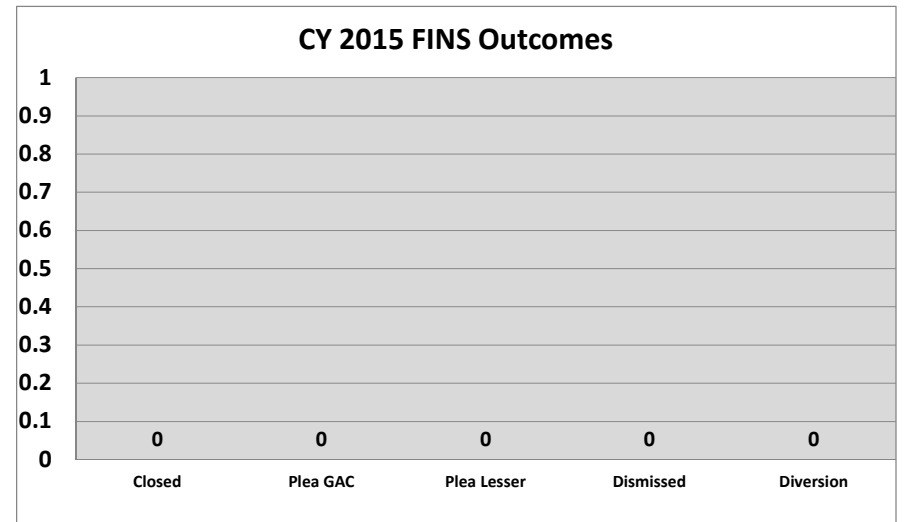
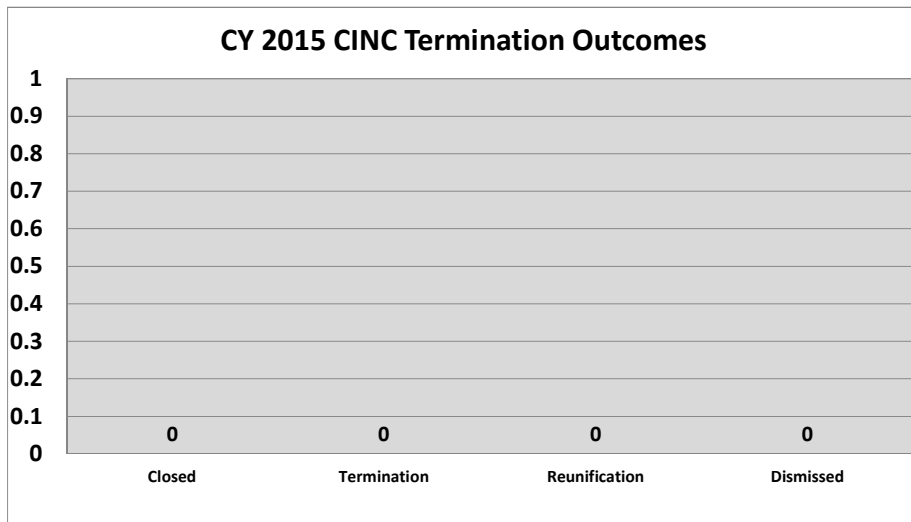
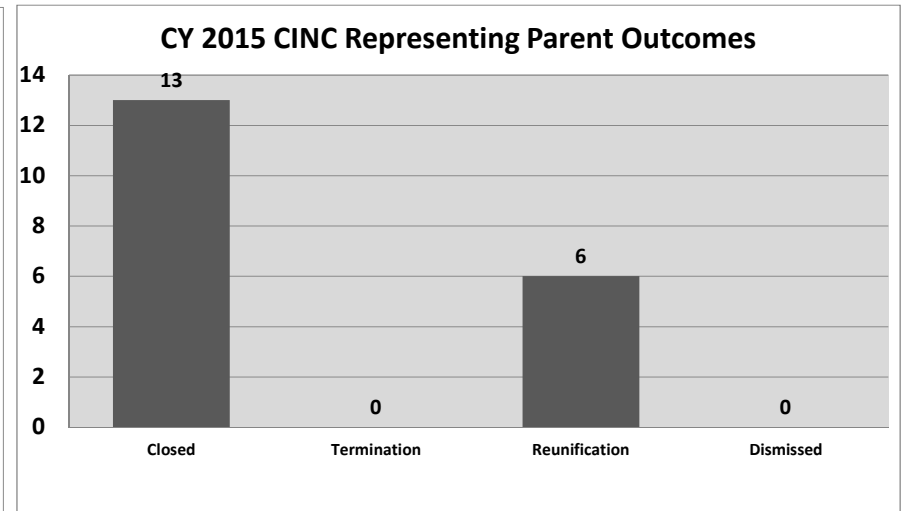
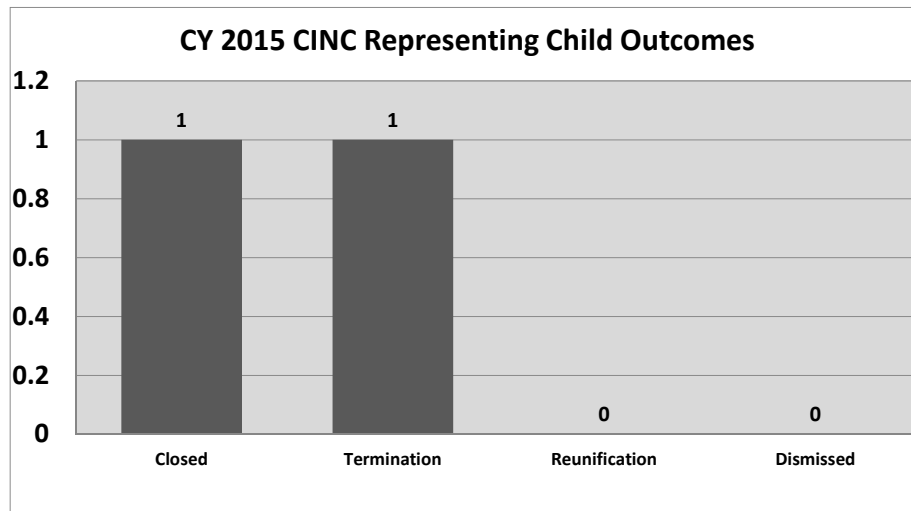
Case Type	New Cases 01/1/2015- 12/31/2015	Closed Cases 01/1/2015- 12/31/2015	Pending Cases* (# of Cases pending on 12/31/2014)	# of Cases pending on 12/31/2014 plus New Cases Received 01/1/2015- 12/31/2015	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	1	2	2	1	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	4	13	20	24	0	6	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	40	22	3	43	N/A	N/A	7	1	1	7	N/A	N/A	0	0	0
Delinquency Felony	11	10	3	14	N/A	N/A	4	0	1	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	503	533	277	780	N/A	N/A	306	37	386	1	0	0	5	9	14
Adult Felony Non-LWOP**	281	281	174	455	N/A	N/A	78	65	176	0	0	6	1	1	8
Adult LWOP	1	3	2	3	N/A	N/A	0	1	3	0	0	0	0	2	2
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	105	90	26	131	N/A	N/A	0	0	8	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

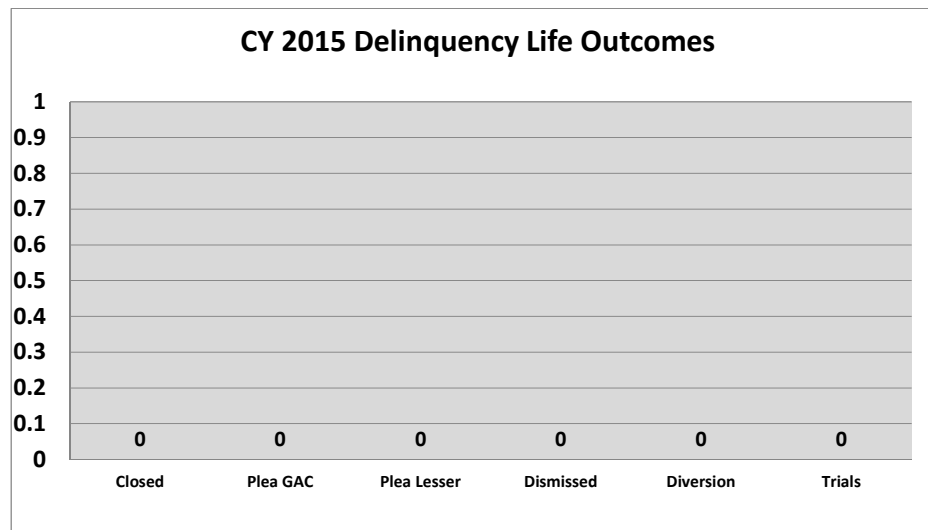
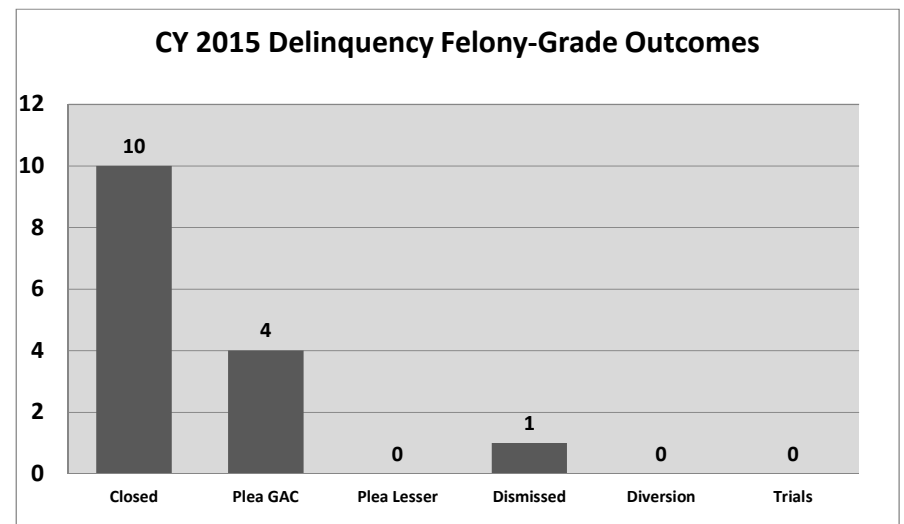
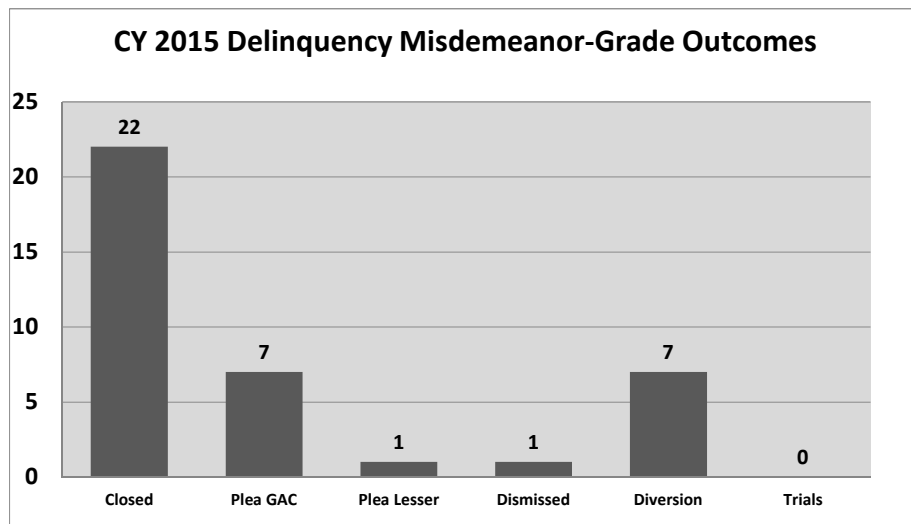
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

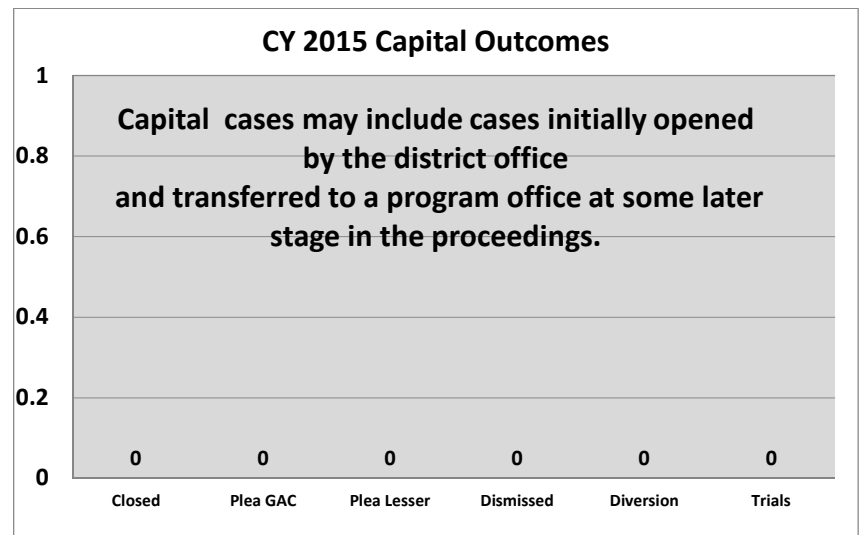
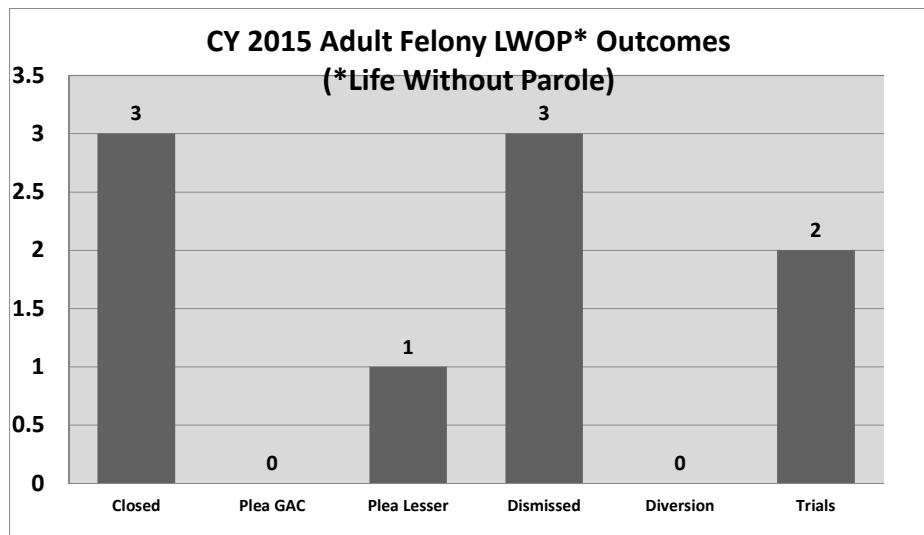
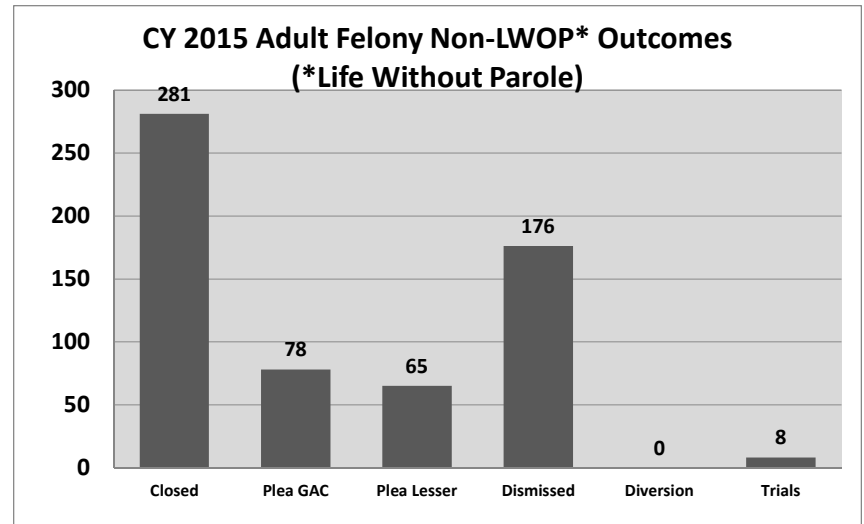
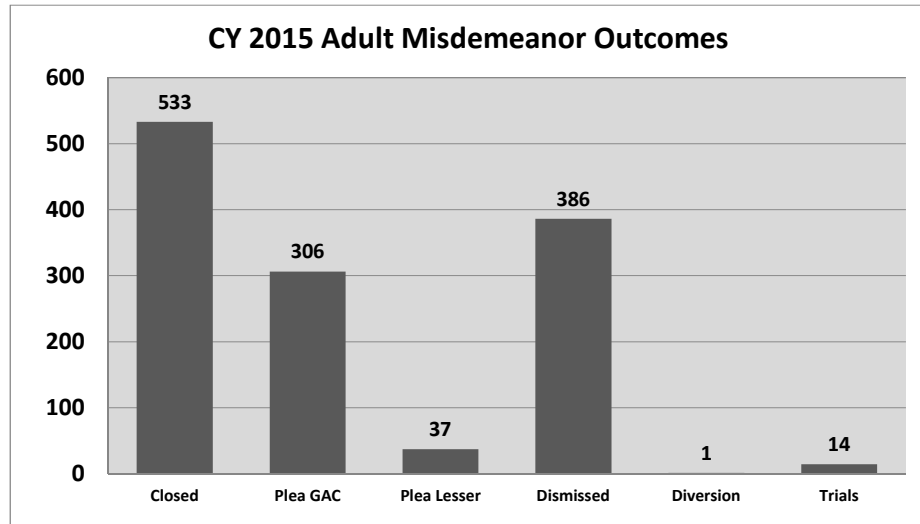
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.





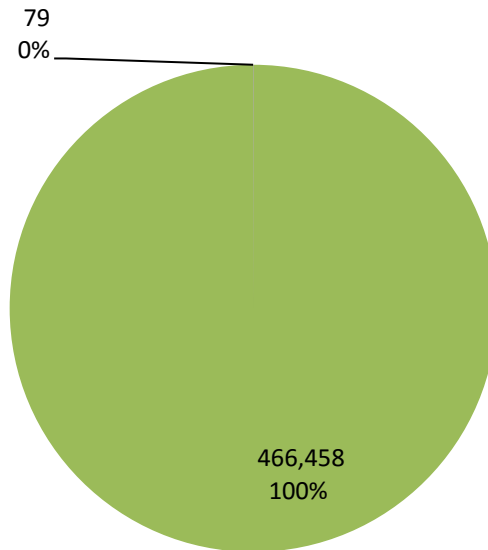


District 42 CY2015	Total CY2015
District Defender: Steven Thomas	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	-
District Assistance Fund (DAF)	-
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	5,965
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	18,743
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	430,074
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	430,074
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	8,920
Partial Attorney Fees	
Reimbursements [as per 15:176]	2,756
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	11,676
Total for Local Government	466,458
Investment Earnings	
Interest Income	79
Other Investment Income - List source(s)	-
Total for Investment Earnings	79
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	466,538

District 42 CY2015	Total CY2015
District Defender: Steven Thomas	
EXPENDITURES	
Personnel Services and Benefits	
Salaries	48,288
Accrued Leave	-
Payroll Taxes	3,694
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	51,982
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	4,054
Total for Travel/Training	4,054
Operating Services	
Advertisements	72
Workers' Compensation	134
Insurance - Malpractice	2,322
Insurance - Auto/Physical Liability	-
Insurance - Other	649
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	3,672
Dues and Seminars	125
Law Library/Journals/Subscriptions	152
Office Supplies	3,007
Total for Operating Services	10,133
Professional Services	
Audit/Accounting Expense	9,475
Contract Clerical	-
Expert Witness	1,600
Investigators	1,728
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	30,000
Misdemeanor Attorney Contracts	29,000
Contract Attorneys - all other	282,031
IT/Technical Support	1,277
Total for Professional Services	355,111
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
Total for EXPENDITURES	421,280

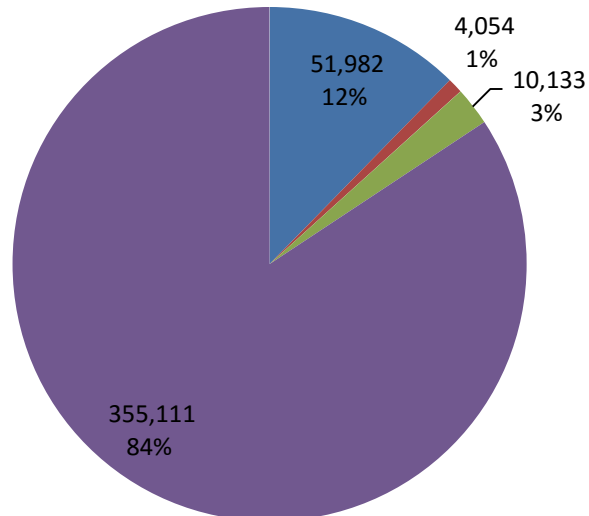
## Total CY15 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings

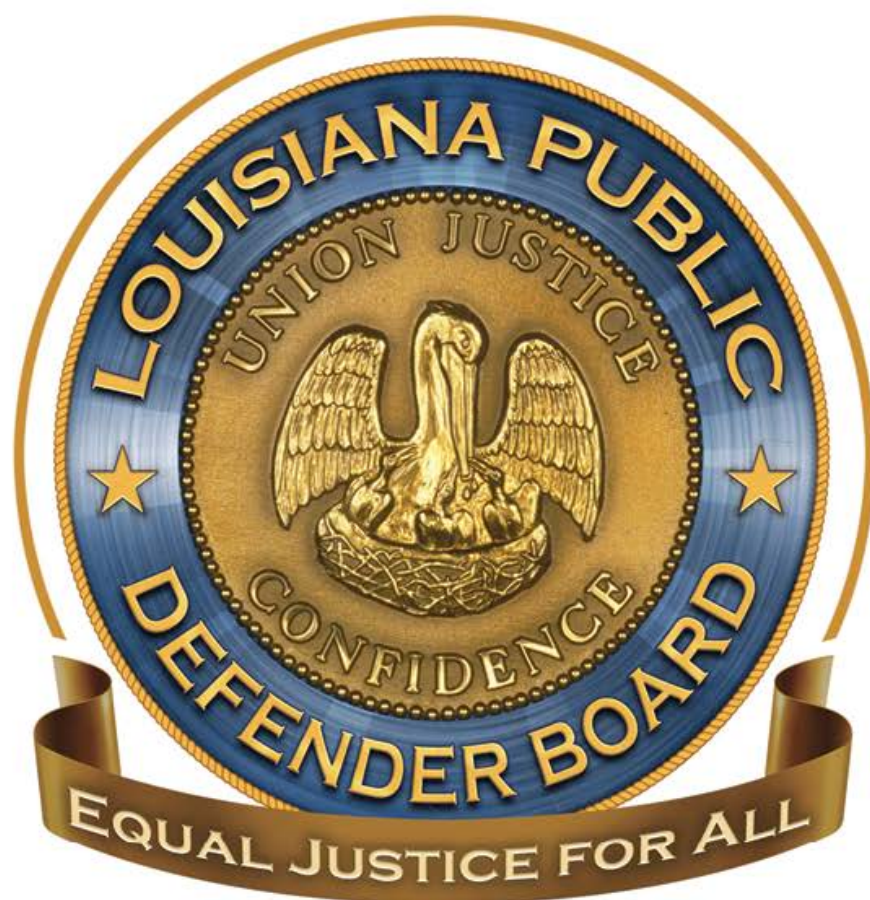


## CY15 Expenditures

- Total for Personnel Services and Benefits
- Total for Operating Services
- Total for Capital Outlay
- Total for Travel/Training
- Total for Professional Services
- Total for Other Charges







# **2016 ANNUAL BOARD REPORT**

**JANUARY 2017**

**LOUISIANA PUBLIC DEFENDER BOARD**  
**301 MAIN STREET, SUITE 700, BATON ROUGE, LA 70825**  
**TEL: (225) 219-9305**  
**FAX: (225) 219-9326**  
**[WWW.LPDB.LA.GOV](http://WWW.LPDB.LA.GOV)**



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# LOUISIANA PUBLIC DEFENDER BOARD



John Bel Edwards  
Governor

C. Frank Holthaus  
Chairman

James T. Dixon, Jr.  
State Public Defender

EQUAL JUSTICE FOR ALL

January 20, 2017

During the 2016 calendar year, the Louisiana Public Defender Board has experienced major changes. Entering this year, an increasing number of districts were either in or facing fiscal crisis. This was due to the fact that public defense in Louisiana has been persistently underfunded since its inception. Despite efforts by the legislature to increase funds due to the local districts from \$35 to \$45 pursuant to R.S. 15:16 in 2012, the shortfall in public defense funding remained. With 14 districts in restriction of services, the Board acted and increased the LPDB budget share to the districts from around 49% to 65% of the Louisiana Public Defender Fund. This was later formalized and converted into a statutory mandate in Act 571 of the 2016 Regular Session. It was hoped that by increasing the District Assistance Fund (DAF) to 65%, the Board could address the financial stress experienced by the districts and assist them to withdraw from ROS.

While there have been some improvements in the financial status of many districts, problems remain. Districts still rely on funds raised locally to provide for a majority of their budget. This local funding source, primarily through traffic tickets, remains unreliable, unstable and insufficient. The instability, unreliability, and insufficiency of these funds have manifested themselves in various manners throughout the state. In the 40<sup>th</sup> Judicial District, we have seen local funds plummet during this fiscal year because the Sheriff discontinued a traffic ticket-writing program. This is not brought up to criticize the Sheriff, rather to illustrate the fact that the public defender office has no control over its funding sources. The historic flood from this past August has adversely affected many districts in south Louisiana. When natural disasters occur, traffic tickets are a very low priority and rightly so. The fact remains, however, that we expect local funds from traffic tickets, the primary source of local funds for public defenders, to drop in districts hit by the floods. We are particularly concerned for 19<sup>th</sup> (East Baton Rouge), 13<sup>th</sup> (Evangeline), 21<sup>st</sup> (Livingston/Tangipahoa/St. Helena), 15<sup>th</sup> (Lafayette/Acadia/Vermillion), and the 23<sup>rd</sup> (St. James/Ascension/Assumption) Judicial District Public Defender Offices. Finally, the public defender office for the 25<sup>th</sup> Judicial district experienced such a drastic decrease in funding, it had to briefly shutdown and close its doors last Spring until the LPDB was able to provide emergency funds allowing the office to remain open for the balance of the fiscal year. Even the increased funding to the districts cannot eliminate the financial pitfalls created by an unstable, unreliable, and insufficient local funding source, especially when that funding is the source of a majority of the district's funding.

Unfortunately, the additional funding to the districts comes at a cost. The increased funding to the districts has come from other areas of the LPDB budget. In particular, there has been a corresponding decrease in the administrative budget and in services provided by non-profit organizations that contract with the LPDB to provide particularized representation for the poor of this state.

The reduction in the LPDB administrative budget has resulted in a curtailing of training for public defenders throughout the state. This directly and adversely impacts a line defender's ability to adequately represent the poor. We have had to discontinue our contracts with attorneys to provide representation in Sex Offender Assessment Panels throughout the state. This allowed for specialized representation in these matters, at no cost to the districts, and provided a service that ensured these cases would move efficiently through the criminal justice system. These cases must now be handled by the individual district offices, adding a new burden upon them and requiring them to handle cases for which they have no particular expertise.

We have had to reduce the contracts for all of our non-profit programs. Non-capital appeals have been reduced and non-profit programs have had to dismiss appellate attorneys. This program has historically taken the burden of criminal appeals from the districts. We do not want this duty to fall to the districts, again. We are now experiencing wait lists in death penalty trials. We are effectively institutionalizing an ineffective assistance of counsel claim in all of these cases, as there is no representation on the merits of these cases while on a wait list and there is risk of key evidence being lost waiting for a defendant to be represented. Also jeopardized is representation in death penalty appeals and post-conviction, juvenile representation, and non-capital post-conviction cases.

Public defense in Louisiana remains under-funded. While budgeting additional funds to the districts was necessary, it has not solved the funding issues in public defense, rather it has simply shifted the problem to other areas of representation. We can expect litigation, alleging a lack of adequate funding for representation of the poor in Louisiana's criminal justice system. In fact, it has already begun and we can expect new cases in the coming year. Rather than spending funds on the representation of the poor, we can expect to pay for attorneys to defend the state due to its lack of funding for representation of the poor.

It is also important to note that the increased funding to the districts is only a temporary fix. As stated above, the primary funding problem facing the districts is a local one. The majority of local funds are derived from traffic tickets. LPDB has no control over traffic enforcement, prosecution, or collection. Law enforcement can unilaterally reduce traffic enforcement, for good or bad reasons, or no reason whatsoever. Traffic cases can be diverted so that no proceeds reach the public defender in the district. These funds can be reduced by severe weather, elections and other political vagaries, judicial action, reductions in road traffic, and the lack of interstate or major highways in a particular jurisdiction. Further, district offices are entirely reliant upon their counterparts in the criminal justice system to collect and remit the fines and fees needed to operate their respective offices.

For the district defender offices to receive any funds from traffic tickets, there must be a filing of the case in court. We now have data from the Louisiana Supreme Court that establishes a marked decrease in the filing of ticket cases in both city and district courts. This has been a steady decrease from 2009 to 2014. During that period, there was a 24% decrease in ticket filings in district courts throughout the state, for an aggregate total of 117,691 fewer filings. There has been a 31% decrease in ticket filings in city courts, statewide, for a decrease of 237,808 filings. In total, there has been a decrease of 29% in ticket filings with an aggregate decrease in filings of 355,499. Pursuant to R.S. 15:176, the districts are to receive \$45 per

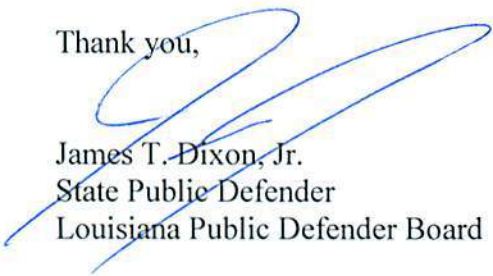


conviction in traffic cases. If tickets are not filed, revenue cannot be generated. In 2014, we know that the local districts collected on about 47% of the tickets filed. When we compare the ticket filings in 2009 to those in 2014, we are able to determine that the districts lost approximately \$7,518,803 in revenues due to the decrease in ticket filings, in 2014 alone. In 2015, there was an additional decrease of 396,921 tickets filed. That year, the local districts collected on about 47.5% of the tickets filed. When we compare the ticket filings in 2009 to those in 2015, we are able to determine that the districts lost approximately \$8,484,186 in revenues due to the decrease in ticket filings, in 2015. Over a two- year period, that is a loss of \$16,002,989. These losses in revenues would be sufficient to avoid restrict of services in the districts. We expect that decline in court filings continued through 2016 with an even greater loss in revenue. Eventually, this trend will erase the shift in funding from programs and administration to the districts and we will again find ourselves with failing districts and an increased number entering restriction of services. These districts, once again, will not have sufficient funding to provide all of the services they have provided in the past and will, therefore, limit or eliminate some of those services. Unless we are able to find a stable, reliable, and sufficient funding source for the district defender offices, the decrease in ticket filings will result in another financial crisis in the districts.

With respect to the decrease in the funding for the non-profit, we can expect to see an impact this year. The State is now exposed to legal attack and litigation regarding the right to counsel. We will see funding litigation under *State v. Citizen*, 2004-1841, (La.4/1/05), 898 So.2d 325. *Citizen* allows the court to stop prosecutions in the event of inadequate funding to provide a defense. In extreme cases, it could result in the release of those charged with crimes, due to a lack of funding. This could become a public safety issue. We are also concerned that the lack of funding for public defense could result in federal litigation, resulting in the creation of a federal remedy imposed and overseen by the federal courts.

We actively seek out our partners in the criminal justice system and in state government to inform them of the upcoming crisis and to discuss possible solutions to the situation. We have contacted the Governor's Office, the Louisiana Supreme Court, State Senators and Representatives, District Attorneys, Judges, local government officials, and civic groups in an attempt to avoid this calamity. We will continue to work with all interested parties in finding a solution to protect our clients and our community.

Thank you,



James T. Dixon, Jr.  
State Public Defender  
Louisiana Public Defender Board

## **LPDB CY 2016 RECOMMENDATIONS FOR NEEDED CHANGES IN THE LAW**

- 1) Creation of a stable, reliable, sufficient funding source for public defense
  - a. Stable, reliable, sufficient funding for public defense, including access to investigative resources, expert witnesses, and the appeals process helps ensure that the innocent are not convicted of crimes or delinquent offenses;
  - b. Access to social workers and other multidisciplinary professionals allow public defenders to connect clients to needed and appropriate services, including mental health care, job training and education, employment, transportation assistance, housing, and other protective factors that decrease recidivism, violations of probation, parole, conditions of bond, and expeditious, successful, and permanent reunification of families in the child welfare system.

- 2) Explicitly provide that case-specific information and case-specific records obtained by executive staff are privileged, confidential, and protected from disclosure or discovery.

- 3) Reclassification of misdemeanors

In conjunction with the Louisiana State Bar Association's 2015 Mid-Year Meeting of the House of Delegates and the passage of Resolution 8 and the 2010 LSBA resolution, the Louisiana Public Defender Board urges the legislature to refer the study of reclassification of certain misdemeanors to the Louisiana Law Institute. In light of the cost of representation, the extensive collateral consequences of misdemeanor convictions and their impact on citizens' ability to join or remain in the workforce, reclassification of selected misdemeanors potentially could save the state millions of dollars.

- 4) Eliminate indiscriminate shackling of children in delinquency cases

In keeping with modern neuroscience and adolescent development theory, and with applicable principles of Due Process, the LPDB staff recommends the legislature add the following language to an appropriate article in the Children's Code:

1. Instruments of restraint, such as handcuffs, chains, irons, or straitjackets, cloth and leather restraints, and other similar items, may not be used on a child during a court proceeding and must be removed prior to the child being brought into the courtroom and appearing before the court unless the court finds that:

(A) The use of restraints is necessary due to one of the following factors:

- (i) Instruments of restraint are necessary to prevent physical harm to the child or another person;
- (ii) The child has a history of disruptive courtroom behavior that has placed others in potentially harmful situations or presents a substantial risk of inflicting physical harm on himself or herself or others as evidenced by recent behavior; or



## **LPDB CY 2016 RECOMMENDATIONS FOR NEEDED CHANGES IN THE LAW**

- (iii) There is a founded belief that the child presents a substantial risk of flight from the courtroom; and
  - (B) There are no less restrictive alternatives to restraints that will prevent flight or physical harm to the child or another person, including, but not limited to, the presence of court personnel, law enforcement officers, or bailiffs.
- 2. The above findings may be made in a summary or contradictory proceeding, but must be made based on facts and circumstances particular to the child. The court shall provide the juvenile's attorney an opportunity to be heard before the court orders the use of restraints. If restraints are ordered, the court shall make written findings of fact in support of the order.
- 3. Any restraints shall allow the child limited movement of the hands to read and handle documents and writings necessary to the hearing. Under no circumstances shall a child be restrained using fixed restraints to a wall, floor or furniture.
- 5) Amend La. R.S. 15:151 to provide that a majority of board members shall constitute a quorum for transacting business.
- 6) Reform of expungement procedures in Title VIII of the Children's Code to provide for streamlined or automatic expungement of juvenile adjudications such that youth are not inhibited from pursuing post-secondary education, employment, or other benefits or services.
- 7) Amend 15:529.1(c) to provide for a shortened cleansing time for prior convictions to be used to enhance sentences.

## **2016 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION (as required by La. R.S. 39:31)**

*The mission of the Louisiana Public Defender Board is:*

In pursuit of equal justice, the Louisiana Public Defender Board (LPDB) advocates for clients, supports practitioners and protects the public by continually improving the services guaranteed by the constitutional right to counsel. Through its commitment to performance standards, ethical excellence, data-driven practices and client-centered advocacy, LPDB oversees the delivery of high quality legal services affecting adults, children and families, and supports community well-being across Louisiana.

*The vision statement of the Louisiana Public Defender Board is:*

The Louisiana Public Defender Board (LPDB), a recognized leader in the delivery of client-centered legal representation services, is a dynamic and engaged partner in local, state and national criminal and juvenile justice systems. LPDB and its public defender offices prevent wrongful conviction, protect due process and constitutional rights, increase public safety, promote fiscal responsibility, and support economic growth throughout Louisiana.

**Goal 1/4) LPDB will attain adequate budgetary and other resources that are essential for the delivery and supervision of the high quality, ethical legal defense representation services on behalf of LPDB's indigent adult and juvenile clients throughout the state of Louisiana.**

- Through outreach efforts, prevented a reduction in the state appropriation amid state agency budget reductions.
- Submitted FY 18 budget request to the Division of Administration for Legislative consideration (\$62,455,320 appropriation).
- Conduct an empirical case weighting study which will implement timekeeping among public defenders and update Louisiana's caseload standards with previously acquired \$120,000 grant from the Laura and John Arnold Foundation.
- Procured and successfully completed all deliverables for the Louisiana Commission on Law Enforcement and the Administration of Justice (LCLE) Grant (\$50,000).
- Procured a grant to contract with an auditor to conduct audits of multiple public defender offices, which included corrective action plans, as appropriate.
- Assisted Orleans Public Defenders in procuring a \$300,000 3-year grant to support multidisciplinary practice in child welfare parent representation.
- Conducted 6 full-scale compliance site visits in the 1<sup>st</sup>, 16<sup>th</sup>, 22<sup>nd</sup>, 27<sup>th</sup>, 32<sup>nd</sup>, and 33<sup>rd</sup> Judicial Districts to verify and improve accuracy in reporting, assess the quality of representation, and evaluate the office's internal practices and standing in the criminal justice and juvenile justice communities.
- Observed court proceedings in districts in addition to those as part of site visits, including the 9<sup>th</sup> and 29<sup>th</sup>.
- Maintained online financial and personnel compensation reporting tools.
- Continued monthly financial reporting of all Monthly Financial Reports submitted by the districts.

## **2016 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION (as required by La. R.S. 39:31)**

- Continued to use a “needs-based” budget request process to identify a statewide public defense budget that incorporates national workload standards and other identified essential expenses.
- LPDB provided information to the legislature with respect to the creation of a fund to provide effective post-dispositional representation to youth held in the custody of the Office of Juvenile Justice.

### **Goal 2/4) LPDB will cultivate a technologically proficient defender community that utilizes up-to-date data-driven practices in its case management and systemic advocacy.**

- Maintained district online monthly financial and personnel compensation reporting and district budget request tools, which integrate with the case management system and the district-level dashboard reports (developed in 2013), and offered technical support as needed.
- Maintained an online SOAP invoicing tool for SOAP line attorneys statewide which improved the efficiency and oversight of SOAP representation expenses with support from the Budget Division.
- Maintained a fully web-based Continuity of Operations Plan (COOP) communications system which allows displaced and mobile district management to e-message with state-level officers, board members, and with each other from any computer or handheld device with internet access (permitting them to communicate and update contact information in an online database in real-time as often as needed), and conducted a successful training-drill with the district offices and program offices.
- Continued to develop a prototype for a revision of capital case data collection on the database to better follow the unique flow of capital criminal procedure and presented to key users.
- Continued the grant-funded project of developing step-wise mandatory data collection fields.
- Created an Information Technology Advisory Council of data entry specialists from the districts.
- Implemented in Orleans Public Defenders, as part of a project funded by the Kellogg Foundation, a series of data points to capture in Child in Need of Care cases to measure quality of representation and the courts’ responses to children’s needs.
- Supported the Institute for Public Health and Justice’s data-driven study of the potential impact of raising the age of jurisdiction of adult criminal court from 17 years of age to 18 years of age, which resulted in historic legislation to raise the age to 18.
- Supported a grant application for the 41<sup>st</sup> District PDO (Orleans Public Defenders) from the Kellogg Foundation to fund multidisciplinary practice in the parent representation division.
- Reported data case intake rates in the juvenile and adult court to the districts on a semi-annual basis, normalized to overall district population.
- Created a Juvenile Data Advisory Group to assist staff in developing data useful to juvenile defenders.

## **2016 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION (as required by La. R.S. 39:31)**

- Examined charging information in juvenile delinquency cases to determine the most common charges in the state and the Disparate Minority Contact associated with the charges.

**Goal 3/4) LPDB will create and offer a statewide training and learning program for attorneys and non-attorney professionals that develops, promotes and supports their delivery across the state of effective, high quality legal representation services for all adult and juvenile clients.**

- Conducted the annual Juvenile Defender Training for parent attorneys on February 18-19, 2016. Parent attorneys held sessions on Appellate Review, Tying Safety and the Fundamental Right to Parent Together, The Ethical Requirement of Zealousness and Identifying Opportunities to be Zealous for Your Client; Developing a Theory of the Case; Trauma-Informed and Development-Informed Practice; Advancing Your Case Through State Witnesses; Strategies for Promoting Family Autonomy and Cohesion; and Positive Case Plans Through Professional Interactions with DCFS Workers, Prosecutors, and Your Client. LPDB Staff was joined as faculty by Diana Rugh Johnson, Ari Mathé, and Stephanie Ledesma.
- Conducted the annual Juvenile Defender Training for delinquency/FINS defenders on February 25-26-2016. Delinquency defenders held sessions on Adolescent Development, Investigations, Interactions with Probation Officers, Prosecutors, Judges, and Parents, the Fourth Amendment, and Trauma-Informed Practice. The training faculty included local contributors Hector Linares, Jack Harrison, Ariel Test, and Kay Franks; who were joined by Cathryn Crawford of Texas and Eduardo Ferrer of Washington, D.C.
- Conducted a tour of the state to present to juvenile defenders on the changes to the law. DPD-DJDS Pittman presented in the following districts, with neighboring districts also invited to attend:
  - 1<sup>st</sup> (Caddo Parish)
  - 4<sup>th</sup> (Ouachita & Morehouse Parishes)
  - 9<sup>th</sup> (Rapides Parish)
  - 14<sup>th</sup> (Calcasieu Parish)
  - 15<sup>th</sup> (Lafayette, Acadia, Vermillion Parishes)
  - 22<sup>nd</sup> (St. Tammany, Washington Parishes)
  - 23<sup>rd</sup> (Ascension, Assumption, St. James Parishes)
  - 40<sup>th</sup> (St. John the Baptist Parish)
- Conducted a new Juvenile Defender Institute training program in Ascension Parish on December 2, 2016. This included sessions on the Role of the Juvenile Defender, Juvenile Procedure and Detention Advocacy, and Substantive Differences Between Adult and Juvenile Law. Twenty-one (21) defenders participated.
- Conducted a session on Fourth Amendment Advocacy in Juvenile Court in Lafayette on December 9, 2016. Seven (7) Defenders participated.

## **2016 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION (as required by La. R.S. 39:31)**

- Collaborated with the Louisiana Center for Children's Rights to conduct two trainings on *Miller* and *Montgomery* Sentencing and Resentencing in Louisiana on August 26, 2016, at the University of Louisiana at Monroe, and on December 16, 2016 at Southern University in Baton Rouge. 31 defenders and investigators took part in the program, which focused on legal updates, adolescent development, ethical obligations, motions practice, and mitigation in JLWOP (a.k.a. *Miller*) cases.
- Trained district staff in the 9<sup>th</sup> and 14<sup>th</sup> districts on the implications of the *Miller/Montgomery* decisions.
- The 2016 Capital Defender Training was held in Baton Rouge on October 19-21, 2016. 37 participants, including public defenders, investigators, and mitigation specialists attended the specialized training.
- Collaborated with the National Association of Criminal Defense Lawyers to conduct the LA Trial Skills Re-Boot Camp in Baton Rouge on November 3-4, 2016. This training was funded by a grant from Koch Industries targeted to organizations that have demonstrated a strong commitment to ensuring that every poor criminal defendant is provided with competent, zealous representation.
- Engaged in ongoing efforts to develop and implement LPDB's 5-year Strategic Plan and continue building a library of LPDB training materials.
- Conducted a webinar on representing clients who are involved in the child welfare system in their non-child welfare cases through the National Association for Public Defense, available to public defenders around the state and the nation. The webinar focused on giving defenders the information they needed about the child welfare system to effectively incorporate the clients' child welfare needs into their advocacy.
- Collaborated with the Louisiana Center for Children's Rights to conduct a one day training on *Miller v. Alabama* and *Montgomery v. Louisiana*: Sentencing and Resentencing on December 16, 2016, at the Southern University Law Center in Baton Rouge. 38 defenders and investigators attended the training, which included sessions on development and presentation of mitigation evidence, adolescent development, legal updates, ethical obligations in *Miller* and *Montgomery* representation and motions practice.
- 38 of the 42 districts in the State sent at least one defender to at least one training.

### **Goal 4/4) LPDB will develop, cultivate and support leaders in each district office that share and promote LPDB's vision of standards-based, community oriented, data driven and client-centered legal representation, while respecting local variances in defense delivery mechanisms**

- Conducted site visits to the following 6 district offices/programs, with outreach to District Defenders, front-line defenders, judges, clerks, and prosecutors to develop an accurate appreciation of systemic issues related to local public defense delivery:
  - 1<sup>st</sup> (Caddo)
  - 16<sup>th</sup> (St. Martin, St. Mary, Iberia)
  - 27<sup>th</sup> (St. Landry)
  - 32<sup>nd</sup> (Terrebonne)
  - 33<sup>rd</sup> (Allen)

## **2016 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION** (as required by La. R.S. 39:31)

- DPD-DJDS Pittman attended, with funding through the Louisiana Commission on Law Enforcement, the Juvenile Detention Alternatives Initiative Scale Convening in Omaha, Nebraska on September 8-9, 2016.
- DPD-DJDS Pittman attended, through personal funds, the National Juvenile Defender Center Leadership Summit on October 28-30, 2016, and presented on Determining Caseload Limits.
- Commenced development of the Juvenile Defender Training for 2017.
- Held 2 District Defender Meetings, the first on January 12, 2016, and the second on February 18, 2016.
- Conducted outreach meetings to discuss Louisiana's inadequate, unreliable, and unstable funding stream:
  - Governor's Office
    - Criminal Justice Policy Advisor
    - Executive Counsel
  - Division of Administration
  - Department of Children & Family Services
  - Louisiana Supreme Court
  - Louisiana District Judges Association
  - Louisiana District Attorneys Association
  - Legislators
    - Representative Brown, Plaquemine
    - Representative Gary Carter, New Orleans
    - Representative Coussan, Lafayette
    - Representative Gaines, LaPlace
    - Representative Jackson, Monroe
    - Representative Robert Johnson, Marksville
    - Representative Jones, Franklin
    - Representative Leger, New Orleans
    - Representative Leopold, Belle Chasse
    - Representative Mack, Albany
    - Representative Magee, Houma
    - Representative Schroder, Covington
    - Representative Shadoin, Ruston
    - Representative Smith, Baton Rouge
    - Senator Johns, Lake Charles
    - Senator Martiny, Metairie
    - Senator Morrell, New Orleans
    - Senator Peacock, Bossier City
    - Senator Gary Smith, Norco
- Continued drafting Standards of Representation in Family in Need of Services (FINS) cases.
- Began the process of revising the *LPDB Trial Court Performance Standards for Attorneys Representing Children in Delinquency Cases*.

## **2016 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION (as required by La. R.S. 39:31)**

- Began promulgation process for *LPDB Performance Standards for Attorneys Representing Juveniles in Life Without Parole Cases*.
- Worked in collaboration with various task forces and committees to improve the administration of criminal and juvenile justice throughout Louisiana.
- Participated on many worthy projects that required collaboration with other Criminal Justice System agency partners and stakeholders, including:
  - LSBA Criminal Justice Committee
  - LSBA Criminal Law Committee
  - Louisiana Supreme Court Rules Committee
  - Louisiana Sentencing Commission (commission member)
  - Louisiana Sentencing Commission Release/Re-Entry Committee (member)
  - Louisiana Sentencing Commission Justice Reinvestment Task Force
  - Community Oriented Defender Network
  - Louisiana Commission on Law Enforcement and the Administration of Justice (commission member)
  - *Graham v. Florida* Task Force
  - Louisiana State Law Institute
  - National Juvenile Justice Network
  - Body Camera Implementation Task Force
  - Reentry Advisory Council
  - Indigent Defense Review Committee
  - Louisiana's Together We Can Conference
  - Louisiana Law Institute Children's Code Committee (member)
  - Louisiana Law Institute Criminal Code Revision Committee
  - Language Access Coalition
  - Louisiana Drug Policy Board (member)
  - Juvenile Justice Implementation Commission (member)
  - Raise the Age Commission
  - ABA Task Force on Comprehensive Representation
  - American Society of Criminology
  - Louisiana Judicial College
  - NLADA Systems Development Committee
  - Southern Juvenile Defender Center Advisory Committee
  - Pelican Center for Children and Families (board member)
  - Capital Punishment Impact Commission (member)
  - Pretrial Services Commission (member)
  - Code of Criminal Procedure Revision Committee (member)
  - Indigent Defense Research Association
  - Pelican Center for Children & Families
  - Pelican Center for Children & Families Training Committee (member)
  - Court Improvement Program Advisory Committee (member)
  - NAPD Workload Committee (member)
  - NAPD Demand Side Subcommittee of the Workload Committee
  - NAPD Death Penalty Subcommittee of the Education Committee
  - NAPD Racial Justice Committee

## **2016 ANNUAL REPORT UPDATE ON STRATEGIC PLANNING IMPLEMENTATION** (as required by La. R.S. 39:31)

- NAPD Juvenile Committee (member)
- ABA Indigent Defense Advisory Group
- ABA Parent Representation Project Steering Committee (member)
- Child Protection Representation Commission (member)



**LOUISIANA PUBLIC DEFENDER BOARD**  
**BOARD OF DIRECTORS**  
**January 1-August 1, 2016**

**Judge Robert J. Burns** (Retired)

6046 General Haig Street  
New Orleans, LA 70124  
Phone: (504) 779-5703  
Email: rjbjudge@cox.net  
Appointed by: Chief Justice  
Louisiana Supreme Court  
*Term: 01/01/2011 – 12/31/2014 (Vice: Self)*  
*Term: 01/01/2015 – 12/31/2018*

**Designated Chairman by the Governor, March 23, 2014**

**Leo Hamilton**

Post Office Box 3197  
Baton Rouge, LA 70821  
Phone: (225) 387-4000  
Email: leo.hamilton@bswllp.com  
Appointed by: Governor  
*Term: 04/05/2013 - 01/31/2017*

**Franz Borghardt**

6513 Perkins Road  
Baton Rouge, LA 70808  
Phone: (225) 767-7778  
Email: franz@stevenmoorelaw.com  
Appointed by: Governor  
*Term: 02/13/2015 – 02/12/2019*

**Flozell Daniels, Jr.**

4750 Schindler Drive  
New Orleans, LA 70127  
Phone: (225) 383-1672  
Email: fdaniels@foundationforlouisiana.org  
Appointed by: Chief Justice  
Louisiana Supreme Court  
*Term: 06/01/2015 – 05/31/2019*

**Vacant**

Appointed by: Speaker of the House of  
Representatives  
*Term:*

**C. Frank Holthaus**

619 Main Street  
Baton Rouge, LA 70801-1910  
Phone: (225) 344-3735  
Email: fholthaus@dphf-law.com  
Appointed by: President of the Senate  
*Term: 02/02/2013-02/01/2017*

**Jacqueline Nash Grant**

Southern University Law Center  
Post Office Box 9294  
Baton Rouge, LA 70813  
Phone: (225) 771-3333  
Email: jnash@sulc.edu  
Appointed by: Governor  
Representing Southern Univ. Law Center  
*Term: 02/14/2012 – 02/13/2016*

**Mr. M. Hampton Carver**

Carver, Darden, Koretzky, Tessier, Finn,  
Blossman & Areaux, LLC  
1100 Poydras St., Ste. 3100  
New Orleans, LA 70163  
Phone: (504) 585-3800  
Fax: (504) 585-3801  
Email: carver@carverdarden.com  
Appointed by: Louisiana Interchurch  
Conference  
*Term: 01/01/2014 – 12/31/2017*

**Robert E. Lancaster**

Paul M. Hebert School of Law  
E. Campus Drive, W-151  
Baton Rouge, LA 70803  
Phone: (225) 578-8262  
Email: Robert.lancaster@law.lsu.edu  
Appointed by: Governor  
Representing: Paul M. Hebert Law Center  
*Term: 06/07/2013-06/06/2017*

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**Herbert V. Larson, Jr.**  
Professor of Practice and  
Executive Director, International and Graduate  
Programs  
Tulane Law School  
6329 Freret Street, Suite 259D  
New Orleans, Louisiana 70118  
(504) 865-5839  
(504) 862-8853 (fax)  
Appointed by: Governor  
Representing Tulane University School of Law  
*Term: 02/13/2015 - 02/12/2019*

**Herschel E. Richard, Jr.**  
Cook, Yancey, King & Galloway, APLC  
333 Texas Street, Suite 1700  
Shreveport, LA 71101-3675  
Phone: (318) 227-7738  
Email: [herschel.richard@cookyancey.com](mailto:herschel.richard@cookyancey.com)  
Appointed by: President, Louisiana  
State Bar Association  
*Term: 07/21/2011 – 01/21/2015*  
*Reappointment: 01/22/2015 – 01/21/2019*

**Thomas L. Lorenzi**  
Lorenzi & Barnatt, LLP  
518 Pujo Street  
Lake Charles, LA 70601  
Phone: (337) 436-8401  
Email: [tlorenzi@lblegal.com](mailto:tlorenzi@lblegal.com)  
Appointed by: President, Louisiana  
State Bar Association  
*Term: 12/03/2010 – 12/02/2014*  
*Reappointment: 12/03/2014 – 12/02/2018*

**Gina Womack**  
1600 Oretha Castle Haley Blvd.  
New Orleans, LA 70113  
Phone: (504) 522-5437 Ext. 242  
Email: [gwomack@fflic.org](mailto:gwomack@fflic.org)  
Appointed by: Louis A. Martinet Society  
*Term: 06/19/2012 – 06/20/2016*

**Hector Linares**  
LSU Law Center, LSU Box 25080  
Baton Rouge, LA 70803  
Phone: (225) 578-1885  
Email: [hector.linares@law.lsu.edu](mailto:hector.linares@law.lsu.edu)  
Appointed by: Children Code Committee  
Louisiana State Law Institute  
*Term: 04/09/2013 – 04/08/2017*

**Stephen Singer**  
Assistant Clinical Professor  
309 College of Law  
540 Broadway Building  
New Orleans, LA 70118  
(504) 861-5681  
Appointed by: Governor  
Representing Loyola University  
School of Law  
*Term: 02/13/2015 – 02/12/2019*

*Ex-Officio*

**Rebecca Hudsmith**  
102 Versailles Blvd., Suite 816  
Lafayette, LA 70501  
Phone: (337) 262-6336  
Email: [Rebecca\\_hudsmith@fd.com](mailto:Rebecca_hudsmith@fd.com)  
Appointed by: Louisiana Association of Criminal Defense Lawyers  
*Non-Voting, No term*

**LOUISIANA PUBLIC DEFENDER BOARD**  
**BOARD OF DIRECTORS**  
**August 1 – December 31, 2016**

**C. Frank Holthaus, Chairman**

Attorney at Law  
619 Main Street  
Baton Rouge, LA 70801-1910  
Phone: (225) 344-3735  
Email: fholthaus@dphf-law.com  
Appointed by: President of the Senate  
Term: 02/2/2013-02/01/2017  
*Designated as Chairman by the Governor: 11/28/2016*

**Flozell Daniels, Jr.**

4750 Schindler Drive  
New Orleans, LA 70127  
Phone: (225) 383-1672  
Email: fdaniels@foundationforlouisiana.org  
Appointed by: Chief Justice  
Louisiana Supreme Court  
Term: 06/01/2015 – 05/31/2019

**Hon. W. Ross Foote (Ret.)**

3420 Calumet Drive  
Shreveport, LA 71107  
Phone: (318) 446-7115  
Email: ross@rossfoote.com  
Appointed by: Chief Justice  
Louisiana Supreme Court  
Term: 08/01/2016 – 12/31/2018

**Zita Jackson Andrus**

Attorney at Law  
4322 Crossington Street  
Lake Charles, LA 70605  
Phone: (985) 713-6013  
Email: zandrus@baggettmccall.com  
Appointed by: Chief Justice  
Louisiana Supreme Court  
Term: 08/01/2016 – 07/31/2020

**Moses Junior Williams**

Attorney at Law  
520 Snyder Street  
Tallulah, LA 71282  
Phone: (318) 574-0620  
Email: williamsmoses@att.net  
Appointed by: Chief Justice  
Louisiana Supreme Court  
Term: 08/01/2016 – 07/31/2020

**Chris Bowman**

330 East Main  
P. O. Box 190  
Jonesboro, LA 71251  
Phone: (318)259-6200  
Fax: (318)259-7389  
Email: clblalaw@bellsouth.net  
Appointed by: Speaker, House of Representatives  
Term: 07/08/2016 – 02/24/2017

**Donald W. North**

Attorney at Law  
4395 Cherokee Roads Drive  
Zachary, LA 70791  
Phone: (225)771-2552  
Email: dnorth@sulc.edu  
Appointed by: Governor  
Representing Appellate District 1  
Term: 09/27/2016-09/26/2018

**Katherine E. Gilmer**

Gilmer & Giglio, LLC  
3541 Youree Drive  
Shreveport, LA 71105  
Phone: (318)840-5511  
Email: Katherine@gilmergiglio.com  
Appointed by: Governor  
Representing Appellate District 2  
Term: 09/27/2016-09/26/2019

**Thomas D. Davenport, Jr.**

602 Murray Street  
Alexandria, LA 71301  
Phone: (318)445-9696  
Email: tdavenportjr@davenportfirm.com  
Appointed by: Governor  
Representing Appellate District 3  
Term: 09/27/2016 – 09/26/2018

**Michael C. Ginart, Jr.**

Attorney at Law  
2114 Paris Road  
Chalmette, LA 70043  
Phone: (504) 271-0471  
Email: mginart@ginartlaw.com  
Appointed by: Governor  
Representing Appellate District 4  
Term: 09/27/2016 – 09/26/2019

**Patrick J. Fanning**

Attorney at Law  
238 Huey P. Long Avenue  
Gretna, LA 70053  
Phone: (504)368-7888  
Email: pfanninglaw@aol.com  
Appointed by: Governor, Representing Appellate  
District 5  
Term: 09/27/2016 – 09/26/2017

# **LOUISIANA PUBLIC DEFENDER BOARD CHAIRMAN OF THE BOARD**

(March 24, 2013 - August 1, 2016)

## **Hon. Robert J. Burns, Retired New Orleans, Louisiana**

The Honorable Robert J. Burns, (Ret.), appointed to the Louisiana Public Defender Board by the Chief Justice of the Louisiana Supreme Court (Jan 2011 – Aug 2016), served as Chairman (designated by Governor Bobby Jindal), from March 23, 2014 until August 1, 2016.

Robert J. Burns was elected a State District Judge in 1978 for the 24th Judicial District Court for the Parish of Jefferson. He was re-elected parish wide without opposition in 1984 and 1990. He did not seek re-election in 1996. Judge Burns served many years on the Board of Governors of the Louisiana Judicial College by appointment of the Louisiana Supreme Court. He is a 1969 graduate of the Loyola Law School in New Orleans, Louisiana and practiced civil law before being elected a judge.

Since retirement, Judge Burns has accepted assignments from the Louisiana Supreme Court in high profile cases, both criminal and civil. Judge Burns was named to the Constitution Project's death penalty initiative, Washington D.C. in 2001. The committee published *Mandatory Justice, Eighteen Reforms to the Death Penalty*. He is currently a panel member of Perry Dampf Dispute Solutions, a Louisiana mediation and arbitration company.

In 2008, Judge Burns accepted then Louisiana Supreme Court Chief Judge Pascal Calogero's appointment to the Louisiana Public Defender Board meeting the statutory requirement of being a retired judge with extensive criminal law experience. In March of 2014, Judge Burns was designated by the Governor to serve as the LPDB Chairman.

Judge Burns, a former Kiwanis Club president, is also Chairman of the Board of Brother Martin High School, New Orleans, Louisiana. In December of 2014, Judge Burns accepted the Louisiana Association of Criminal Defense Attorneys' Trustee of Freedom Gideon Award.

# **LOUISIANA PUBLIC DEFENDER BOARD**

## **CHAIRMAN OF THE BOARD**

(November 28, 2016 – Present)

### **C. Frank Holthaus** **Baton Rouge, Louisiana**

C. Frank Holthaus did his undergraduate studies in Mechanical Engineering and Mathematics at LSU and the University of Texas. Having served over a year in the United States Merchant Marine, he entered LSU Law School where he served as research assistant to Professor George Pugh in his writings on the law of evidence (Louisiana Evidence Law) and federal jurisdiction. He graduated in 1975 and served as law clerk to Associate Justice John A. Dixon, Jr. of the Louisiana Supreme Court after which he established his law practice in Baton Rouge in 1976. Mr. Holthaus taught Business Law at the LSU Center for Engineering and Business from 1980 to 1985. He is currently an Adjunct Professor at the LSU Law School.

For over forty years, Mr. Holthaus has practiced in almost every field of litigation. In criminal practice he has represented people, businesses, and industry in a wide array of investigations, indictments, trials, and appeals. In his civil practice, he has represented both plaintiffs and defendants. Mr. Holthaus has the rare distinction of representing both plaintiffs and defendants in complex class action litigation in various federal courts.

As one of only four lawyers in the state of Louisiana to be certified in criminal trial law by the National Board of Trial Advocacy, Mr. Holthaus has achieved verdicts of not guilty and the immediate release of his client in numerous federal prosecutions. His litigation experience includes those involving violations of Racketeering Influenced Corrupt Organization Act (RICO); Continuing Criminal Enterprise Act (CCE); Labor Racketeering Act; Hobbs Act; Industrial Espionage; Theft of Trade Secret; Federal Jury Tampering; Anti-Trust; Foreign Corrupt Practices Act; Capital Murder; Bank Fraud, Federal Land Bank Loan Fraud; Interstate Transportation of Stolen Property; Federally Funded Contract Fraud; Federal Jury Tampering; Resource Conservation and Recovery Act (RCRA) violations; Comprehensive Environmental Response, Compensation, and Liability Act (Superfund - CERCLA) violations; Federal Bribery Statute; Medicare & Medicaid Fraud; ERISA Fraud, Deprivation of Civil Rights by Murder; Brokerage House Fraud; Ponzi Scheme, and many more.

In his civil practice, Frank has successfully represented numerous plaintiffs and has achieved multiple six and seven figure recoveries. He has served as plaintiff counsel in class actions in both federal and state courts. Frank also represents defendants in civil cases. This includes defending energy, industrial, and commercial clients in matters such as construction contracts and fraud disputes, class action defense, Anti-Trust claims, air and water environmental discharges, maritime disputes, collisions and allisions, Carriage of Goods by Sea Act (COGSA & Jones Act) and much more.

Mr. Holthaus is admitted to practice in the United States Supreme Court, United States Fifth Circuit Court of Appeals, United States Eleventh Circuit Court of Appeals, United States District Courts for the Middle, Eastern and Western Districts of Louisiana; United States District Court Southern District of Missouri; and, all Louisiana State Courts.

# **LOUISIANA PUBLIC DEFENDER BOARD**

## **CHAIRMAN OF THE BOARD**

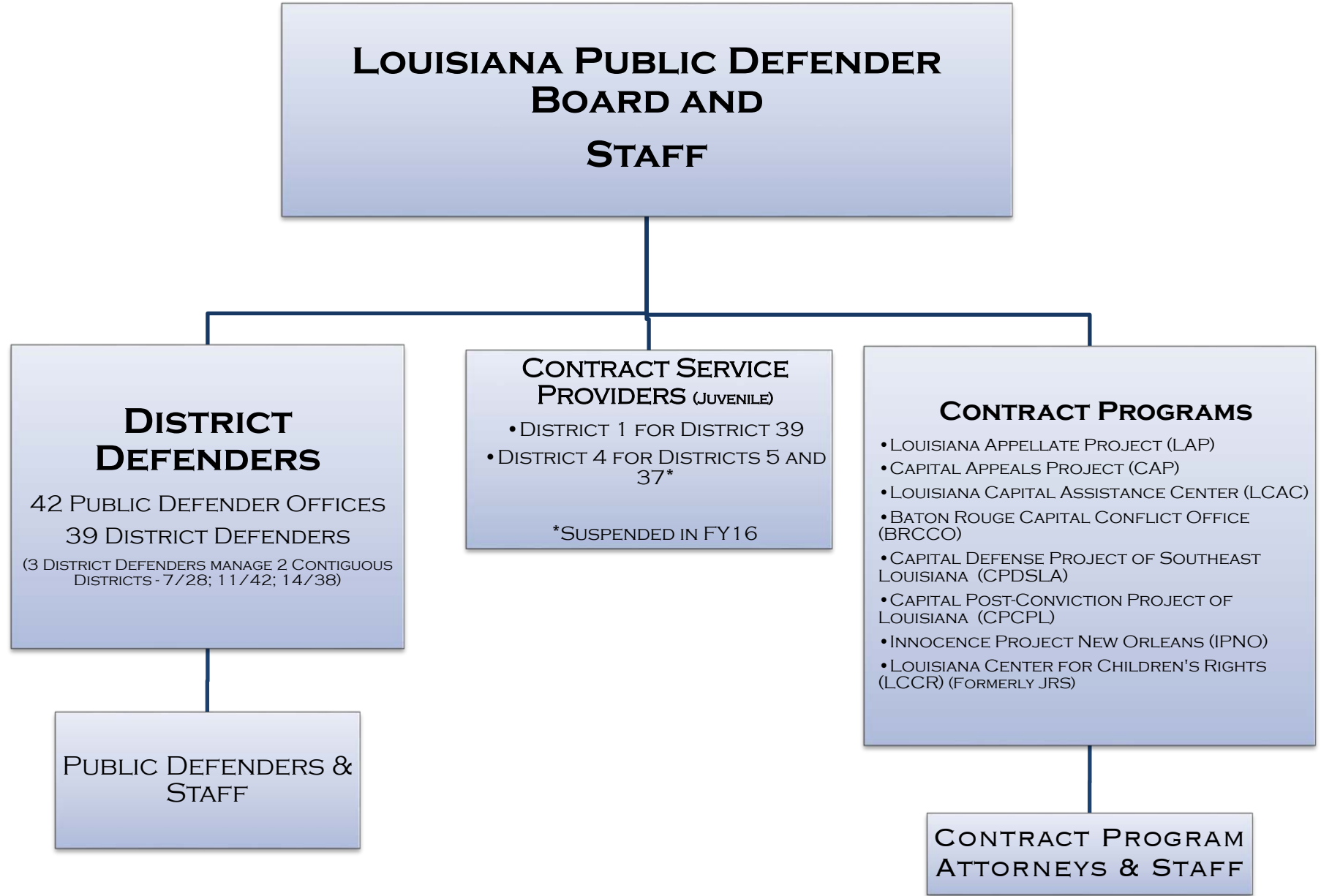
(November 28, 2016 – Present)

He maintains current membership in the Louisiana State Bar Association (1975); CJA Selection Panel, Middle District of Louisiana (1998); Louisiana Law Institute Criminal Procedure Committee (2009); Pugh Institute for Justice Advisory Committee (1998); Ethics Advisory Service Subcommittee (2014), House of Delegates (1990) and Legislations Committee (2014) Louisiana State Bar Association; and, National Board of Trial Advocacy, Criminal Trial Law (2000). He has also served as an Assistant Louisiana State Bar Examiner since 2000.

His past memberships include President, Baton Rouge Bar Association (1996); Member, Judicial Liaison Committee, Louisiana State Bar Association (2005-2006); Chairman, Federal Court Liaison Committee, Baton Rouge Bar Association (1999); Chairman, Louisiana Attorney Disciplinary Committee No. 27 (2000-2006); Local Criminal Rules Revision Committee, Middle District of Louisiana (1999); Board of Directors, Baton Rouge Bar Association (1988-1997); U.S. Magistrate Selection Committee, Middle District of Louisiana (1996); Charter Member, Mayor's Anti-Drug Task Force, East Baton Rouge Parish, (1989); Chairman, Local Rules Revision Committee, 19<sup>th</sup> Judicial District Court (1985-1987); Chairman, Criminal Law Section, Louisiana State Bar Association (1982); Standing Committee on Grand Juries, American Bar Association (1985-1992); White Collar Crime Committee, American Bar Association (1992-1996); Chairman, Louisiana Trial Lawyers Association, Criminal Law Section (2007); Charter Member, Louisiana Association of Criminal Defense Lawyers (1985); President, Baton Rouge Lawyers for Criminal Justice (1983); and, the Supreme Court of Louisiana Committee on Standards on Juror Use and Management.

Mr. Holthaus was a charter board member of The Ecumenical House (Federal Half-Way House). He participates in Catholic High School and St. Aloysius Catholic Church Men's Club activities and has coached CYO, St. Aloysius, and YMCA youth basketball.

Mr. Holthaus has served on the Louisiana Public Defender Board as an appointee of the President of the Senate since 2009 and most recently was appointed Chairman by the Governor in November, of 2016.



# **LOUISIANA PUBLIC DEFENDER BOARD STAFF**

## **2016**

### **James T. Dixon, Jr., State Public Defender**

James “Jay” Dixon was born at the United States Military Academy in West Point, NY into an army family. He moved throughout his childhood and graduated from high school in Madrid, Spain. After graduating from Bucknell University, he enrolled at Loyola Law School in New Orleans to pursue a law degree. Since graduating, his legal experience has been diverse. Mr. Dixon served as a law clerk at the Louisiana Supreme Court for former Justice Pike Hall. He had a private practice in New Orleans, while serving with the Jefferson Parish Public Defender's Office as contract counsel and later joined the St. John Parish Public Defender Office as a full-time line defender. He then served as the Attorney General for the Republic of Palau, a small island nation in the Pacific Ocean. Upon his return to the United States, Mr. Dixon was the Judicial Administrator for the 12th Circuit Court for the State of Virginia. After Hurricanes Katrina and Rita, he and his wife felt compelled to return to Louisiana. He accepted a position as a contract defender for the Lafayette Parish Public Defender Office. He was later selected and accepted the position of District Defender for the Parishes of Calcasieu and Cameron where he served from January 2011 through November 2013. He is the recipient of the Louisiana State Bar Association’s Catherine D. Kimball Award (2013) and the Louisiana Association of Criminal Defense Lawyers’ Public Defender Gideon Award (2014). Mr. Dixon is married and has two beautiful children.

### **Barbara G. Baier, General Counsel**

Barbara Gelpi Baier became General Counsel for the LPDB on July 21, 2014. Her career with the court system began as a Probation Officer for Baton Rouge City Court Probation with a focus on counseling and rehabilitation of substance abuse offenders. Later, she attended Southern University Law Center and started her legal career in private practice in the field of insurance defense. During this time, Ms. Baier served as an ad hoc judge for Baton Rouge City Court and was an active member of the Baton Rouge Bar Association, particularly with the Pro Bono Project. From 1997 through 2006 she was a member of the BRBA’s Board of Directors and in 2007 served as its President. Prior to joining the staff at LPDB, Ms. Baier was an attorney for the Louisiana Department of the Treasury where she advised the agency on issues of contracts, legislation, policy and procedures, and various aspects of funding for the state.

### **Gina M. Carley, Administrative Coordinator/ITM Division**

Gina Carley joined the LPDB in August of 2010 as Administrative Coordinator and works as assistant to the ITM Division. Ms. Carley has over fourteen years of administrative experience. She worked for six years in various offices of State government, as well as six years for Shaw Environmental. Ms. Carley is a graduate of Excelsior College with an Associate of Science Degree in Liberal Arts.

### **Natashia M. Carter, Budget Officer**

Natashia M. Carter joined LPDB in July 2009. Prior to joining LPDB, Ms. Carter was an Accountant with the Department of Economic Development in the Fiscal Division of the Office of the Secretary for over five years. In her position with Economic Development, Ms. Carter was responsible for all payables, auditing and reimbursing employee travel along with many other duties. Ms. Carter holds a Bachelor of Science in Business/Accounting. In May of 2014, Ms. Carter assumed the position of Budget Officer, having managed the agency’s accounts for over five years.



**Jean M. Faria, Capital Case Coordinator**

Jean M. Faria currently serves as the Capital Case Coordinator for the Louisiana Public Defender Board. She served as the first State Public Defender from June 2008 through February 2013. For the previous 11 years, Ms. Faria served as the Assistant Federal Defender for the Middle and Western Districts of Louisiana, in Baton Rouge, Louisiana. From 1995-1997 she was the Chief Executive Officer of the Louisiana Indigent Defender Board in New Orleans. Prior to that, Ms. Faria worked as a public defender in the 19th Judicial District Public Defenders' Office in Baton Rouge.

Ms. Faria has been active in the public defense reform movement, both locally and nationally, for many years. She is a charter member of the Louisiana Association of Criminal Defense Lawyers and long-standing member of the National Association of Criminal Defense Lawyers. For more than 10 years she served on the Board of Directors of the National Legal Aid and Defender Association, serving as Chair of the Board for two years, and spent significant time as the Chair of the Defender Policy Group within that organization. She is a former Chair of the Indigent Defense Advisory Group (IDAG) to the Standing Committee on Legal Aid and Indigent Defendants (SCLAID) and remains an active member of IDAG and the Louisiana and American Bar Associations. Ms. Faria regularly lectures at criminal defense trainings and participates in policy research of state public defender systems around the country. In December 2009, she was awarded the Justice Albert Tate Jr. Award.

Ms. Faria received a Bachelor of Arts in English from the University of Massachusetts, at Amherst and received her J.D. from the Paul M. Hebert Law Center at Louisiana State University.

**Julie Gregory, Administrative Program Specialist/Training Assistant**

Julie Gregory joined LPDB in August 2010. Prior to joining LPDB, Ms. Gregory worked at a firm as a paralegal for five years, primarily in the insurance defense field. In 2001, Ms. Gregory earned her Bachelor of Arts in Sociology with a concentration in Criminology from Louisiana State University and received her paralegal certification from LSU's continuing education program in 2003. In November, 2014, after four years of providing specialized administrative services to the Director of Training, Ms. Gregory assumed the title of Training Assistant.

**Anne Gwin, Paralegal, Executive Assistant to the State Public Defender**

Anne Gwin graduated from Louisiana State University in 1982 with a Bachelor of Science in Liberal Arts. She was employed at that time with the Department of Culture, Recreation and Tourism and for ten years worked as a project manager and an executive assistant. In 1992, she took an office manager/legal secretary position with prominent Baton Rouge criminal defense attorney John Di Giulio. In 1999, Ms. Gwin received her paralegal certification from LSU's continuing education program. After 17 years of private sector criminal defense associated work in city, district and federal courts, she joined the staff of the Louisiana Public Defender Board in October 2008 as assistant to the Trial Level Compliance Officer. In November of 2009, Ms. Gwin accepted the position of Executive Assistant to the State Public Defender.

**Caressa Hall, Accountant**

Caressa Hall accepted the accountant position with LPDB in September, 2014. Ms. Hall obtained her Bachelor's degree in Accounting from Southern University in 2005. She brings with her state accounting systems experience, having worked as an Accountant for the Division of Administration, Office of Financial Support and Services and the Louisiana Department of Insurance for six years prior to joining LPDB.

**Amber Harriman, Administrative Coordinator/Capital Division**

Amber Harriman graduated from Central High School in 2013. She was employed for over two years at Central Heating & Air as a secretary, while attending school at Southeastern Louisiana University. In February, 2015, she began her career with the state as a WAE clerk for the Department of Treasury. Since then, Ms. Harriman has worked for the Louisiana Workforce Commission and is now serving as the Administrative Coordinator to the Capital Division.

**Tierre Hazlewood, Administrative Coordinator/Capital Division**

Tierre E. Hazlewood was born into an army family. She grew up on military installations and joined the Air Force at age 18. She served five years active duty and six years in the Louisiana Air National Guard for a total of 11 years military service. Ms. Hazlewood also served a six-month deployment to Afghanistan as a vehicle fleet manger, as well as a 12-month tour at Osan Air Base, Korea. She assisted in the Hurricane Gustav relief efforts in 2008 in which she worked at Homeland Security as part of her National Guard activation. Ms. Hazlewood has a Bachelor's Degree in Criminal Justice and a Master's degree in Applied Sociology from Southeastern Louisiana University. She joined LPDB after leaving the Louisiana State Police where she worked as an Administrative Assistant in the Assistant Superintendent's office. Tierre served as Administrative Coordinator to the Capital Division until June of 2016 at which time she relocated to New Orleans to embark on a new career and continue her education.

**Carol Kolinchak, Trial Level Compliance Officer**

Carol Kolinchak joined LPDB as the Trial Level Compliance Officer on January 4, 2016. Prior to joining LPDB, Ms. Kolinchak was Special Counsel at the Louisiana Center for Children's Rights (LCCR). In her capacity as special counsel, she played a leadership role in the development, implementation and coordination of litigation strategies and legal advocacy efforts that have led to justice reform in Louisiana. Before joining LCCR, she spent six and a half years as the Legal Director at the Juvenile Justice Project of Louisiana. She coordinated litigation, advocacy, and legislative efforts to end juvenile life without parole in Louisiana, including implementation of the Miller v. Alabama and Graham v. Florida decisions. In partnership with the Equal Justice Initiative, she represented Graham-impacted individuals in Louisiana. In 2011, Carol received the Lucy McGough Juvenile Justice Award from the Louisiana Association of Criminal Defense Lawyers.

Prior to joining JJPL, Carol was the Deputy Director of the Capital Post-Conviction Project of Louisiana (CPCPL). In that capacity, she provided direct supervision of attorneys and interns in a 20-person office responsible for providing representation to all death sentenced inmates in state and federal post-conviction proceedings in Louisiana.

Carol has been a solo practitioner representing criminal defendants at all stages of proceedings in state and federal court. In addition, Carol was a member of the Orleans Parish Conflict Panel primarily handling the penalty phase of capital trials. Previously, she has been a staff attorney at both the Louisiana Capital Assistance Center and the Loyola Death Penalty Resource Center.

Carol received her Bachelor of Business Administration from Temple University in 1982. She is a 1993 graduate of Northeastern University Law School in Boston and has been a member of the Louisiana Bar since 1993.

#### **Chase May, Tech Support Specialist**

Chase May graduated from LSU with a Bachelor of Arts degree in Economics in 2007. After graduating, he began his career in Information Technology in 2008 as a Support Technician with Innovative Computers, an I.T. consulting company serving local businesses in Gonzales and Baton Rouge. Mr. May rejoined the LPDB staff in August 2012 after previously serving for 2½ years.

#### **Richard Pittman, Deputy Public Defender/Director of Juvenile Defender Services**

Richard Pittman was hired by the Louisiana Public Defender Board on May 28, 2013, to be the Deputy Public Defender - Director of Juvenile Defender Services. He began his career in public defense in Juvenile Court and in criminal courts in 2006, and continued in the practice until his appointment as Deputy Public Defender. From 2006-2013, he represented juveniles accused of delinquency, parents and children in abuse and neglect cases, adults accused of misdemeanors and felonies up to and including capital murder. He had guardian ad litem certification which he maintained from 2006 until 2013. Prior to his public defense practice, Mr. Pittman worked in the field of personal injury litigation.

Mr. Pittman graduated from East Ascension High School in Gonzales, Louisiana, in 1992. Thereafter he attended Louisiana State University and obtained a Bachelor of Science degree in Chemical Engineering in 1996. He then obtained a Masters of Chemical Engineering from the University of Delaware in 1999. By then he was working as a consultant for C.F. Picou Associates, a Baton Rouge firm specializing in process control with business worldwide. In 2001, Mr. Pittman decided to go to law school and was admitted to the University Of Alabama School Of Law in 2002, graduating with honors in 2005. While at the University of Alabama School of Law, he was awarded the Order of Samaritan for public service and volunteerism.

#### **Cristine Roussel, Case Management Systems Analyst**

Cristine Roussel joined the LPDB staff as CMS Report Analyst in February 2012. Prior to joining LPDB, Ms. Roussel worked in private sector as a business analyst. Ms. Roussel earned her Bachelor's Degree in Psychology from LSU, in 2003. From 2003 to 2008 she was a Doctoral student in Cognitive/Experimental Psychology with a concentration in Statistics. She earned her Master's in Cognitive Psychology in 2005.

#### **Tiffany Simpson, Juvenile Justice Compliance Officer/Director of Legislative Affairs**

Tiffany Simpson became the Juvenile Justice Compliance Officer on August 5, 2013 and assumed a dual role as the agency's Director of Legislative Affairs in September, 2014. Prior to joining LPDB, Dr. Simpson was appointed to serve as the Executive Director of the Children's Cabinet in the Office of the Governor. As the Executive Director of the Children's Cabinet, Dr. Simpson

ensured the coordination of policy, planning, and budgeting among state services for children and families and also served as a policy advisor to the Governor on child-related issues. Dr. Simpson earned Bachelor's degrees in Psychology and Sociology with a concentration in Criminology from Louisiana State University and was awarded her Doctorate in Applied Developmental Psychology from the University of New Orleans.

**Erik Stilling, Ph.D., Information Technology & Management Officer/Program Development and Resource Management Officer**

Dr. Erik Stilling started with LPDB on September 24, 2008 and was tasked with developing uniform reporting systems to help the district offices to meet their monthly and annual reporting requirements and to develop and refine data collection and analysis systems for the Board's data-driven decision-making. These tasks culminated in the statewide comprehensive financial and case management database and the Dashboard real-time analytics system which helps the Board and districts in data-driven decision-making.

Dr. Stilling also serves as an Information Technology and Analysis advisor to the National Association of Public Defenders, the Indigent Defense Research Association, and the National Legal Aid and Defense Association's American Council of Chief Defenders-System Development and Reform committee. He began his career in the engineering department of WLAE-TV in New Orleans. After earning a doctorate, he taught Mass Communication Technology and Journalism at Nicholls State and served as the first Director of the Office of Distance Education, implementing compressed video and web-based technologies and applications for adult learners. From 2000-2005, Dr. Stilling worked in California at Holy Names University and as Dean at Expressions College for the Digital Arts, both in the Silicon Valley.

Dr. Stilling returned to Louisiana in December 2005 after Hurricane Katrina to help with reconstruction efforts and helped develop a data collection and analysis system as part of the MacArthur Models for Change program in the Jefferson Parish Department of Juvenile Services. This system was used to determine evidence-based alternatives to formal processing of juveniles facing detention and adjudication. He earned his Bachelor's Degree in Communications from Loyola University in New Orleans in 1987 and was awarded his Doctorate in Mass Communication from the University of Tennessee-Knoxville in 1992.

**Aliseia Williams, Administrative Coordinator/Payroll**

Aliseia Williams joined LPDB in June of 2014. Prior to joining LPDB, Ms. Williams worked as an Administrative Coordinator and a Contracts/Grants Reviewer for the state of Louisiana. She has over ten years of administrative experience. Ms. Williams serves as the agency's payroll purchasing, procurement, travel, and fleet administrator.

## **LOUISIANA PUBLIC DEFENDER BOARD CONTRACT PROGRAMS (CY16)**

Although the Louisiana Public Defender Board has a legislative mandate to provide representation in a number of areas, it does not have authority to provide direct client representation or to hire public defender staff. In order to meet the state's constitutional duty to provide legal representation to indigent clients, the Board has contracted with a number of non-profit 501(c)(3) organizations, as permitted by La. R.S. 15:147 (C)(1), to represent indigent defendants in delinquency, capital, and appellate cases where conflicts or caseload limits prevent the local district defender office from handling the case. In addition, the Board is required by La. R.S. 15:169 and 15:178 to appoint counsel for appellate and post-conviction cases in which a death sentence has been imposed at the trial level. It should be noted that each of the directors of these programs handles a caseload as well as the administrative responsibilities.

The LPDB's contracts with each program office contain provisions for monthly reporting to the LPDB and for audits by the Legislative Auditor. They also provide for compliance with performance standards enforceable by the Board, and for termination of the contracts for failure to meet Board requirements. These requirements include adhering to the ethical rules of the Louisiana Supreme Court, violations of which may result in termination of the contracts.

The programs are as follows:

### **Louisiana Center for Children's Rights**

Formerly known as Juvenile Regional Services (JRS), the Louisiana Center for Children's Rights (LCCR) is a nonprofit law office whose mission is to "defend the right of every Louisiana child to fairness, dignity, and opportunity." LCCR is the juvenile public defender in New Orleans, providing holistic, client-driven advocacy for more than 1,000 indigent young people in the city's juvenile justice system every year. LCCR also provides post-disposition representation to detained juveniles from the parishes around Orleans.

Statewide, LCCR works to protect and expand the right of every Louisiana child to high-quality legal representation and advocates for a fairer, more compassionate, and genuinely rehabilitative, juvenile justice system. LCCR's strategies include legislative advocacy, litigation, training and technical assistance for Louisiana's juvenile defender community. LCCR'S Executive Director is Aaron Clark-Rizzio.

### **Louisiana Appellate Project (LAP)**

The Louisiana Appellate Project provides appellate representation for indigents in all non-capital felony appeals arising in all of the districts. This includes felony-grade adjudications for juveniles. All district public defender offices have contracted with LAP to provide these appellate services. There is no cost to the district public defender for these services as it is a form of supplemental assistance provided by the Board. Jim Looney is the director who supervises and contracts with appellate attorneys around the state to handle the appeals.

## **LOUISIANA PUBLIC DEFENDER BOARD CONTRACT PROGRAMS (CY16)**

Handling the appeals in non-capital cases includes work in the appellate courts and, when appropriate, filing for writs to the Louisiana Supreme Court. It also includes specifically those cases appealed by the state, such as when a statute is declared unconstitutional.

### **Baton Rouge Capital Conflict Office (BRCCO)**

Under the leadership of David Price, BRCCO employs the team approach to capital defense as required by the Capital Guidelines. The office brings a team of lawyers and investigators to each client's case. Specialized training in the field of capital defense allows the team members to work intensively with the client. The team does an exhaustive mitigation and fact investigation with the goal of reaching a fair resolution of the case. With full time salaried employees, the office is able to work multiple cases in judicial districts around the state in a cost efficient manner.

BRCCO represents capital defendants in all parts of the state in order to ensure that all defendants facing the death penalty are represented by capital certified counsel. The office represents capital defendants in districts without capital certified counsel and in multiple defendant cases. In addition, BRCCO serves as counsel for the limited purpose of protecting the rights of persons facing the death penalty, and who are not otherwise represented by counsel.

### **Louisiana Capital Assistance Center (LCAC)**

Richard Bourke serves as director of LCAC and employs a staff of lawyers, mitigation specialists and investigators. Founded 22 years ago in its current form, this program provides leadership, mentoring, and guidance to the capital defense community. With its adherence to high quality representation, LCAC has influenced capital representation after the restoration of the death penalty in the South. Based on its reputation, LCAC attracts interns, law students, and lawyers from around the world to volunteer their services to LCAC and its clients.

LCAC provides direct services in representation in capital cases at the trial level statewide and also provides representation in motion for new trial proceedings and, in some cases, direct appeal proceedings in capital cases. Pursuant to its contract, LCAC serves as resource counsel to provisionally certified defense lawyers pursuant to Capital Defense Guideline 915(G)(2). This service is essential to educating, mentoring and overseeing the work of provisionally certified counsel to ensure the delivery of quality legal representation. Following the termination of the LPDB contract with CAPOLA, at the state office's request, LCAC opened an office in Shreveport with two locally based staff members.

LCAC has also been active in serving as counsel for the limited purpose of protecting the rights of persons facing the death penalty who are not otherwise represented by counsel. In

## **LOUISIANA PUBLIC DEFENDER BOARD CONTRACT PROGRAMS (CY16)**

addition to direct services, LCAC provides general support services to other organizations and often is able to ameliorate crises faced by counsel.

### **Capital Defense Project of Southeast Louisiana (CDPSELA)**

The Capital Defense Project of Southeast Louisiana was formed in 2002 to provide trial level representation in capital cases throughout Louisiana, with its primary focus being on the judicial districts in the southeastern portion of the State. Kerry P. Cuccia serves as its executive director. Originally created as a conflict/overflow office, CDPSELA became the first-call provider for Orleans Parish in 2006 and, in recent years, the first-call provider for the 22<sup>nd</sup> Judicial District. Currently, CDPSELA represents defendants in the parishes of Caddo, East Baton Rouge, Jefferson, Orleans, St. John the Baptist, St. Martin, St. Tammany, Lafayette, and West Feliciana. And, when called upon by the Office of the State Public Defender, CDPSELA serves as counsel for the limited purpose of protecting a capital defendant's rights until trial counsel can be provided.

CDPSELA and its staff are recognized as providing representation at the highest levels of competence. Its ability to aggressively investigate cases at an early stage and concentration on preliminary examination practice appears to be a factor in many first degree arrests being formally charged as lesser offenses such as second degree murder. When that occurs, the case is usually transferred to the local public defender office.

### **Capital Post Conviction Project of Louisiana (CPCPL)**

This organization handles capital post-conviction representation of indigent defendants whose cases have progressed through the trial and appellate levels. The staff lawyers who handle cases as they become eligible have successfully represented a number of defendants whose cases were overturned for such reasons as ineffective assistance of counsel at the trial or appellate level, failure by prosecutors to disclose important evidence, newly discovered evidence of innocence, and evidence adduced as a result of junk science.

CPCPL also handles direct capital appeals when the Capital Appeals Project has a conflict of interest or there are co-defendants both on death row in a single case.

Gary Clements is the director of CPCPL and has his staff working on as many cases as they can ethically handle at any particular time. The program also monitors cases in the pipeline in order to keep track of future needs and caseloads.

### **Capital Appeals Project (CAP)**

Christopher Murell is the director of the Capital Appeals Project which handles all capital appeals for indigents who have been sentenced to death. The staff includes additional attorneys who work out of their New Orleans office, as their cases automatically go to the Louisiana Supreme Court as a matter of law. This non-profit organization has had several cases with national impact because of favorable decisions by the U. S. Supreme Court.

## **LOUISIANA PUBLIC DEFENDER BOARD CONTRACT PROGRAMS (CY16)**

Some of the cases which have been overturned were handled or are being handled in the trial court by the CAP lawyers. CAP has also agreed to handle post-conviction cases wherein CPCPL is ineligible due to conflicts. CAP acts as resource counsel to public defenders across the state.

### **Innocence Project New Orleans (IPNO)**

The Louisiana Public Defender Board has a contract for partial funding of the Innocence Project New Orleans, to handle that portion of each non-capital post-conviction case in which the right to counsel attaches. Since its inception, IPNO has won the freedom or exoneration of 43 wrongfully convicted Louisiana prisoners who have served a total of nearly 709 years in prison. All except two of IPNO's freed clients were sentenced to life without parole and eight were teenagers when they were wrongly arrested. IPNO has also investigated and reported on systemic problems in Orleans Parish involving the suppression of crucial evidence by prosecutors and police. Emily Maw is the director of IPNO. The office attracts student interns from around the world and is in the forefront of Louisiana in the use of DNA evidence.



# **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY16)**

## **Budget Division**

### *January 2016*

The Louisiana Public Defender Board was awarded a grant from The Laura and John Arnold Foundation in the amount of \$119,551. The grant is to aid in conducting a workload study. The study will focus on the number of different types of cases that a Louisiana public defender can represent consistent with Louisiana Rules of Professional Conduct and a lawyer's duty to provide reasonably effective assistance of counsel in accordance with prevailing professional standards. A BA-7 was presented at the Joint Legislative Committee on the Budget and approved without question.

### *February 2016*

The Division of Administration's Office of Planning and Budget presented staff with the recommended budget for FY17 on February 4, 2016. The recommendation for FY17 was \$12,838,824; this was a decrease of \$20,837,858 from the FY 16 budget. The breakdown is as follows:

#### **State General Fund by:**

Interagency Transfers	\$75,000
Fees and Self-Generated Revenues	\$60,000
Statutory Dedications	\$12,703,824

In addition to the FY17 recommendation, OPB also notified staff of a mid-year reduction to our FY16 budget in the amount of \$472, 898. The reduction breakdown was as follows: \$455,081 reduction to the Louisiana Public Defender Fund; \$16,392 reduction to the Parent Representation Fund; and \$1,425 reduction to the DNA Post Conviction Testing Fund.

### *March 2016*

Staff was notified that HB 122 was filed proposing an additional reduction to the LPDB budget FY16 in the amount of \$236,449. However, when the bill reached the Senate Finance Committee, LPDB was removed, receiving no additional cuts.

# DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY16)

## *May 2016*

The initial LPDB budget of approximately \$13 million in the original House Bill 1 was amended by the Governor. At this point, the Governor has recommended our budget be maintained at a rate comparable to previous LPDB budgets or \$33,781,707. This is tremendous news and allows us to better address many of the fiscal issues facing our district defenders.

The Budget Committee met for six-hours on April 28th. The Committee was presented with three appropriation scenarios to the districts: 60%, 62.5% and 65% of our budget. After lengthy discussion and input from the districts and programs, the Committee recommended 62.5% of the budget be disbursed to the districts to assist them in alleviating the ROS crisis.

## *June 2016*

LPDB staff was able to make a scrub of its FY16 budget. In accordance with the Board's recommendation, disbursements totaling \$223,710 in DAF funds were provided to the districts.

## *July 2016*

The staff was notified in early July that the General Appropriation Bills, HB 1 of the 2016 Regular and HB Session, had become Act 17 and HB 69 of the 2016 Second Extraordinary Session, has become ACT 14. These Acts contain budgets for the operation of The Louisiana Public Defender Board during the Fiscal Year 2016-2017 which is broken down as follows:

### MEANS OF FINANCING

#### STATE GENERAL FUND BY:

Interagency Transfers	\$	75,000
Fees and Self-Generated Revenues		60,000
Statutory Dedications:		
DNA Testing Post-Conviction Relief for Indigents Fund		28,500
Indigent Parent Representation Program Fund		979,680
Louisiana Public Defender Fund		<u>32,669,446</u>

TOTAL MEANS OF FINANCING	\$	<u>33,812,626</u>
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### EXPENDITURE AUTHORIZATION

Administrative		<u>\$</u>	<u>33,812,626</u>
Authorized Positions	(16)		
TOTAL AUTH. POSITIONS & EXPEND.	(16)	<u>\$</u>	<u>33,812,626</u>

A final scrub of the FY16 budget was conducted. A final disbursement of \$229,779 in DAF funds was provided to the districts. The budget was loaded and available for use on July 6, 2016. The

## **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY16)**

voucher for DAF distribution was sent to OFSS on July 7, 2016 to disperse 94% of the required DAF allocation.

### *August 2016*

Staff submitted a BA-7 requesting approval to carry-forward FY 16 funds in the amount of \$269,778 to meet contractual obligations that crossed fiscal years. The BA-7 was approved by the JLCB without question.

### *November 2016*

Staff began preparing a budget request for FY18. The budget preparation took several months to complete. The request was submitted with a total ask of \$62,455,320.

### **Compliance Division – Trial Level**

Pursuant to La.R.S. 15:157, the Trial Level Compliance Officer coordinated LPDB's oversight efforts using the agency's comprehensive site visit protocol, formally adopted by the Board in 2014, and the agency's Restriction of Services protocol, promulgated by the Office of the Governor, Public Defender Board in 2012. These protocols include a combination of database and reporting review, court observation, file review, employee and stakeholder surveys and input, and interviews with the District Defender and district office staff. In 2016, staff conducted site visits in the 1<sup>st</sup>, 5<sup>th</sup>, 16<sup>th</sup>, 22<sup>nd</sup>, 27<sup>th</sup>, 32<sup>nd</sup>, and 33<sup>rd</sup> districts. Many of these site visits came as a direct result of anticipated Restriction of Services (ROS). Compliance assisted districts with developing and modifying ROS plans and drafted guidelines for districts exiting ROS.

The Trial Level Compliance Officer also coordinated implementation of and compliance with the United States Supreme Court's decisions in *Miller v. Alabama* (prohibiting mandatory life sentences for juveniles under the age of 18 convicted of homicide offenses and requiring individualized sentencing hearings) and *Montgomery v. Louisiana* (holding that *Miller* was fully retroactive and limiting the class of juvenile offenders eligible for a life without parole sentence). Compliance prepared and distributed summary materials providing guidance on the requirements of *Miller* and *Montgomery* to district offices, met with District Defenders in the 1<sup>st</sup>, 5<sup>th</sup>, 9<sup>th</sup>, 14<sup>th</sup>, 19<sup>th</sup>, 22<sup>nd</sup>, and 24<sup>th</sup> judicial districts, conducted trainings for staff in the 9<sup>th</sup> and 14<sup>th</sup> judicial districts and conducted two regional trainings (one in Monroe and one in Baton Rouge) in partnership with the Louisiana Center for Children's Rights on Sentencing and Resentencing pursuant to *Miller* and *Montgomery*. In addition, pursuant to La.R.S. 15:148(B)(10), Compliance coordinated efforts to draft standards and guidelines for defenders representing children facing life without parole sentences.

Pursuant to La.R.S. 148(B)(1), Compliance participated in coordination of the Weighted Workload Study commissioned by LPDB and being conducted by the American Bar Association and Postlethwaite and Netterville. It is anticipated that the final report on this study will be released early next year.

## **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY16)**

Compliance participated in the interview process for selection of District Defenders in the 26<sup>th</sup> (Bossier and Webster Parishes), 9<sup>th</sup> (Rapides Parish) and 25<sup>th</sup> (Plaquemines Parish) Judicial Districts.

Pursuant to La.R.S. 15:148(4) and Board policy, the Trial Level Compliance Officer reviewed, investigated and responded to client complaints that the Board received from around the state.

Compliance participated in the Children's Code Committee of the Louisiana Law Institute and the Raise the Age Commission convened by the Louisiana Legislature. In addition, Compliance also participated in Board, Budget Committee, Policy Committee, and District Defender Advisory Council meetings.

Along with Capital Case Coordinator Jean Faria, Compliance coordinated the Capital Defender Training and the NACDL Trial Skills Reboot Training. Both were multi-day trainings that were attended by defenders from around the state.

### **Information and Technology Management (ITM)** **Program Development and Resource Management Division (PDRM)**

The ITM division has a broad array of responsibilities falling under the headings of Information Management, Technology Development, Deployment and Management, and Program Development and Resource Management. Per the requirements of the Public Defender Act, the Division implemented online or otherwise automated technologies to assist district-level management with mandatory uniform reporting on financial, personnel compensation and budget requests, as well as programs and technologies to promote state- and local-level data-driven decision-making.

The division's director, Dr. Erik Stilling, also serves at the national level as Technology and Data Analytics advisor to the NLADA-American Council of Chief Defenders, and to the National Association of Public Defenders, and in 2016, made his second national presentation (including organizing an entire panel session) to the 2016 American Society of Criminologists' national conference. Most recently, Dr. Stilling had a paper on Technology Development and Deployment Techniques accepted by the 8<sup>th</sup> Annual International Multiconference on Informatics and Cybernetics.

A highly research-intensive division, ITM produced scores of quantitative analyses, many of which focused on individual attorney caseloads and district caseloads, salary ranges, capital-case capacity and capital-case historical trends by district, and dozens of fiscal solvency analyses -- most of which provided the Board with insight into financial insolvency and most vitally, into changes in local revenues. Many of these studies also contributed to a deeper and broader understanding of district office capacity for representation in the face of fiscal crisis and the resulting Restriction of Services (ROS).

## **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY16)**

These fiscal analyses included an on-going series of solvency projections by district on a monthly basis with expected dates of shortfall and amounts of emergency funding needed to avoid shortfall. Other fiscal analyses included a variety of DAF disbursement scenarios and related solvency projections following each of the DOA's Spring 2016 funding level estimates which ranged from just \$12M in state funding to \$20M and finally to the current FY17 \$33M. During the Spring and Special Sessions, the division also produced analytics for fiscal notes in response to several proposed legislative acts regarding funding and disbursement. In response to several massive public records requests, the division produced dozens of hours-worth of reports and other analyses to the Southern Poverty Law Center and the American Civil Liberties Union. At the beginning of the year, the Division compiled and produced the LPDB annual report totaling more than 800 pages between January 1 and January 30.

In concert with the LPDB Capital Case Coordinator Jean Faria, the division took a leadership role assisting the American Bar Association and the econometrics firm of Postlethwaite & Netterville in "The Louisiana Project: A Case Weighting-Time Keeping Study" funded by the Laura and John Arnold Foundation. In service of this project, the division developed and deployed a new time-keeping component to the database and developed a uniform charge code table of statute types which is a more refined list of case types than the previous case types based on the older LIDB standards. The new charge code table, with multiple levels of felonies and misdemeanors, is based on maximum sentence and case complexity and has been retrofitted into the LPDB database.

After more than nine months of negotiations and applications, in Spring of 2016, the division completed the database re-bid and acquisition process navigating the highly regulated and complicated state procurement process, securing a new five-year contract for the software-as-a-service Case Management System and Financial Management System database.

### **Juvenile Division**

The Juvenile Division has been staffed by Deputy Public Defender – Director of Juvenile Defender Services (DPD-DJDS) Richard M. Pittman and Director of Legislative Affairs - Juvenile Justice Compliance Officer (DLA-JJCO) Dr. Tiffany Simpson, for the entire calendar year 2016.

DPD-DJDS Pittman and DLA-JJCO Simpson have participated in a number of stakeholder groups during the year, including the Juvenile Justice Act Implementation Commission, the Raise the Age Commission, the Pelican Center Training Committee, the Children Justice Act Task Force, the CARE Advisory Committee for the Court Improvement Project, the Child Welfare Representation Commission, the Children's Code Committee of the Louisiana Law Institute, and the Juvenile Detention Alternative Initiative. These organizations have produced a variety of outputs that have benefited defenders, children, and parents, including access to training, and bills passed by the legislature and signed into law. Specifically, these organizations had the following accomplishments:

- Conducted a 3-day multidisciplinary event, the Together We Can conference, for child welfare professionals;

## **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY16)**

- Supported LPDB's child welfare training through sponsoring the travel budgets for trainers;
- Supported and provided technical assistance to juvenile detention centers seeking to regularize and reform its admittance practices;
- Created a video program for stakeholders in the child welfare system depicting a mock trial, for purposes of teaching the roles of the legal actors and illustrating child welfare concepts;
- Provided parent advocates to parents in the child welfare system in the 15<sup>th</sup> and 16<sup>th</sup> districts through The Extra Mile, a nonprofit corporation; and
- Continued to provide support to nearly a dozen public defenders in seeking certification as a child welfare specialist from NACC.

In addition to these state-level stakeholder organizations, Mr. Pittman and Dr. Simpson have been involved in the leadership of national organizations. Mr. Pittman serves on the Advisory Committee of the Southern Juvenile Defender Center (SJDC). He also serves as co-chair of the Juvenile Committee of the National Association for Public Defense. Mr. Pittman serves on the Steering Committee of the American Bar Association's National Parent Representation Project.

This year, the Juvenile Division concluded its Board-directed strategic planning process, intended to create a three-year plan to advance and improve the representation of children in delinquency and FINS cases. The strategic plan calls for the Juvenile Division to pursue the following goals:

- Build a robust and supportive statewide community of juvenile defenders that shares knowledge, skills, and support with each other;
- Create a specialized practice in juvenile delinquency defense, ensuring that all children in the state are represented by an attorney committed to juvenile defense practice;
- Improve representational services throughout the lifetime of the case, particularly in post-dispositional proceedings, by adding legal and multidisciplinary capacity.

The Juvenile Division held its annual Juvenile Defender Training (JDT) on February 18-19, 2016, and February 25-26, 2016. LPDB held separate events for juvenile delinquency defenders and child welfare parent attorneys. Parent attorneys held sessions on Appellate Review, Tying Safety and the Fundamental Right to Parent Together, The Ethical Requirement of Zealousness and Identifying Opportunities to be Zealous for Your Client; Developing a Theory of the Case; Trauma-Informed and Development-Informed Practice; Advancing Your Case Through State Witnesses; Strategies for Promoting Family Autonomy and Cohesion; and Positive Case Plans Through Professional Interactions with DCFS Workers, Prosecutors, and Your Client. LPDB staff was joined as faculty by Diana Rugh Johnson, Ari Mathé, and Stephanie Ledesma. Delinquency defenders held sessions on Adolescent Development, Investigations, Interactions with Probation Officers, Prosecutors, Judges, and Parents, the Fourth Amendment, and Trauma-Informed Practice. The training faculty included local contributors Hector Linares, Jack Harrison, Ariel Test, and Kay Franks; who were joined by Cathryn Crawford of Texas and Eduardo Ferrer of Washington, D.C.

## **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY16)**

A total of 75 defenders attended these trainings.

In 2015, DPD-DJDS Pittman became a certified ACE Educator through the Louisiana ACE Educator Program. In 2016, DPD-DJDS Pittman presented on Adverse Childhood Experiences on 3 occasions.

In the aftermath of the Legislature passing the Raise the Age bill and reforms to juvenile sentencing and post-dispositional procedure into law during the 2016 legislative session, DPD-DJDS Pittman conducted a tour of the state to present to juvenile defenders on the changes to the law. DPD-DJDS Pittman presented in the following districts, with neighboring districts also invited to attend:

- 1<sup>st</sup> (Caddo Parish)
- 4<sup>th</sup> (Ouachita & Morehouse)
- 9<sup>th</sup> (Rapides Parish)
- 14<sup>th</sup> (Calcasieu Parish)
- 15<sup>th</sup> (Lafayette, Acadia, Vermillion)
- 22<sup>nd</sup> (St. Tammany, Washington)
- 23<sup>rd</sup> (Ascension, Assumption, St. James)
- 40<sup>th</sup> (St. John the Baptist Parish)

In total, 75 defenders, investigators and support staff from 21 districts attended one of these meetings.

In addition to presenting on the Adverse Childhood Experiences study, presenting on changes in juvenile law, and multiple plenary sessions at JDT, DPD-DJDS Pittman has presented on the following topics in 2016:

- Presented on Case Weighting Studies at the National Juvenile Defender Center Summit in Atlanta, GA
- Presented on Parental Trauma at the Together We Can Conference in Lafayette, LA, including a repeat presentation
- Presented on Fourth Amendment Advocacy in Delinquency Cases in Lafayette
- Presented on the Role of the Juvenile Defender, Juvenile Procedure, and Substantive Differences Between Adult and Juvenile Law in Gonzales, LA
- Presented a webinar for the National Association for Public Defense titled Child Welfare Primer for Criminal and Juvenile Professionals

DPD-DJDS Pittman attended three multi-day conferences related to Juvenile or Parent Defense. On April 7-8, 2016, DPD-DJDS Pittman attended the ACE Educator Workshop in Lafayette to learn new techniques in educating stakeholders about trauma in the justice system. On September 8-9, 2016, DPD-DJDS Pittman attended the Juvenile Detention Alternatives Initiative Scale Convening in Omaha, Nebraska. On October 28-30, DPD-DJDS Pittman attended the National

## **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY16)**

Juvenile Defender Center Leadership Summit. The Agency did not provide travel expenses for any of these conferences.

The Juvenile Division assisted Orleans Public Defenders in obtaining a grant from the Kellogg Foundation to provide a social worker and parent advocates to add multidisciplinary capacity to its parent representation practice. This grant will last for 3 years and will provide OPD with \$300,000 in added capacity.

The Juvenile Division has observed juvenile court proceedings in many districts around the state this year, including the 1<sup>st</sup>, 5<sup>th</sup>, 9<sup>th</sup>, and 22<sup>nd</sup>.

The Juvenile Division has also maintained a list serve hosted by the National Juvenile Defender Center, which has served as an important vehicle for the Division to communicate with the field and for attorneys in the field to seek support or assistance from their peers. In the calendar year 2016, there were more than 288 messages posted to the list serve.

### **Training Division**

Because of budgetary limitations, the Director of Training position has been vacant since early in CY 2015. As a result, the remaining executive staff has worked closely with our Administrative Programming Specialist to try to maintain some of our training programs and collaborated with other organizations to increase training opportunities for public defenders around the state.

On February 18-19, 2016, LPDB began its annual Juvenile Defender Training event with a two-day session for attorneys who represent parents in CINC and TPR cases. Sessions included Appellate Review, Tying Child Safety to the Fundamental Right to Parent, Ethics, Development and Trauma-Informed Representation, Building Your Case Through the State's Witnesses, and Strategies to Preserve Families. LPDB incorporated breakout exercises using a developed fact pattern that weaved through the sessions. 41 defenders attended this session.

On February 25-26, 2016, LPDB continued its Juvenile Defender Training event with a two-day session aimed at delinquency/FINS defense attorneys. Sessions included Investigations, Adolescent Development, Negotiations, Fourth Amendment, and Trauma. The training included breakout exercises developed by the National Juvenile Defender Center as part of its Juvenile Training Immersion Program. 34 Defenders attended this session.

During the summer of 2016 the LPDB conducted a tour of the state to present to juvenile defenders on the changes to the law. DPD-DJDS Pittman presented in the following districts, with neighboring districts also invited to attend:

- 1<sup>st</sup> (Caddo Parish)
- 4<sup>th</sup> (Ouachita & Morehouse)
- 9<sup>th</sup> (Rapides Parish)



## **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY16)**

- 14<sup>th</sup> (Calcasieu Parish)
- 15<sup>th</sup> (Lafayette, Acadia, Vermillion)
- 22<sup>nd</sup> (St. Tammany, Washington)
- 23<sup>rd</sup> (Ascension, Assumption, St. James)
- 40<sup>th</sup> (St. John the Baptist Parish)

LPDB co-sponsored with the Louisiana Center for Children's Rights two trainings on *Miller* and *Montgomery* Sentencing and Resentencing in Louisiana. Each was completed in a single day. The first was held on August 26, 2016, at the University of Louisiana at Monroe. The second was held on December 16, 2016, at Southern University in Baton Rouge. The training focused on legal updates, adolescent development, ethical obligations, motions practice, and mitigation in JLWOP (a.k.a. *Miller*) cases.

LPDB personnel also trained district staff in the 9<sup>th</sup> and 14<sup>th</sup> districts on the implications of the *Miller/Montgomery* decisions.

The 2016 Capital Defender Training event was held in Baton Rouge on October 19-21, 2016. 37 participants, including public defenders, investigators, and mitigation specialists attended the specialized training.

The LPDB Collaborated with the National Association of Criminal Defense Lawyers to conduct the LA Trial Skills Re-Boot Camp in Baton Rouge on November 3-4, 2016. This training was funded by a grant from Koch Industries targeted to organizations that have demonstrated a strong commitment to ensuring that every poor criminal defendant is provided with competent, zealous representation.

On December 2, 2016, LPDB conducted a new Defender Institute for juvenile defenders in Gonzales, at the request of the juvenile supervisor in the 23<sup>rd</sup> district. 21 defenders from multiple districts participated.

On December 9, 2016, LPDB conducted a session on Fourth Amendment Advocacy in Juvenile Delinquency Cases in Lafayette, at the request of juvenile defenders and district personnel. 7 defenders from multiple districts participated.

Various staff members have presented or served as faculty for trainings or programs sponsored by other in-state and national organizations.

Absent a Director of Training, the Administrative Program Specialist, with assistance from members of the executive staff, has engaged in ongoing efforts to develop and implement LPDB's 5-year Strategic Plan and continue building a library of LPDB training materials.

# **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY16)**

## **Capital Division**

The capital division is responsible for assigning counsel in capital cases; collecting capital case data at all stages of the proceedings; reviewing and deciding on expert witness applications for funding; overseeing the invoices and payment of the experts; reviewing all applications for certification of attorneys who seek to represent capital defendants and making final recommendations to the State Public Defender; creating and providing Capital Defender Training on an annual basis; assessing the performance of the capital non-profit organizations; reviewing and analyzing the non-profit office's proposed budgets and contracts annually. R.S. 15:148,169.

The Capital Certification Advisory Group discussed the applicants for certification and re-certification in May and December of this year. The current Certification Advisory group members are James Boren, John Di Giulio, Rebecca Hudsmith, Robert Lancaster, John Landis, Denny LeBoeuf, Herschel Richard, and James Swanson. Currently there are 70 capitally certified lawyers. The break-down is as follows: 31 Lead Trial Counsel; 20 Associate Trial Counsel; 17 Lead Appellate Counsel; 10 Associate Appellate Counsel; 19 Lead Post-Conviction Counsel and 11 Associate Post-Conviction Counsel. Note that the sum of all levels of certified counsel is greater than the total number of people certified, as many lawyers are certified in more than one practice area.

The Capital Working Group works with the capital division to promulgate guidelines and performance standards and to address policy considerations regarding capital representation in the state. R.S. 15:148(B) §§(1)(d)-(f),(2)-(3), (7)-(10).

As of December 14, 2016, there were 44 open trial level death penalty cases. Of that number 29 are assigned to the capital programs. In calendar year 2016 there were 77 first degree murder arrests. Of these 77 arrestees, five retained counsel. Several cases were relatively quickly determined to be non-death penalty cases. With the exception of the Jefferson Parish Public Defender Office, the remaining cases were assigned to the capital programs.

Jefferson Parish experienced a significant uptick in capital cases this year and currently has ten cases in the district. Caddo Parish, once a district with no fewer than 8 open cases at any given time, now has only one capital case. St. Tammany and Washington Parishes experienced a similar drop in their capital cases, also as result of the change in the District Attorney.

Originally the Board approved \$480,000 for the expert witness fund (down \$115,000 from prior years). Mid-Autumn, the fund was cut an additional \$100,000. The fund was exhausted as of December 13, 2016. The Capital Case Coordinator (CCC) is responsible for the review of all applications for expert witnesses and invoices to be submitted for payment.

## **Other Duties**

### **Weighted Case Load Study**

# **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY16)**

The Capital Case Coordinator is the staff member responsible for the statutorily required weighted caseload study. R.S. 15:148 B(1)(a). The work began in July 2015 and is expected to be completed in early 2017. Working with the Laura and John Arnold Foundation, the American Bar Association, and Postlethwaite & Netterville, the grant has been extended to allow adequate time for the accounting firm to draft the report.

## **DNA Testing Post-Conviction Fund**

Pursuant to R.S. 15:147(B)(14) the Capital Case Coordinator (CCC) administers this fund as required under the provisions of Code of Criminal Procedure Article 926.1.

## **Restriction of Services**

In the late spring of 2015, the CCC became involved in the restriction of services process, assisting in site visits, and reviewing the districts' proposed plans prior to adoption. The CCC continues to provide support for this work.

## **LPDB Website**

The CCC has assumed responsibility for the Board's website and updating the information on the site.

## **Commission on Pre-Trial Release**

Serving as the State Public Defender's appointee to the Commission on Pre-Trial Release, the CCC is responsible for representing the defense perspective on pre-trial release and assisting in the identification of a validated pre-trial release instrument.

## **Litigation Monitor**

The state staff is frequently subpoenaed to testify throughout the state and has been both a named defendant and a plaintiff in a number of law suits. Initially, most of these lawsuits involved capital funding and subpoenas duces tecum, directly related the work of the Division. Over time other law suits were filed regarding capital contracts, funding for representation in multi-defendant state RICO cases, among others. The CCC monitors all of the litigation involving the Board and its staff, and coordinates with the law firm representing the Board.

## **Training**

In the absence of a Training Director, the CCC has developed the agendas and trained at two separate events: the Capital Defender Training in October and the LPDB/NACDL training of attorneys with ten or more years of experience in November.

## **Special Projects Division**

## **DIVISIONAL OFFICER ANNUAL SUMMARY REPORTS (CY16)**

The Special Projects Division did not have a Special Projects Advisor on staff during the 2016 calendar year. This position has historically engaged in a variety of projects to promote LPDB's missions and statutory mandates. In the past, the Special Projects Advisor has been responsible for updating the agency's website with relevant announcements, employment opportunities, and local, state, and national public defense news and information. It has also assisted with publication of practice standards, guides, and information relevant for clients.

Because LPDB has been unable to staff the Special Projects Division within its budget, other staff members have assumed these responsibilities, often at the expense of their core duties, on an *ad hoc* basis as the tasks have become critical. In 2016, LPDB staff has completed the following Special Projects Division tasks that were historically the work of the Special Projects Officer:

- Procured and successfully completed all deliverables for the Louisiana Commission on Law Enforcement and the Administration of Justice (LCLE) Grant (\$50,000);
- Procured a grant to contract with an auditor to conduct audits of multiple public defender offices, which included corrective action plans, as appropriate;
- Assisted Orleans Public Defenders in procuring a \$300,000 3-year grant to support multidisciplinary practice in child welfare parent representation;
- Conducted activities related to a grant from the Laura and John Arnold Foundation, awarded in CY 2015, to conduct an empirical case weighting study which will implement timekeeping among public defenders and update Louisiana's caseload standards;
- Developed and disseminated educational materials describing the agency's mission, functions, and the effect of the fiscal crisis facing local public defender offices; and
- Developed an application for its website to assist flood-affected clients in re-connecting with their attorneys.

Because of the lack of capacity within the Special Projects division, LPDB did not publish any informational guides as it has in the past and has suspended its monthly newsletter. Given the substantial duties of LPDB staff, LPDB will be unable to regularly perform this division's historical duties.

**FY 2016 MEMBER ATTENDANCE**  
**at the**  
**LOUISIANA PUBLIC DEFENDER BOARD MEETINGS**

**Eight or more Board members attended each of the Board's seven meetings during FY 2016, fulfilling the eight-member quorum requirement set forth in La. R.S. 15:151.**

The membership attendance by date is set forth below:

**1. July 30, 2015 - 9 voting members, 1 ex officio member present**

Judge Robert Burns, (Ret.) Chairman	Herbert Larson
Franz Borghardt	Hector Linares
Flozell Daniels	Tom Lorenzi
Frank Holthaus	Herschel Richard
Robert Lancaster	<i>ex officio</i> : Rebecca Hudsmith

**2. September 15, 2015 – 9 voting members, 0 ex officio member present**

Judge Robert Burns, (Ret.) Chairman	Tom Lorenzi
Franz Borghardt	Jacqueline Nash
Hampton Carver	Herschel Richard
Leo Hamilton	Stephen Singer
Hector Linares	

**2. December 1, 2015 – 10 voting members, 0 ex officio member present**

Judge Robert Burns, (Ret.) Chairman	Hector Linares
Franz Borghardt	Tom Lorenzi
M. Hampton Carver	Herschel Richard
Leo Hamilton	Steven Singer
Robert Lancaster	Gina Womack

**3. February 16, 2016 – 9 voting members, 1 ex officio members present**

Judge Robert Burns, (Ret.) Chairman	Rebecca Hudsmith (Ex-officio)
Franz Borghardt	Herbert Larson
M. Hampton Carver	Hector Linares
Flozell Daniels	Tom Lorenzi
Jacqueline Nash Grant	Steven Singer

**FY 2016 MEMBER ATTENDANCE**  
**at the**  
**LOUISIANA PUBLIC DEFENDER BOARD MEETINGS**

**4. March 17, 2016 – 9 voting members, 0 ex officio members present**

Judge Robert Burns, (Ret.) Chairman	Robert Lancaster
Franz Borghardt	Hector Linares
Hampton Carver	Tom Lorenzi
Leo Hamilton	Stephen Singer
Frank Holthaus	

**5. April 6, 2016 – 12 voting members, 0 ex officio members present**

Judge Robert Burns, (Ret.) Chairman	Robert Lancaster
Franz Borghardt	Herbert Larson
Hampton Carver	Hector Linares
Jacqueline Nash Grant	Tom Lorenzi
Leo Hamilton	Stephen Singer
Frank Holthaus	Gina Womack

**6. May 16, 2016 – 10 voting members, 0 ex officio members present**

Judge Robert Burns, (Ret.) Chairman	Robert Lancaster
Franz Borghardt	Hector Linares
Hampton Carver	Tom Lorenzi
Leo Hamilton	Stephen Singer
Frank Holthaus	Gina Womack

**7. June 14, 2016 -- 10 voting members, 0 ex officio members present**

Judge Robert Burns, (Ret.) Chairman	Robert Lancaster
Franz Borghardt	Hector Linares
Hampton Carver	Tom Lorenzi
Leo Hamilton	Herschel Richard
Frank Holthaus	Stephen Singer

**FY 2016 MEMBER ATTENDANCE**  
**at the**  
**LOUISIANA PUBLIC DEFENDER BOARD MEETINGS**

The statute establishing the constitution of the Board was amended in the 2016 Regular Session, effective August 1, 2016. In the interest of providing the Legislature, the public and the Office of the Governor with the best currently available information, we also report the attendance at the first meeting of the new Board members in FY17:

**8) December 15, 2016 – 10 voting members present**

Frank Holthaus, Chair  
Chris Bowman  
Flozell Daniels  
Thomas Davenport  
Pat Fanning

W. Ross Foote  
Katherine E. Gilmer  
Michael Ginart  
Donald North  
Moses Williams

# **DECISIONS AND ACTIONS**

## **of the**

### **LOUISIANA PUBLIC DEFENDER BOARD FY 2016**

#### **July 30, 2015 (Emergency)**

- Adopted the agenda as presented.
- Considering staff's recommendation, passed, with conditions, a Resolution agreeing to the provision of lead counsel by contract and second-chair appointment by the Court *State v. Barthelemy*.

#### **September 15, 2015**

- Adopted the agenda as amended.
- Adopted the financial report as presented
- Adopted staff's recommendation for FY17 budget submittal in the amount of \$74,069,520.
- Approved funding in the amount of \$76,000 for a case weighting study
- Passed a Resolution in recognition of LPDB's failure to receive sufficient funding rendering it incapable of filling the needs of its constituency and meeting its statutory mandates
- Instructed staff to respond to District Judge Brady O'Callaghan's public record request by providing him with one recent month's Capital Case Trial Reports, redacting any references deemed to be attorney-client privilege.
- Formed a Communications Working Group to address ethical issues that will arise from Restriction of Services
- Passed a contract Resolution hiring Mr. Florence to provide legal services in *State v. Tarika Wilson*
- Passed a contract Resolution hiring Kevin Christensen as counsel in the *State v. Barthelemy* matter
- Approved appointment of Rick Candler as District Defender in District 3 provided Mr. Candler agrees to serve in a full time capacity for a salary not to exceed \$90,000. Further, the Board authorized State Public Defender Jay Dixon to offer the appointment to the alternate candidate, Forrest Moegle, if necessary.
- Ratified the appointment of District Defender Mike Courteau (District 4) as interim in District 5, and Mr. Courteau's subsequent assignment of the interim duties to Robert Noel at a monthly salary of \$3,000.
- Approved appointment of Greg Guidry as the District Defender in District 33 at an annual salary of \$90,000, only if Mr. Guidry agrees to full time employment.
- Authorized the State Public Defender to make interim district defender appointments between Board meeting settings, as deemed necessary.



# **DECISIONS AND ACTIONS**

## **of the**

### **LOUISIANA PUBLIC DEFENDER BOARD FY 2016**

- Declined to approve payment of an invoice for expert services submitted untimely by a sub-contractor, citing adherence to protocols.
- Set the next meeting for December 1, 2015.

#### **December 1, 2015**

- Adopted the agenda as amended.
- Adopted the minutes of the September 15, 2016 meeting, as presented.
- Adopted a Resolution that all District Defenders are to be vigilant toward court assessment of such fees against their clients, diligent in opposing the practice of requiring the acquiescence of clients to pay such fees in return for a plea offer, vigilant in requiring the state and the court to determine a client's ability to pay such fees in cases wherein the client has been deemed indigent and is provided the services of the public defender.
- The Board further directed all District Defenders to inform line defenders whose clients may be impacted by the practice above of its effect on clients and instruct them consistent with the adopted Resolution.
- Adopted a policy that, prospectively, district defenders be hired strictly on a full time basis unless a waiver based on exceptional circumstances is brought to and approved by the Board. Further, the policy would permit a new hire to keep an existing private practice provided no new cases are accepted, and the private practice would be worked down to closure.
- Adopted a Resolution prohibiting a District Defender Office in Restriction of Services (ROS) from accepting new capital cases, ceasing capital expenditures beyond those already required by existing cases and repurposing any money or attorney time budgeted for capital representation that is not being used on existing cases for non-capital representation.
- Ratified the appointment and salary of Tony Tillman as interim district defender in District 9 to be paid \$3,000 a month.
- Ratified Ms. Pamela Smart as Interim District Defender for District 1 to be paid \$8,333 per month.
- Ratified Donald Kneipp as Interim District Defender for District 2 to be paid \$6,250 per month.
- Ratified Rick Candler as Interim District Defender for District 3 to be paid \$6,666 per month.
- Ratified Dawn Mims as Interim District Defender for District 5 to be paid \$6,666 per month.
- Approved the appointment of Ms. Pamela Smart as permanent, full-time District Defender for District 1 to be paid \$100,000 annually.

# **DECISIONS AND ACTIONS**

## **of the**

### **LOUISIANA PUBLIC DEFENDER BOARD FY 2016**

- Approved the appointment of Mr. Donald Kneipp as permanent, full-time District Defender for District 2 to be paid \$75,000 annually.
- Failed to appoint Mr. Rick Candler as part-time District Defender for District 3 at a salary of 80,000 annually.
- Failed to appoint Ms. Dawn Mims as part-time District Defender for District 3 at a salary of 80,000 annually
- Approved the appointment of Mr. Greg Guidry as permanent, full-time District Defender for District 33 to be paid \$90,000 annually.
- Amended the agenda to include an out-of-state travel waiver for discussion.
- Adopted the financial report as presented.
- Approved the allocation of \$30,000 to cover the econometric costs of the case weighting study to be provided by the Baton Rouge based CPA firm Postlewaithe and Netterville.
- Approved the waiver of the Board's policy freezing out-of-state travel and approval of reimbursement of the Capital Case Coordinator's travel expenses and the submittal of expenses incurred for possible reimbursement.

#### **February 16, 2016**

- Adopted the Agenda as amended.
- Adopted the Minutes of the December 1, 2015 meeting, as amended.
- Adopted the Financial Report as presented.
- Adopted a Resolution as amended concerning the acceptance of *Miller* cases by districts in Restriction of Services
- Approved the appointment of Mr. Michael Miller as full-time, permanent district defender in District 26 to be paid the same salary as former District 26 District Defender Pamela Smart.
- Adopted, under protest citing ethical violations and unconstitutionality, staff's recommendation to distribute the recommended 12.8M FY17 budget equitably between the districts and the programs, which will result in extensive office failures statewide.
- Adopted the 2015 report to the Joint Legislative Committee on the Budget as presented.

#### **March 17, 2016**

- Adopted the agenda as presented.
- Adopted the minutes of the February 16, 2016 meeting, as amended (regarding the Board's voting practice and record).
- Adopted the Financial Report as presented.

# **DECISIONS AND ACTIONS**

## **of the**

### **LOUISIANA PUBLIC DEFENDER BOARD FY 2016**

- Approved the year end funds distribution.
- Approved contract amounts for the 501c3 programs.
- Approved Professional and Consulting contracts as presented, with the required resolutions to be submitted to OCR.
- Approved current projected FY17 DAF.
- Approved current projected CINC distribution.
- Approved correspondence to the ABA outlining services being provided by Mr. Steve Hanlon and his fees which are at no cost to LPDB.
- Ratified the recent distribution of \$31,107 to the Plaquemines Parish PDO (25<sup>th</sup> District) to prevent office closure.
- Approved capital representation plans submitted by Districts 15, 21, 36, and 41.
- Approved the Juvenile LWOP Standards for submittal for promulgation through the Administrative Procedures Act.
- Authorized the State Public Defender to contact the Legislative Auditor regarding issues of fee remittance, non-remittance, or incorrect remittance by local agencies to the PDOs.

#### **April 6, 2016**

- Pursuant to previous discussions and directive by the Board for a legal opinion, accepted the interpretation of La.R.S. 151(A) by General Counsel Baier that: 1) quorum is eight members which represents a majority of the Board; 2) in order to any action to be taken quorum must be met; and, 3) eight members of the board must vote for an action to pass or fail by a majority of those voting.
- Adopted the agenda as presented.
- Adopted the Minutes of the March 17, 2016 meeting, as presented.
- Authorized the SPD to reallocate any remaining FY 16 funds to those districts determined by staff to be in need.
- Accepted the recommendation of staff to distribute FY17 funds pursuant to scenario one presented at page 167 of the Board materials. Specifically, 65% of the allocation is to go to the districts, leaving \$4.4M to fund the contract programs with three of the 501c3 programs, LAP, IPNO and LCCR to receive 70% of their FY16 budgets and the LPDB administrative costs remaining static at \$2.3M, leaving exigency funds of approximately \$108,000.
- Instructed staff to prepare a resolution providing an explicit statement by the Board that the approval of the funds available for capital after 65% distribution to the districts is based solely on what funding is available, and is not a statement that it is sufficient to meet the need for capital representation or to fully staff LPDB.

# **DECISIONS AND ACTIONS**

## **of the**

### **LOUISIANA PUBLIC DEFENDER BOARD FY 2016**

- Suspended the districts' pro forma budget submittal requirement for FY17.

#### **May 10, 2016**

- Adopted the agenda as presented.
- Adopted the Minutes of the April 6, 2016 meeting, as presented.
- Accepted the recommendation of the Policy Committee for the adoption of funding scenario #1 on page one of the hand out in the materials which provides for 65% of the total funding allocation to LPDB to go to the districts pursuant to the DAF formula resulting in a 33.3% reduction of the FY16 funding allocation to the capital contract programs with the non-capital programs, LCCR, IPNO, and LAP receiving 100%, 90%, and 80%, respectively, of their FY16 funding allocation.
- Adopted a Resolution stating that any actions of the Board in support of the proposed FY17 budget allocation are not to be construed as agreement that funding is sufficient, but rather that the Board is adopting actions in consideration of the state's current fiscal circumstances.
- Adopted the financial report as presented.
- Adopted the FY17 DAF allocation to the districts as presented.
- Adopted staff recommendation to hire Ms. Deirdre Fuller as the district defender for district 9 (Rapides Parish) at an annual salary of \$90,085.
- Approved a waiver as requested by District Defender Herman Castete (Winn Parish) allowing the hiring of a public defender who also provides services as a city court prosecutor, provided the protocol is followed.
- Adopted the juvenile strategic plan, as presented.
- Approved endorsement of the NJDC - *Gault at 50 - Statement of Principles*.

#### **June 14, 2016**

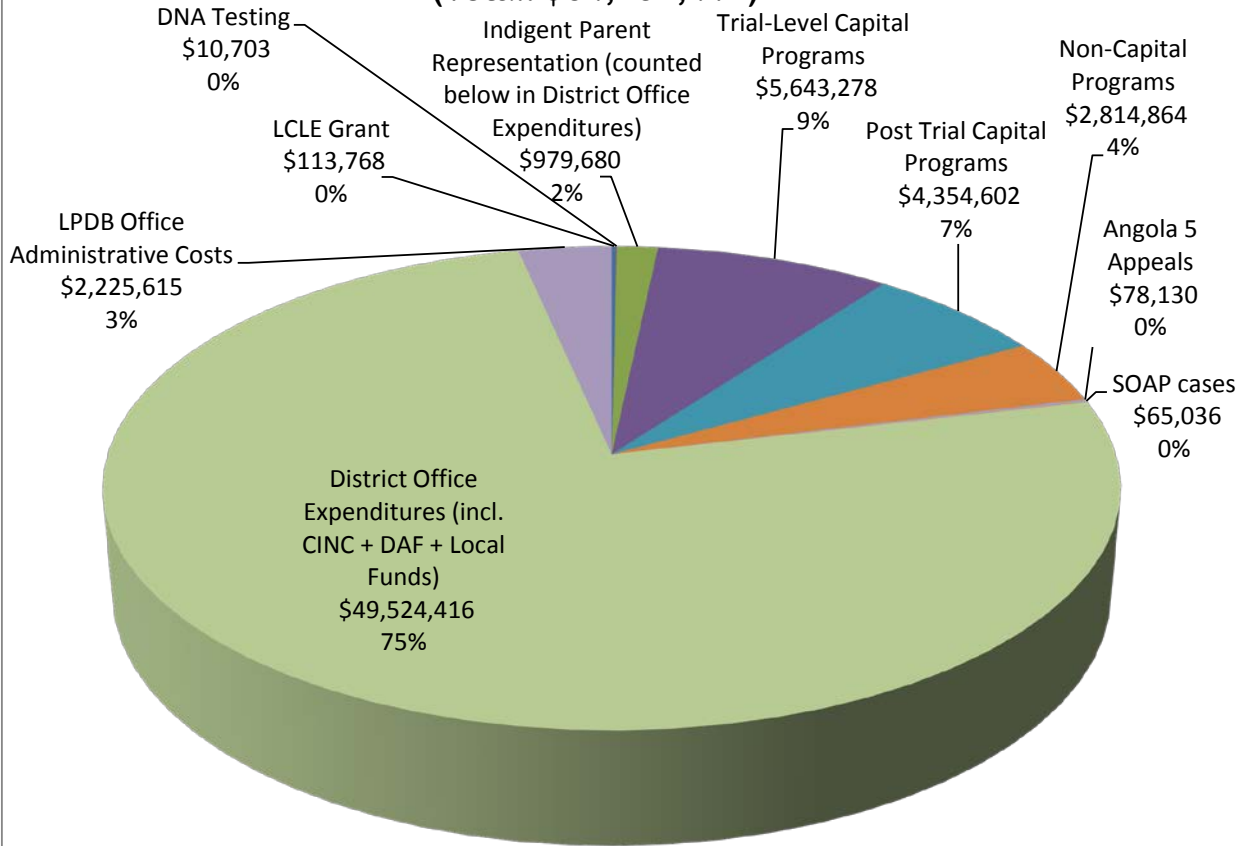
- Adopted the agenda as presented.
- Adopted the minutes, as amended, to include "Womble", the last name of the 24<sup>th</sup> PDO attorney recently appointed as a Child Welfare Law Specialist.
- Adopted the financial reports, as presented.
- Approved the final FY17 DAF amounts.
- Approved the contract amounts for the capital programs as presented.
- Directed staff to draft and send a Resolution to the Governor respectfully urging his veto of HB689 (allows the five city courts in the 16<sup>th</sup> judicial district to form their own public

**DECISIONS AND ACTIONS**  
**of the**  
**LOUISIANA PUBLIC DEFENDER BOARD FY 2016**

defense boards). The resolution is to address the significant flaws within the bill and outline the consequences if the bill becomes law.

- Authorized the SPD in his official capacity to sign the proposed judgment in *Yarls v. Bunton*, et al, subject to the contents of the letter to Mr. John Landis dated June 7, 2016, as it is the most fiscally prudent action to take.
- Commended staff on their hard work and dedication over the years.
- Authorized Chairman Burns, in consultation with SPD Dixon, to set the next meeting date according to their wisdom and best judgments.

## FY 2016 Public Defense Expenditures (Total: \$64,830,412)



<b>TOTAL EXPENDED</b>	<b>\$64,830,412</b>	
LCLE Grant	\$ 113,768	0.18%
DNA Testing	\$ 10,703	0.02%
Indigent Parent Representation (counted below in District Office Expenditures)	\$ 979,680	1.51%
Trial-Level Capital Programs	\$ 5,643,278	8.70%
Post Trial Capital Programs	\$ 4,354,602	6.72%
Non-Capital Programs	\$ 2,814,864	4.34%
Angola 5 Appeals	\$ 78,130	0.12%
SOAP cases	\$ 65,036	0.10%
District Office Expenditures (incl. CINC + DAF + Local Funds)	\$ 49,524,416	76.39%
<b>Total Non-Administrative Expenditures</b>	<b>\$ 62,604,797</b>	

<b>LPDB Office Administrative Costs</b>	<b>\$2,225,615</b>	<b>3.43%</b>
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## CY 2016 Revenues and Expenditures

District	Total CY16 State Funds Distributed	State Funds Available for Use in CY16	Total Local Funding Received by Districts in CY16	Combined State and Local Funds Available for Use in CY16	Percent of Total Revenue Funded by State for Use in CY16	Total CY16 Expenditures	Estimated CY16 Fund Balance Depletion	Raw Cases Handled in CY16
1	\$ 1,908,798	\$ 1,519,431	1,350,721	2,870,152	52.94%	2,782,625		17,325
2	\$ 77,063	\$ 128,505	365,104	493,609	26.03%	353,607		2,068
3	\$ 147,221	\$ 201,597	539,849	741,446	27.19%	559,490		3,461
4	\$ 849,963	\$ 811,192	1,470,904	2,282,095	35.55%	2,094,072		10,382
5	\$ 164,340	\$ 160,578	277,410	437,988	36.66%	378,046		2,173
6	\$ 111,211	\$ 144,705	427,811	572,516	25.28%	557,890		1,571
7	\$ 175,799	\$ 203,340	168,733	372,073	54.65%	335,452		3,345
8	\$ 137,027	\$ 161,119	76,277	237,396	67.87%	189,876		650
9	\$ 484,408	\$ 299,031	591,148	890,178	33.59%	1,010,200	-120,022	8,046
10	\$ 228,477	\$ 311,623	225,190	536,813	58.05%	463,665		1,453
11	\$ 357,582	\$ 200,040	61,206	261,246	76.57%	363,949	-102,702	1,662
12	\$ 188,845	\$ 154,963	186,517	341,480	45.38%	336,469		2,668
13	\$ 110,242	\$ 158,435	78,308	236,743	66.92%	270,501	-33,758	1,960
14	\$ 932,530	\$ 997,454	1,224,724	2,222,178	44.89%	2,060,786		13,413
15	\$ 1,523,676	\$ 1,272,439	2,341,861	3,614,300	35.21%	3,041,299		18,281
16	\$ 948,928	\$ 656,702	1,096,073	1,752,775	37.47%	1,781,165	-28,390	8,500
17	\$ 252,687	\$ 312,069	507,862	819,930	38.06%	819,967	-36	5,114
18	\$ 159,279	\$ 126,244	637,239	763,483	16.54%	743,926		2,277
19	\$ 1,817,805	\$ 1,444,103	2,856,196	4,300,299	33.58%	4,315,800	-15,501	14,747
20	\$ 123,194	\$ 113,857	197,009	310,866	36.63%	237,712		1,164
21	\$ 1,294,310	\$ 1,443,764	1,511,314	2,955,077	48.86%	3,128,794	-173,716	14,014
22	\$ 1,585,313	\$ 1,199,392	1,482,541	2,681,933	44.72%	2,608,323		15,148
23	\$ 476,178	\$ 227,782	695,548	923,330	24.67%	969,390	-46,061	6,295
24	\$ 638,213	\$ 658,800	2,707,129	3,365,929	19.57%	3,006,048		9,645
25	\$ 281,100	\$ 95,600	158,330	253,930	37.65%	268,112	-14,182	978
26	\$ 939,703	\$ 730,316	869,843	1,600,158	45.64%	1,635,663	-35,505	13,582
27	\$ 382,426	\$ 345,717	699,269	1,044,985	33.08%	985,527		6,111
28	\$ 140,911	\$ 114,469	57,183	171,651	66.69%	188,629	-16,977	627
29	\$ 32,401	\$ 185	853,276	853,460	0.02%	1,417,628	-564,168	2,116
30	\$ 199,490	\$ 119,942	497,117	617,059	19.44%	587,590		2,514
31	\$ 299,769	\$ 69,317	345,653	414,970	16.70%	436,247	-21,278	2,310
32	\$ 519,578	\$ 443,559	997,548	1,441,107	30.78%	1,194,368		5,010
33	\$ 114,396	\$ 38,337	161,580	199,917	19.18%	207,272	-7,355	677
34	\$ 350,497	\$ 206,242	158,703	364,945	56.51%	397,291	-32,346	1,704
35	\$ 142,823	\$ 89,345	156,444	245,789	36.35%	230,088		889
36	\$ 75,924	\$ 64,054	297,308	361,362	17.73%	361,807	-446	1,109
37	\$ 139,208	\$ 131,671	27,215	158,886	82.87%	165,591	-6,705	441
38	\$ -	\$ -	97,860	97,860	0.00%	76,243		177
39	\$ 58,116	\$ 59,654	46,284	105,938	56.31%	126,694	-20,756	668
40	\$ -	\$ 34,741	743,279	778,019	4.47%	835,120	-57,101	2,928
41	\$ 3,289,125	\$ 2,318,544	4,502,072	6,820,616	33.99%	6,788,818		21,174
42	\$ -	\$ -	688,070	688,070	0.00%	426,807		1,349
Totals	\$21,658,556	\$17,768,850	\$32,433,708	\$50,202,558	35.39%	\$48,738,548	-1,297,006	229,726

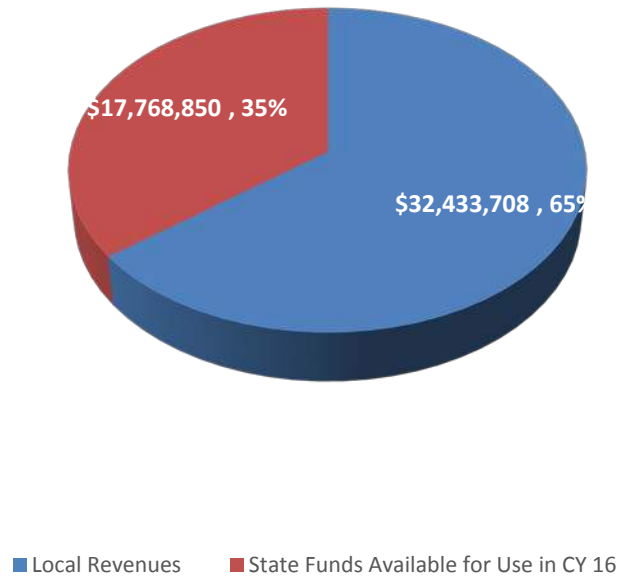
**Local Revenues \$ 32,433,708**  
**State Funds Available for Use in CY 16 \$ 17,768,850**  
**Estimated District Fund Balance Depletions \$ 1,297,006**

**NOTE: The difference between "CY16 State Funds Distributed" and "State Funds Available for Use in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single figure for the calendar year report.**

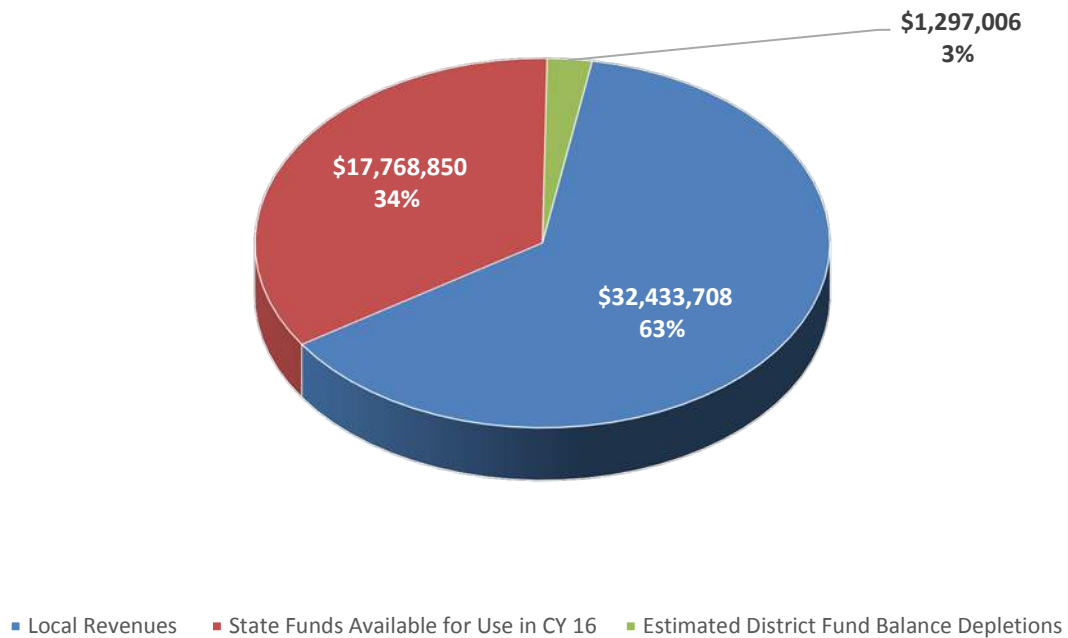
**NOTE: District 41 - CY16 local revenue includes \$1,513,623 in general appropriations from the City of New Orleans.**

**NOTE: Fund Balance Depletion estimated by subtracting district expenditures from available state & local revenues.**

### Statewide Revenues by Funding Source for CY 2016



### Statewide Revenues & Fund Balance Depletions for CY 2016





## **DISTRICT REPORTS DATA COLLECTION METHODOLOGY (CY16)**

The following districts' reports cover each individual Judicial District Public Defenders' Office (PDOs) regarding several factors: basic office information, district structures, caseload information and budget information. This information is reported to LPDB by the District Defenders to the best of their knowledge and belief at the time of the submission. Preceding each district's report is an executive summary produced by LPDB staff using the self-reported information from each district as well as LPDB analytics, including information regarding state and local funding percentages, pre- and post \$10 special costs increase revenues changes, revenue and expenditure trends, caseload changes, current district caseloads as compared to LIDB standard maximums, and the statewide average caseload and capital plans. The district report executive summaries are analytics based on each district's self-reported information on their caseload and fiscal activity and can vary in part due to their differing local procedures and environments.

Following the executive summary is first section of each district report. This is a narrative produced by district offices which lists basic contact information, including emergency contact information; descriptions of the structure of the local office and the local criminal justice system, including key figures in the local system; the staffing information and supervisory structure of the local office; contact information for the assistant public defenders; and an inventory of the office's present hardware and software. (It should be noted that district staffing information in the narratives represents a "snap-shot" of the staff collected near year's end, typically in November or December, and is subject to change at any time due to staffing changes and attrition.) With the exception of the district's total population and juvenile population, these data are self-reported by the districts through the web-based annual survey questionnaire distributed to each District Defender near year's end. Population data is captured using the U.S. Census Bureau estimates which are tracked by parish.

The second section reports each public defender district's aggregated new and pending (from prior years) caseloads and outcomes of charges disposed in CY 2016. These data are also self-reported by the district offices, gathered through each district's data entry in the case management system. The data are collected throughout the year by each attorney or the attorney's designee through entry to the LPDB online database. In CY 2011, the LPDB purchased a new case management system and deployed it in June, 2011. Data preceding June 2011 was converted and migrated into the new database from the old database also in June 2011. Data is reported on new cases, closed cases, cases from prior years which are still actively pending, and the total of new and pending cases. Some cases listed as pending have been open for several years yet have been periodically reviewed by the districts to ensure these are truly still open cases, noting that complex cases such as juvenile, felony, capital and life without parole (LWOP) cases may indeed remain active even after several years. Cases which are in fugitive or other dormant status, or which have not been reviewed periodically and confirmed as active cases are not counted as pending cases. Additionally, data is reported on the disposition of charges in a manageable number of very broad categories for presentation purposes, with labels such as "Guilty as Charged", "Dismissed", and

## DISTRICT REPORTS DATA COLLECTION METHODOLOGY (CY16)

“Plea to Lesser Charge”, for example, each of which include numerous outcomes similar and relevant to these broad labels. Nonetheless, the disposition data reported gives an impression of the outcomes of cases and charges. Given the February 1, 2017 deadline for submission of this Calendar Year 2016 annual report, case closings and pending cases may not be completely up-to-date. This is particularly true for cases handled very near the end of the calendar year, as the time-lag between case activity at year's end and case data entry may preclude some activity from being entered in time for this report.

The District CY16 Financial Summary Tables, the third and final section of the districts’ reports, address revenues and expenditures by individual line item in a very granular fashion. All information contained in this section of the districts’ reports was compiled automatically. This was done using the online financial management system report query using data from unaudited monthly financial statements which were submitted online to the Louisiana Public Defender Board by the individual Public Defender Offices on a monthly basis during the preceding calendar year. All monthly reports since August 2012 are reported online, and all prior monthly reports since 2008 were converted and migrated into the database.

Revenues reported in this third and final section show the actual amounts of state funding received in the calendar year regardless of which fiscal year the funds were appropriated. To report the amount of fiscal-year state funds actually received by a district on a calendar year-basis, the state revenue portion of the financial summaries were computed by adding all of the District Assistance and Indigent Parent Representation Funds, along with all other emergency or supplemental state funds disbursed to the district office between January 1 and December 31 of 2016 (the second half of FY16 and the first half of FY17). One might note a difference between the total revenues reported in District CY16 Financial Summary Tables and the total revenues presented on the pie chart in the LPDB Executive Summaries preceding each district’s report. This is because the different counts are intended to answer different questions. The CY16 Financial Summary Tables report all state funds *received in a calendar* year whereas the Executive Summary pie charts report those portions of state funds from FY16 and FY17 *intended for use in CY16*. The pie charts are essentially using fiscal year data to draw calendar year conclusions.



THE 1<sup>ST</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
CADDO (SHREVEPORT)

DISTRICT DEFENDER: PAMELA G. SMART  
400 TRAVIS STREET, SUITE 2000  
SHREVEPORT, LA 71101  
(318) 221-2220

# 1ST JUDICIAL DISTRICT: CADDO PARISH

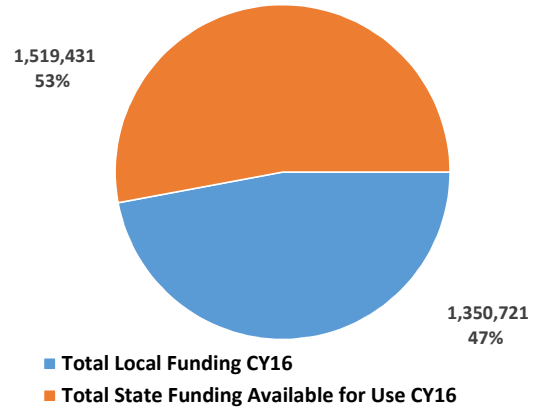
Pamela G. Smart  
District Defender  
400 Travis Street, Suite 2000  
Shreveport, LA 71101  
318-221-2220

During Calendar Year 2016, the 1st Judicial District Public Defenders Office handled 17,325 cases. The office received \$2,870,152 in total revenues to handle these cases, approximately 47% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

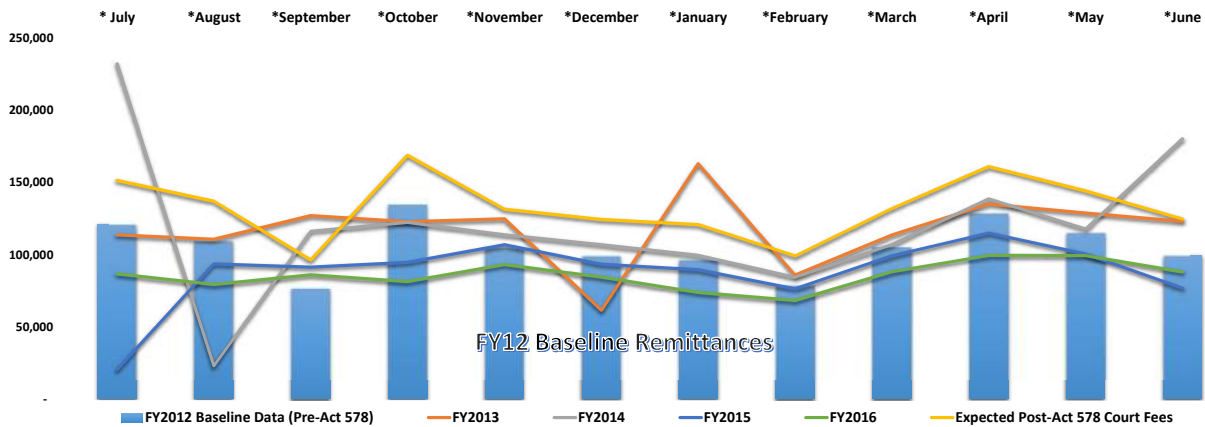
The district's pattern of failing to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase to special court costs associated with Act 578 (2012) continued and actually worsened. During FY16 (solid green line) local remittances were generally lower than any point since FY12 with the district receiving \$220,929 less than CY 15.

Due to the office's inability to obtain the appropriate financial and personnel resources to provide ethical representation to it's clients, the 1st Judicial District remains in service restriction which was implemented on April 1, 2015.

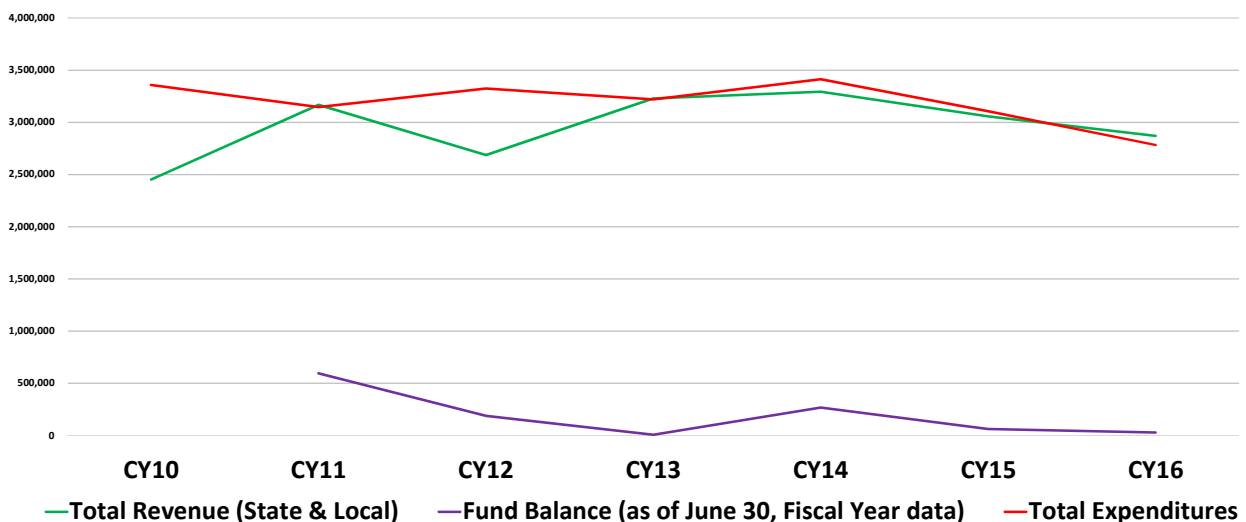
**District 1 PDO Revenue Sources CY16**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 1 PDO**



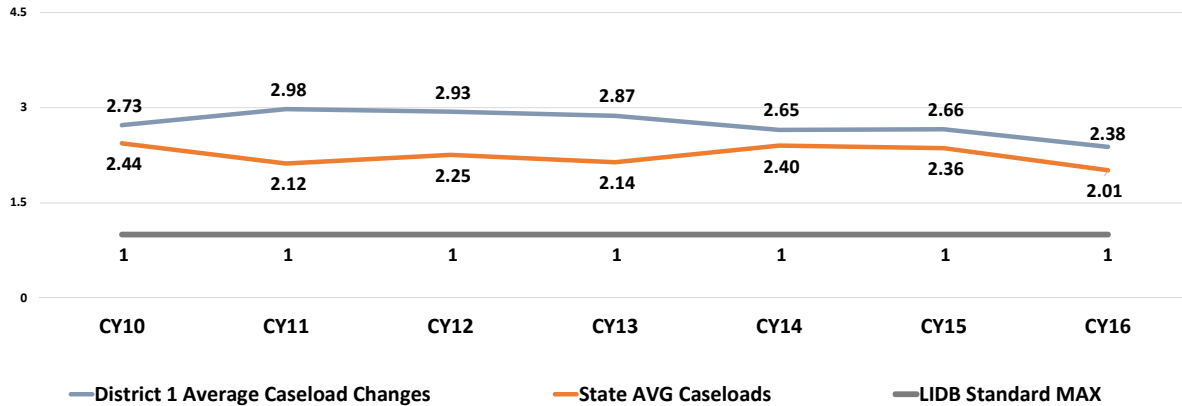
**District 1 PDO Finances CY10-16 (FB must be reported by Fiscal Years)**



# 1ST JUDICIAL DISTRICT: CADDO PARISH

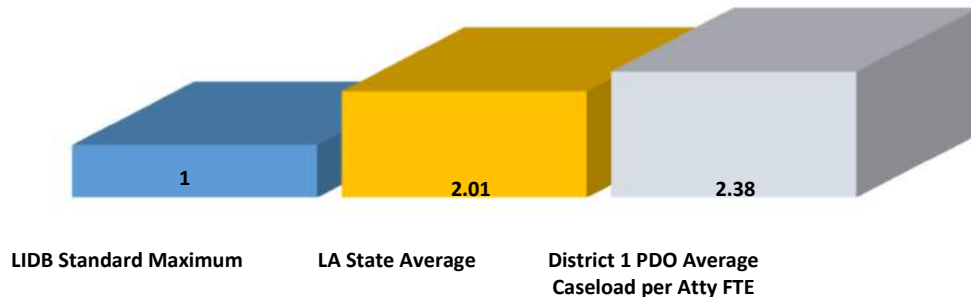
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District 1 PDO Average Caseload per Atty FTE



Although district office caseloads are at their lowest levels since 2010, the public defense attorneys of the 1st Judicial District continue to maintain caseloads more than two times the recommended caseload limit for each attorney.

District 1 PDO Average Caseloads Compared to State Average & State Standard Maximums



## CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation. Further, the Board passed a Resolution in 2015 to prohibit districts in restriction of services from accepting new capital appointments. As a result, all capital cases in this high-volume capital prosecution districts fall to the state to supply capital representation because the district is in Restriction of Services.



## THE 1<sup>ST</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Caddo - Shreveport
<b>Population</b>	251,460 - Source - Population estimates July 1, 2105 based on 2010 Census (www.quickfacts.census.gov)
<b>District Defender</b>	Pamela G. Smart
<b>Years as District Defender</b>	1 year 2 months
<b>Years in Public Defense</b>	25 years 2 months
<b>Office Manager</b>	Cindy Murray
<b>Primary Office Street Address</b>	400 Travis Street, Suite 2000
<b>City</b>	Shreveport
<b>ZIP</b>	71101
<b>Primary Phone</b>	318-221-2220
<b>Primary Mailing Address</b>	Same
<b>Primary Fax Number</b>	318-221-2247
<b>Primary Emergency Contact</b>	Pamela G. Smart
<b>Primary Emergency Phone</b>	318-347-7827 cell
<b>Secondary Emergency Contact</b>	Cindy Murray
<b>Secondary Emergency Phone</b>	318-218-4990 Cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Juvenile Office: 2800 Youree Dr., Suite 204, Shreveport, LA 71104, 318-212-1801. City Court Office 1234 Texas St. 71101. 318-673-5481.
<b>Other District Office Contact Personnel (Primary Only)</b>	Heather Courtney (Juvenile Office) 318-347-4433; Alex Rubenstein (City Court Office) 318-820-8811.
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Avant Properties/Beck Building (Main Office); Celt Center (Juvenile Office).
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Main - \$15,150; Juvenile - \$4,637
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Billables are handled in-house. Payroll is handled by APS Payroll Services.
<b>Courts and Locations</b>	1st Judicial District Court, Caddo Parish, Shreveport; Caddo Parish Juvenile Court, Shreveport City Court; Red River District Court (39th JDC - Juvenile only); Coshatta.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	1st Judicial District Court - 5 sections of criminal court; Caddo Juvenile Court - 3 sections of juvenile court (2 delinquency, 1 CINC); Shreveport City Court - 1 section of criminal court; Red River District Court - 1 section of juvenile court.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	DISTRICT COURT: Felony and misdemeanor cases are assigned to full-time staff attorneys and part-time contract attorneys for the division to which the case is assigned. Contract conflict panel attorneys are assigned to conflict cases. JUVENILE: Full-time staff attorneys and part-time contract attorneys are appointed to cases in his/her division. Some conflict cases are assigned to the private bar. CINC conflicts are assigned to CINC conflict panel. CITY: Full-time misdemeanor staff attorney and part-time contract attorneys are appointed to the cases in which that that particular attorney handles the intake (initial appearance & interview of client).
<b>Name of Adult Detention Facilities in This District</b>	Caddo Correctional Center & Shreveport City Jail
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Natchitoches Detention Center, Union Parish Detention Center, Bayou Dorcheat Detention Center (Webster Parish), and Bossier Parish Jails.
<b>Name of Juvenile Detention Facilities In This District</b>	The Caddo Juvenile Correctional Center, Shreveport, LA.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Clients not held outside parish.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Sometimes based on the individual juvenile.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	James Stewart
<b>Chief Judge of Criminal District Court</b>	Robert Waddell
<b>Juvenile Court Judges (Specify District or City Court)</b>	David Matlock, Paul Young, Ree Casey (just sworn in)
<b>Drug Court Judges</b>	Craig Marcotte (District Court), Paul Young (Juvenile Court)
<b>Mental Health Court Judges</b>	Paul Young (Juvenile Court)
<b>Other Specialty Court</b>	(see below)
<b>Name of Specialty and Brief Description:</b>	Family Preservation Court - drug court for CINC; Family Preservation Court II - drug court for FINS; Truancy Court.
<b>Indigency Determined by Whom and How?</b>	Indigency is initially determined by the presiding judge, then verified by us based on information given in the "Application for Indigency" as per Office Policy in accordance with the <u>Federal Poverty Guidelines</u> .
<b>When is Assignment/Appointment of Counsel Made?</b>	If incarcerated - at 72-hour hearing. If on bond, at initial appearance.
<b>What steps does your office take to ensure conflict – free representation</b>	As soon as appointment lists are returned to the office each day, the investigators do thorough checks to determine any conflicts. Conflict counsel is then requested by the attorney appointed to the case either by written or oral motion.

<b>Brief Explanation of Intake Process</b>	The intake staff mentioned in Q45 (& investigator if needed) visit incarcerated clients within 3 days of appointment to conduct an interview of client.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	3,136
<b>How Many Application Fees Were Waived?</b>	0
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2016</b>	17,657
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	959,085
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	No - Judges may waive court costs in cases where the client has multiple offenses by running the costs concurrently. Sometimes, costs may be waived for hardship reasons.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Both Shreveport City Court and the Caddo Parish Sheriff utilize the form provided by LPDB to provide the information.
<b>Who Collects the Assessed Court Fees?</b>	The City Marshal collects for Shreveport City Court and Caddo Parish Sheriff for District Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Both Shreveport City Court and the Caddo Parish Sheriff utilize the form provided by LPDB to provide the information.
<b>Who Remits the Court Fees Collected?</b>	City Marshal for Shreveport City Court and Caddo Parish Sheriff for District Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Both Shreveport City Court and the Caddo Parish Sheriff utilize the form provided by LPDB to provide the information.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	Yes
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	Town of Greenwood
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	1,570



<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	When a client completes an application, a determination is made if partial reimbursements are appropriate for that particular client. These amounts may be reduced or altogether waived upon request by the client. Reductions and waivers are determined by the chief defender on a case by case basis by reference to the federal poverty guidelines and the ability of the client to pay. Additionally, some judges, after making a determination of indigency, will assess some money to offset representation if it is believed the client can afford to pay it.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	We keep track of all agreements issued by the PDO assessing partial reimbursement. Every effort is made to keep track of partial reimbursement assessments imposed by the courts.
<b>Who Collects the Assessed Partial Payments?</b>	Partial reimbursement payments are collected both directly by the PDO and by probation departments of Department of Corrections and Caddo Parish Sheriff.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	The PDO documents all fees collected both directly by the office and indirectly from probation departments of Department of Corrections and Caddo Parish Sheriff.
<b>Who Remits the Partial Payments Collected?</b>	Clients remit partial payments directly to the office or through the probation departments of Department of Corrections and Caddo Parish Sheriff.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Payments remitted directly to the office are logged onto a spreadsheet. Payments remitted to probation offices are sent as a lump sum with documentation.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	16,235
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Yes. The original policy was amended/clarified in November 2015 to limit it further.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	More attorneys to handle the caseloads in all courts, Westlaw, more local training.
<b>Was your office in ROS at any time during 2016</b>	Yes
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	While we were able to get a conflicts panel August 1, 2016, we still need more attorneys to handle the voluminous caseloads in district, juvenile, and city courts. The situation is being closely monitored.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	District Court Staff Attorneys - Eddie Brossette, LaLeshia Walker, Kathryn Bloomfield. Juvenile Secretary - Kelly Sanders. Although not terminated for funding shortfall, Sarah Smith and Jasmine Henderson, both excellent district court staff attorneys, resigned for other positions due to the worry of losing their jobs.

<b>Immediate Critical Issue Areas</b>	More attorneys for all three courts, the ability to hold some reserve for emergencies because, without it, we are constantly constrained in implementing improvements to services provided. Additionally, we need to get our juvenile staff out of Red River Parish so that our staff can focus on Caddo's cases.
<b>Long-Term Critical Issue Areas</b>	Stability for all full-time staff and contract staff to stop the cycle of hiring/firing.
<b>2016 Media Coverage and/or Major Accomplishments</b>	Funding issues, staffing changes, effects of both on clients, implementation of clothes closet to provide clothing for indigent clients who are proceeding to jury trial.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Any new attorneys will shadow staff attorneys for a couple of weeks to observe court, jail visits, etc. If that is not possible due to needing to get the new attorney in his/her courtroom, the senior staff attorneys will be available in the courtroom and assist during the first few weeks. All attorneys will be encouraged to use the "buddy system" whereby two attorneys will be in all jury trials.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Heather Courtney, Kia Richardson, Phillip Prejean, George Harp
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	The Chief Defender supervises all staff. The Senior Staff Attorneys supervise the staff attorneys in his/her section. The Office Manager supervises the support staff, including the secretaries, and investigators. The Juvenile court supervisor oversees all Juvenile staff. The City Court supervisor oversees entire City Court staff.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Prior to the reduction in workforce due to ROS, the senior staff attorneys had a disproportionate number of cases compared to the staff attorneys. When each district court section was reduced by one attorney, the caseloads among staff attorneys and senior attorneys were evened out somewhat for workload purposes as well as morale. With the addition of a contract attorney in each section, the caseloads are beginning to decline although not significantly yet.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	PDO pays 75% of health premium for employees and 25% for family. Coverage for other types of health-related insurance is made available but the employee pays 100% of those premiums.
<b>Regular Meetings for Any Staff, Please Describe</b>	Regular meetings are conducted but we are trying some new ways to promote interaction and camaraderie among staff and contract attorneys of three courts.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Filed in 2016</b>	2

<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	7
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	The senior attorneys will be assigned to these cases.
<b>Number of trial level Juvenile Life Without Parole (<u>Miller</u>) cases handled by your office in CY 2016</b>	4
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) cases pending in your office</b>	2
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) sentencing hearings conducted in your district in CY 2016</b>	1
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senators: John Milkovich, Barrow Peacock, Greg Tarver. Representatives: Cedric Glover, Thomas Carmody, Jim Morris, Barbara Norton, Alan Seabaugh, Sam Jenkins, Larry Bagley
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Court schedules - We are trying to get each judge to arrange schedule where attorneys will have a designated time in which he/she will not be in court and can conduct jail or office interviews.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	More guidance of attorneys as to how clients are represented, more explanation of the importance of implemented policies so there is not as much resistance, now handle finances through payroll service and Quickbooks so there is less worry on the staff as to whether we are going broke or not.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Kurt Goins	318-221-2220
David McClatchey	318-221-2220
Michelle AndrePont	318-221-2220
Mary Harried	318-221-2220
Rickey Swift	318-221-2220
Michael Bowers	318-221-2220

Michael Enright	318-221-2220
Alex Rubenstein	318-673-5480
Kia Richardson	318-212-1801
George Harp	318-212-1801
Heather Courtney	318-212-1801
Pamela Smart	318-841-1626
Carlos Prudhomme	318-221-2220
Richard Fisher	318-221-2220
Phillip Prejean	318-221-2220
William Stampley	318-221-2220
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Zach Blanchard	318-222-3256
Mark Frederick	318-868-8943
William Haynes	318-455-5554
Sonia Cassidy	318-658-9930
Kammi Whatley	318-393-1953
Katherine Evans	318-925-1178
Savannah Sepulvado	318-423-8984
Sarah Smith	318-217-6100
Alonzo Jackson	318-617-9922
Zach Moffett	318-820-1267
Samuel Goodwin	318-375-3719
Tomlin Wilson	318-272-0130
Linda Ryland	318-572-6325
Jeremy Babers	318-935-0518
Broocks Greer	318-678-5658
Lee Harville	318-222-1700
Larrion Hillman	318-549-9180
Stephen Collins	318-626-7300
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Cindy Murray	318-841-1627
Rodger Swan	318-221-2220
Bryn Gouge	318-212-1801
Michael Bennett	318-221-2220
Wanda Hudson	318-221-2220
Julia Cloud	318-221-2220
Lisa Akins	318-221-2220
Sharon Edwards	318-221-2220
Belinda Poole	318-221-2220
Veda Clinton	318-212-1801
Deborah Jacobs	318-673-5480
Layne Carver	318-221-2220
Amber Day	318-221-2220
Fisher, Richard	318-221-2220
Tucker, Vikki	318-221-2220
Danny Olds	318-221-2220
Rachel Reed	318-221-2220

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Pamela G. Smart
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	
Other (please list)	FastCase
Number of Legal Research Licenses	
Total Cost of Legal Research Software:	No cost
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	

<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	x
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b>HARDWARE:</b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	2
VCR	2
Desktop PCs	76 includes 34 in storage
Laptops	9
Video Cameras	1
Digital Cameras	1
Video Conferencing Systems	2
B&W Laser Printers	2
Color Printers	16
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	27 x 27
Provider Name:	Comcast
Email Provider:	Microsoft Office 365
Please list any software or computer equipment in which you need training:	Database

### 1st District Defender Office CY 2016 Caseloads & Outcomes

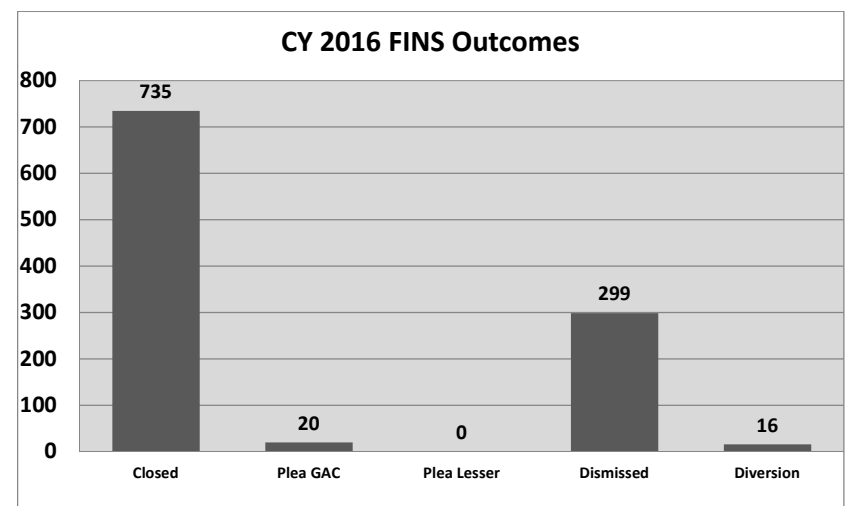
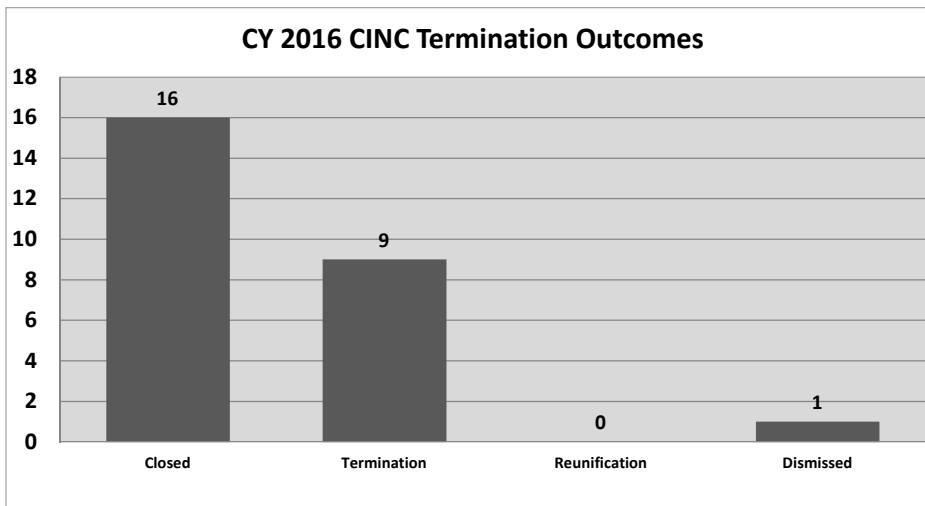
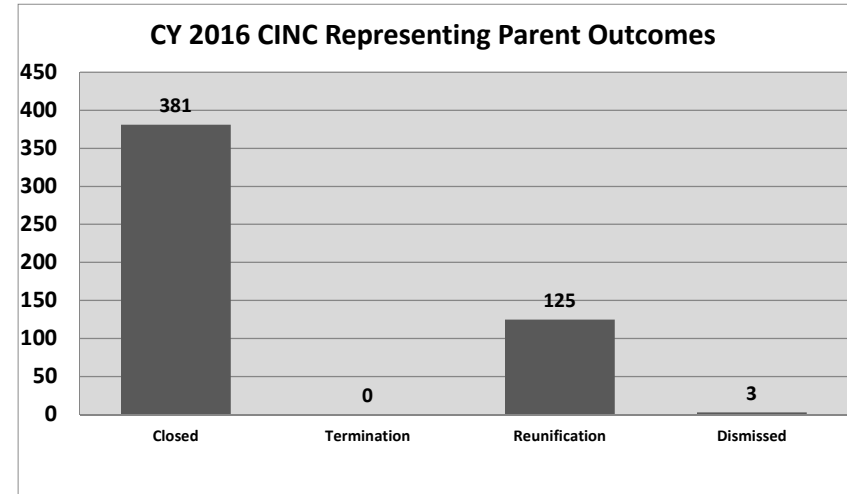
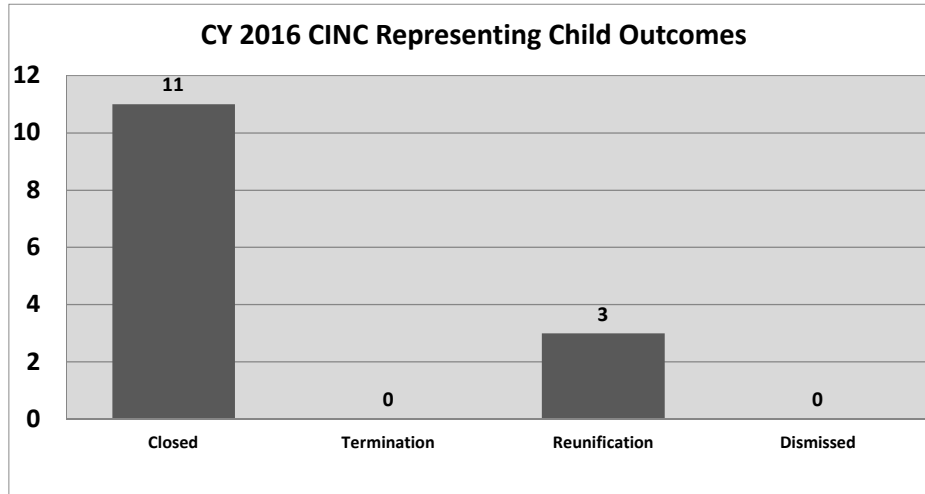
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	45	46	6	51	N/A	N/A	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	6	11	9	15	0	3	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	393	381	426	819	0	125	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	0
Termination	17	16	19	36	9	0	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
FINS	490	735	348	838	N/A	N/A	20	0	299	16	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	580	609	200	780	N/A	N/A	170	24	263	43	N/A	N/A	5	26	31
Delinquency Felony	339	337	123	462	N/A	N/A	90	58	110	12	N/A	N/A	1	30	31
Delinquency-Life	10	12	6	16	N/A	N/A	4	2	1	0	N/A	N/A	1	2	3
Juvenile Revocations	1	1	0	1	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	7951	7057	794	8745	N/A	N/A	4803	452	2181	1	0	6	18	103	127
Adult Felony Non-LWOP**	3283	3416	1676	4959	N/A	N/A	1469	928	2242	0	0	11	4	11	26
Adult LWOP	73	82	104	177	N/A	N/A	23	24	52	0	0	7	1	2	10
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	298	480	127	425	N/A	N/A	48	10	23	0	N/A	N/A	N/A	N/A	0
PCR	0	1	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	0	1
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

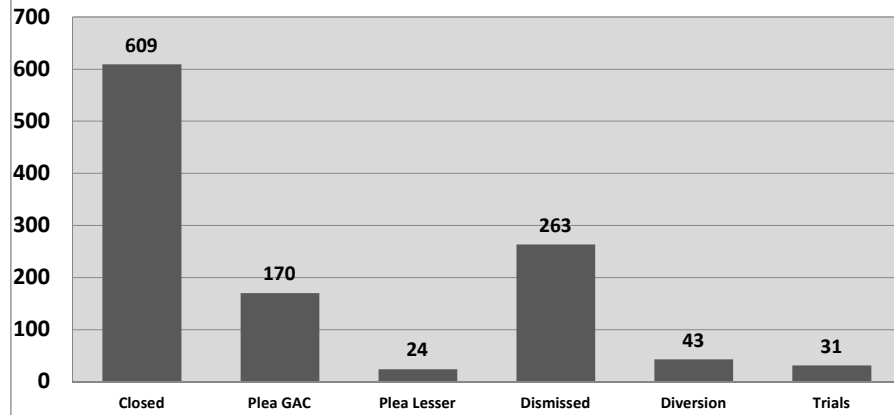
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

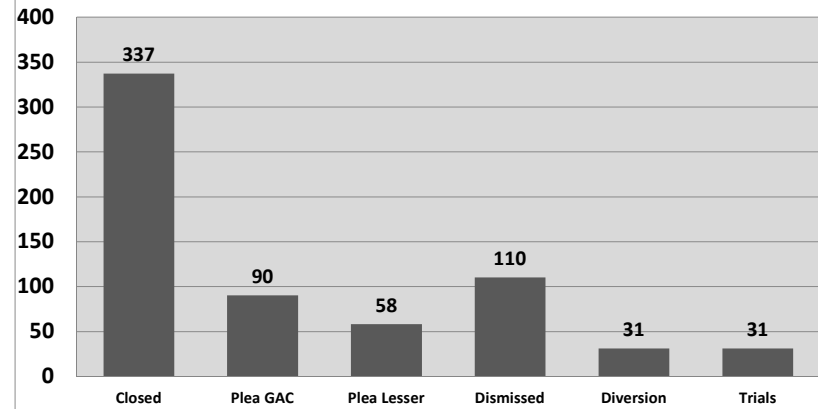




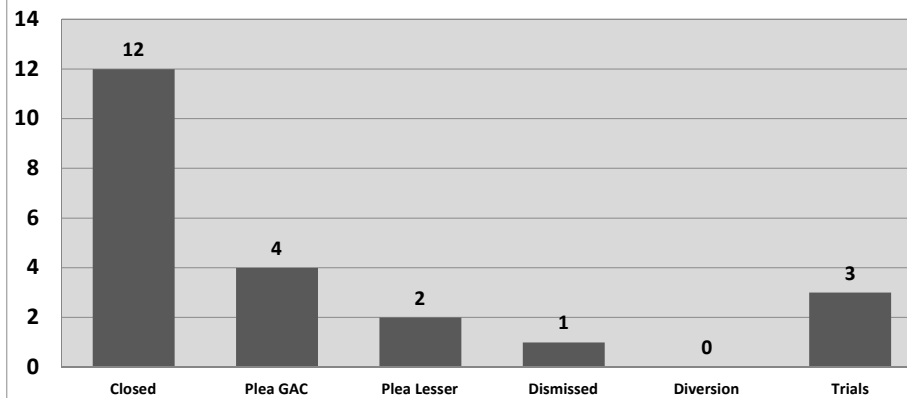
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



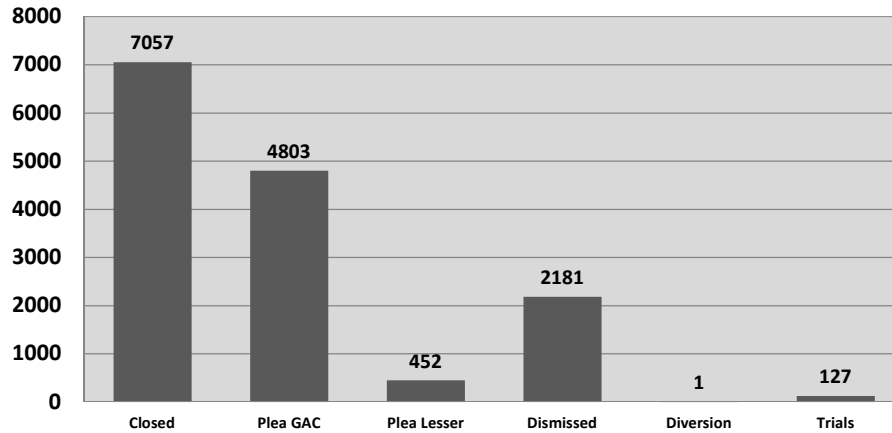
**CY 2016 Delinquency Felony-Grade Outcomes**



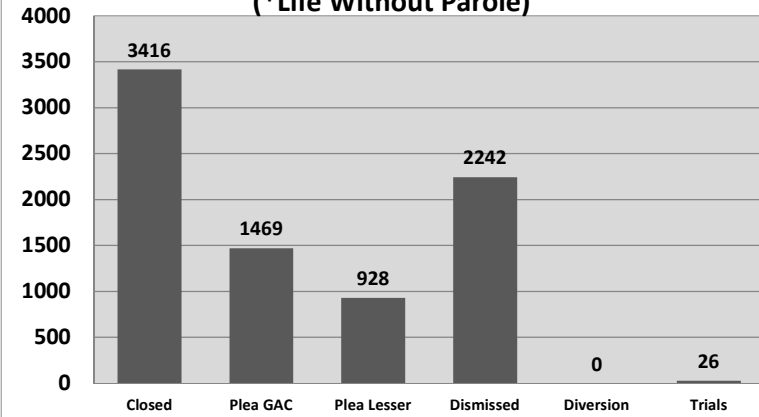
**CY 2016 Delinquency Life Outcomes**



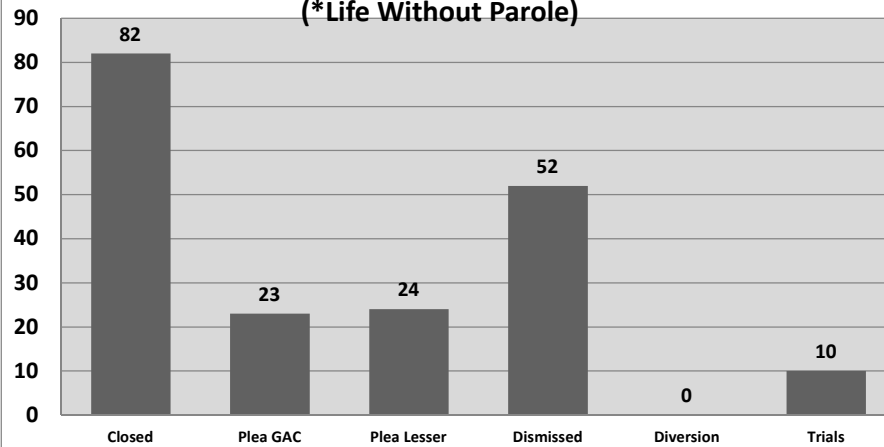
**CY 2016 Adult Misdemeanor Outcomes**



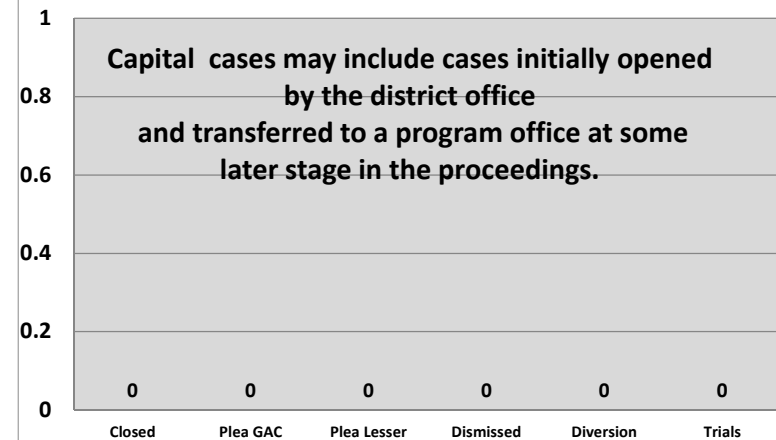
**CY 2016 Adult Felony Non-LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2016 Adult Felony LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2016 Capital Outcomes**

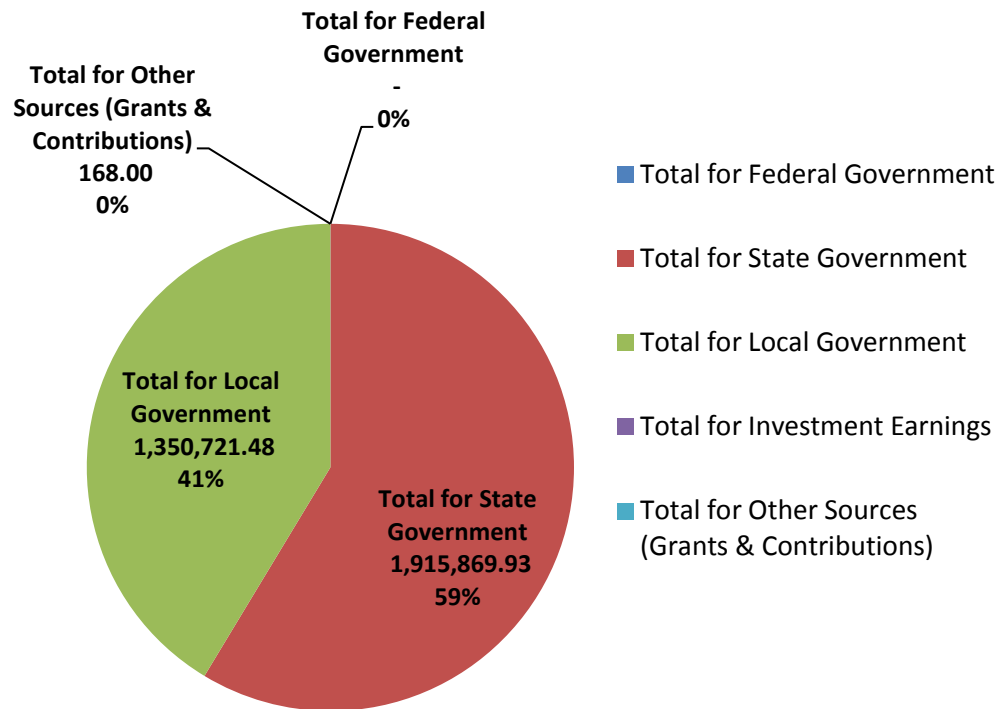


District 1 CY2016	Total CY2016
<b>District Defender: Pamela Smart</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	5,671.93
Child in Need of Care (CINC)	100,357.00
District Assistance Fund (DAF)	1,734,726.00
Supplemental/Emergency Funds	73,715.00
Grants	-
Other State Income -List source(s)	1,400.00
Total for State Government	1,915,869.93
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	33,185.93
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	248,368.82
Traffic Camera	-
Grants	45,000.00
Other Local Income -List source(s)	21,625.00
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	129,403.72
City & City-Ward Courts	310,781.00
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	1,570.00
Magistrates' Courts	-
Municipal Court	-
Parish Courts	148,122.01
Traffic Court	369,208.00
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	959,084.73
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	24,607.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	18,850.00
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	43,457.00
Total for Local Government	1,350,721.48
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	-
Other Sources (Grants & Contributions)	
Non-Profit Organizations	168.00
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	168.00
Total for REVENUE	3,266,759.41

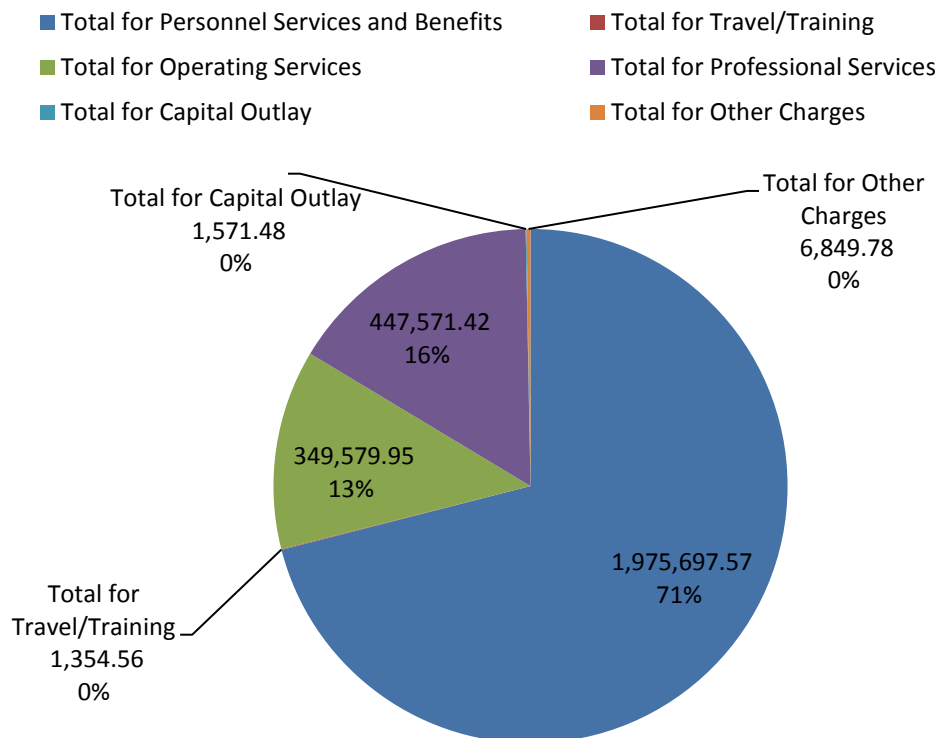
District 1 CY2016	Total CY2016
District Defender: Pamela Smart	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	1,675,836.31
Accrued Leave	2,857.14
Payroll Taxes	25,645.95
Hospitalization and Disability Insurance	207,249.23
Retirement	58,952.46
Other	5,156.48
Total for Personnel Services and Benefits	1,975,697.57
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	1,354.56
Total for Travel/Training	1,354.56
Operating Services	
Advertisements	160.98
Workers' Compensation	7,880.01
Insurance - Malpractice	13,203.76
Insurance - Auto/Physical Liability	3,310.50
Insurance - Other	2,384.00
Lease - Office	252,189.05
Lease - Auto/Equipment	10,741.91
Lease - Other	9,552.00
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	15,895.11
Dues and Seminars	140.00
Law Library/Journals/Subscriptions	26,943.00
Office Supplies	7,179.63
Total for Operating Services	349,579.95
Professional Services	
Audit/Accounting Expense	25,326.55
Contract Clerical	-
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	87,500.00
Contract - Juvenile Attorneys or CINC	152,950.16
Misdemeanor Attorney Contracts	75,000.00
Contract Attorneys - all other	87,378.46
IT/Technical Support	19,416.25
Total for Professional Services	447,571.42
Capital Outlay	
Major Acquisitions	1,571.48
Total for Capital Outlay	1,571.48
Other Charges	
Other Operating Expenses	6,849.78
Total for Other Charges	6,849.78
Total for EXPENDITURES	2,782,624.76

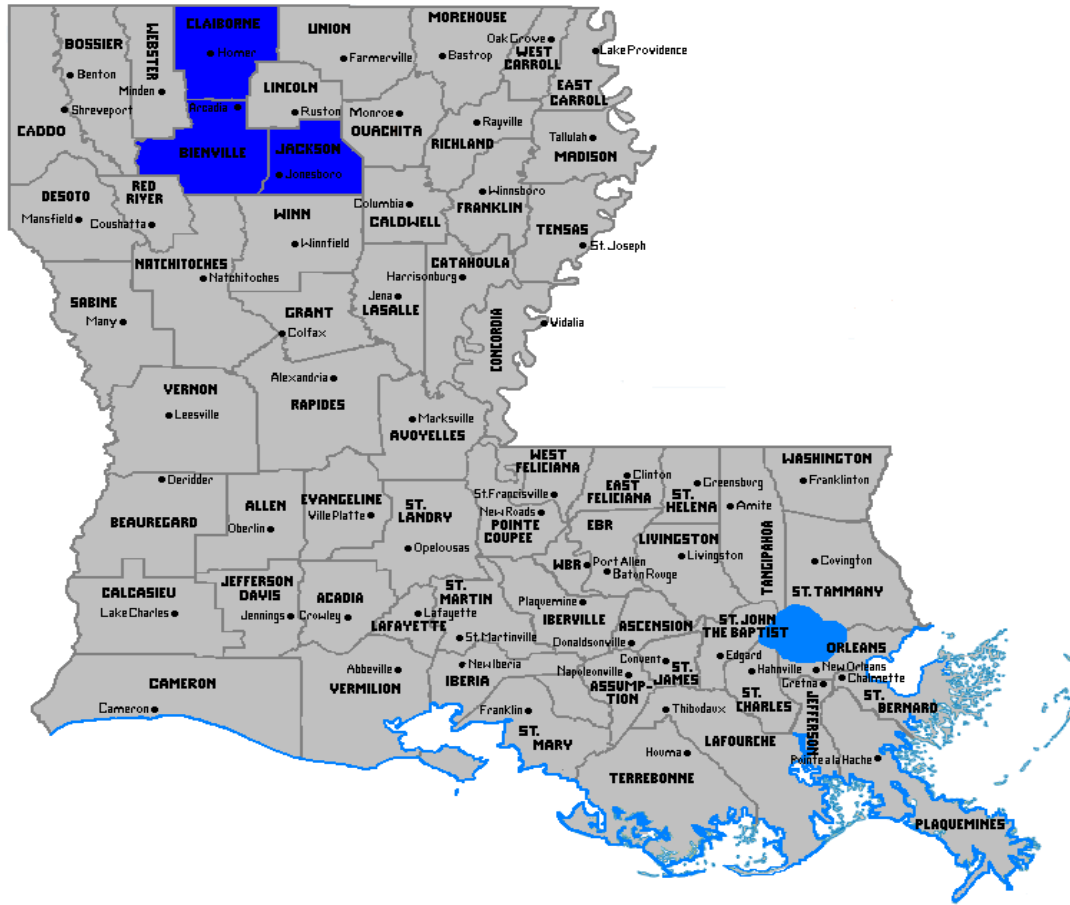
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





## THE 2<sup>ND</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

BIENVILLE (ARCADIA) - CLAIBORNE (HOMER) - JACKSON (JONESBORO)

DISTRICT DEFENDER: DONALD L. KNEIPP  
208 COURTHOUSE, 100 COURTHOUSE DRIVE  
ARCADIA, LA 71001  
(318) 355-2413

2ND JUDICIAL DISTRICT:  
BIENVILLE, CLAIBORNE, & JACKSON PARISHES

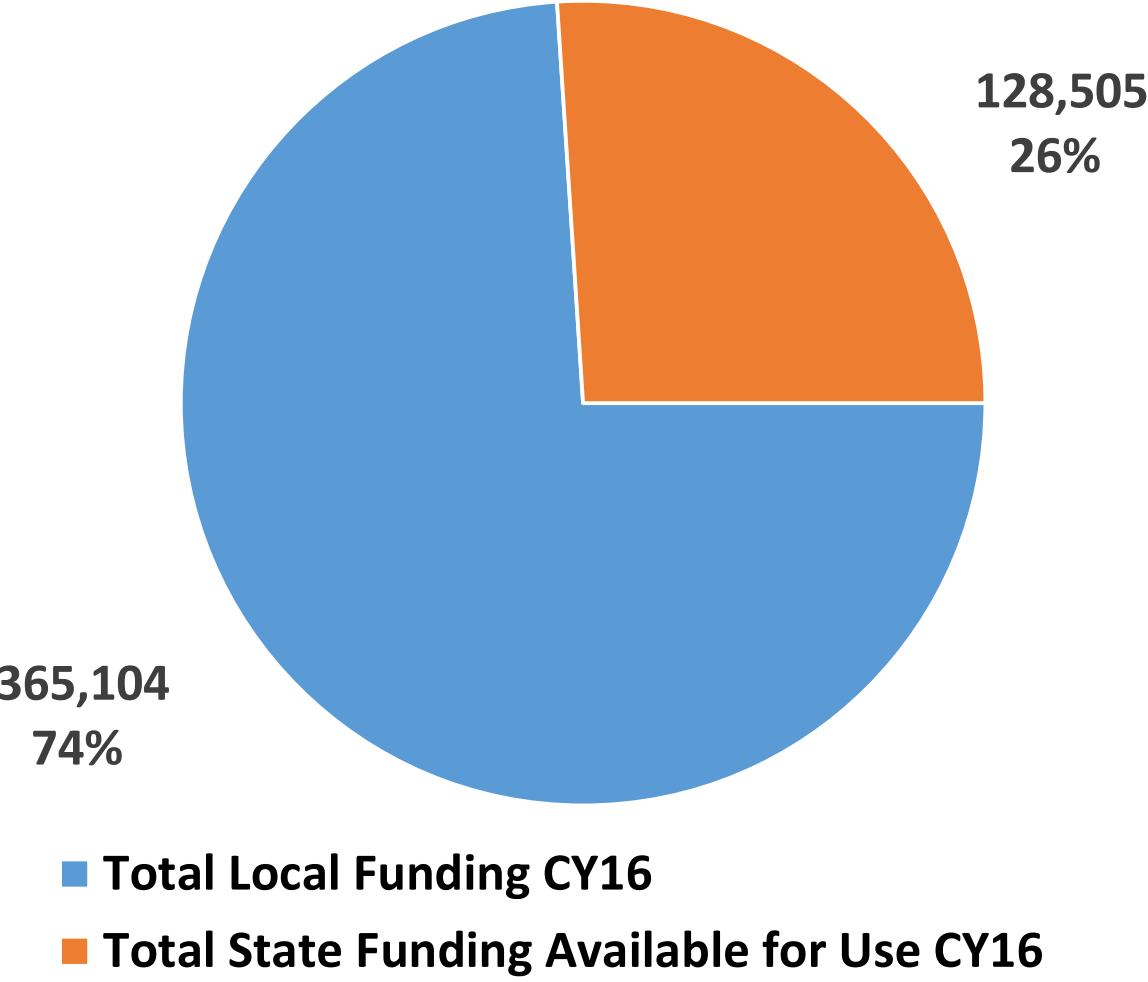
Donald L. Kneipp  
District Defender  
208 Courthouse, 100 Courthouse Drive  
Arcadia, LA 71001  
318-355-2413

During Calendar Year 2016, the 2nd Judicial District Public Defenders Office handled 2,068 cases. The office received \$493,609 in total revenues to handle these cases, approximately 74% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

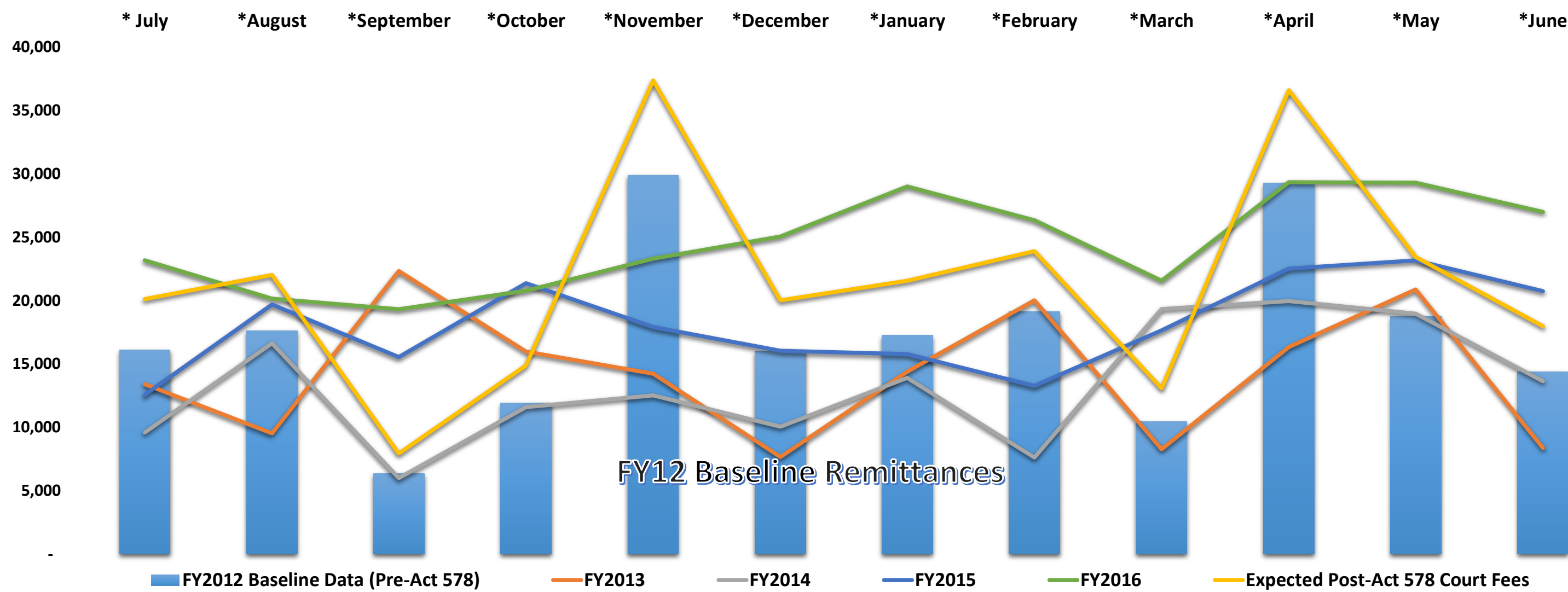
Although the 2nd Judicial District public defender's office has generally failed to realize the 25% increase in special court costs associated with Act 578 (2012), in 2016, the office's local revenues increased by 28% over 2015 revenues.

The 2nd Judicial District office nearly exhausted its fund balance during 2014 . However, increases in local revenues have allowed the office to remain solvent.

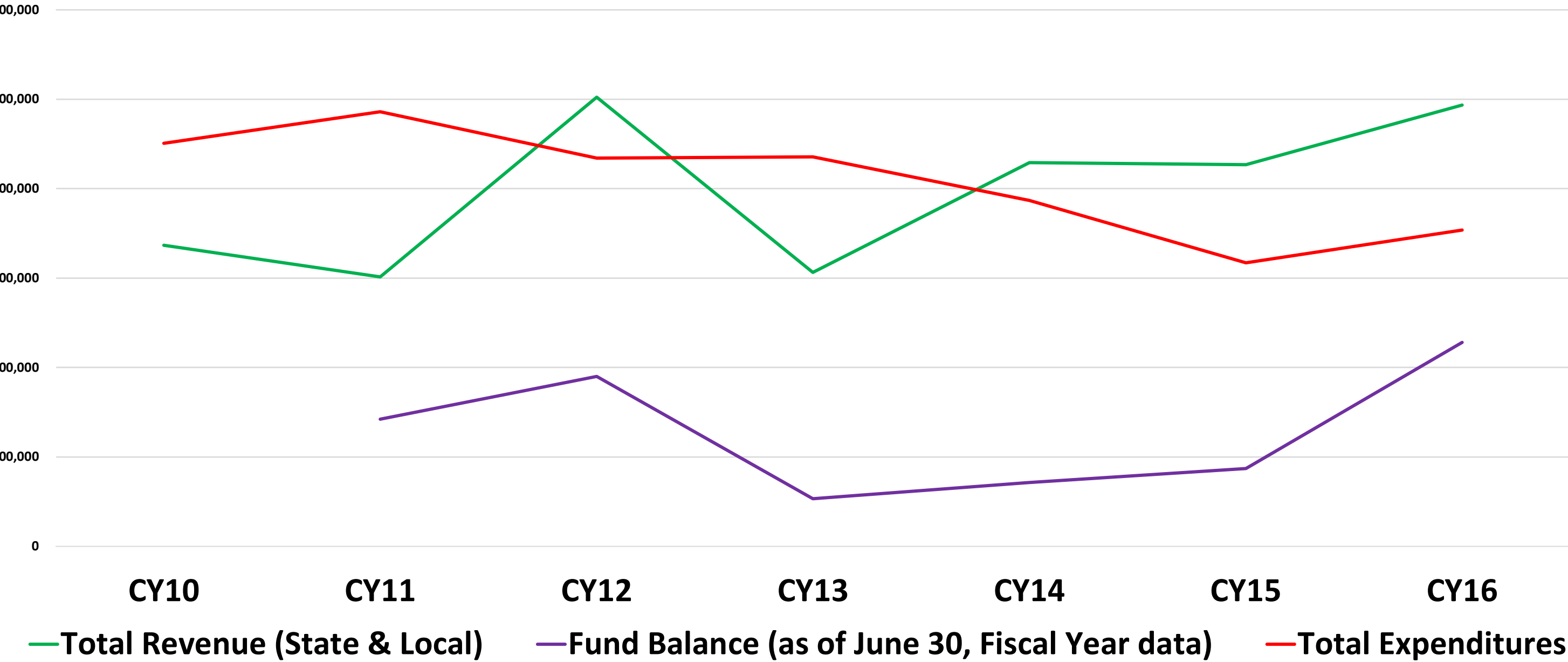
District 2 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 2 PDO

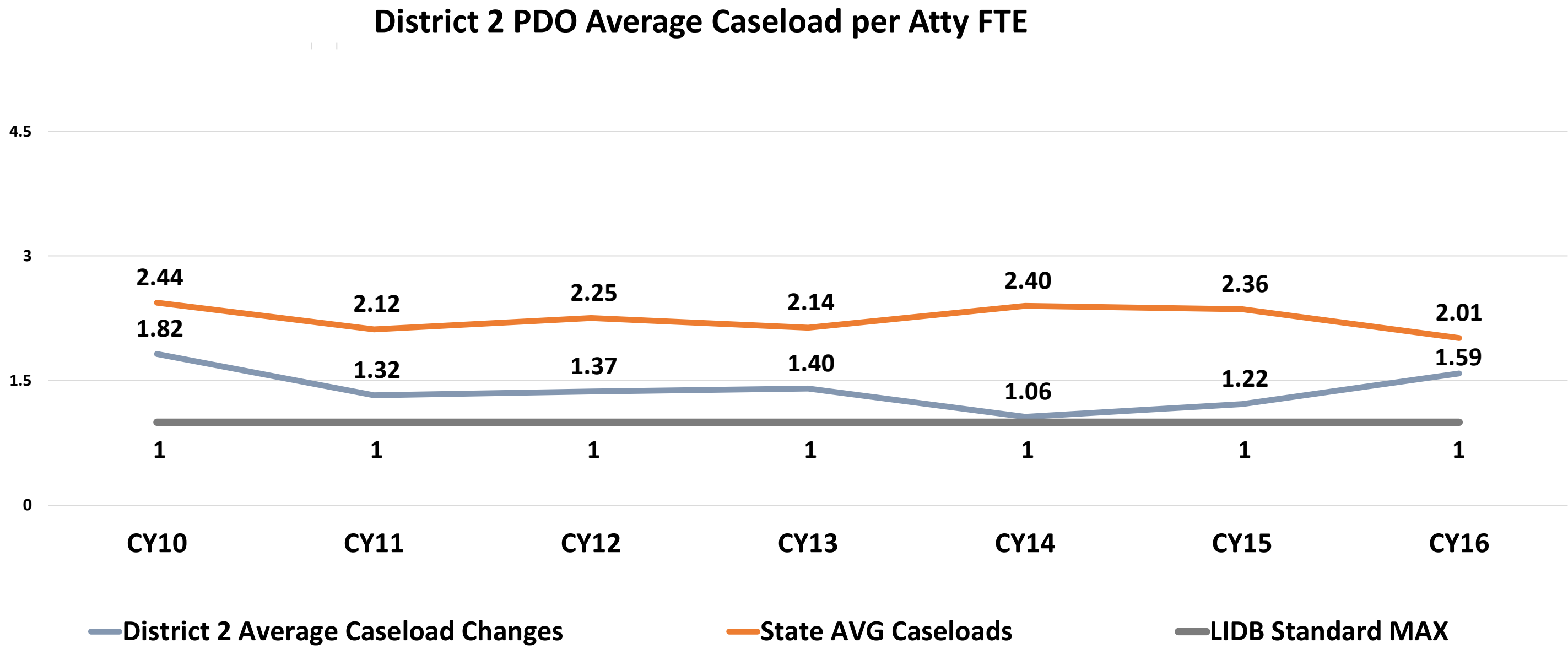


District 2 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



**2ND JUDICIAL DISTRICT:  
BIENVILLE, CLAIBORNE, & JACKSON PARISHES**

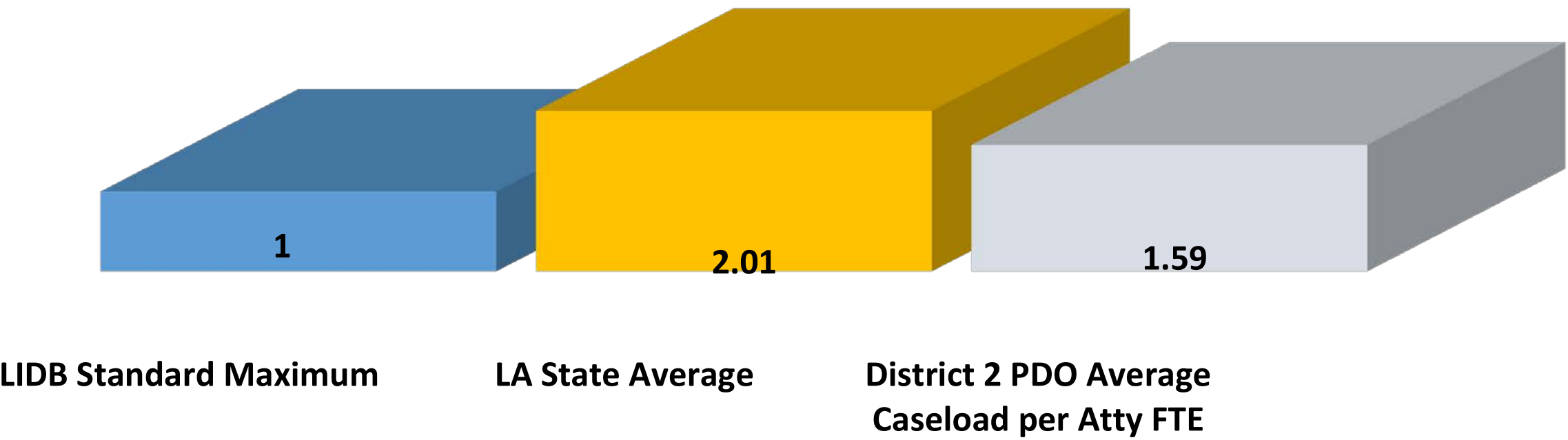
**Donald L. Kneipp**  
District Defender  
208 Courthouse, 100 Courthouse Drive  
Arcadia, LA 71001  
318-355-2413



In the 2nd Judicial District, public defense attorneys maintain caseloads one and a half times the recommended caseload limit for each attorney, additionally caseloads in the office have risen every year since 2014.

The 2nd Judicial District is a rural district that handles only a small number of cases each year, making generalizations difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.

**District 2 PDO Average Caseloads Compared to State Average & State Standard Maximums**



**CAPITAL REPRESENTATION**

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.





## THE 2<sup>ND</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Bienville - Arcadia; Claiborne - Homer; Jackson - Jonesboro
<b>Population</b>	45,939
<b>District Defender</b>	Donald L. Kneipp
<b>Years as District Defender</b>	1
<b>Years in Public Defense</b>	1
<b>Office Manager</b>	Kay Kneipp ( volunteer)
<b>Primary Office Street Address</b>	208 Courthouse, 100 Courthouse Drive
<b>City</b>	Arcadia
<b>ZIP</b>	71001
<b>Primary Phone</b>	318-355-2413
<b>Primary Mailing Address</b>	P.O. Box 471, Jonesboro, 71251-0471
<b>Primary Fax Number</b>	318-388-3983
<b>Primary Emergency Contact</b>	Donald L. Kneipp
<b>Primary Emergency Phone</b>	318-355-2413
<b>Secondary Emergency Contact</b>	Kay Kneipp (volunteer)
<b>Secondary Emergency Phone</b>	318-791-1636
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Bienville Parish Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	None
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	2nd JDC Div. A, 513 N. Main St., Homer, LA 71040; 2nd JDC Div. B, 200 Courthouse, 500 E. Court St., Jonesboro, LA 71251; 2nd JDC Div. C, 208 Courthouse, 100 Courthouse Dr., Arcadia, LA 71001
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	3 divisions

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Claiborne Parish - 1 attorney is assigned all felonies except drug cases and DWI and 1 attorney is assigned all misd. and drug and DWI felonies; Bienville and Jackson Parishes - 1 attorney in each parish is assigned all criminal cases
<b>Name of Adult Detention Facilities in This District</b>	Claiborne Parish Detention Center, Homer; Claiborne Parish Jail, Homer; Jackson Parish Correctional Center, Jonesboro; Bienville Parish Jail, Arcadia
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Bayou Dorchet Corr. Cntr, Minden; Richland Parish Det. Cntr, Rayville; LaSalle Corr. Cntr, Olla; Union Parish Det. Cntr., Farmerville
<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center, Coushatta; Green Oaks Detention Center, Monroe
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Many detainees are held in facilities which are 30 to 90 miles away resulting in additional time and travel costs per visit.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No. While there is no policy the shackles are usually removed prior to entering the courtroom
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Danny Newell
<b>Chief Judge of Criminal District Court</b>	Jenifer Ward Clason
<b>Juvenile Court Judges (Specify District of City Court)</b>	N/A
<b>Drug Court Judges</b>	N/A
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Indigency is determined by each assistant public defender after review of the applicant's financial information as provided.
<b>When is Assignment/Appointment of Counsel Made?</b>	At the 72 hr. hearing if in custody and at arraignment if out on bond.
<b>What steps does your office take to ensure conflict – free representation</b>	Rely upon the attorneys to notify office when there is potential conflict. Our district has 2 conflicts attorneys and 4 other contract attorneys are available to represent conflict clients when the need arises.
<b>Brief Explanation of Intake Process</b>	Attorney visits with the client, explains general process and gathers needed information
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes

How Many Applications for Services Were Received?	842
How Many Application Fees Were Waived?	746
How Many Application Fees Were Reduced?	None
Total Application Fee Dollars Collected in 2016	3,835
Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
Total Revenue from \$45/\$35 Special Costs Received in 2016	328,334
Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.	Yes
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?	Reports from each Sheriff
Who Collects the Assessed Court Fees?	Sheriff of each Parish
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	Summary report from Sheriff
Who Remits the Court Fees Collected?	Sheriff of each Parish
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	A breakdown sheet is provided showing the total collections and how much is paid to each entity listed.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?	No
From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?	N/A
How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?	N/A
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment	This determination is made by the Judge in each Division in conjunction with the assigned defender.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?	Attorney and/or probation provides amount assessed.
Who Collects the Assessed Partial Payments?	Probation officer or payment is made directly to my office.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	Payment form showing amount of payment, total payments made to date and total assessment is sent with each payment.
Who Remits the Partial Payments Collected?	Probation officer or client.

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Same as fees collected.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	4,448
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private practice permitted, but No policy. While there is No formal policy, each attorney is aware primary responsibility is to the defender's office and No cases are to be taken that will be in conflict. The general policy of the former local board has been in place for over 12 years and I was advised of it when I was first hired.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	None
<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Funding. The district's monthly expenses exceed the local revenues it collects. This "negative cash flow" prevents there being any long term commitment for office space in 2 of the 3 parishes comprising the district.
<b>Long-Term Critical Issue Areas</b>	Caseload and/or workload will have to be reviewed on an ongoing basis to make sure that each attorney is within state standards. The issue will become whether appropriate funding will be available to meet future staffing needs.
<b>2016 Media Coverage and/or Major Accomplishments</b>	N/A
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Each new hire is assigned a veteran defender to mentor new attorneys.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	None
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District Defender supervises all attorneys.

<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	The district defender is the only supervisor and is available to be assigned a conflict case when the other contract attorneys have already been assigned to other defendants or have been conflicted out.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	The only staff is a volunteer; meetings are held as needed. Meetings with contract attorneys are held on an individual basis at least monthly and more frequently if necessary.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Filed in 2016</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	All attorneys in the 2nd JDC are experienced with Juvenile Defendants.
<b>Number of trial level Juvenile Life Without Parole (<u>Miller</u>) cases handled by your office in CY 2016</b>	None
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) cases pending in your office</b>	None
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) sentencing hearings conducted in your district in CY 2016</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Jim Fannin, Senator; Jay Luneau, Senator; Ryan Gatti, Senator; Mike Walsworth, Senator; Jack McFarland, Representative; Patrick Jefferson, Representative.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Hired part time investigator which appears to be adequate for the time being. Added an additional conflicts attorney which lessened the case load of those contract attorneys already assigned to all cases arising in 2 different parishes.

[illegible]

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Donald L. Kneipp
<b>Legal Research Tools Used:</b>	Each contract attorney responsible for his/her research tools used.
Lexis Nexis	
Westlaw	
Other (please list)	
Number of Legal Research Licenses	
Total Cost of Legal Research Software:	
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b>Operating Systems Used:</b>	
Windows 10	x
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b>Case Management System(s): Check all that apply</b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b>Productivity Suites Used:</b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b>Accounting Software</b>	
QuickBooks	x
Quicken	

Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	x
Internet Explorer 11	x
Microsoft Edge	
Firefox	x
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	2
Laptops	2
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	
Email Provider:	
Please list any software or computer equipment in which you need training:	



## 2nd District Defender Office CY 2016 Caseloads & Outcomes

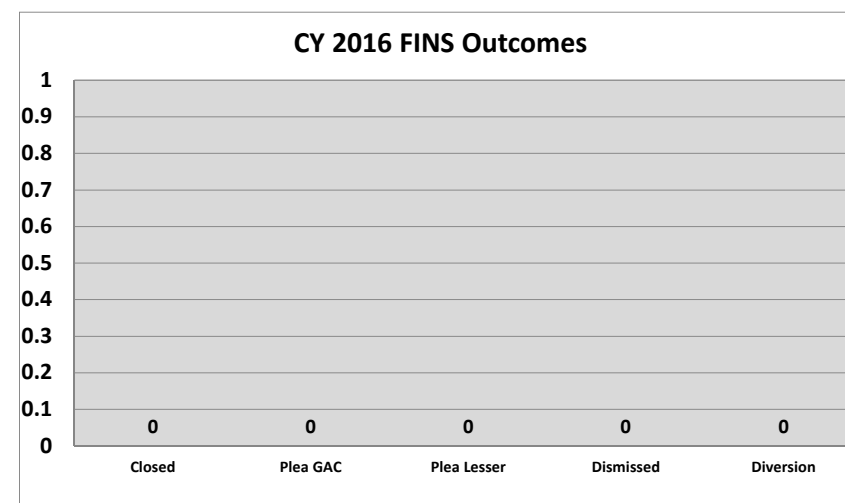
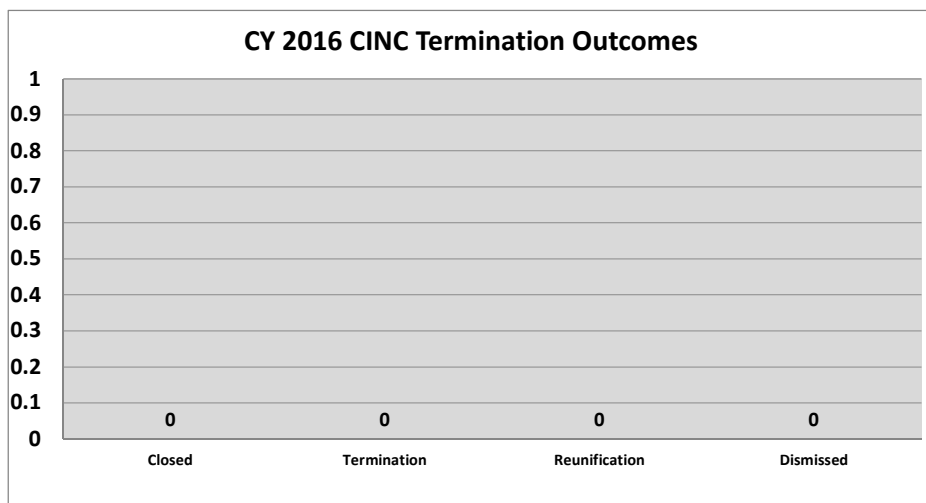
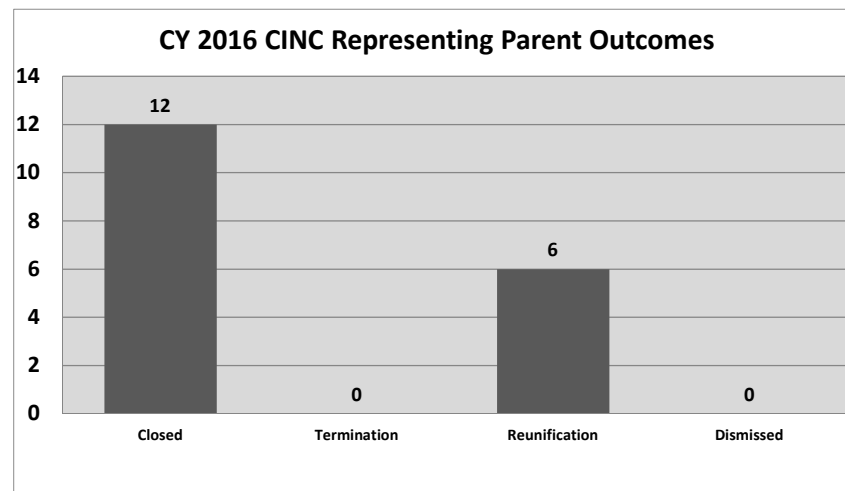
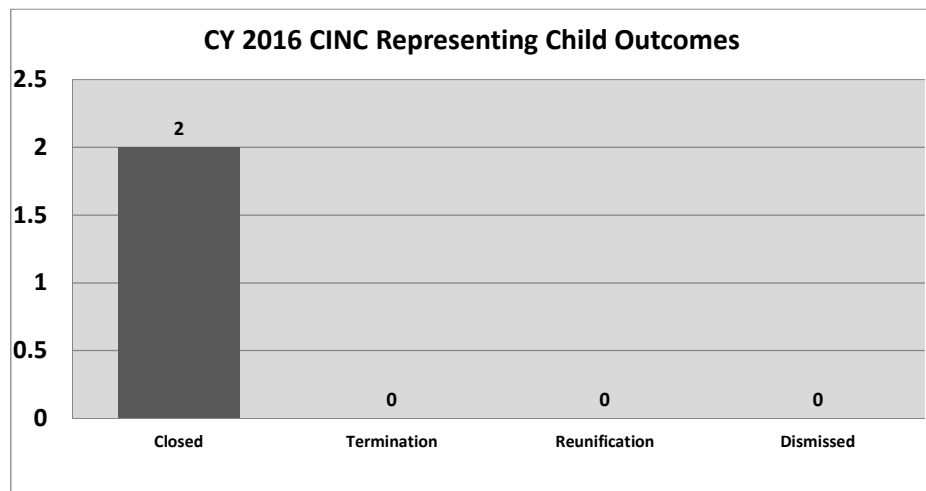
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	2	2	3	5	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	20	12	15	35	0	6	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	15	7	17	32	N/A	N/A	0	0	0	4	N/A	N/A	0	0	0
Delinquency Felony	17	7	12	29	N/A	N/A	0	4	3	1	N/A	N/A	0	0	0
Delinquency-Life	2	1	2	4	N/A	N/A	0	0	0	1	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	364	487	413	777	N/A	N/A	315	17	322	31	0	0	0	29	29
Adult Felony Non-LWOP**	480	595	670	1150	N/A	N/A	385	49	282	25	0	3	0	14	17
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	23	21	13	36	N/A	N/A	4	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

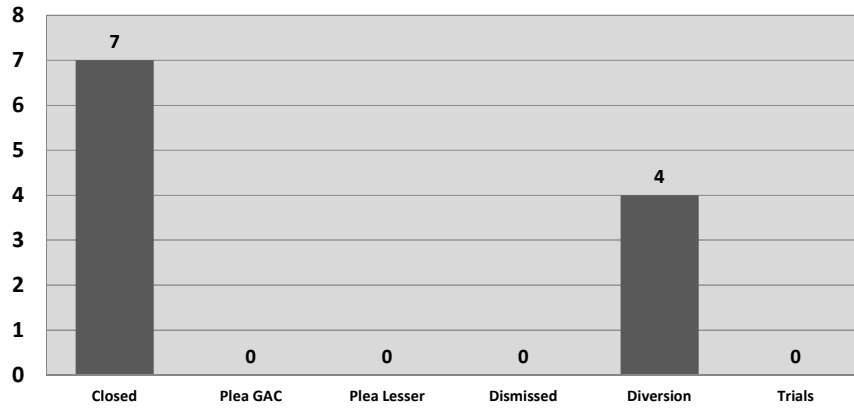
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

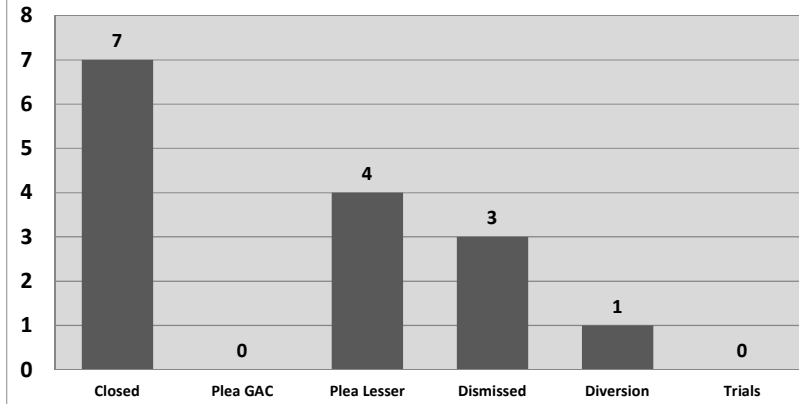
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



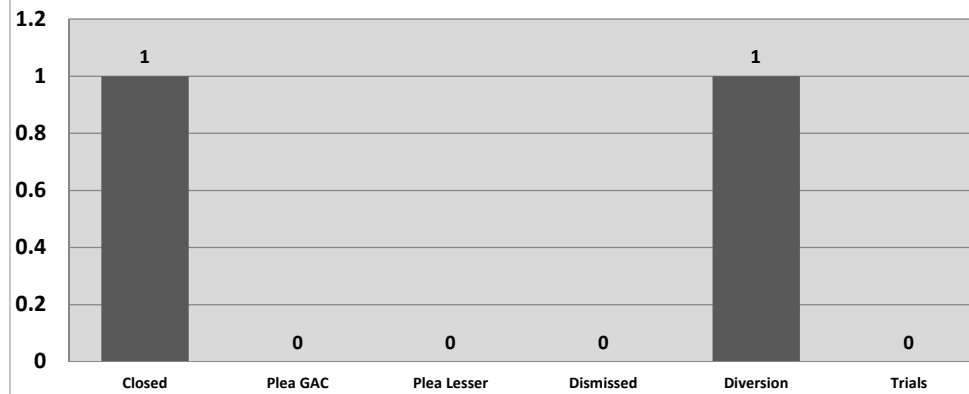
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



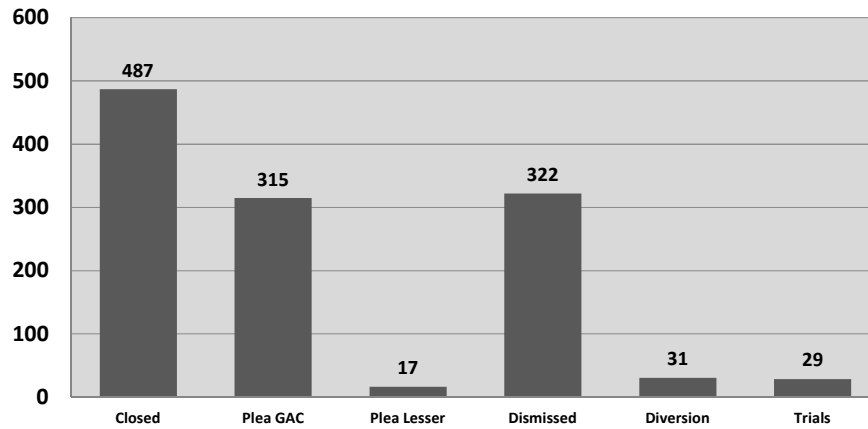
**CY 2016 Delinquency Felony-Grade Outcomes**



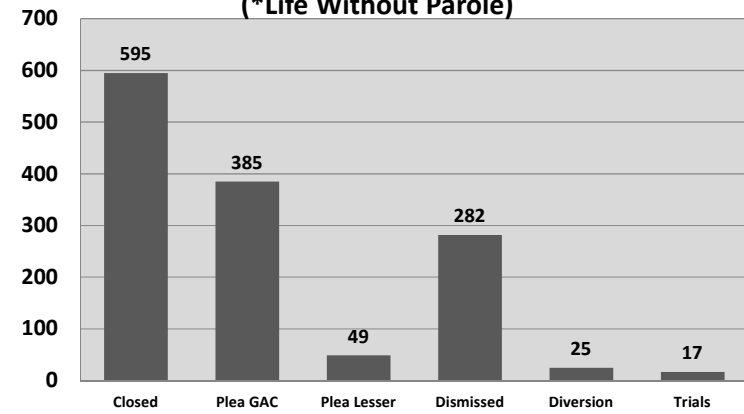
**CY 2016 Delinquency Life Outcomes**



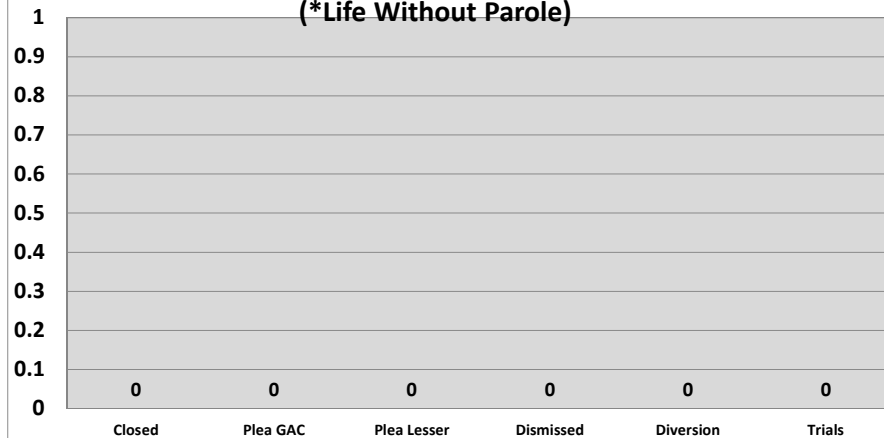
**CY 2016 Adult Misdemeanor Outcomes**



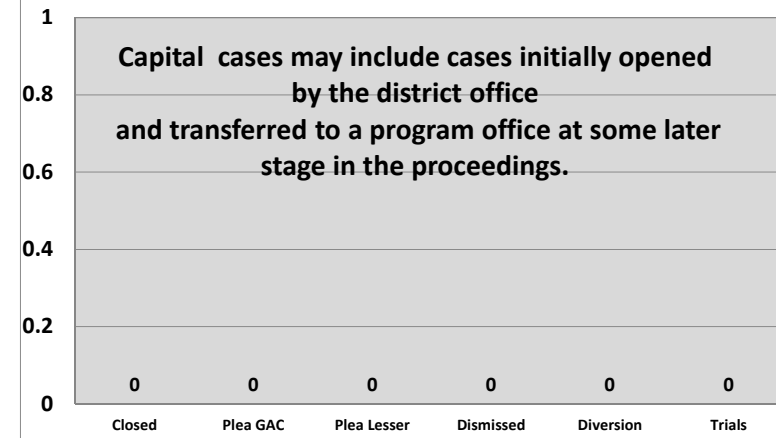
**CY 2016 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Capital Outcomes**

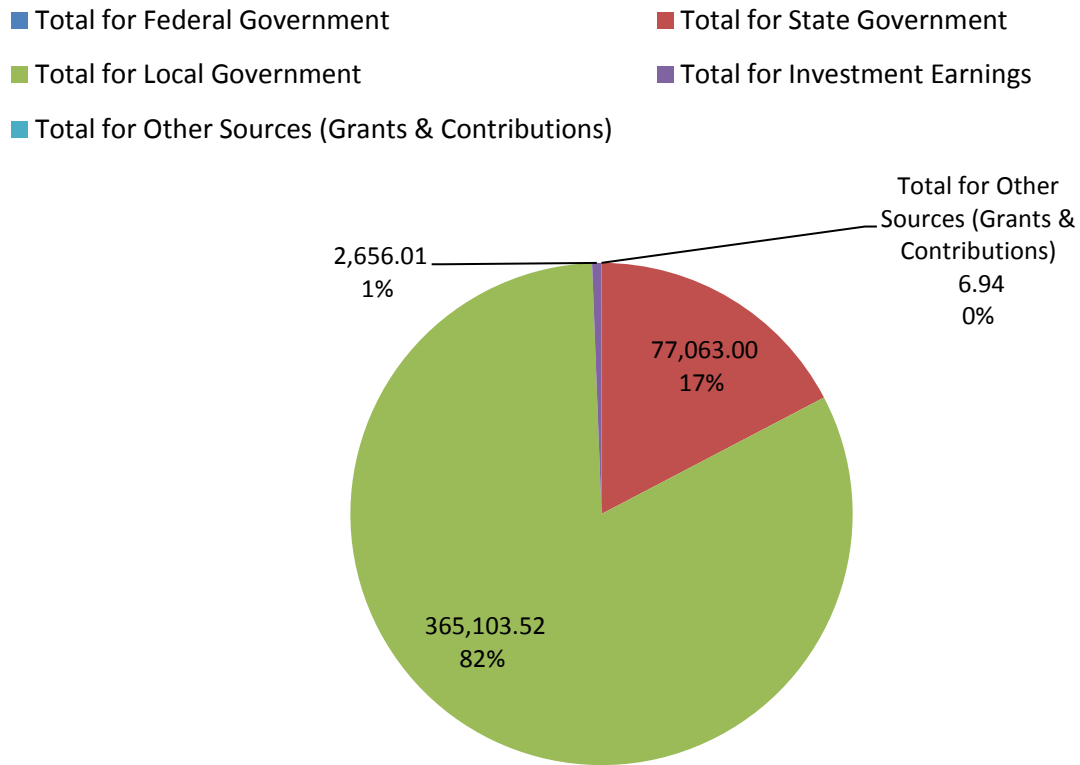


District 2 CY2016	Total CY2016
District Defender: Donald Kneipp	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	717.00
District Assistance Fund (DAF)	63,346.00
Supplemental/Emergency Funds	13,000.00
Grants	-
Other State Income -List source(s)	-
Total for State Government	77,063.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, &	-
Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety	-
Bond Licensing Fees [per 22:822 B]	18,576.00
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	9,910.00
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	111,034.00
City & City-Ward Courts	-
Judicial District Courts	217,300.10
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	328,334.10
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	3,835.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	4,448.42
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	8,283.42
Total for Local Government	365,103.52
Investment Earnings	
Interest Income	806.01
Other Investment Income - List source(s)	1,850.00
Total for Investment Earnings	2,656.01
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	6.94
Total for Other Sources (Grants & Contributions)	6.94
Total for REVENUE	444,829.47

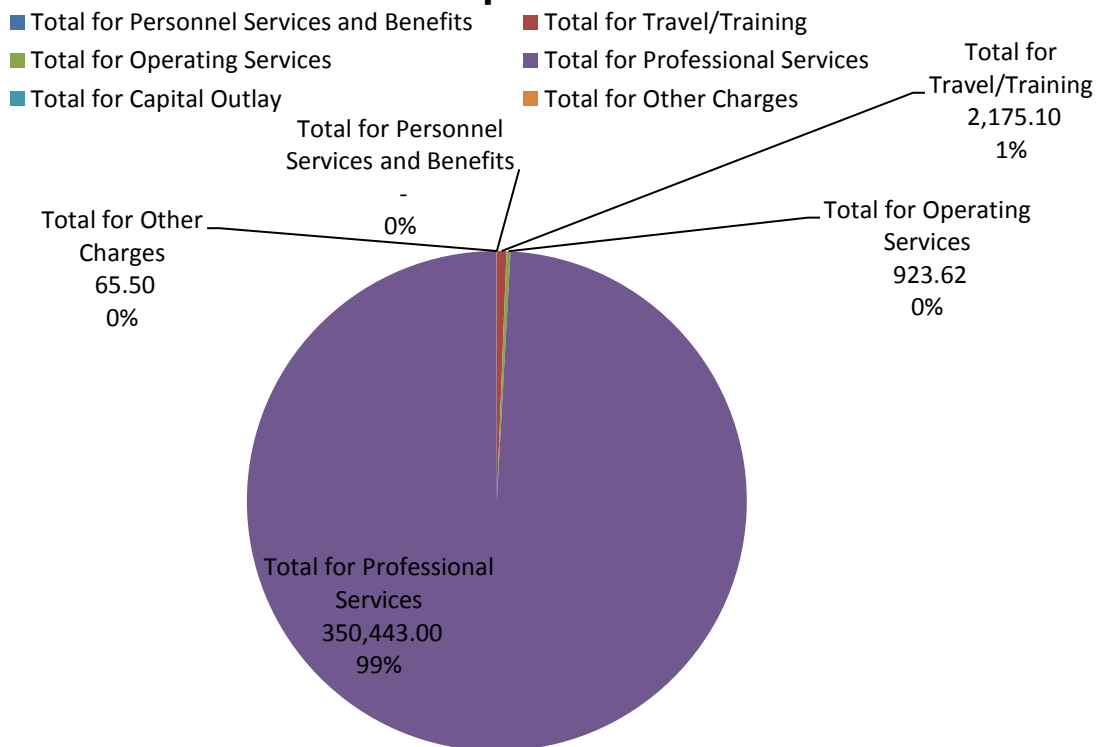
District 2 CY2016	Total CY2016
District Defender: Donald Kneipp	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	-
Accrued Leave	-
Payroll Taxes	-
Hospitalization and Disability	-
Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	-
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	2,175.10
Total for Travel/Training	2,175.10
Operating Services	
Advertisements	72.62
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office -	-
Telephone/Utilities/Postage/Internet	72.00
Dues and Seminars	-
Law Library/Journals/Subscriptions	779.00
Office Supplies	-
Total for Operating Services	923.62
Professional Services	
Audit/Accounting Expense	3,500.00
Contract Clerical	5,998.00
Expert Witness	-
Investigators	5,000.00
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	32,945.00
Contract - Juvenile Attorneys or CINC	3,000.00
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	300,000.00
IT/Technical Support	-
Total for Professional Services	350,443.00
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	65.50
Total for Other Charges	65.50
Total for EXPENDITURES	353,607.22

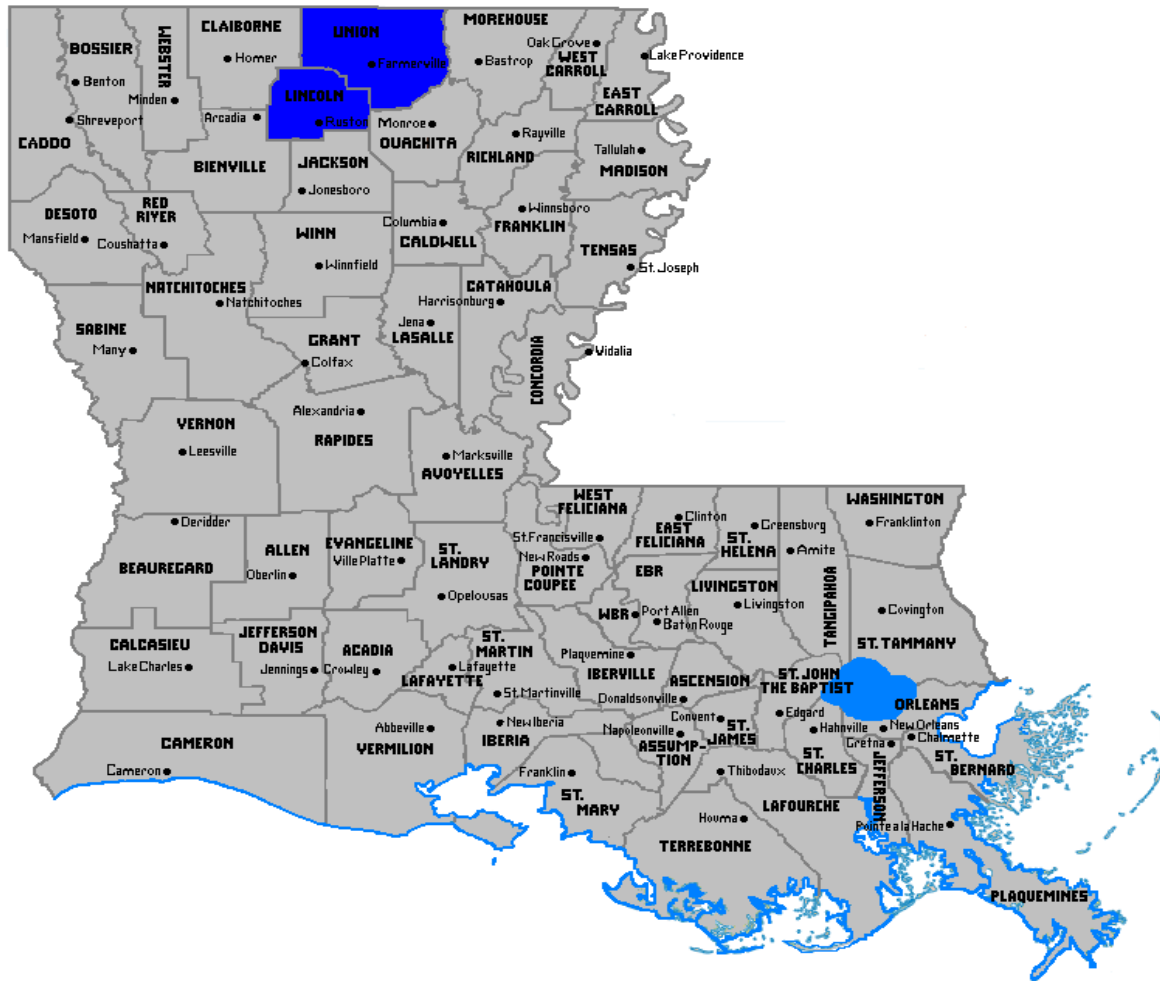
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





THE 3<sup>RD</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
LINCOLN (RUSTON) - UNION (FARMERVILLE)

DISTRICT DEFENDER: RICK L. CANDLER  
505 SOUTH VIENNA STREET  
RUSTON, LA 71270  
(318) 254-0070



# 3RD JUDICIAL DISTRICT: LINCOLN AND UNION PARISHES

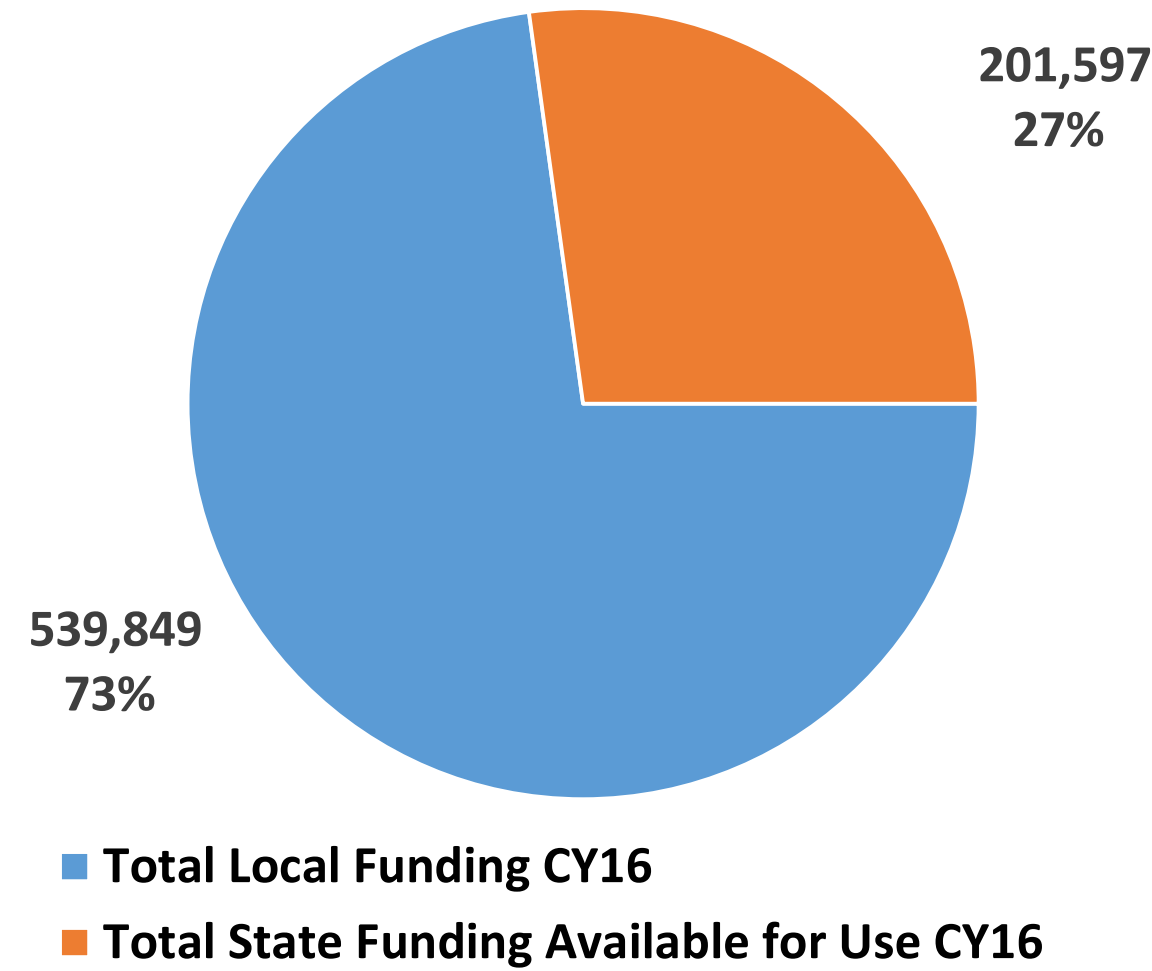
Rick L. Candler  
District Defender  
505 South Vienna Street  
Ruston, LA 71270  
318-254-0070

During Calendar Year 2016, the 3rd Judicial District Public Defenders Office handled 3,461 cases. The office received \$741,446 in total revenues to handle these cases, approximately 73% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

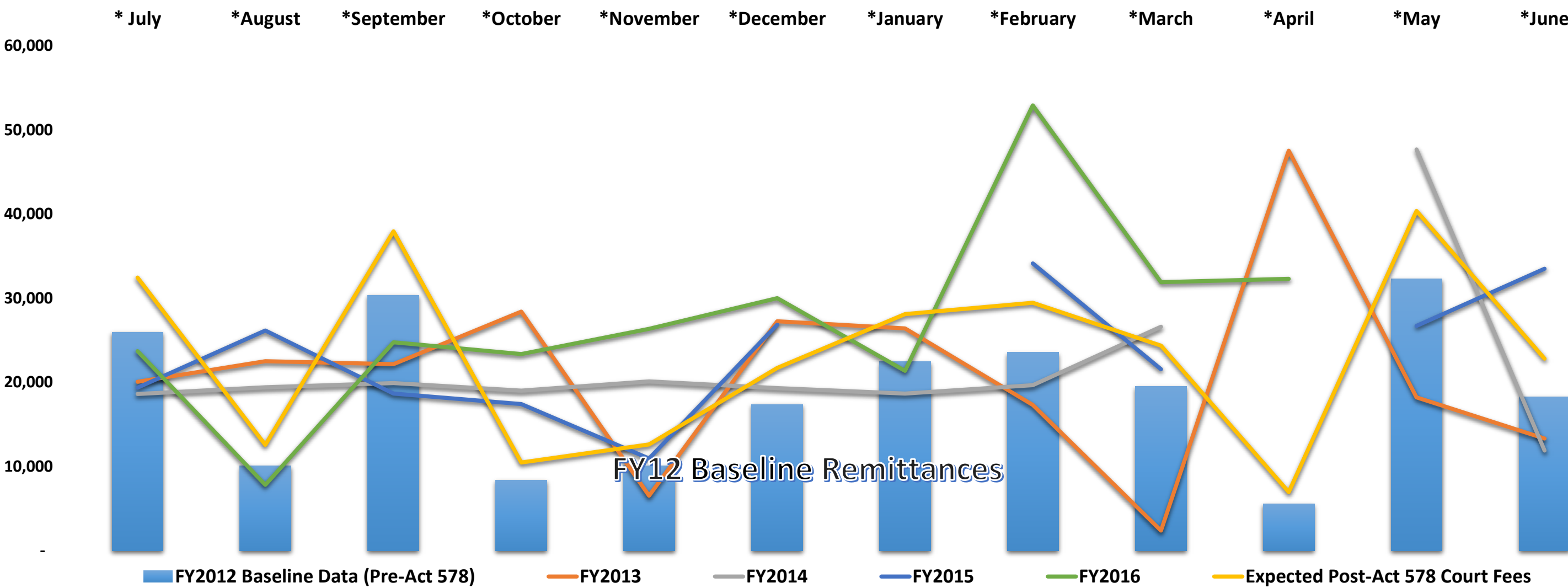
Although the 3rd Judicial District public defender's office has generally failed to realize the 25% increase in special court costs associated with Act 578 (2012), in 2016, the office's local revenues increased by 58% over 2015 revenues.

For the first time since 2013, the 3rd Judicial District office's revenues exceeded the office's expenditures. This increase in local revenues allowed the office to increase its fund balance.

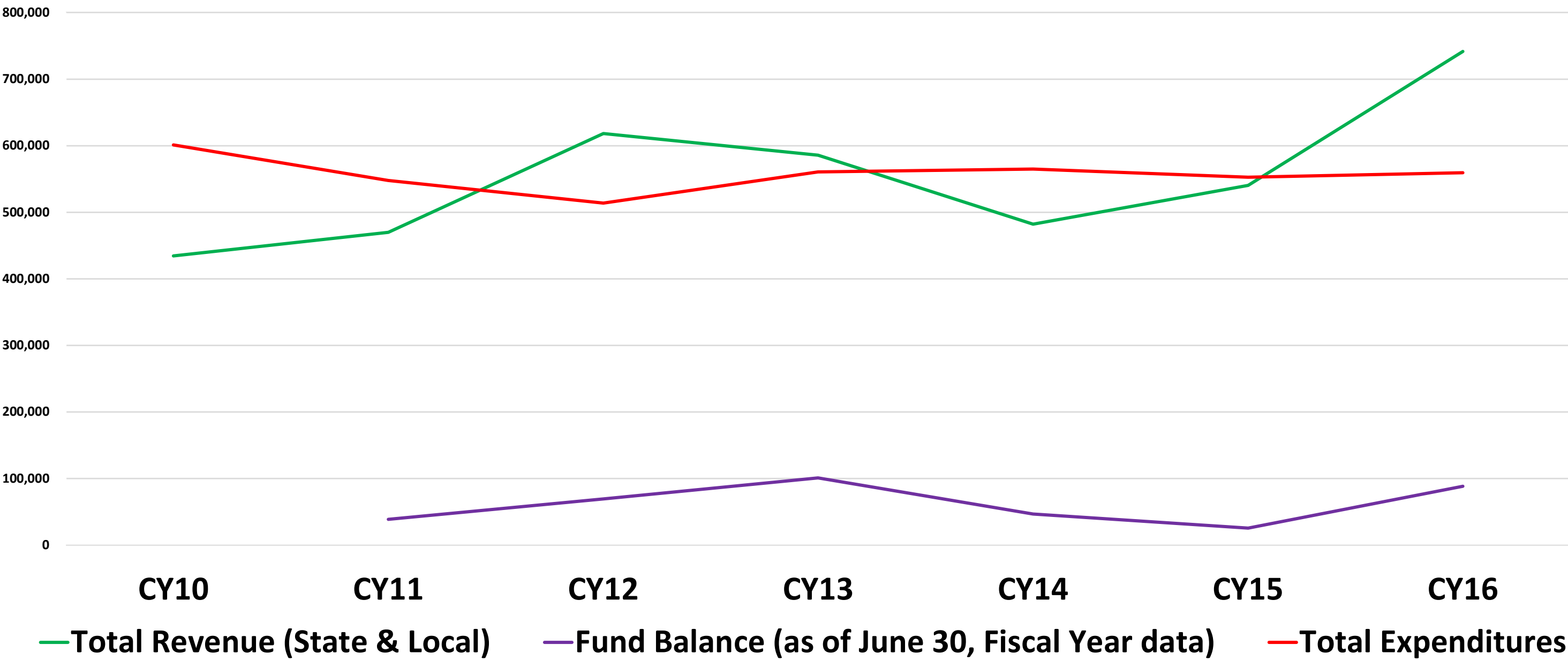
District 3 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 3 PDO

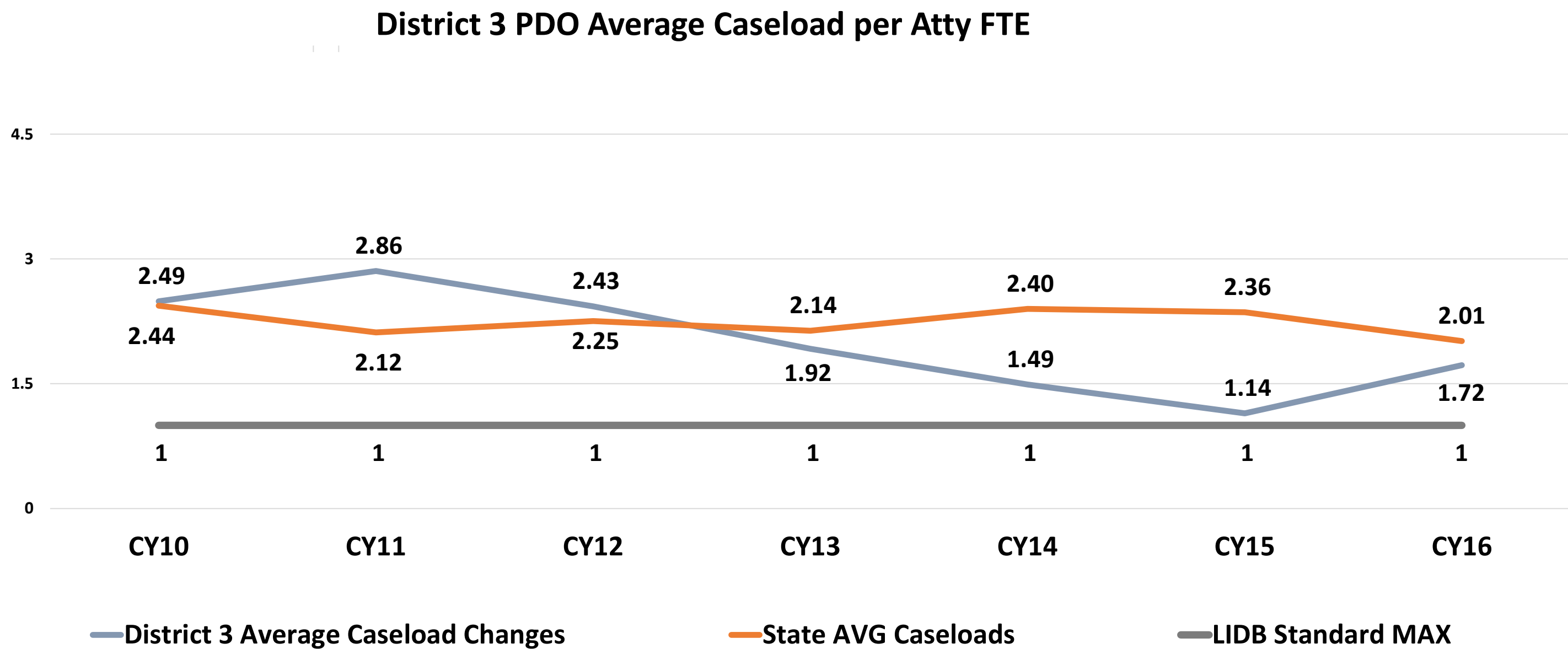


District 3 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



# 3RD JUDICIAL DISTRICT: LINCOLN AND UNION PARISHES

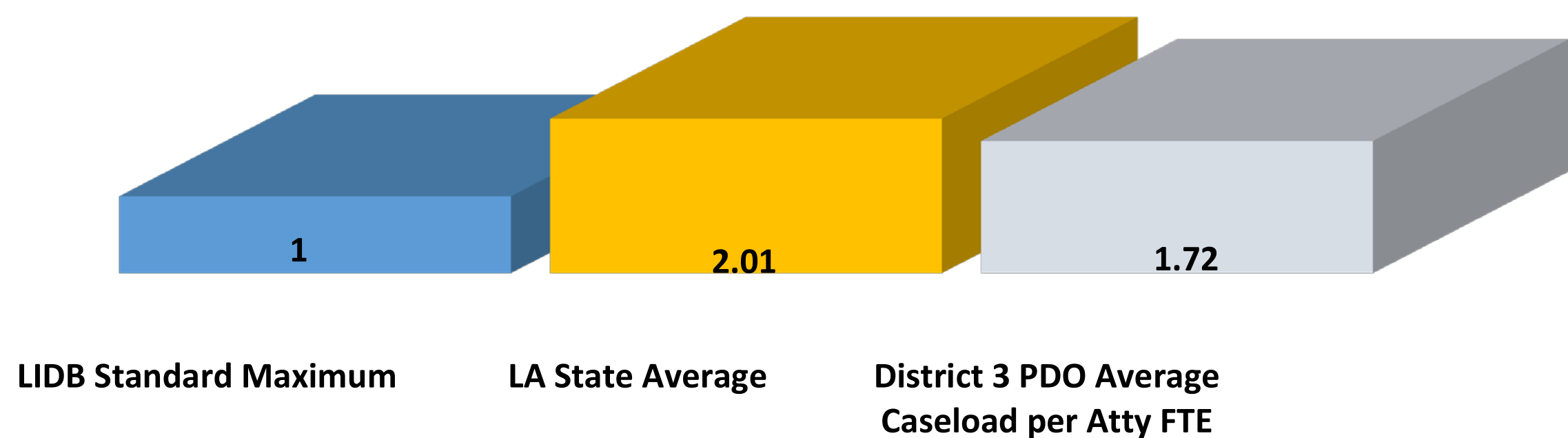
Rick L. Candler  
District Defender  
505 South Vienna Street  
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318-254-0070



In the 3rd Judicial District, public defense attorneys maintain caseloads 1.7 times the recommended caseload limit for each attorney, an increase from prior year caseloads.

Since its inception in 2007, LPDB has continually strived to improve the quality of representation through supervision, adherence to standards of representation, and training. These improvements to representation are the cornerstones which lead to improved outcomes for clients.

## District 3 PDO Average Caseloads Compared to State Average & State Standard Maximums



## CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 3<sup>RD</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Lincoln - Ruston; Union - Farmerville
<b>Population</b>	69,456
<b>District Defender</b>	Rick L. Candler, Director
<b>Years as District Defender</b>	1 year
<b>Years in Public Defense</b>	11
<b>Office Manager</b>	Rebecca Pesnell
<b>Primary Office Street Address</b>	505 South Vienna Street, Ruston, LA 71270
<b>City</b>	Ruston
<b>ZIP</b>	71270
<b>Primary Phone</b>	318-254-0070
<b>Primary Mailing Address</b>	Same
<b>Primary Fax Number</b>	318-255-0383
<b>Primary Emergency Contact</b>	Rick L. Candler
<b>Primary Emergency Phone</b>	318-573-0452 (cell)
<b>Secondary Emergency Contact</b>	Forrest Moegle
<b>Secondary Emergency Phone</b>	318-614-8520 (cell)
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Rick L. Candler
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	650
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Stephanie Perry of Wade & Perry, CPAs
<b>Courts and Locations</b>	3rd Judicial District Court, Lincoln Parish, Ruston; Ruston City Court; 3rd Judicial District Court, Union Parish, Farmerville
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	3 divisions in Lincoln District, 3 divisions in Union District, 1 in Ruston City Court, and a Drug Court in Lincoln and Union District Courts.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	One contract attorney handles Ruston City Court and Lincoln juvenile cases; one contract attorney handles felonies in Union Parish; one contract attorney handles misdemeanor, conflict, and juvenile cases in Union Parish; one contract attorney handles Lincoln misdemeanors; one contract attorney handles one criminal division in Lincoln Parish; another contract attorney handles another criminal division in Lincoln Parish; and a third contract attorney handles all criminal matters in a third division in Lincoln Parish. Two of these three Lincoln Parish contract attorneys also handle all conflict matters in Lincoln Parish.
<b>Name of Adult Detention Facilities in This District</b>	Lincoln Parish Detention Center and Union Parish Detention Center
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Jackson Parish Correctional Center (Jonesboro) and Wade Correctional Center (Homer)
<b>Name of Juvenile Detention Facilities In This District</b>	There are no "juvenile detention facilities"; however, juveniles are sometimes held at the Methodist Children's Home in Ruston.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Johnny Gray Detention Center (Bossier City), Ware Detention (Coushatta), Green Oaks Detention Center (Monroe)
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	It is difficult to communicate with clients who are housed in parishes other than that in which their charges are pending.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Court does not have a written shackling procedure. Generally, they are not brought into the courtroom in leg restraints or hand cuffs. There is usually a bailiff at each courtroom door, but the juvenile is not restrained in the courtroom.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	John F. Belton, as of 1/12/15
<b>Chief Judge of Criminal District Court</b>	Jay B. McCallum
<b>Juvenile Court Judges (Specify District of City Court)</b>	Jay B. McCallum in Union Parish and Thomas W. Rogers in Lincoln Parish.
<b>Drug Court Judges</b>	Cynthia T. Woodard in Lincoln Parish and Jay B. McCallum in Union Parish.
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	If incarcerated, determined by judge via telephone within 72 hours of arrest. Otherwise, determined in court at the arraignment by the contract attorney handling court on that particular day.
<b>When is Assignment/Appointment of Counsel Made?</b>	By telephone within 72 hours of arrest if in custody. If not, at arraignment.

<b>What steps does your office take to ensure conflict – free representation</b>	Each attorney as well as our staffs gets a copy of each docket one or two days after each court proceeding, we all see appointments and discuss if there are any conflicts. Also, each Judge has been provided the order of appointment of Attorneys concerning conflict cases.
<b>Brief Explanation of Intake Process</b>	Within 72 hours of appointment, lawyer responsible for doing the intake visits with the defendant, answers any questions that they may have, and completes the intake form.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	Approximately 350
<b>How Many Application Fees Were Waived?</b>	Not sure exactly. Probably less than 50.
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	12,235
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	384,464
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	None
<b>Who Collects the Assessed Court Fees?</b>	Sheriff in district court and Marshal in city court. If on felony probation, may be collected through probation & parole.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	We receive documentation showing our portion of the fees collected from the collecting agencies; however, we do not get anything showing what was collected and distributed to other agencies.
<b>Who Remits the Court Fees Collected?</b>	Sheriff in district court and Marshal in city court. If collected through probation & parole, they do.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The Lincoln Parish Sheriff's Office, Union Parish Sheriff's Office, and the Ruston Marshal's Office provide documentation showing the number of cases for which the fee was collected and the total collected.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A

How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?	N/A
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment	Rate charged, if any, is determined by the Court; however, this is rarely, if ever, done.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?	None
Who Collects the Assessed Partial Payments?	Either the sheriff or the marshal's office.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	None
Who Remits the Partial Payments Collected?	Either the sheriff or Ruston Marshal.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	The Lincoln Parish Sheriff's Office, Union Parish Sheriff's Office, and the Ruston Marshal's Office provide documentation showing the number of cases for which the fee was collected and the total collected.
Amount, If Any, of Partial Indigence Payments Received by the Office in CY16	This is not broken out by the remitting agencies, so I cannot give an accurate figure. I would guess less than \$1000.
Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?	Attorneys are permitted to have a private practice as long as it does not conflict with their contractual obligations; however, the policy is not in writing.
For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract	Not at this time.
Primary Immediate Needs	Office laptop for court room and courthouse usage.
Was your office in ROS at any time during 2016	No
If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?	Yes, request additional funding.
In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.	No
Immediate Critical Issue Areas	Sufficient funding.
Long-Term Critical Issue Areas	Sufficient funding.
2016 Media Coverage and/or Major Accomplishments	None
Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe	Yes, I provide training, coaching and mentoring, by attending court sessions with the new attorney as well as having sessions in person and by phone on a daily basis when needed.

<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	0
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Other than the district defender, we only have 7 attorneys. All attorneys are directly supervised by the district defender. All attorneys are contract and therefore, supervise their own support staff.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No medical benefits provided.
<b>Regular Meetings for Any Staff, Please Describe</b>	No
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Filed in 2016</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	All of our attorneys have experience with juvenile defendants.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	0
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	0
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	0
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Representatives are Rob Shadoin and Patrick Jefferson. Senators are James. Fannin, Jay Luneau and Mike Walsworth
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None that I can think of.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	I am a new Interim District Defender and I am accessing the program in its entirety what if any changes that need to be made.

[illegible]



## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Rick L. Candler
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	
Other (please list)	Fast Tast
Number of Legal Research Licenses	0
Total Cost of Legal Research Software:	0
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	
Windows Vista	x
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	

Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	2
Laptops	
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	5.33 Mb/s
Provider Name:	AT&T
Email Provider:	
Please list any software or computer equipment in which you need training:	Word and Power Point.

### 3rd District Defender Office CY 2016 Caseloads & Outcomes

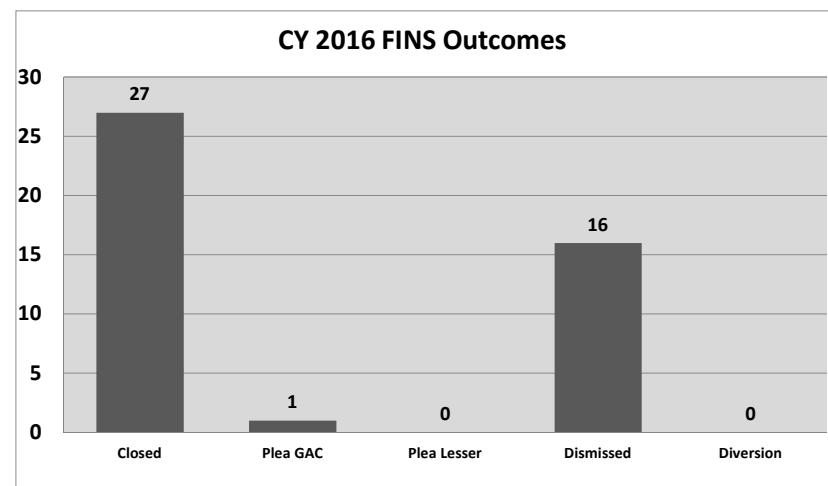
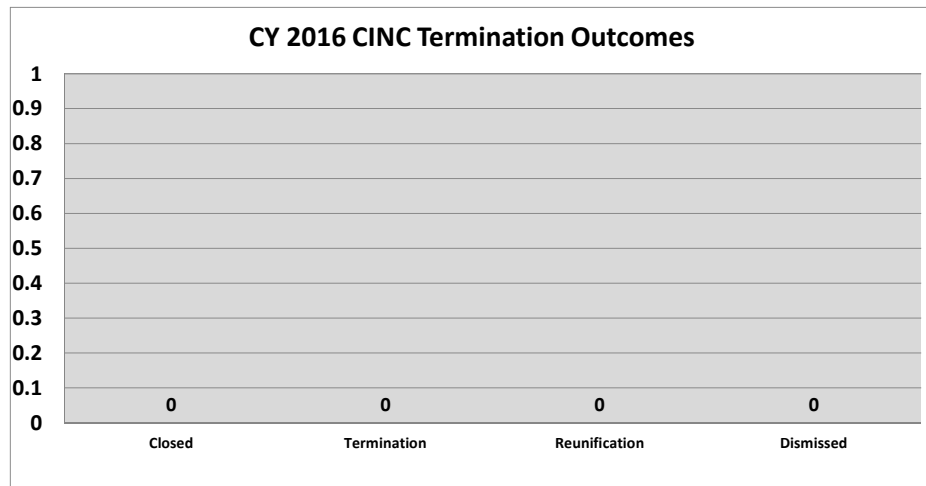
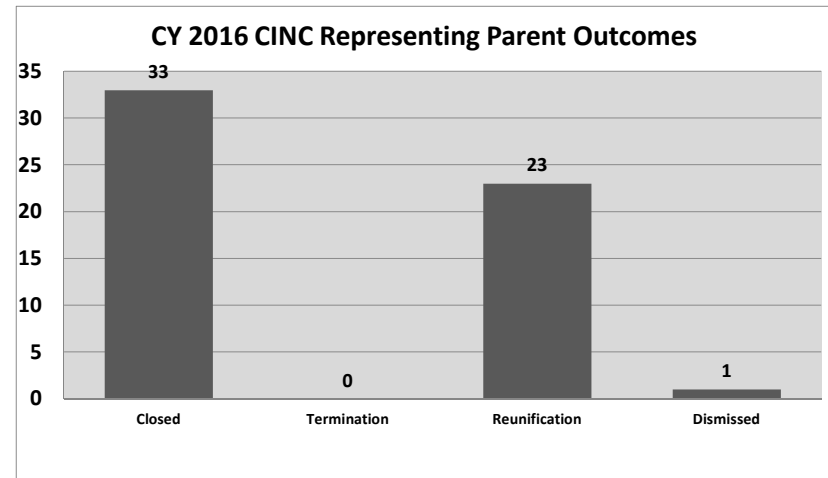
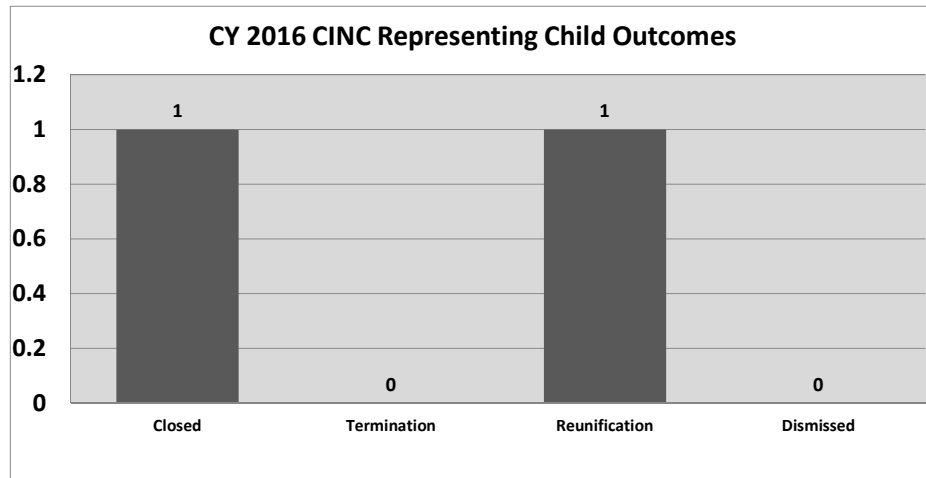
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	2	1	1	3	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	76	33	71	147	0	23	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	38	27	14	52	N/A	N/A	1	0	16	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	206	182	56	262	N/A	N/A	110	5	58	0	N/A	N/A	0	0	0
Delinquency Felony	42	40	17	59	N/A	N/A	25	4	12	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	9	4	2	11	N/A	N/A	1	0	1	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	1187	1021	377	1564	N/A	N/A	736	61	178	1	0	0	6	3	9
Adult Felony Non-LWOP**	620	486	319	939	N/A	N/A	485	59	72	0	1	4	0	1	6
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	297	245	127	424	N/A	N/A	0	0	11	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

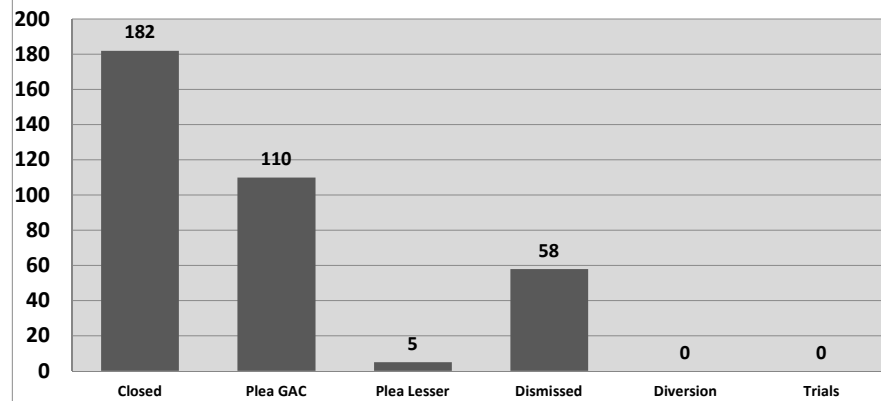
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

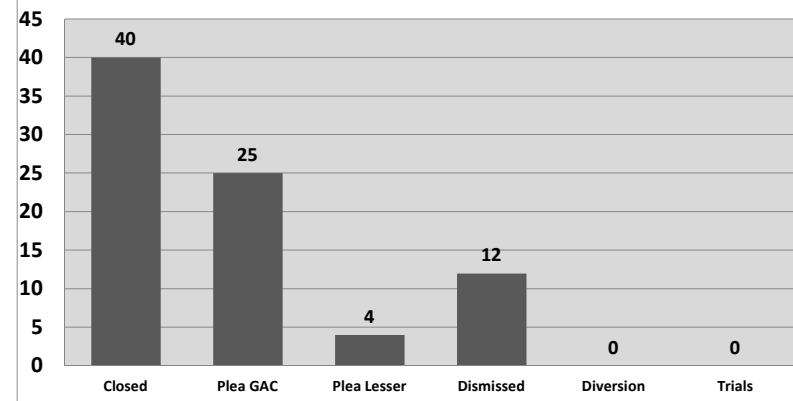
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



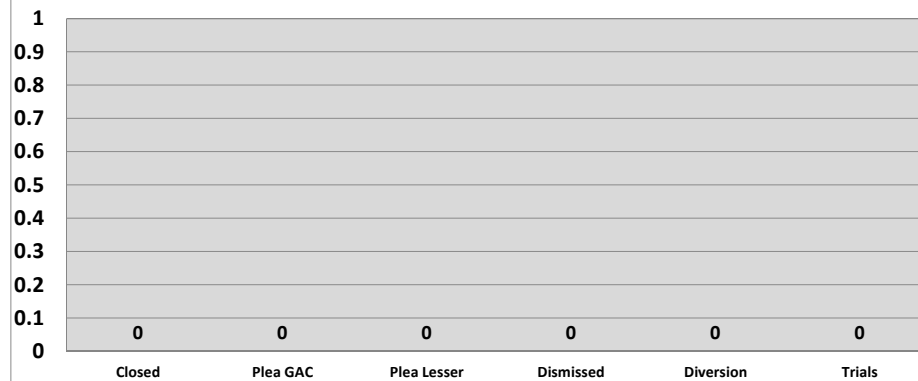
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

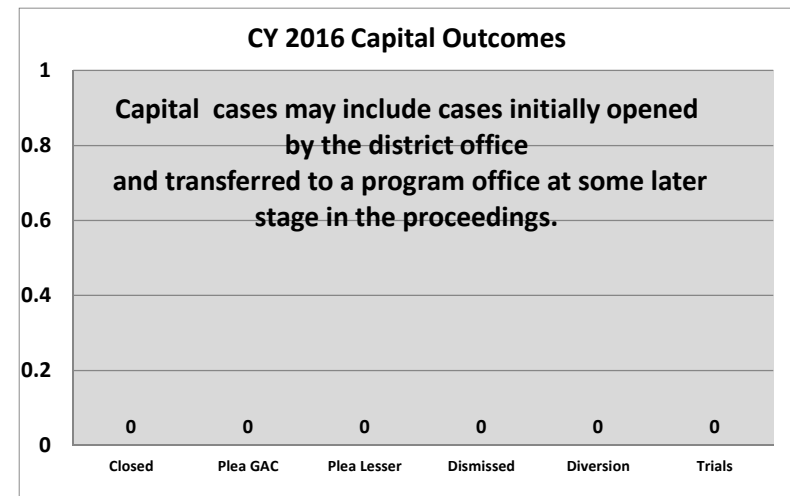
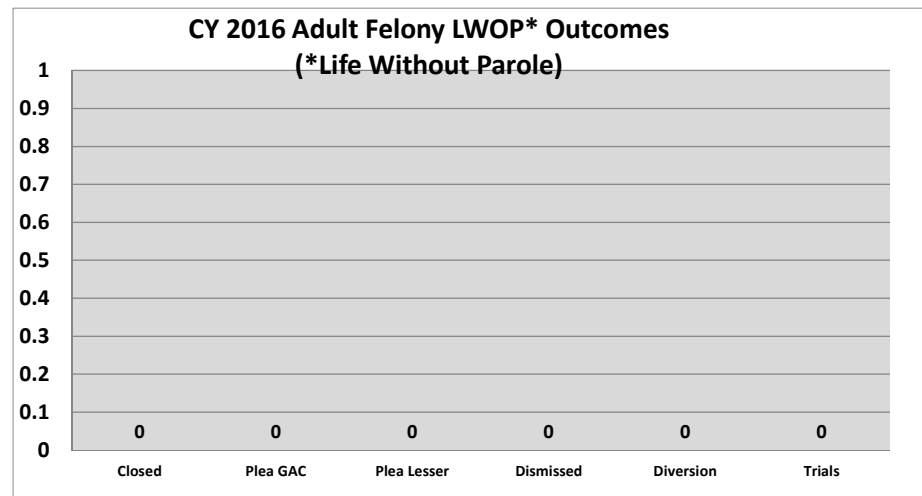
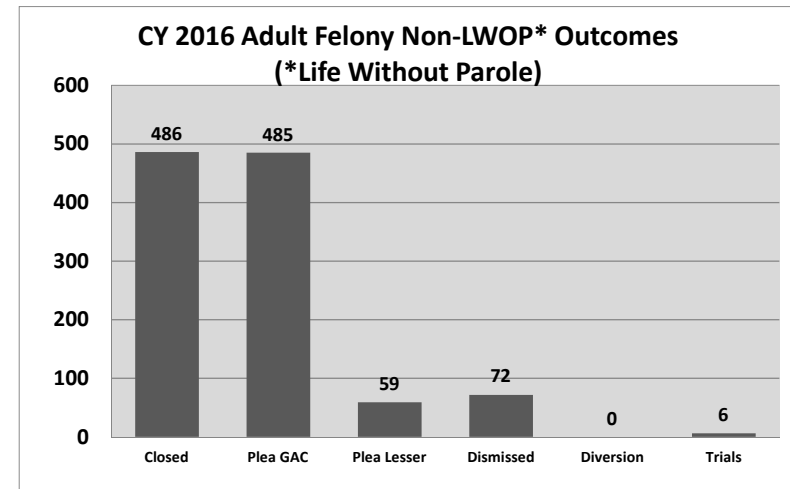
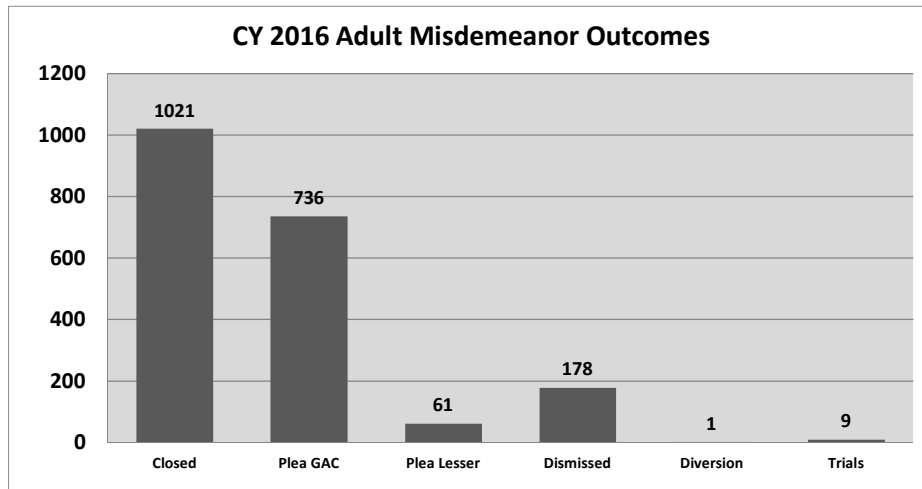


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**





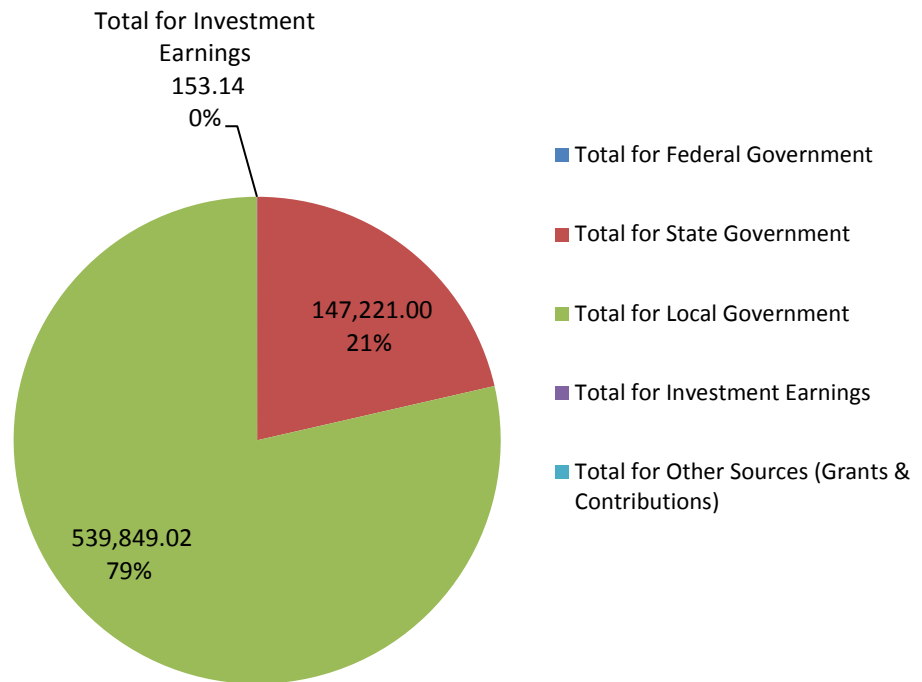
District 3 CY2016	Total CY2016
District Defender: Rick Candler	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	12,186.00
District Assistance Fund (DAF)	135,035.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	147,221.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	160.42
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	62,166.24
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	107,692.81
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	322,755.56
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	15,102.70
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	445,551.07
<b>Charges For Services</b>	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	12,654.82
Partial Attorney Fees	
Reimbursements [as per 15:176]	19,316.47
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	31,971.29
Total for Local Government	539,849.02
Investment Earnings	
Interest Income	153.14
Other Investment Income - List source(s)	-
Total for Investment Earnings	153.14
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	687,223.16

District 3 CY2016	Total CY2016
District Defender: Rick Candler	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	25,200.00
Accrued Leave	-
Payroll Taxes	2,003.26
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	27,203.26
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	-
Operating Services	
Advertisements	87.23
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	886.00
Insurance - Other	-
Lease - Office	5,840.00
Lease - Auto/Equipment	-
Lease - Other	650.00
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	5,699.67
Dues and Seminars	-
Law Library/Journals/Subscriptions	-
Office Supplies	2,949.45
Total for Operating Services	16,112.35
Professional Services	
Audit/Accounting Expense	10,243.75
Contract Clerical	-
Expert Witness	-
Investigators	21,875.00
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	60,000.00
Contract Attorneys - all other	423,249.92
IT/Technical Support	-
Total for Professional Services	515,368.67
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	805.71
Total for Other Charges	805.71
Total for EXPENDITURES	559,489.99

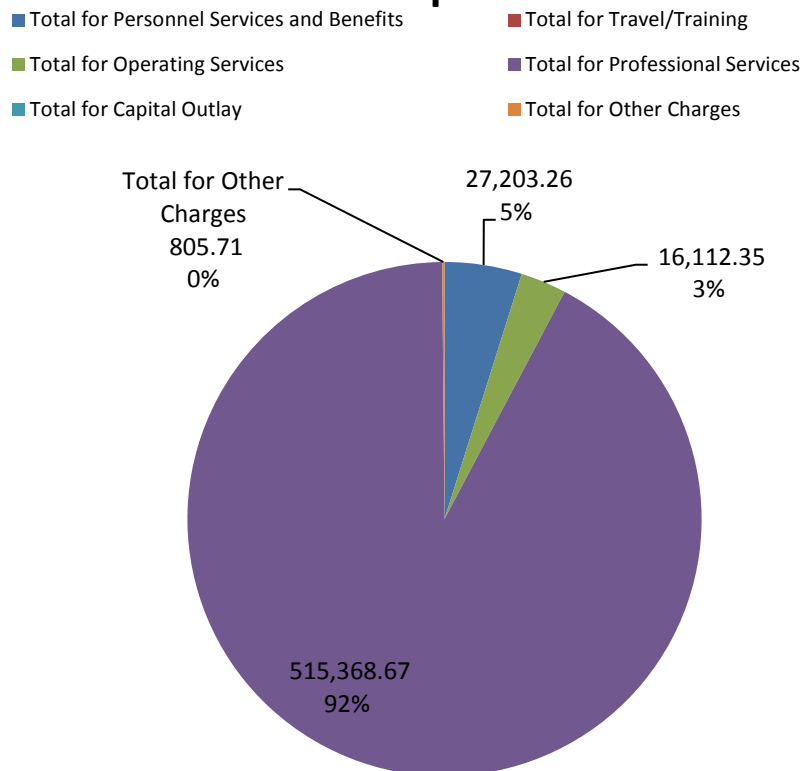
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.



## Total CY16 Revenues



## CY16 Expenditures





-110-

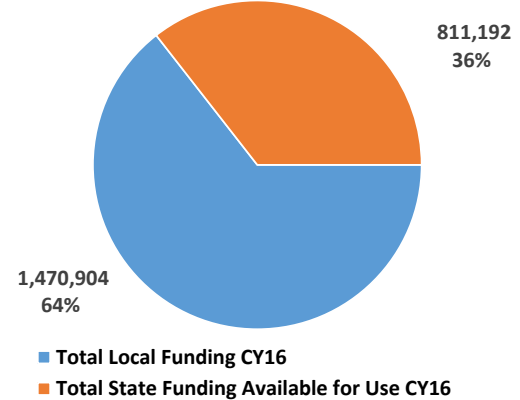
## 4TH JUDICIAL DISTRICT : OUACHITA AND MOREHOUSE PARISHES

Michael A. Courteau  
District Defender  
714 St. John Street  
Monroe, LA 71201  
318-322-6643

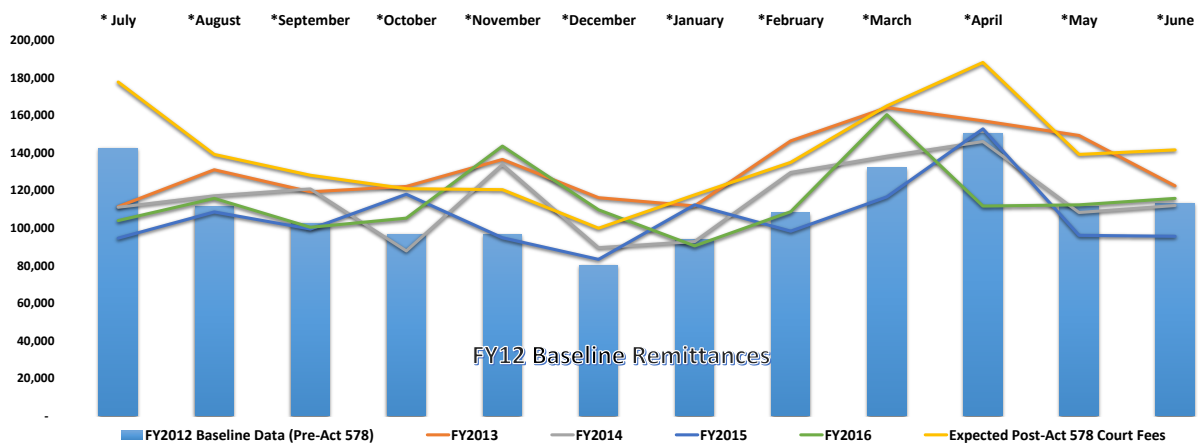
During Calendar Year 2016, the 4th Judicial District Public Defenders Office handled 10,382 cases. The office received \$2,282,095 in total revenues to handle these cases, approximately 64% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

Overall in the 4th Judicial District, FY16 remittances were similar to FY15 remittances. However, FY15 remittances were generally at their lowest levels since 2012. With the exception of eight months in the past four years since special court costs were increased by \$10 (Act 578, 2012 R.L.S.), the 4th has failed to realize the 25% increase in local funds that was expected to materialize.

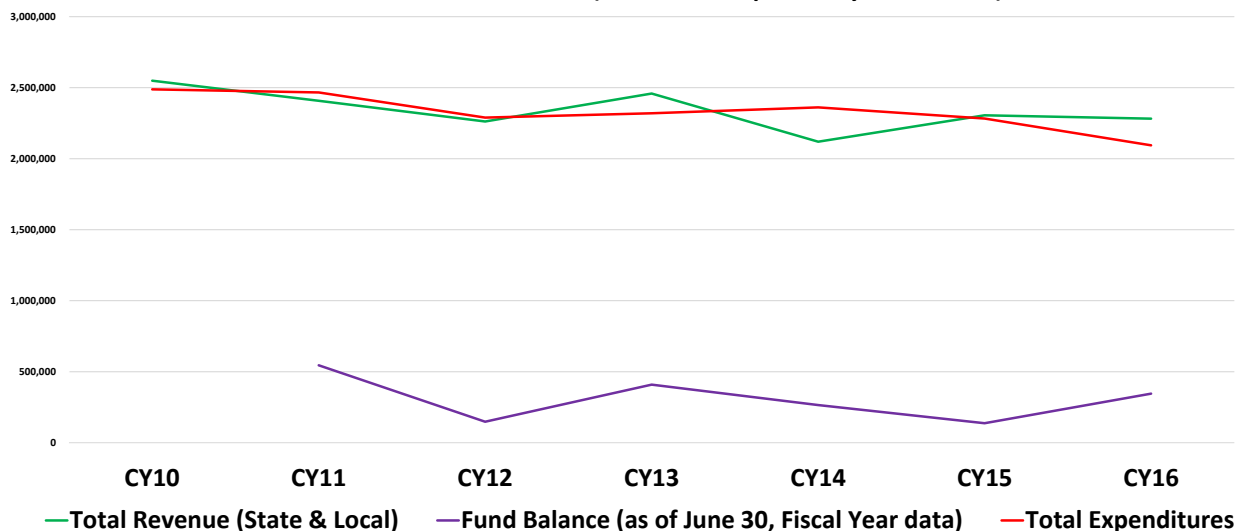
District 4 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 4 PDO



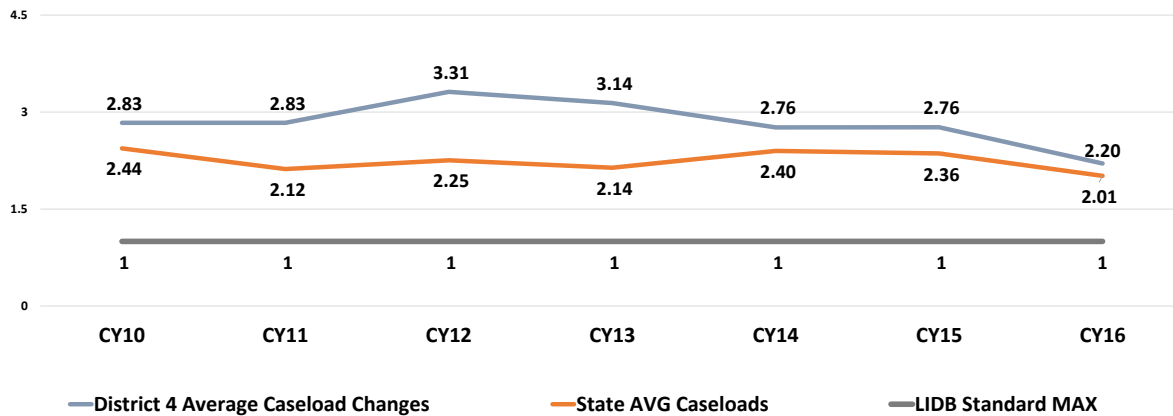
District 4 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



## 4TH JUDICIAL DISTRICT : OUACHITA AND MOREHOUSE PARISHES

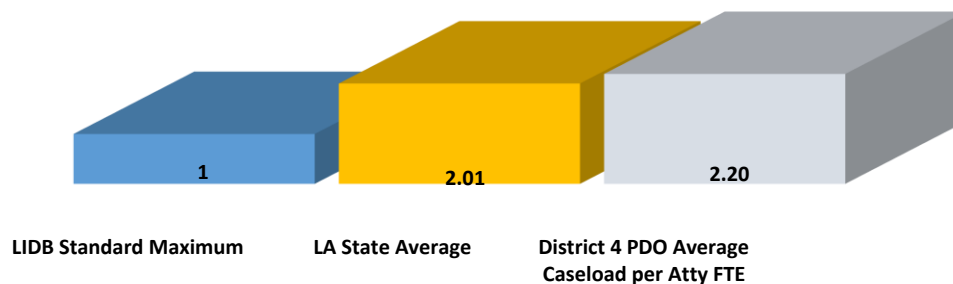
Michael A. Courteau  
District Defender  
714 St. John Street  
Monroe, LA 71201  
318-322-6643

District 4 PDO Average Caseload per Atty FTE



In the 4th Judicial District, public defense attorneys maintain caseloads more than two times the recommended caseload limit for each attorney. However through proper supervision and training, caseloads are at their lowest level since 2010.

District 4 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has limited capacity to accept capital cases as it does not have two certified counsel or otherwise does not have capacity to provide core team members as required by the Capital Performance Standards.



## THE 4<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Ouachita Parish- Monroe, Morehouse Parish- Bastrop
<b>Population</b>	183,156
<b>District Defender</b>	Michael A. Courteau
<b>Years as District Defender</b>	24
<b>Years in Public Defense</b>	27
<b>Office Manager</b>	Dixie Stout
<b>Primary Office Street Address</b>	714 St. John Street
<b>City</b>	Monroe
<b>ZIP</b>	71201
<b>Primary Phone</b>	318-322-6643
<b>Primary Mailing Address</b>	714 Saint John Street
<b>Primary Fax Number</b>	318-325-7814
<b>Primary Emergency Contact</b>	Michael A. Courteau
<b>Primary Emergency Phone</b>	318-614-4727
<b>Secondary Emergency Contact</b>	Bob Noel
<b>Secondary Emergency Phone</b>	318-366-6668
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Owned by 4th JDC Public Defender Office
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$950.00 (Utilities), No rent/mortgage due to the building being owned by the 4th JDC Public Defender Office.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	George McGuffee
<b>Courts and Locations</b>	4th JDC, Ouachita and Morehouse Parishes in Monroe and Bastrop (includes juvenile courts); Monroe City, West Monroe City, and Bastrop City Courts, Green Oaks Detention Center.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	4 Sections in Ouachita Parish; 2 Sections in Morehouse Parish; 3 Districts in Monroe City Court; 1 district in West Monroe City Court; 1 District in Bastrop City Court.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Ouachita Parish- Cases are assigned by case number and section. Morehouse Parish- by the Judge. Monroe City Court- by 4th PDO staff. Juvenile in 4th District, Monroe City Court, West Monroe City Court determined by the case type.
<b>Name of Adult Detention Facilities in This District</b>	Ouachita Correctional Center; Morehouse Correctional; Bastrop City Jail
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Collingston Correctional Center, Richwood Detention Center, Richland Parish Detention Center
<b>Name of Juvenile Detention Facilities In This District</b>	Green Oaks Detention Center; Swanson's
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Christian Acres
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Juveniles are shackled and brought to the door of the courtroom. Shackles are removed and the juvenile is brought before the Judge.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No.
<b>District Attorney</b>	Steve Tew
<b>Chief Judge of Criminal District Court</b>	2016- Judge Stephen Winters/ 2017- Judge Scott Leehy
<b>Juvenile Court Judges (Specify District of City Court)</b>	Chief Judge Sharon Marchman
<b>Drug Court Judges</b>	Yes. Judge Sharon Marchman
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	No
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Determined by Qualifications Investigators.
<b>When is Assignment/Appointment of Counsel Made?</b>	Upon determination of indigency and availability of case number and section.
<b>What steps does your office take to ensure conflict – free representation</b>	Co-defendants are checked in the database plus notification of District Defender or Section Head of any potential conflict.
<b>Brief Explanation of Intake Process</b>	Qualification investigators are present in court and at jails and juvenile facilities to interview and determine qualifications as soon as the potential client is referred by a judge.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	6,898
<b>How Many Application Fees Were Waived?</b>	733
<b>How Many Application Fees Were Reduced?</b>	N/A
<b>Total Application Fee Dollars Collected in 2016</b>	\$65,258

Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
Total Revenue from \$45/\$35 Special Costs Received in 2016	1,334,428
Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.	Yes
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?	Sheriff and Clerks provide documentation.
Who Collects the Assessed Court Fees?	Sheriff
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	Yes. Provided by the Sheriff and Clerks.
Who Remits the Court Fees Collected?	Sheriff, Clerk for Monroe City Court, West Monroe Marshall's Office, Probation
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	Yes. Provided by the Sheriff and Clerk of Court.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?	Yes
From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?	Richwood and Sterlington
How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?	2,410
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment	Dependent upon each client's financial circumstances.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?	None
Who Collects the Assessed Partial Payments?	We collect \$40 partial, Sheriff and various clerks collect in the other parishes
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	None
Who Remits the Partial Payments Collected?	We collect \$40 partial, Sheriff and various clerks collect in the other parishes
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	Each collecting agency now provides documentation.

<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	13,437
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted provided no conflict with indigent appointed cases
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes. See attached contract.
<b>Primary Immediate Needs</b>	Adequate funding.
<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Not anticipated this year.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Yes. Terminated the Juvenile Regional Program (4 Juvenile Attorney Positions). Terminated 2 attorney positions in the 4th District.
<b>Immediate Critical Issue Areas</b>	Efforts to increase local funding
<b>Long-Term Critical Issue Areas</b>	Consistent, reliable funding.
<b>2016 Media Coverage and/or Major Accomplishments</b>	Criminal Case Policy Board efforts, Legislative efforts, and surviving proposed budget cuts.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. 9 training sessions per year for contract attorneys but was temporarily suspended due to budget issues. To be reinstated in 2017.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	VaRhonda Burrell
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	See attached Organization Chart.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Yes, as of 12/1/08
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes. District Defender.
<b>Regular Meetings for Any Staff, Please Describe</b>	Monthly mandatory training done at PD Office. Nine training sessions per year. Monthly contract lawyers and section heads meetings. Section heads formally meet with their lawyers ranging from monthly for juvenile to semi-annually for misdemeanor. One seminar per year paid for by ID office for continued juvenile or capital qualifications. Other requests considered individually by Dist. Defender, but attendance at seminar for capital penalty phase lawyer is encouraged.



<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Filed in 2016</b>	2
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	The Juvenile Section Head, Bobby Manning handles all these cases
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	14 cases were sent to our office but ultimately only 9 qualified under Miller/Montgomery cases and were handled by the 4th PDO
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	14 cases were sent to our office but ultimately only 9 qualified under Miller/Montgomery cases and were handled by the 4th PDO
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	3
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senators - Mike Walsworth, Neil Riser, James Fannin, Francis Thompson. Representatives - Charles Chaney, Katrina Jackson, Jay Morris, Frank Hoffman, Marcus Hunter, Jack McFarland.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Local law enforcement not writing as many traffic tickets as in the past.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Individualized training for new felony attorneys.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Courteau, Michael A.	318-322-6643
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Adams, Layne	318-387-5552
Balsamo, Katy	318-812-3434
Britton, George	318-323-6107
Burrell, VaRhonda	318-323-6107
Caldwell, Walter	318-396-0540
Charles Brumfield	318-281-4907
Cooper, Carl	318-387-1644

David Summersgill	318-387-8331
DeCelle, Malcolm	318-387-3500
Donald, Randy	318-322-8442
John Ellis	318-201-4212
John Roa	318-387-5552
Jones, Frederick	318-325-2644
Keith Whiddon	318-387-2776
Kevin Johnson	318-570-5412
Lakeisha Johnson	318-600-5840
Manning, Bobby	318-324-1411
McElroy, Scott	318-283-0428
Noel, Bob	318-388-1700
Nolen, Jay	318-388-1655
Oliveaux, Darrell	318-340-7900
Ross, James	318-322-8776
Sean Southern	318-280-1212
Shereba Diaz	318-998-3010
Sophia D. Brown	318-342-3207
Sullivan, Peggy	318-855-6038
<b><u>Non Attorney Employees and Contractors and Other</u></b>	
<b><u>Staff</u></b>	<b><u>Contact Information</u></b>
Bernay Hall	318-322-6643
Branum, Chris	318-322-6643
Coleman, Mary	318-322-6643
Cook, Ray	318-322-6643
Dylan Smith	318-322-6643
Emerel, Misty	318-322-6643
Lou Walker	318-322-6643
McGuffee, George	318-325-5867
Newton, Shondria	318-322-6643
Quinn, Zuleika	318-322-6643
Robideaux, Kenny	318-322-6643
Stout, Dixie	318-322-6643
Toyia Giles	318-322-6643
Walker, Carolyn	318-322-6643
Wawrzyniak, Kazimer	318-322-6643

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Misty Emerel
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	698
Other (please list)	
Number of Legal Research Licenses	
Total Cost of Legal Research Software:	698
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	x
Windows 7	x
Windows Vista	x
Windows Server 2000/2003/2008	x
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	x
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	

<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	x
Microsoft Edge	x
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	1
DVD	
VCR	1
Desktop PCs	13
Laptops	5
Video Cameras	2
Digital Cameras	7
Video Conferencing Systems	1
B&W Laser Printers	2
Color Printers	14
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	2 (are 1st generation and not currently being used)
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	20mb
Provider Name:	Ouachita Parish Sheriff's Office/ Centurytel
Email Provider:	N/A
Please list any software or computer equipment in which you need training:	

#### 4th District Defender Office CY 2016 Caseloads & Outcomes

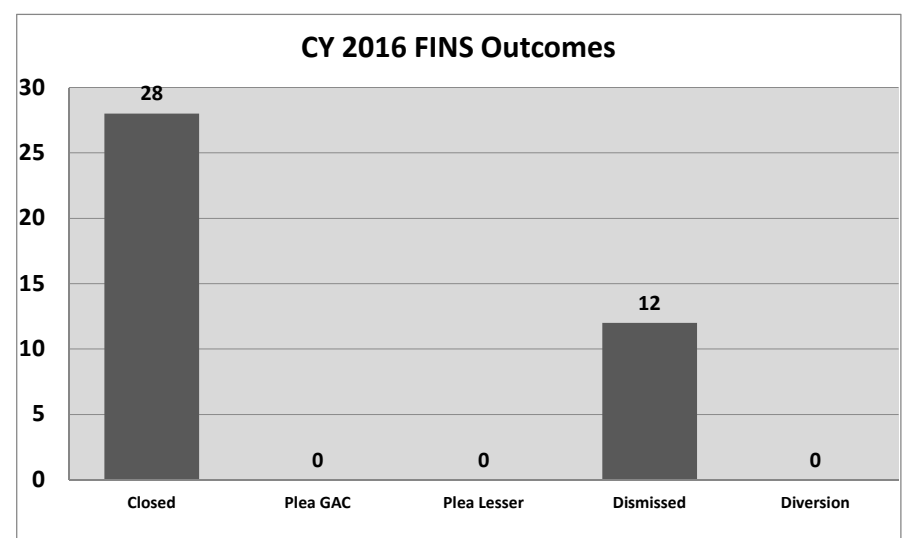
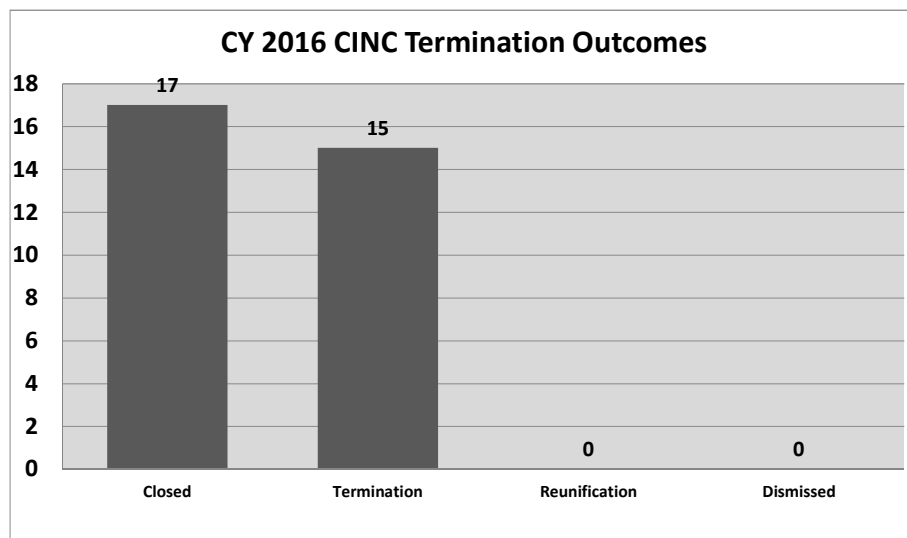
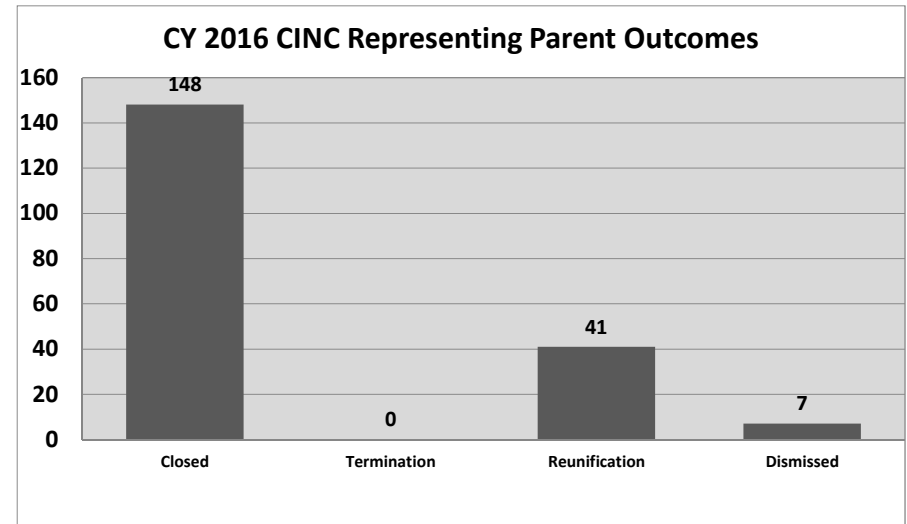
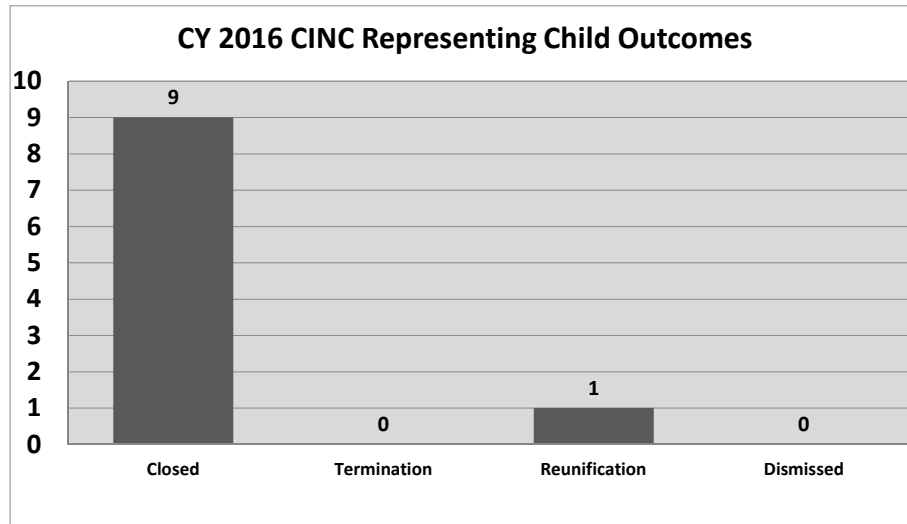
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilt y Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	164	245	101	265	N/A	N/A	N/A	N/A	49	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	2	9	10	12	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	185	148	362	547	0	41	N/A	N/A	7	N/A	N/A	N/A	N/A	N/A	0
Termination	20	17	14	34	15	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	33	28	35	68	N/A	N/A	0	0	12	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	244	139	139	383	N/A	N/A	39	18	96	2	N/A	N/A	0	1	1
Delinquency Felony	23	38	42	65	N/A	N/A	12	10	43	2	N/A	N/A	0	3	3
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	22	21	11	33	N/A	N/A	0	0	6	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	3307	3087	1102	4409	N/A	N/A	1341	653	1259	129	0	0	13	23	36
Adult Felony Non-LWOP**	2745	2756	1616	4361	N/A	N/A	669	385	2433	26	0	19	0	11	30
Adult LWOP	96	104	91	187	N/A	N/A	12	14	67	0	0	3	0	1	4
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	2	6	15	17	N/A	N/A	0	0	1	0	N/A	N/A	N/A	N/A	0
PCR	0	0	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

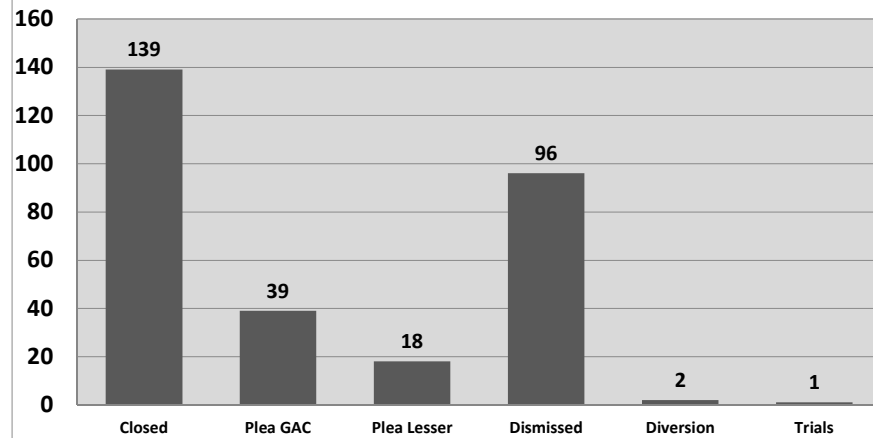
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

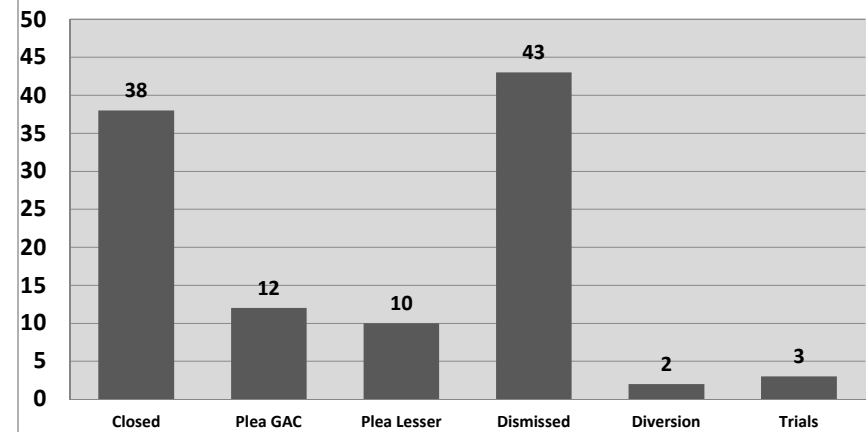
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



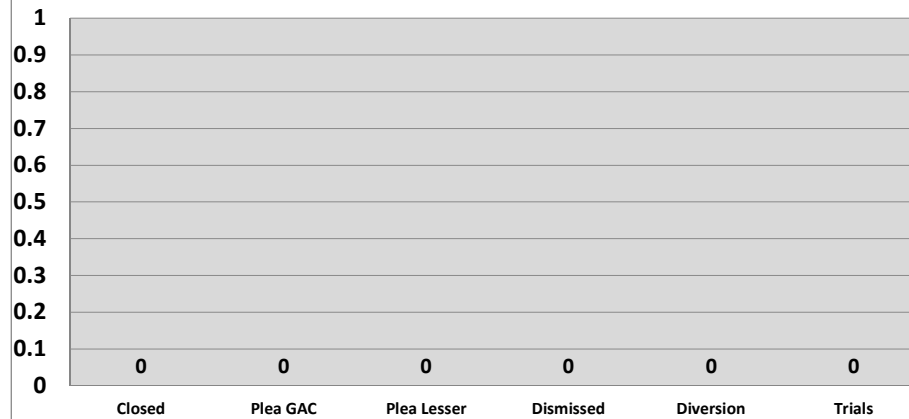
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

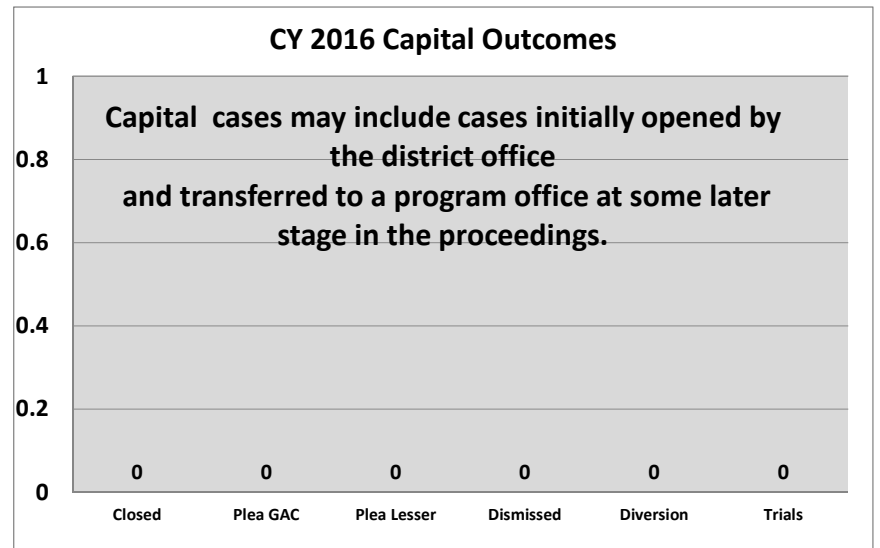
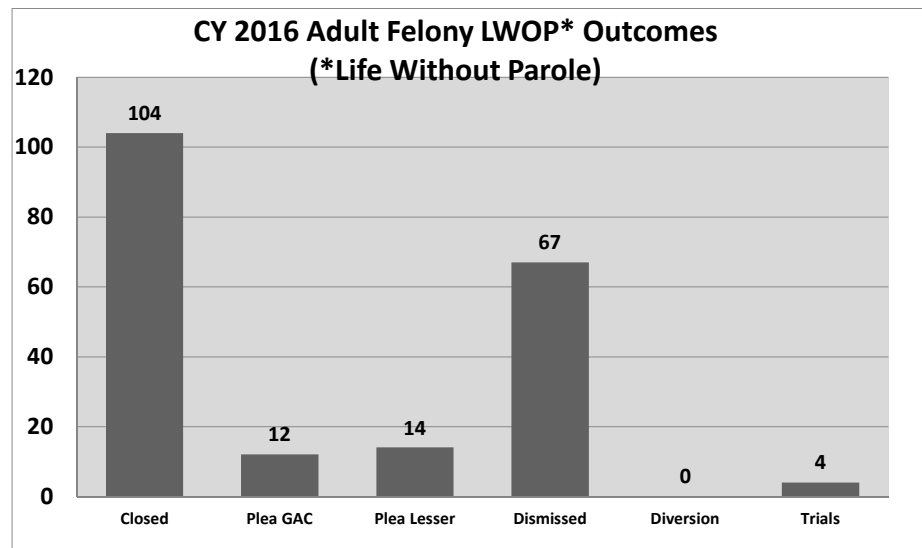
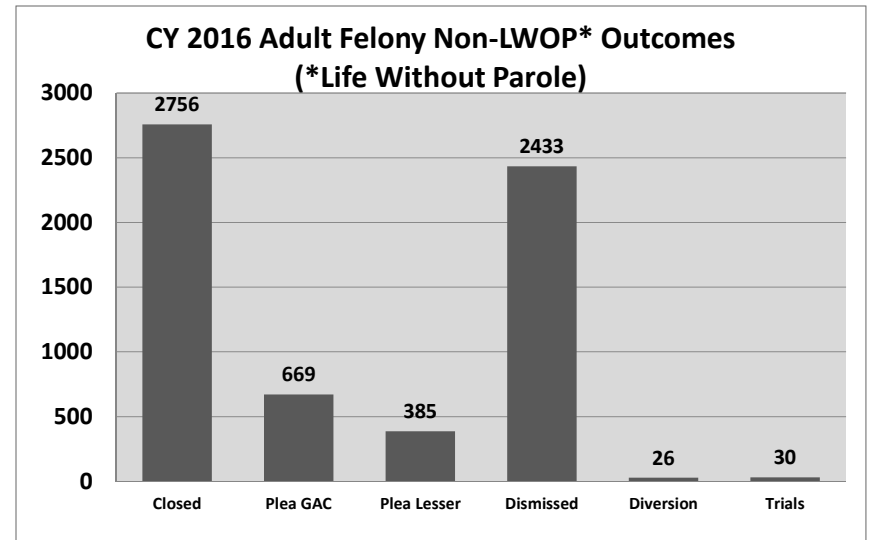
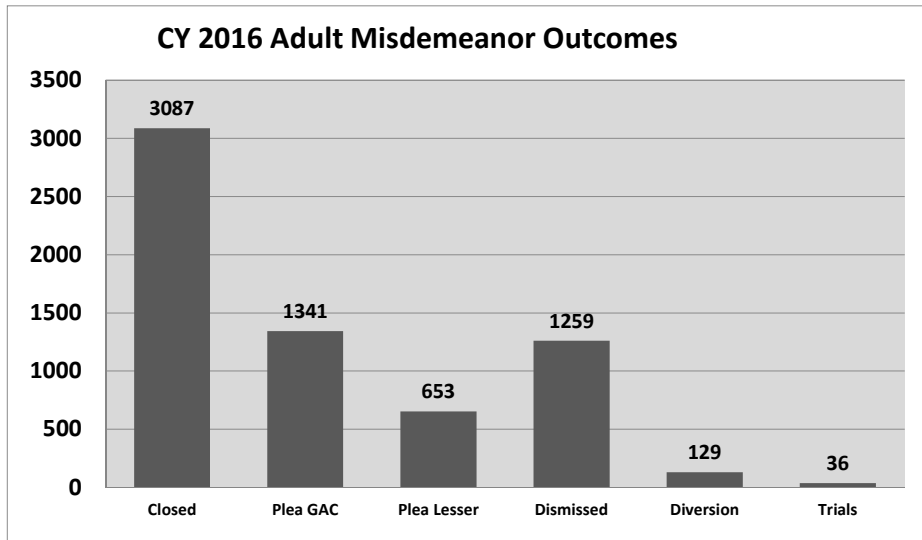


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**







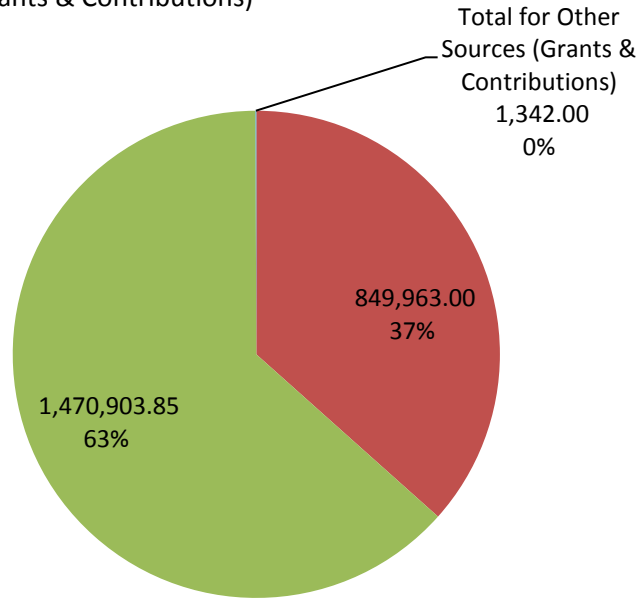
District 4 CY2016	Total CY2016
District Defender: Mike A. Courteau	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	42,532.00
District Assistance Fund (DAF)	807,431.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	849,963.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	51,149.59
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	6,628.82
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	2.97
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	453,536.87
Judicial District Courts	880,890.70
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	1,334,427.57
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	65,258.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	13,436.90
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	78,694.90
Total for Local Government	1,470,903.85
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	1,342.00
Total for Other Sources (Grants & Contributions)	1,342.00
Total for REVENUE	2,322,208.85

District 4 CY2016	Total CY2016
District Defender: Mike A. Courteau	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	554,581.08
Accrued Leave	-
Payroll Taxes	43,811.18
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	598,392.26
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	15,390.34
Total for Travel/Training	15,390.34
Operating Services	
Advertisements	206.42
Workers' Compensation	2,141.00
Insurance - Malpractice	2,660.00
Insurance - Auto/Physical Liability	-
Insurance - Other	7,511.61
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	25,239.93
Office - Telephone/Utilities/Postage/Internet	17,080.67
Dues and Seminars	1,561.41
Law Library/Journals/Subscriptions	-
Office Supplies	18,828.38
Total for Operating Services	75,229.42
Professional Services	
Audit/Accounting Expense	30,622.50
Contract Clerical	7,959.75
Expert Witness	2,892.50
Investigators	-
Interpreters	240.00
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	230,522.00
Misdemeanor Attorney Contracts	290,575.00
Contract Attorneys - all other	840,526.13
IT/Technical Support	1,722.00
Total for Professional Services	1,405,059.88
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
Total for EXPENDITURES	2,094,071.90

NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

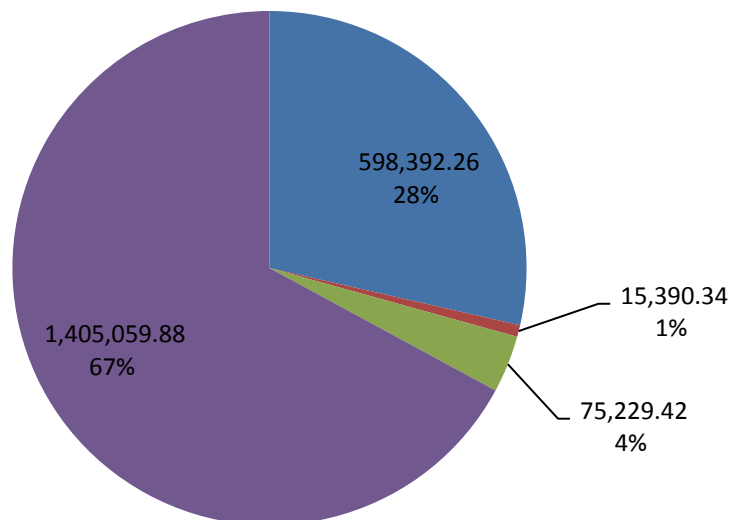
## Total CY16 Revenues

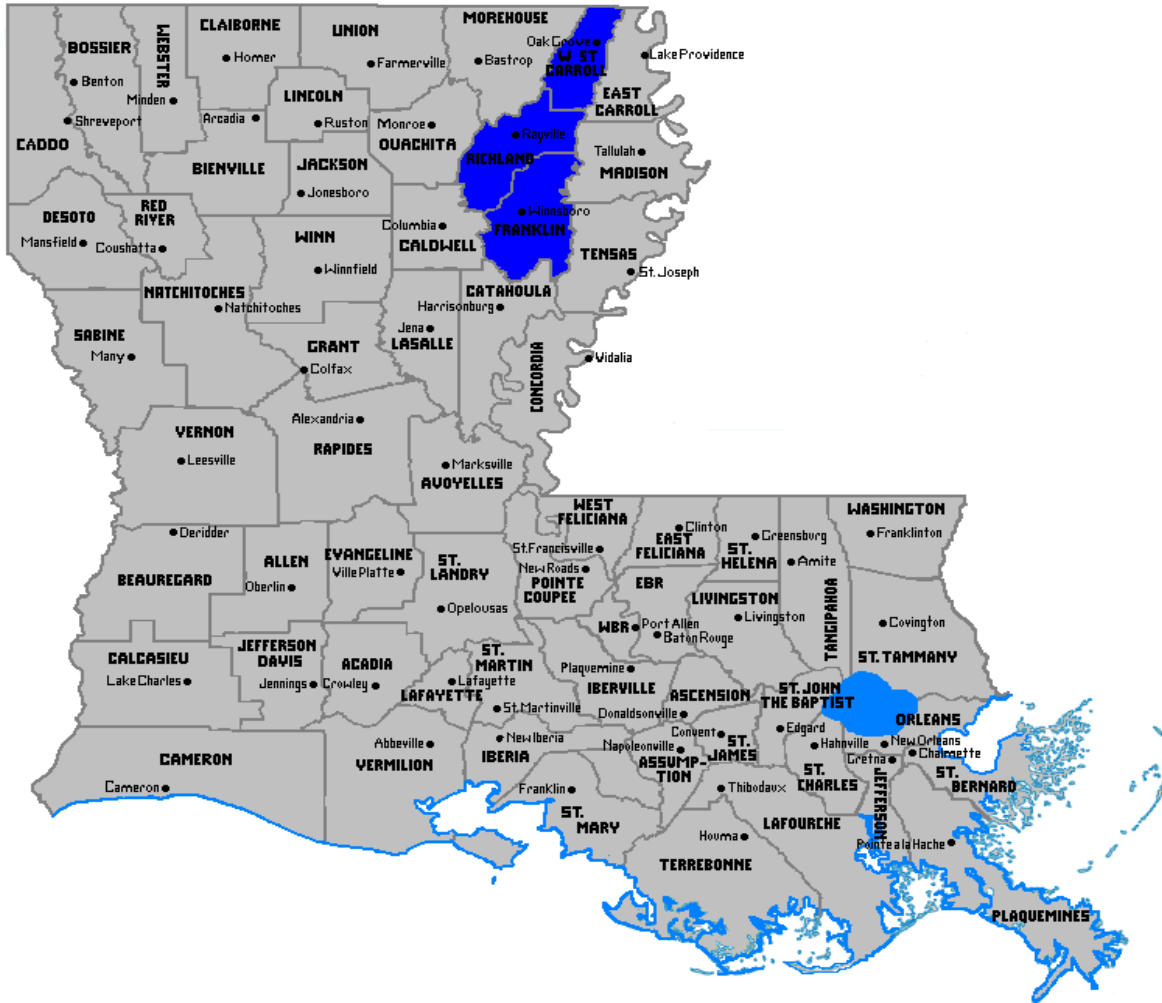
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY16 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





## THE 5<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

FRANKLIN (WINNSBORO) - RICHLAND (RAYVILLE) - WEST CARROLL (OAK GROVE)

DISTRICT DEFENDER: DAWN H. MIMS, INTERIM  
 ROBERT NOEL, INTERIM DISTRICT DEFENDER AS OF DECEMBER 2016  
 720 HARRISON STREET  
 RAYVILLE, LA 71269  
 (318) 728-1117

5TH JUDICIAL DISTRICT :  
WEST CARROLL, RICHLAND, FRANKLIN  
PARISHES

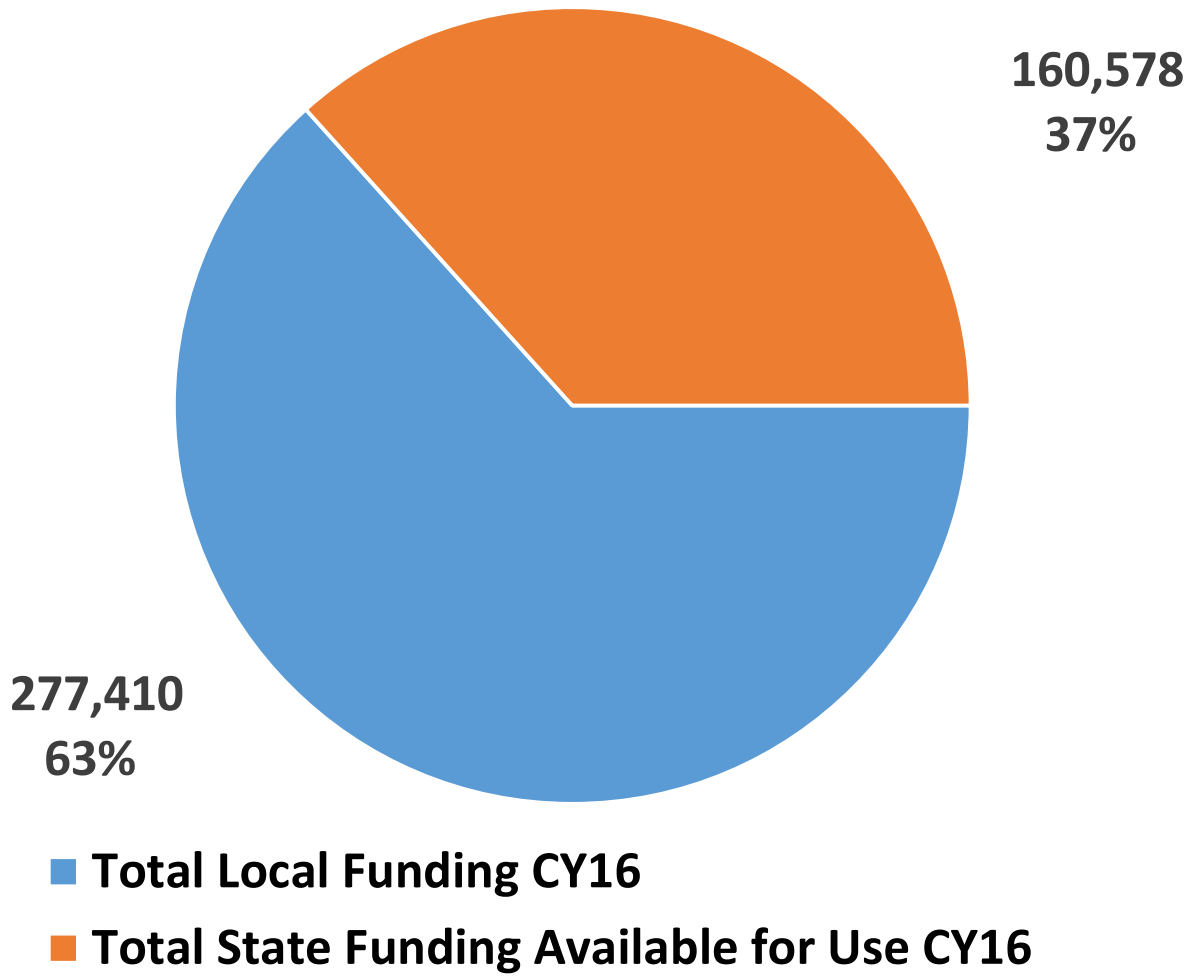
Dawn Mims, Interim DD  
Robert Noel-as of December 2016  
720 Harrison Street  
Rayville, LA 71269  
318-728-1117

During Calendar Year 2016, the 5th Judicial District Public Defenders Office handled 2,173 cases. The office received \$437,988 in total revenues to handle these cases, approximately 65% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

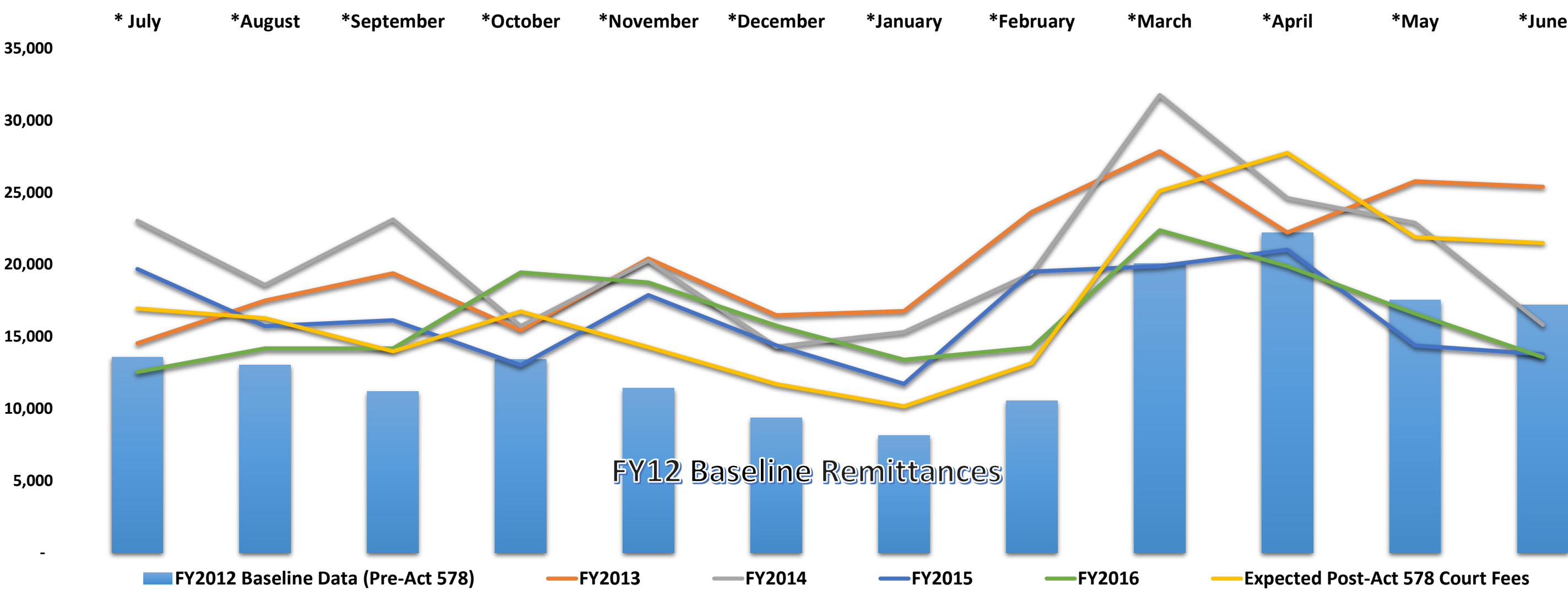
Since the inception of Act 578 (2012), local revenues have generally increased at a rate equal to or greater than expected, however the expenditures of the 5th Judicial District office continue to exceed revenues since CY10 each year, with the exception of CY12 and CY16.

Depletion of the district's fund balance required the office to briefly restrict services during Calendar Year 2015.

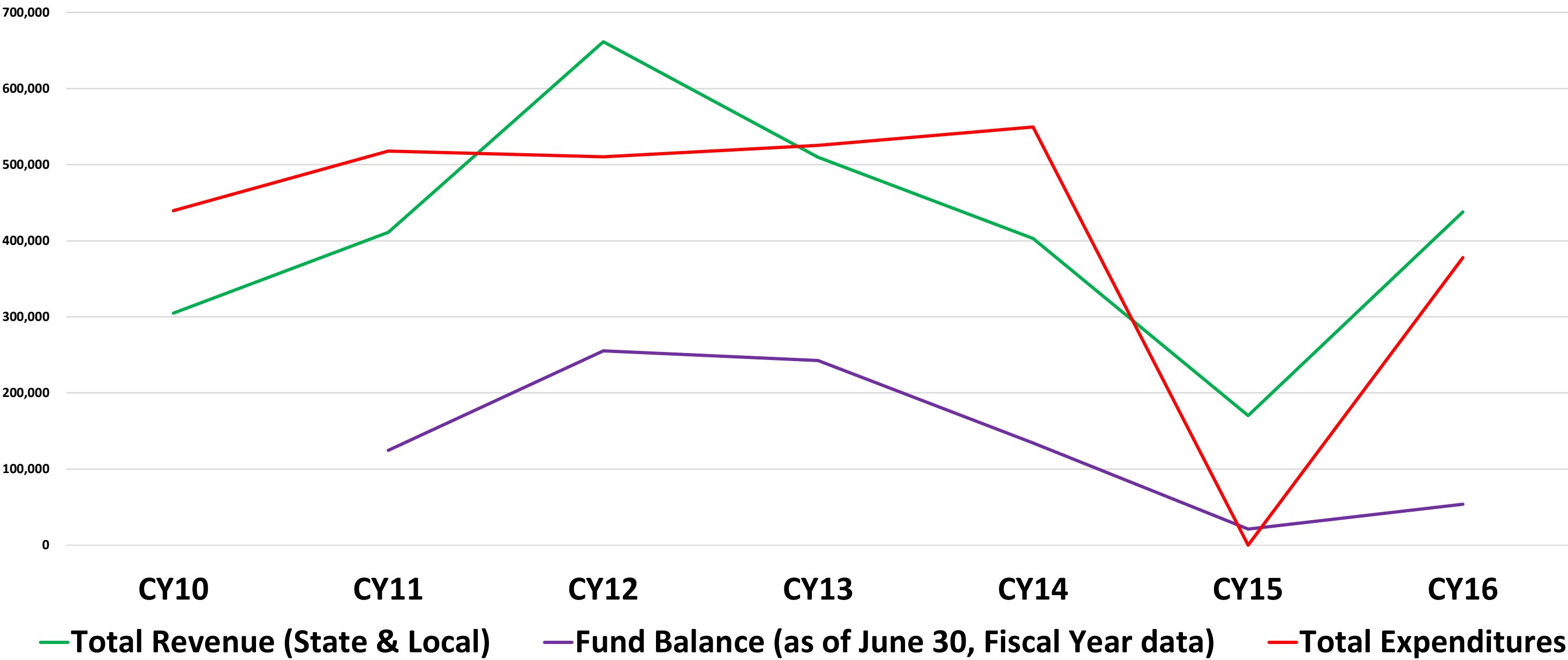
District 5 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 5 PDO

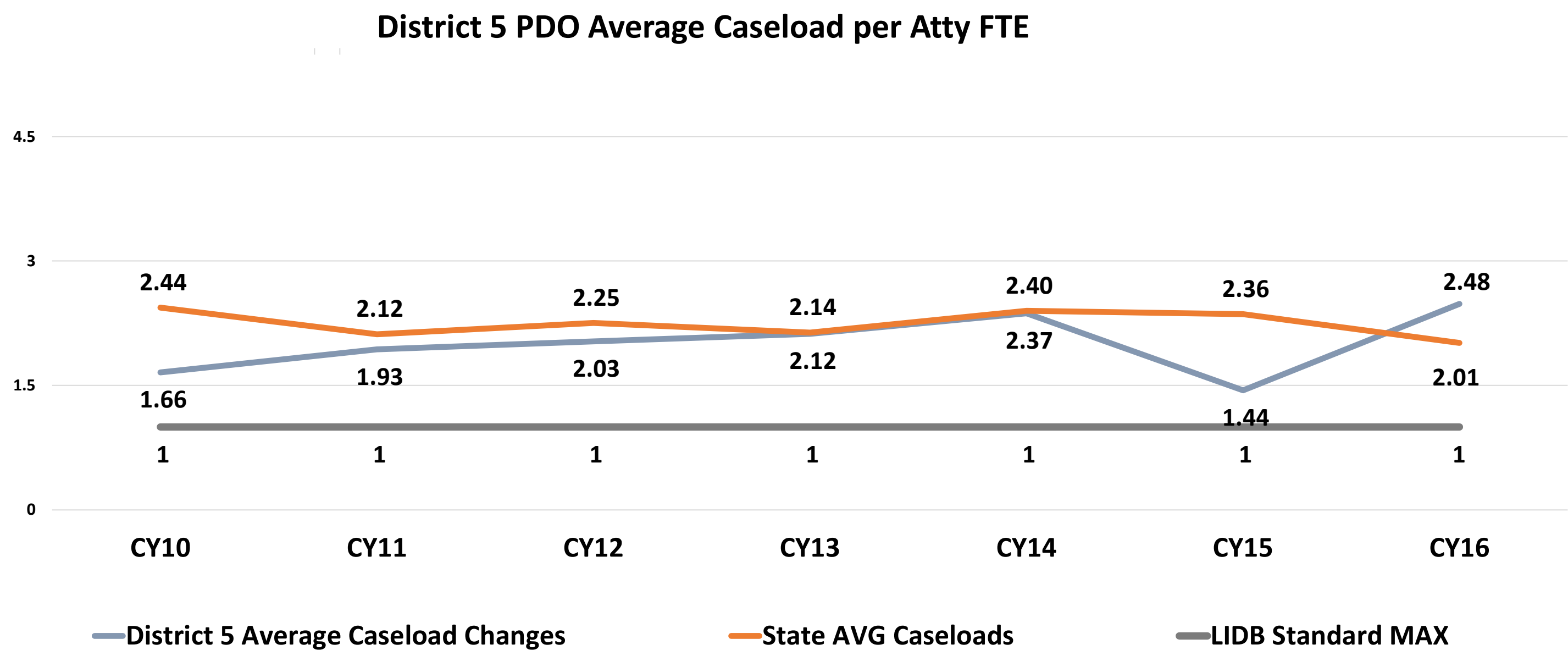


District 5 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



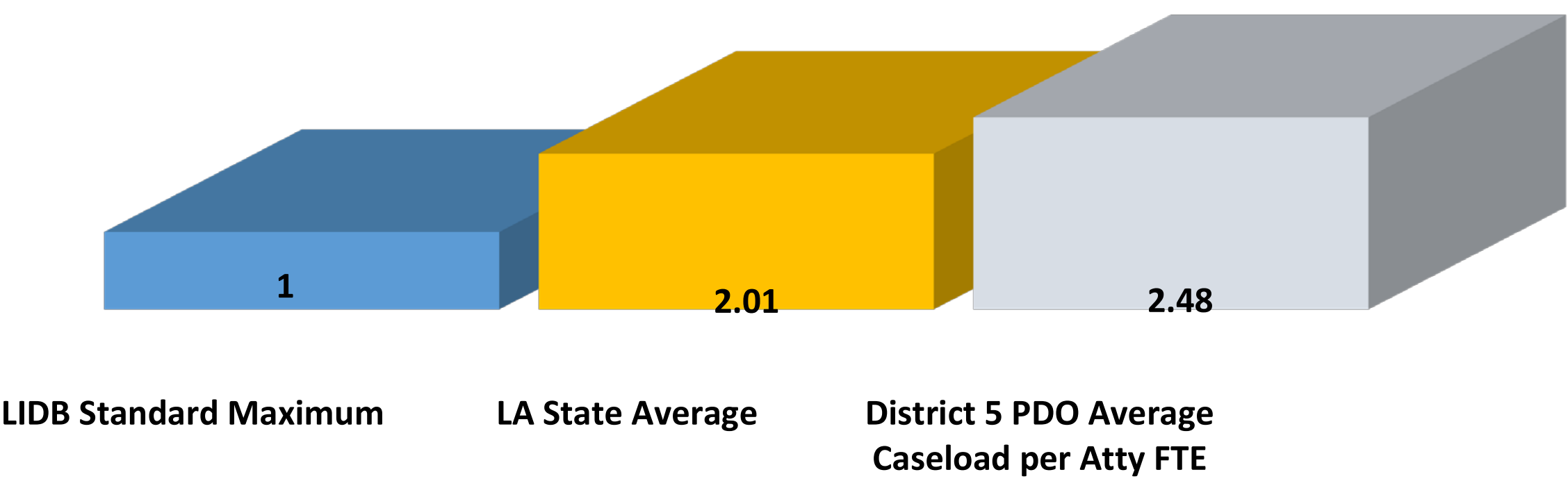
5TH JUDICIAL DISTRICT :  
WEST CARROLL, RICHLAND, FRANKLIN  
PARISHES

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In the 5th Judicial District, public defense attorneys maintain caseloads almost two and a half times the recommended caseload limit for each attorney.

District 5 PDO Average Caseloads Compared to State Average & State Standard Maximums



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 5<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Franklin - Winnsboro; Richland - Rayville; West Carroll - Oak Grove
<b>Population</b>	53,706
<b>District Defender</b>	Robert Noel
<b>Years as District Defender</b>	1
<b>Years in Public Defense</b>	26
<b>Office Manager</b>	Autumn Castleberry
<b>Primary Office Street Address</b>	720 Harrison Street
<b>City</b>	Rayville
<b>ZIP</b>	71269
<b>Primary Phone</b>	318-728-1117
<b>Primary Mailing Address</b>	P.O. Box 717, Rayville, LA 71269
<b>Primary Fax Number</b>	318-728-1118
<b>Primary Emergency Contact</b>	Robert S. Noel, II
<b>Primary Emergency Phone</b>	318-728-1117
<b>Secondary Emergency Contact</b>	Autumn Castleberry
<b>Secondary Emergency Phone</b>	318-669-7752
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Jim Smith
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$250.00 plus \$350 Utilities total \$600.00.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	John M. Gathings, CPA
<b>Courts and Locations</b>	Franklin Parish District Court, Winnsboro; Richland Parish District Court, Rayville; West Carroll Parish District Court, Oak Grove; and Winnsboro City Court, Winnsboro.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	3 Divisions in 3 District Courts; 1 Division in Winnsboro City Court.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Currently 6 attorneys are employed by the 5th JDC. The method of assignment has been changed to facilitate the ability of attorneys to see incarcerated clients. Two attorneys are assigned to Richland and Franklin Parishes handling felony and misdemeanor caseloads. One attorney is assigned to West Carroll Parish handling all matters. Finally, the remaining attorney handles all felony matters related to Division B and conflicts for Division A. Juvenile matters are assigned to 2 of the 6 attorneys. Currently an interim is serving as chief in the 5th JDC.
<b>Name of Adult Detention Facilities in This District</b>	Franklin Detention Center; Winnsboro; Richland Detention Center, Rayville; West Carroll Parish Jail, Oak Grove.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Morehouse Detention Center, Collinston; Morehouse Parish Jail, Bastrop, LA; and Riverbend Detention Center, Lake Providence, LA.
<b>Name of Juvenile Detention Facilities In This District</b>	None in district.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Green Oaks, Monroe, LA
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Because of the size geographically of the District and the distances to the detention centers, the attorneys and staff incur travel costs not associated with urban areas. Additionally, the prior method used by this District in assigning cases placed a greater burden on attorneys being required to see clients in 6 different parishes.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	The 5th JDC is now handling juvenile matters. Two attorneys are assigned to handle these cases, with the majority of the cases being CINC cases.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	John M. Lancaster
<b>Chief Judge of Criminal District Court</b>	Judge James M. Stephens
<b>Juvenile Court Judges (Specify District of City Court)</b>	District Judge Terry Doughty is the juvenile court judge.
<b>Drug Court Judges</b>	Terry A. Doughty
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	Yes
<b>Name of Specialty and Brief Description:</b>	Non-support court and domestic disputes are handled by a Magistrate Judge.
<b>Indigency Determined by Whom and How?</b>	Judge-Questions them as to their financial status.
<b>When is Assignment/Appointment of Counsel Made?</b>	At time of arrest. If incarcerated -appointment within 72 hours of arrest. If on bond - judge will appoint at arraignment if determined indigent



<b>What steps does your office take to ensure conflict – free representation</b>	We try to keep co-defendants split up by giving them different attorneys. If an attorney has a conflict with a possible defendant we then rotate with the other attorneys in the division assigned.
<b>Brief Explanation of Intake Process</b>	Administrator meets clients obtains all pertinent information and sets up client in JusticeWorks and assigns the matter to their attorney.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	When Judges question as to indigency, if the person is found indigent the \$40 assessment fee is assessed. We do not keep a record of how many the Judges have questioned. This is done by the Judges at arraignment.
<b>How Many Application Fees Were Waived?</b>	We do not keep a record of that. Sometimes the Judges do not assess those that are in jail.
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	17,445
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	194,951
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Franklin Parish Sheriff sends a detailed print out of money disbursed. Richland and West Carroll Sheriffs sends a form with their disbursement. West Carroll Sheriff also sends a print out. Winnsboro City Court sends a form with their disbursement. Attached is the form.
<b>Who Collects the Assessed Court Fees?</b>	The 3 Sheriffs and the Judge of Winnsboro City Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Franklin Parish Sheriff sends a detailed print out of money disbursed. Richland and West Carroll Sheriffs sends a form with their disbursement. West Carroll Sheriff also sends a print out. Winnsboro City Court sends a form with their disbursement.
<b>Who Remits the Court Fees Collected?</b>	The 3 Sheriffs and Winnsboro City Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Franklin Parish Sheriff sends a detailed print out of money disbursed. Richland and West Carroll Sheriffs sends a form with their disbursement. West Carroll Sheriff also sends a print out. Winnsboro City Court sends a form with their disbursement.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A

How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?	N/A
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment	This is not done.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?	N/A
Who Collects the Assessed Partial Payments?	N/A
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	N/A
Who Remits the Partial Payments Collected?	N/A
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	N/A
Amount, If Any, of Partial Indigence Payments Received by the Office in CY16	None
Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?	Permitted. All attorneys are part-time (supposedly) but the workload is so heavy it seems full-time. Attorneys can take retained criminal cases and can maintain their usual private practice. This policy is not in writing.
For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract	There is a written contract for each attorney.
Primary Immediate Needs	Sufficient funding from State Office.
Was your office in ROS at any time during 2016	No
If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?	No
In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.	Yes
Immediate Critical Issue Areas	Funding from the State
Long-Term Critical Issue Areas	Funding from the State
2016 Media Coverage and/or Major Accomplishments	None
Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe	Training is now available to all 5th JDC attorneys through the 4th JDC District Defender training program.

<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Caroline Hemphill
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Interim Chief currently supervises 6 attorneys, a full-time administrator, and investigator.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	We maintain constant contact with each other through email and phone conferences.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Filed in 2016</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	Since August 2016, the 5th JDC began handling juvenile cases. The issues involving 17 year old clients is now being addressed.
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	The issue has not been addressed in this jurisdiction.
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	No attempt to transfer to Adult Jurisdiction has taken place recently.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	N/A
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	None
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator Bill Cassidy, Senator John Kennedy, Representative Ralph Abraham
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	No changes prior to calendar year 2017. We are changing method of assignment to facilitate visits with clients in jail.

[illegible]

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Robert S. Noel, II
<b><u>Legal Research Tools Used:</u></b>	Contract System, each contract attorney is responsible for their own research tools.
Lexis Nexis	N/A
Westlaw	N/A
Other (please list)	N/A
Number of Legal Research Licenses	N/A
Total Cost of Legal Research Software:	N/A
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	

Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	x
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	2
Laptops	7, with 4 inoperable
Video Cameras	2
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	3, with 2 inoperable
Color Printers	1
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	AT&T
Email Provider:	AT&T
Please list any software or computer equipment in which you need training:	N/A

### 5th District Defender Office CY 2016 Caseloads & Outcomes

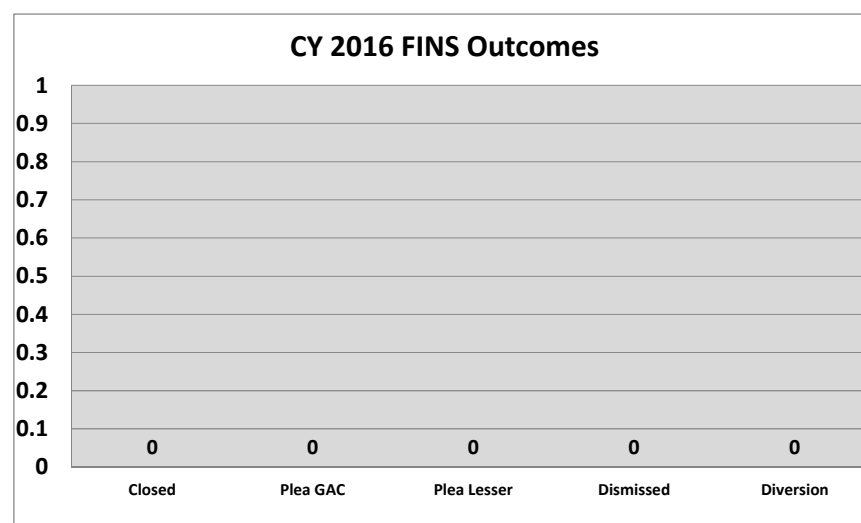
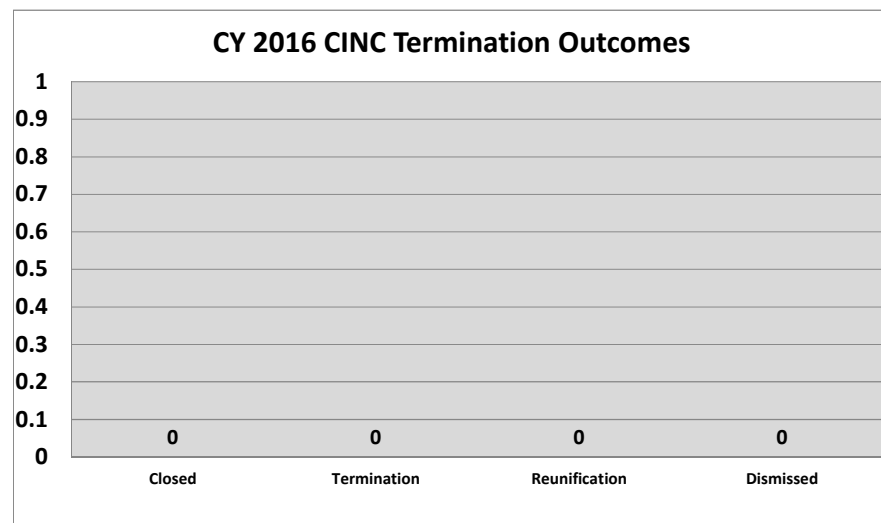
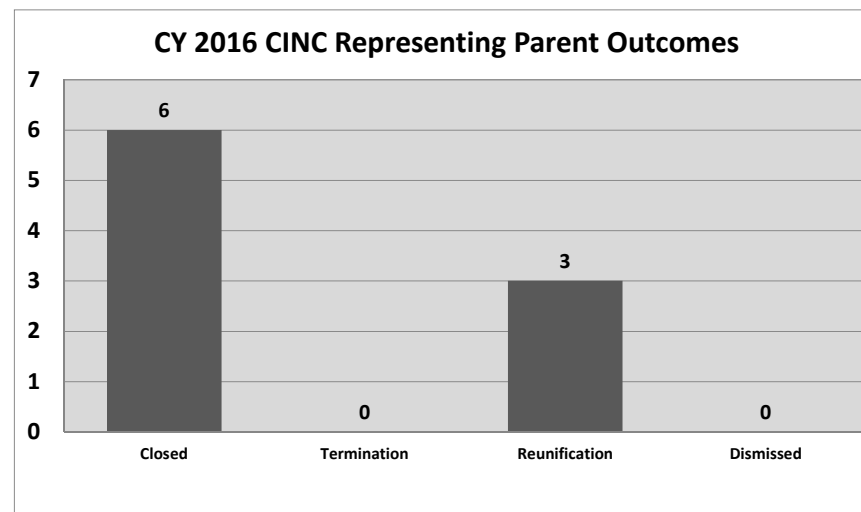
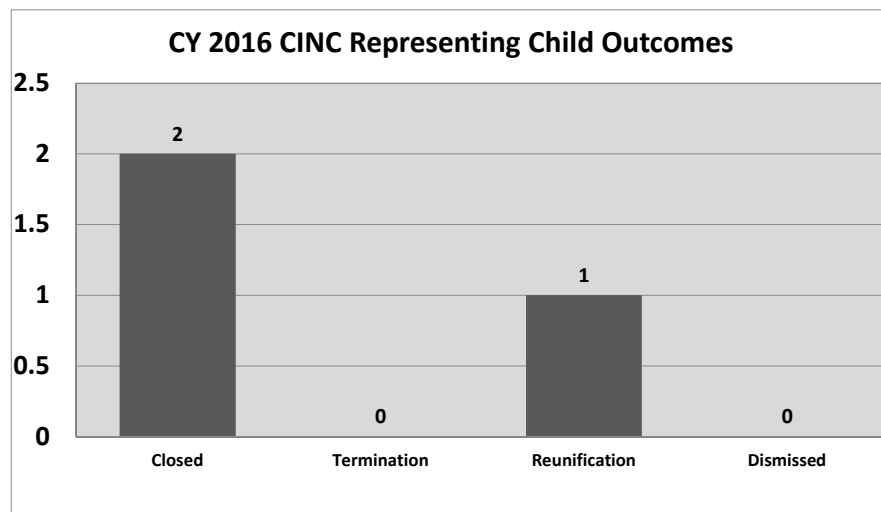
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	1	0	0	1	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	19	2	0	19	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	122	6	0	122	0	3	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	41	4	0	41	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	87	3	0	87	N/A	N/A	0	0	4	0	N/A	N/A	0	0	0
Delinquency-Life	5	0	0	5	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	557	424	164	721	N/A	N/A	267	13	278	0	0	0	0	0	0
Adult Felony Non-LWOP**	797	659	358	1155	N/A	N/A	450	65	196	0	0	1	0	4	5
Adult LWOP	1	3	3	4	N/A	N/A	1	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	13	6	5	18	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

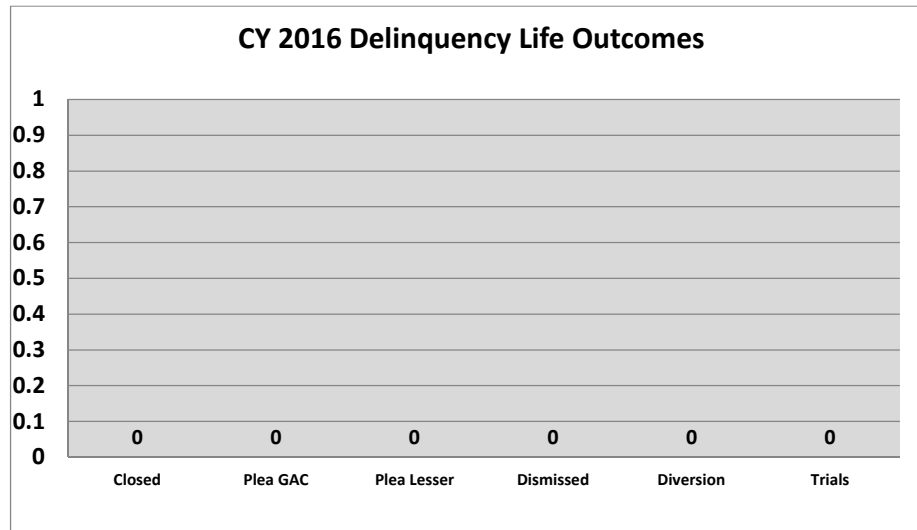
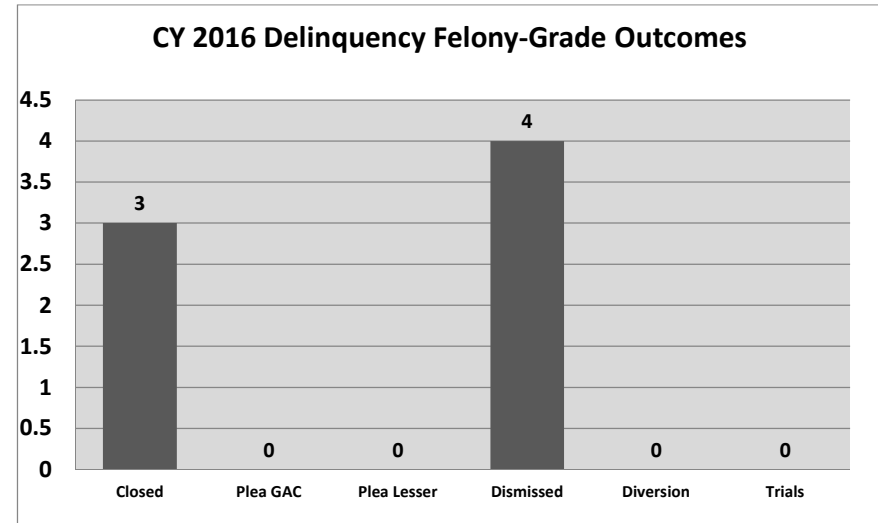
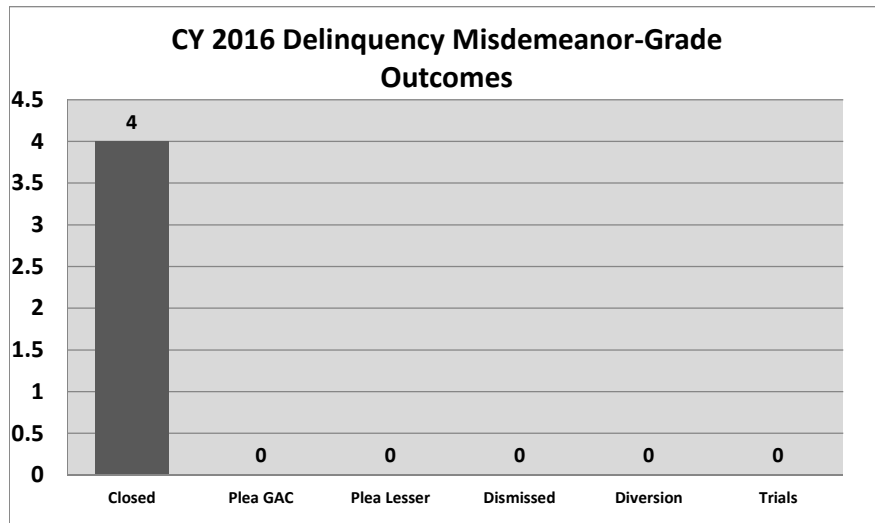
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

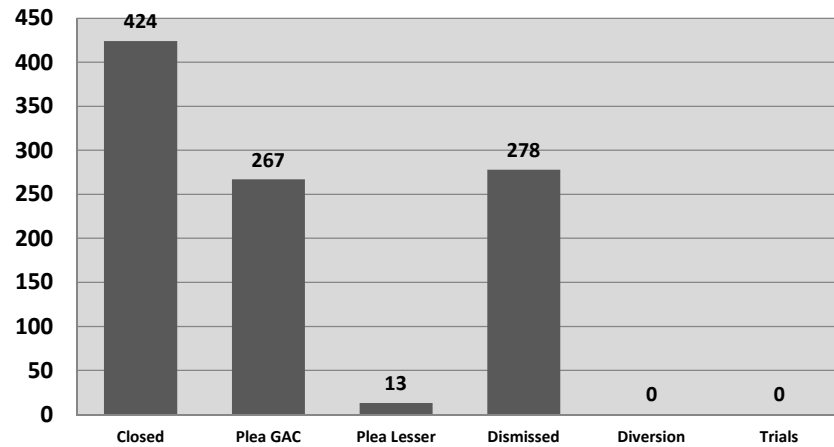
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



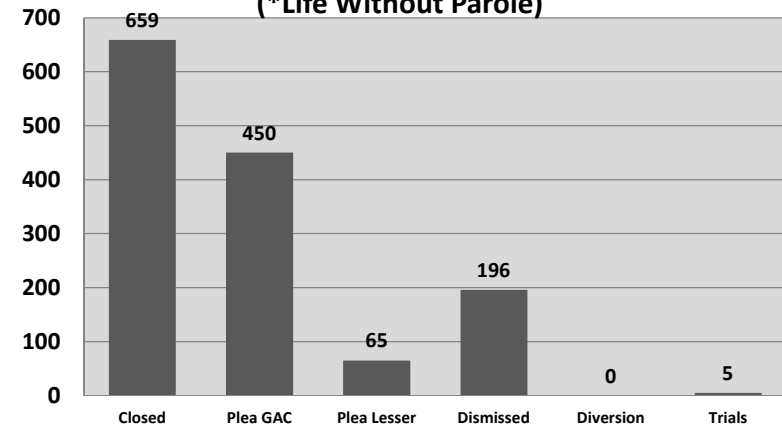




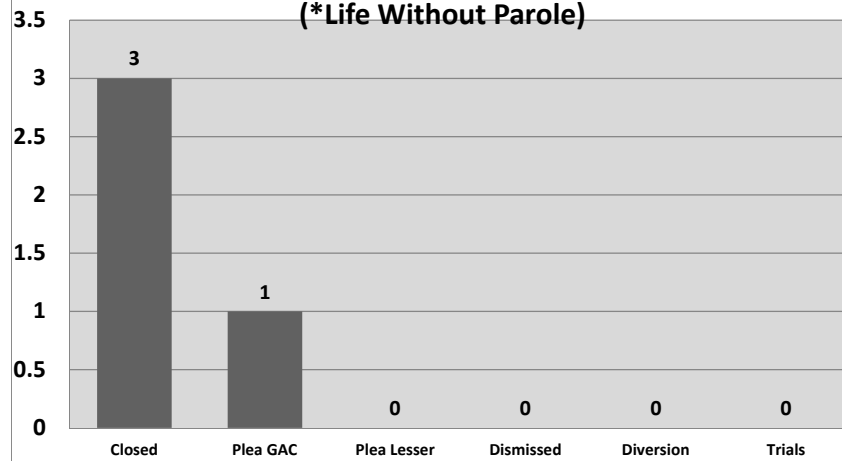
**CY 2016 Adult Misdemeanor Outcomes**



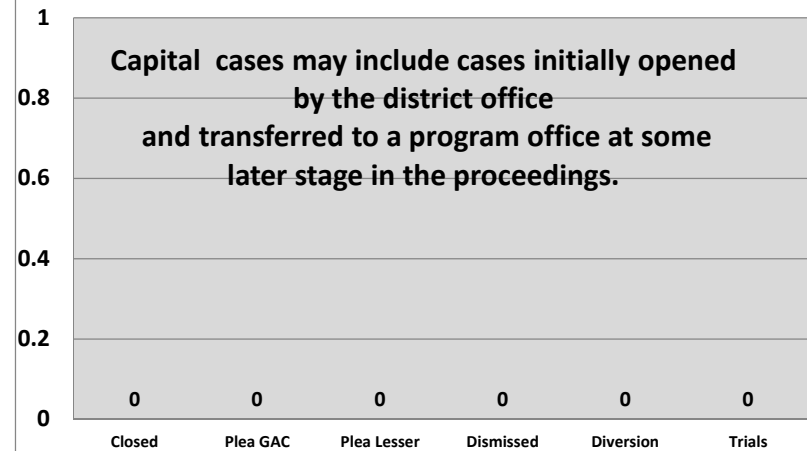
**CY 2016 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Capital Outcomes**

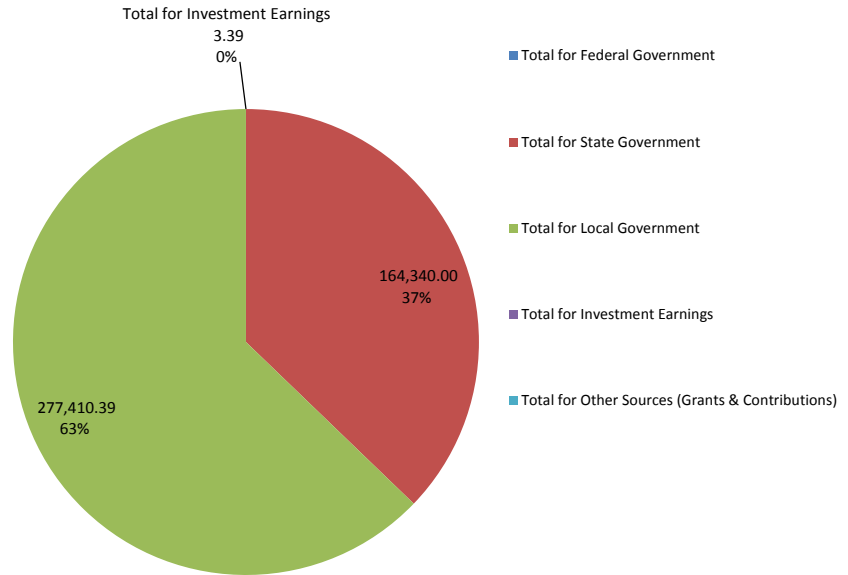


District 5 CY2016	Total CY2016
District Defender: Dawn Mims, Interim/Bob Noel, Interim	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	-
District Assistance Fund (DAF)	164,340.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	164,340.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	12,683.68
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	38,462.47
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	44,627.01
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	18,188.64
Parish Courts	-
Traffic Court	146,207.49
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	209,023.14
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	16,955.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	286.10
Other Local Income -List source(s)	-
Total for Charges For Services	17,241.10
Total for Local Government	277,410.39
Investment Earnings	
Interest Income	3.39
Other Investment Income - List source(s)	-
Total for Investment Earnings	3.39
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	441,753.78

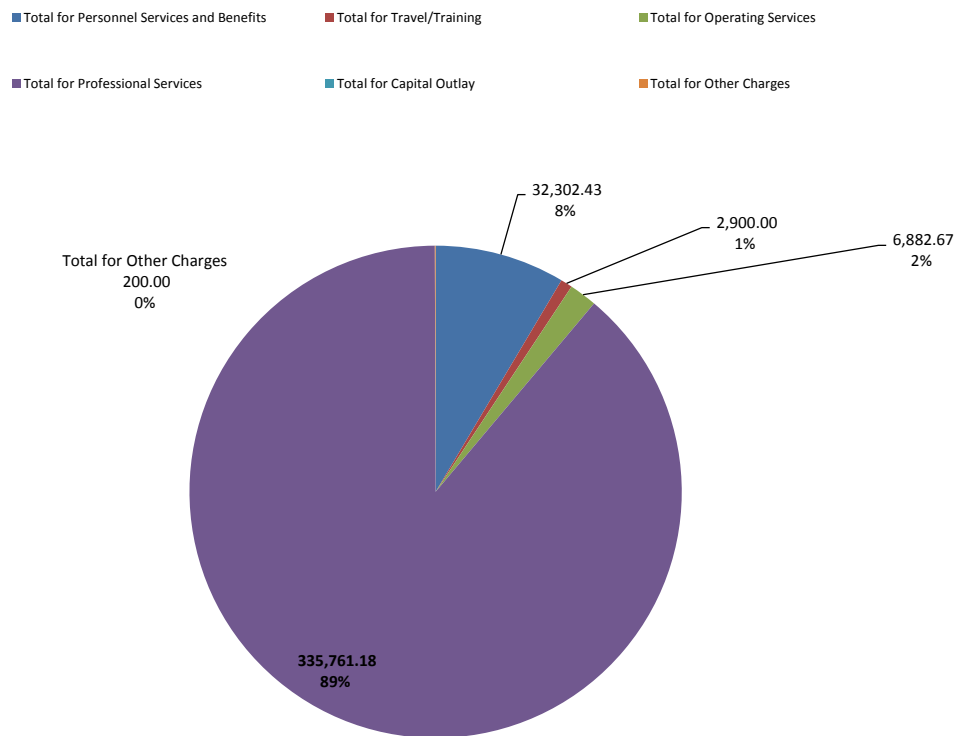
District 5 CY2016	Total CY2016
District Defender: Dawn Mims, Interim/Bob Noel, Interim	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	30,000.00
Accrued Leave	-
Payroll Taxes	2,302.43
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	32,302.43
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	2,900.00
Total for Travel/Training	2,900.00
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	2,780.00
Lease - Auto/Equipment	-
Lease - Other	240.00
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	3,617.26
Dues and Seminars	-
Law Library/Journals/Subscriptions	-
Office Supplies	245.41
Total for Operating Services	6,882.67
Professional Services	
Audit/Accounting Expense	8,406.00
Contract Clerical	-
Expert Witness	-
Investigators	31,130.00
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	296,225.18
IT/Technical Support	-
Total for Professional Services	335,761.18
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	200.00
Total for Other Charges	200.00
Total for EXPENDITURES	378,046.28

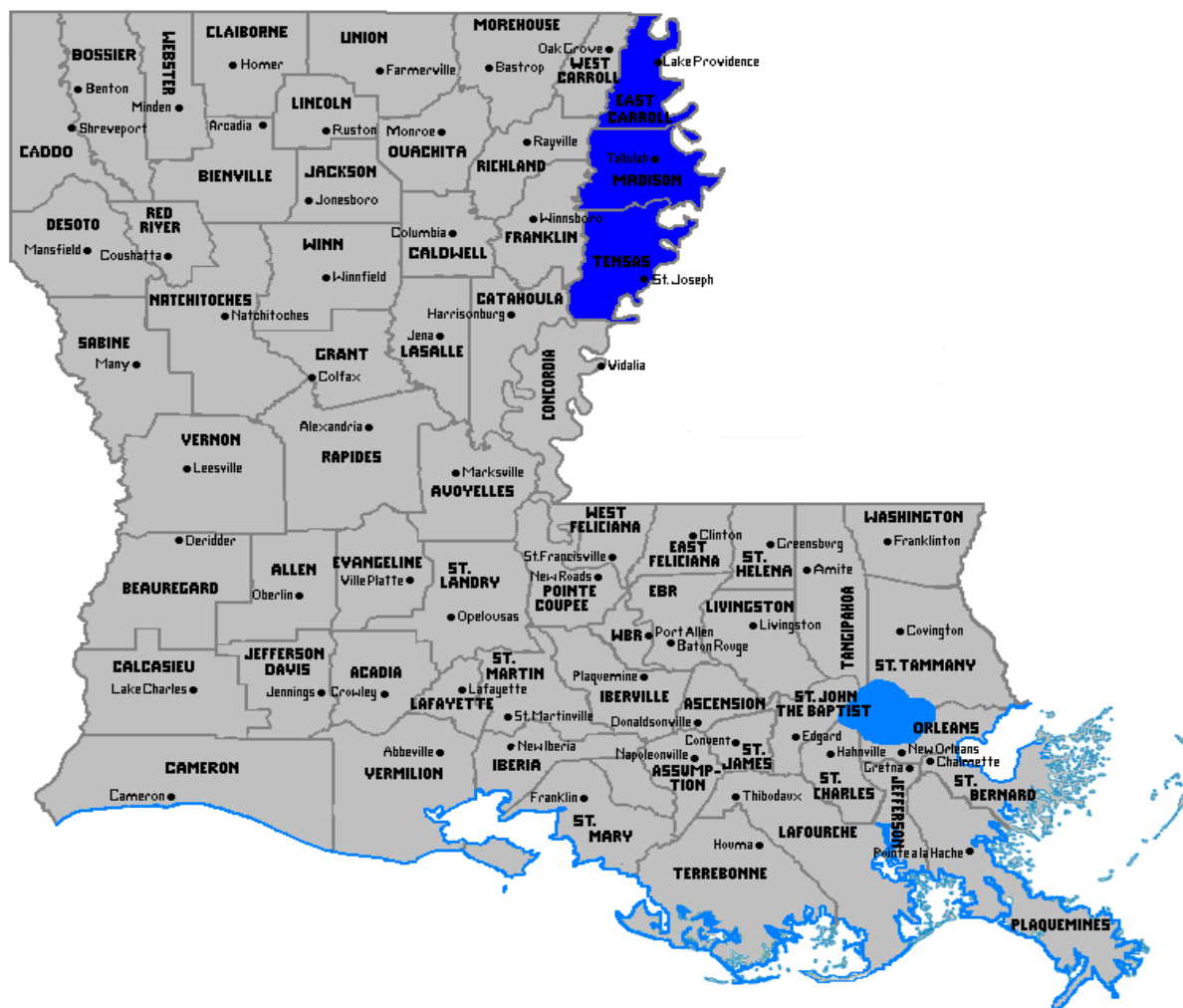
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





## THE 6<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

EAST CARROLL (LAKE PROVIDENCE) - MADISON (TALLULAH) - TENSAS (ST.  
JOSEPH)

DISTRICT DEFENDER: LEROY SMITH, JR.  
411 DABNEY STREET  
TALLULAH, LA 71282  
(318) 574-2554, (318) 434-0101

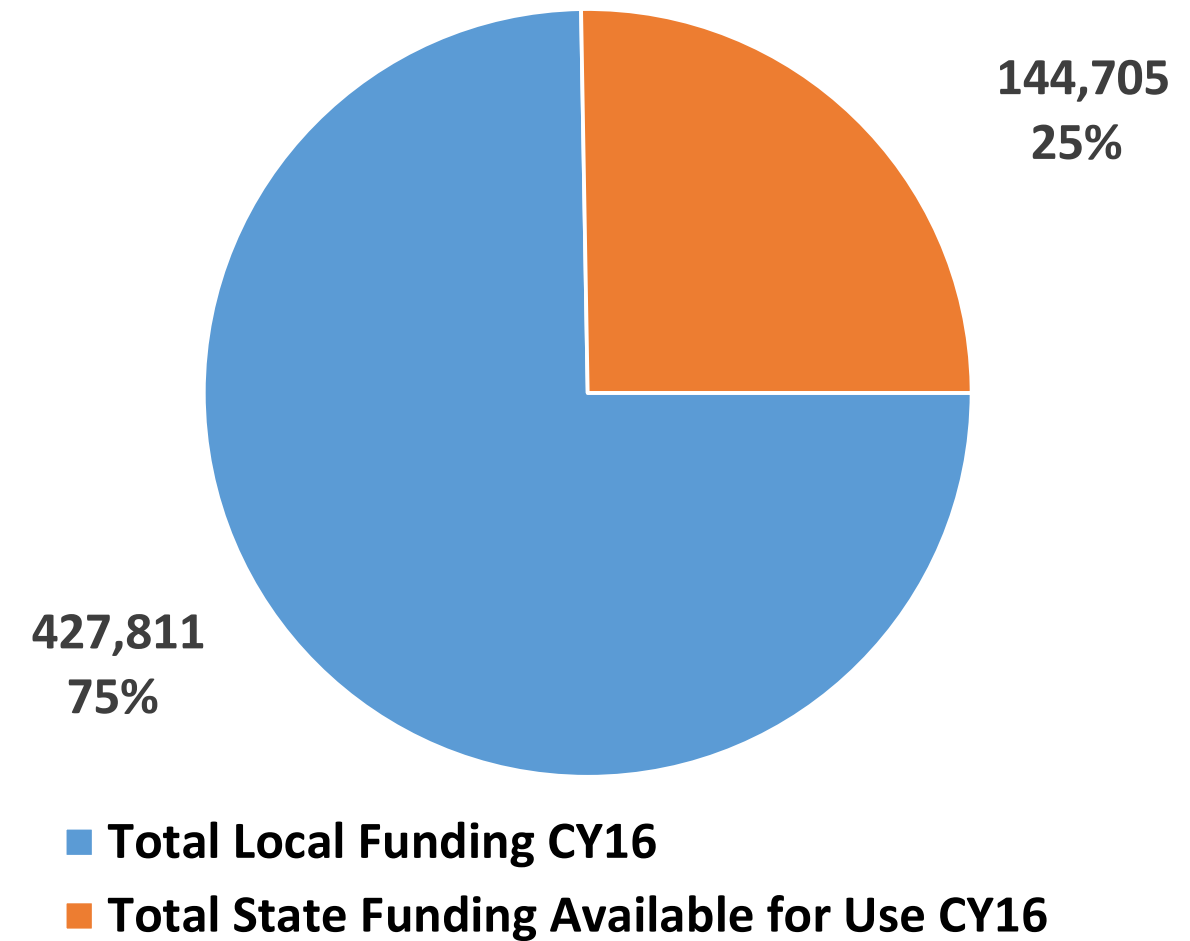
## 6TH JUDICIAL DISTRICT : EAST CARROLL, MADISON, TENSAS PARISHES

LeRoy Smith, Jr.  
District Defender  
411 Dabney Street  
Tallulah, LA 71282  
318-574-2554

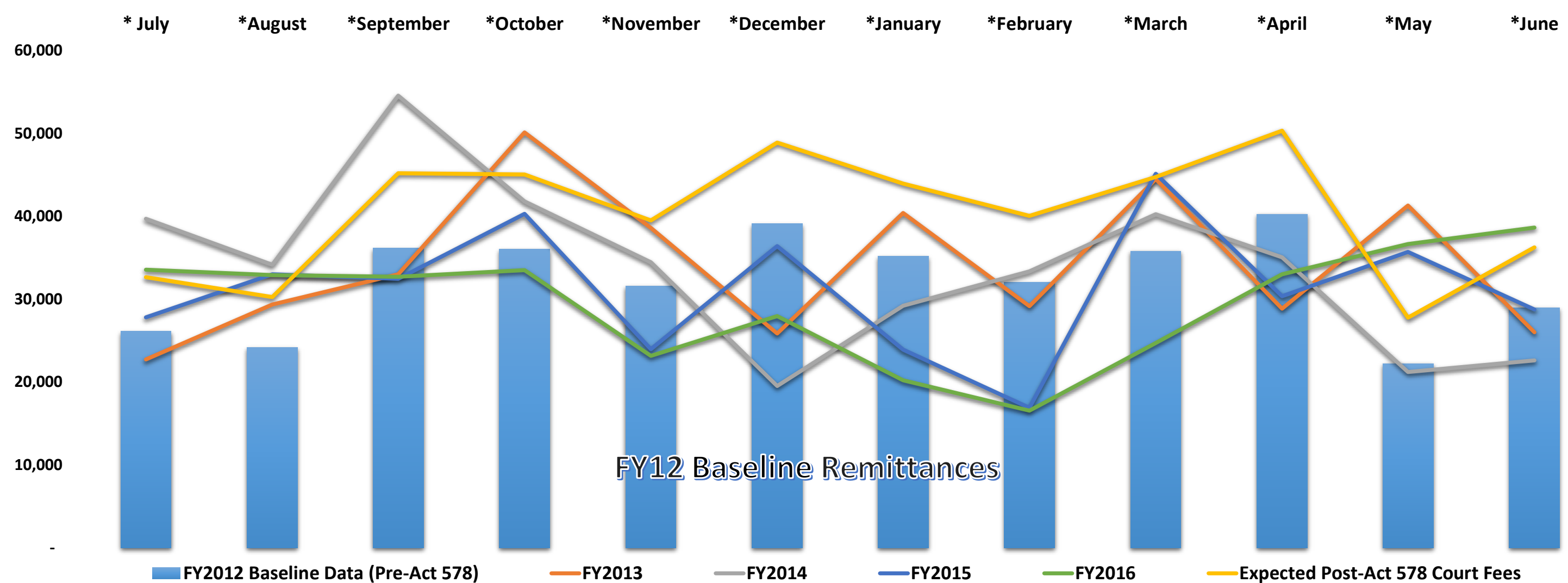
During Calendar Year 2016, the 6th Judicial District Public Defenders Office handled 1,571 cases. The office received \$572,516 in total revenues to handle these cases, approximately 75% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

With the exception of a few anomalies, the 6th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase to special court costs associated with Act 578 of the 2012 Regular Legislative Session.

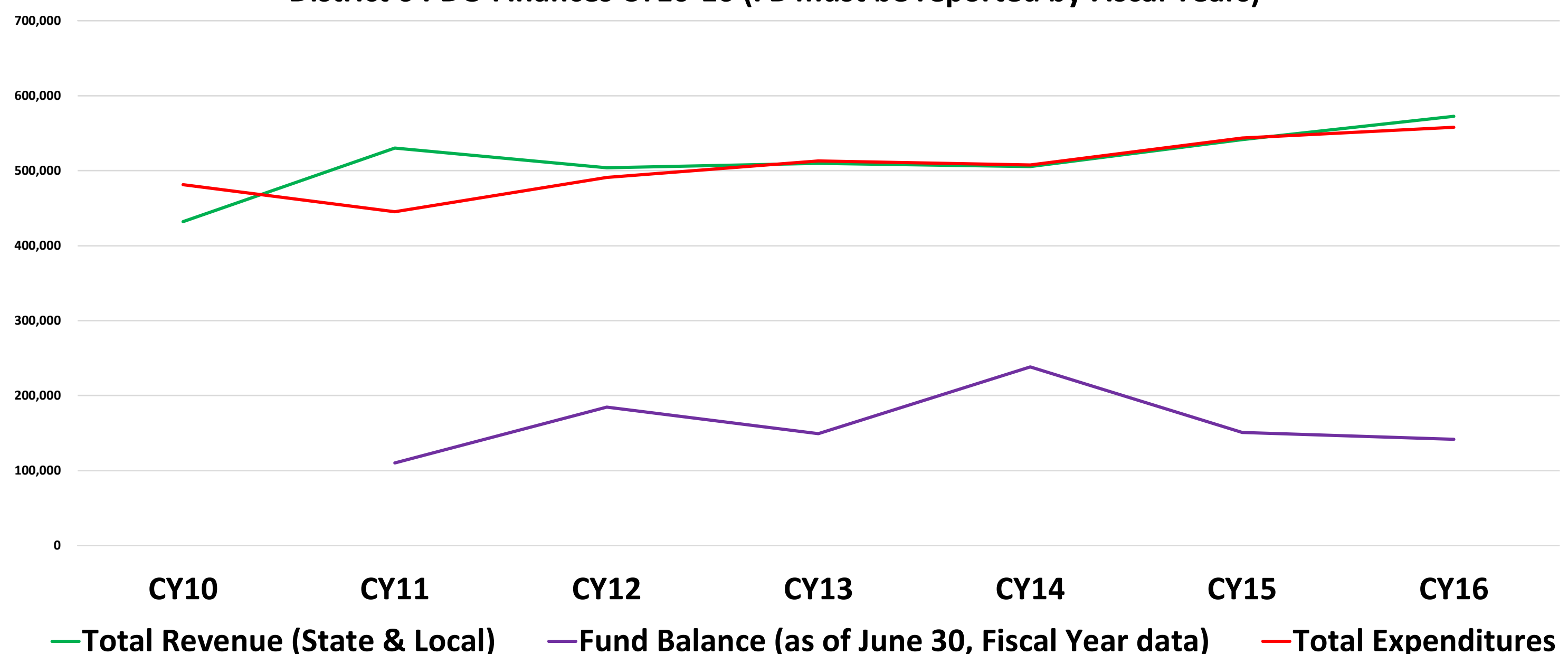
District 6 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 6 PDO

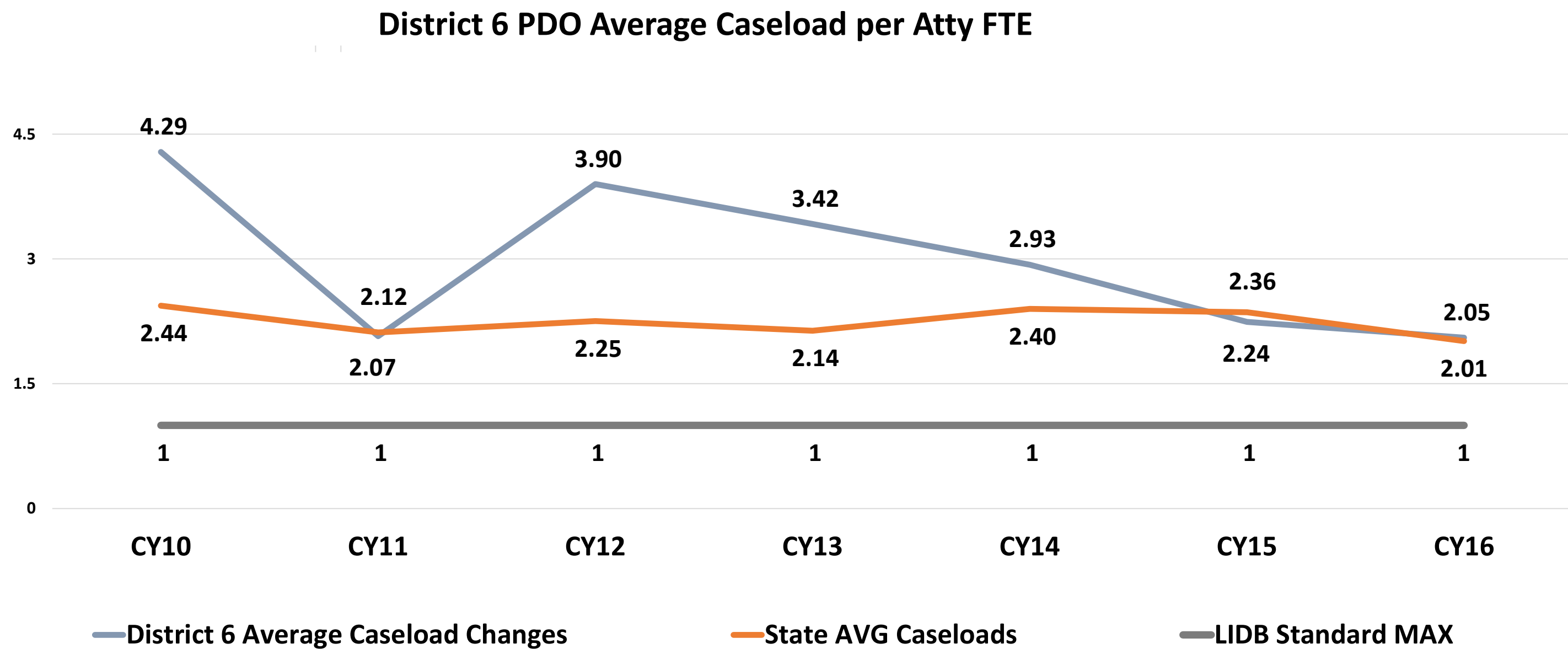


District 6 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



## 6TH JUDICIAL DISTRICT : EAST CARROLL, MADISON, TENSAS PARISHES

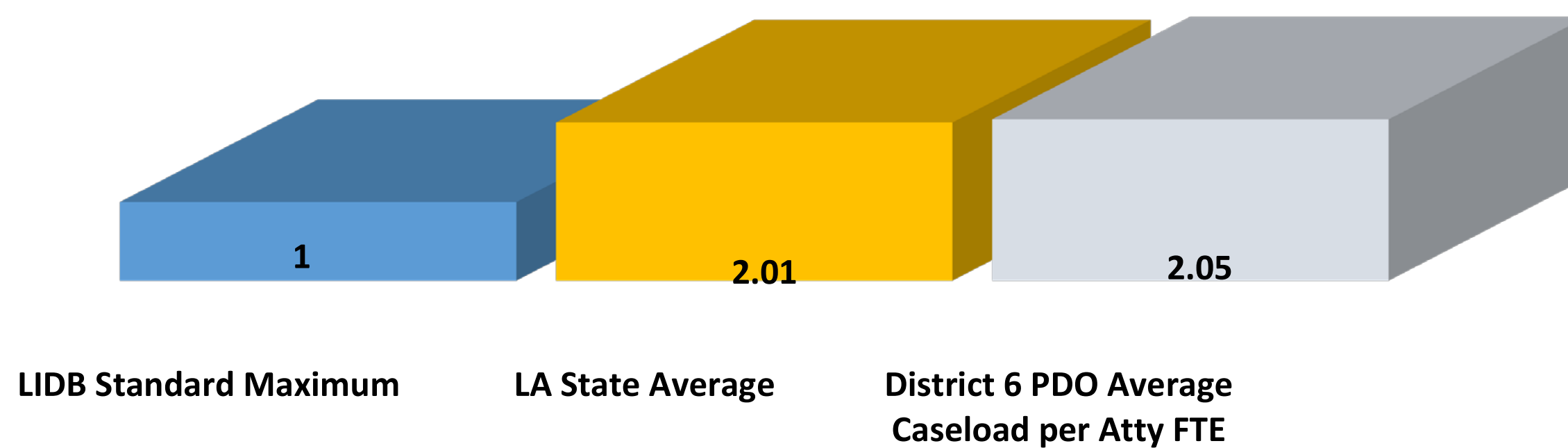
LeRoy Smith, Jr.  
District Defender  
411 Dabney Street  
Tallulah, LA 71282  
318-574-2554



In the 6th Judicial District, public defense attorneys maintain caseloads twice the recommended caseload limit for each attorney.

The 6th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefitted from the training and supervision offered by LPDB.

### District 6 PDO Average Caseloads Compared to State Average & State Standard Maximums



## CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.





## THE 6<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	East Carroll - Lake Providence; Madison - Tallulah; Tensas - St. Joseph.
<b>Population</b>	25,104
<b>District Defender</b>	LeRoy Smith, Jr.
<b>Years as District Defender</b>	21
<b>Years in Public Defense</b>	20
<b>Office Manager</b>	Kathy Grady
<b>Primary Office Street Address</b>	411 Dabney Street
<b>City</b>	Tallulah
<b>ZIP</b>	71282
<b>Primary Phone</b>	318-574-2554 or 318-434-0101
<b>Primary Mailing Address</b>	P. O. Box 486, Tallulah, LA 71282
<b>Primary Fax Number</b>	318-574-2536
<b>Primary Emergency Contact</b>	LeRoy Smith, Jr.
<b>Primary Emergency Phone</b>	318-341-1088
<b>Secondary Emergency Contact</b>	Kathy Grady (Office Manager)
<b>Secondary Emergency Phone</b>	318-341-0667
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	100 Cedar St Tallulah, LA, 71282; Courthouse Building, Lake Providence, La 71250; 201 Hancock St St Joseph, LA 71366
<b>Other District Office Contact Personnel (Primary Only)</b>	Megan Lyndsey-East Carroll Lake Providence
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Sidney Johnson; Owner.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Monthly rent \$600; Utilities \$965.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	David Hart, (Auditor) and May & Co.
<b>Courts and Locations</b>	6th JDC- Madison Court-- Tallulah, LA; Tensas Court-- St Joseph, LA; East Carroll Court--Lake Providence, LA.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	2 Divisions A --- Judge Michael Lancaster; Division B --- Judge John Crigler.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Each Lawyer is assign to a parish.

<b>Name of Adult Detention Facilities in This District</b>	Madison Correctional -Tallulah, LA; Riverbend Correctional - Lake Providence; Tensas Correctional - Waterproof, LA.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Richland Parish Correctional- Rayville, LA
<b>Name of Juvenile Detention Facilities In This District</b>	Christian Acres - Tallulah, LA
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, Increases mileage costs because of the distances between facilities.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Sometime, depending on their crime.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	James Paxton
<b>Chief Judge of Criminal District Court</b>	Judge Michael Lancaster & Judge John Crigler
<b>Juvenile Court Judges (Specify District of City Court)</b>	6th Judge Michael Lancaster & Judge John Crigler
<b>Drug Court Judges</b>	None
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	CINC, FINS, Non Support Court, Traffic Court
<b>Name of Specialty and Brief Description:</b>	None
<b>Indigency Determined by Whom and How?</b>	Defender Office, Filling out a financial report.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest
<b>What steps does your office take to ensure conflict – free representation</b>	We hire outside our contract lawyers.
<b>Brief Explanation of Intake Process</b>	When our lawyers are appointed our investigator goes to where the client is housed to take information from client.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	115
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	4,477
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Yes. Through the sheriff's office if they pled guilty.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	389,095

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Madison Parish – Lisa Byrd, Tensas Parish – Nicei Gregory, East Carroll Parish- Lisa Cody, (EC does not send documentation).
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Madison Parish-Lisa Byrd; Tensas Parish-Nicei Gregory; East Carroll Parish-Lisa Cody.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Print out from Tensas, Madison and East Carroll.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Court assesses fees based on ability to pay.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Madison, Tensas, and East Carroll
<b>Who Collects the Assessed Partial Payments?</b>	Madison, Tensas, and East Carroll
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Same as above
<b>Who Remits the Partial Payments Collected?</b>	Sheriff's Department
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Same as above
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	5,009
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted - Criminal Practice
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Funds to hire additional attorneys.

<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	None
<b>Immediate Critical Issue Areas</b>	Number of conflict cases
<b>Long-Term Critical Issue Areas</b>	Instability of fines and costs
<b>2016 Media Coverage and/or Major Accomplishments</b>	Monthly court docket much faster and gained open file discovery.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Public Defender 2nd chair for younger attorneys in Jury trials.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Leroy Smith, Angela Claxton, Douglas Busari, Jami Crews, Andy Magoun
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Public Defender reviews case loads and assignments.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes. Blue Cross-Blue Shield for office manager and one (1) investigator.
<b>Regular Meetings for Any Staff, Please Describe</b>	Monthly
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Filed in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Assigned by Parishes
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	N/A

<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	N/A
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	N/A
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Madison Sen. Francis Thompson, Rep. Andy Andrews, Tensas Sen Franxis Thompson, Rep. Andy Andrews, East Carroll Sen Francis Thompson Rep Sam Little
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Size of District
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	None

[illegible]

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Kathy Grady
<b>Legal Research Tools Used:</b>	
Lexis Nexis	N/A
Westlaw	West Thompson
Other (please list)	N/A
Number of Legal Research Licenses	N/A
Total Cost of Legal Research Software:	1,160
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b>Operating Systems Used:</b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	x
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b>Case Management System(s): Check all that apply</b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b>Productivity Suites Used:</b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b>Accounting Software</b>	
QuickBooks	1
Quicken	
Intuit	

Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	
Television	1
DVD	
VCR	
Desktop PCs	2
Laptops	1
Video Cameras	
Digital Cameras	2
Video Conferencing Systems	
B&W Laser Printers	2
Color Printers	2
Wireless Cards	
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	6mb down .5mb up
Provider Name:	Bell South
Email Provider:	Bell South
Please list any software or computer equipment in which you need training:	None



### 6th District Defender Office CY 2016 Caseloads & Outcomes

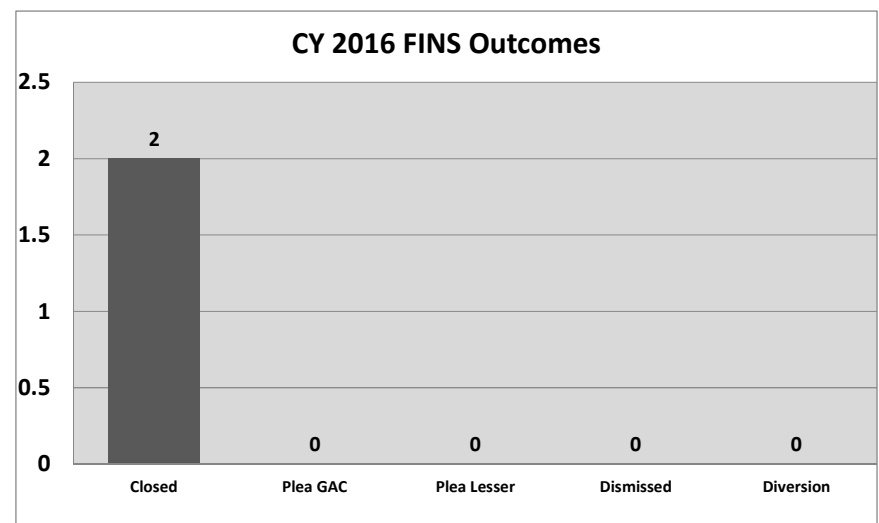
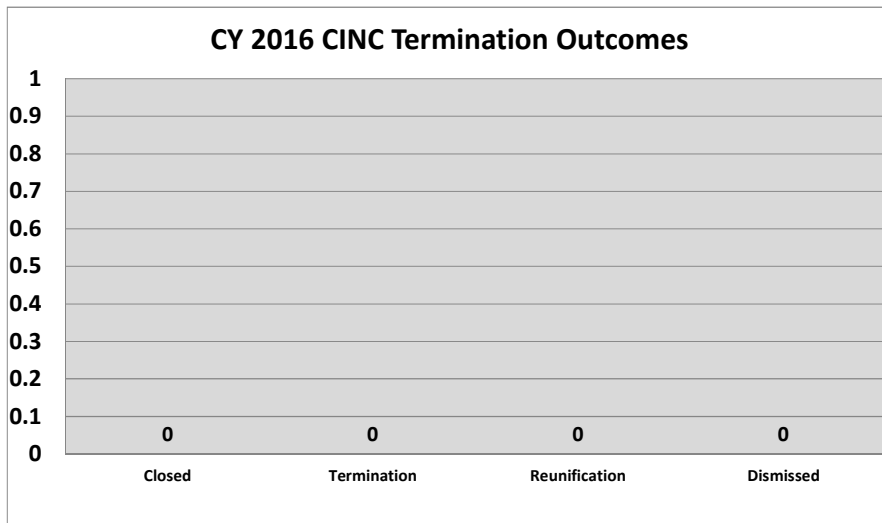
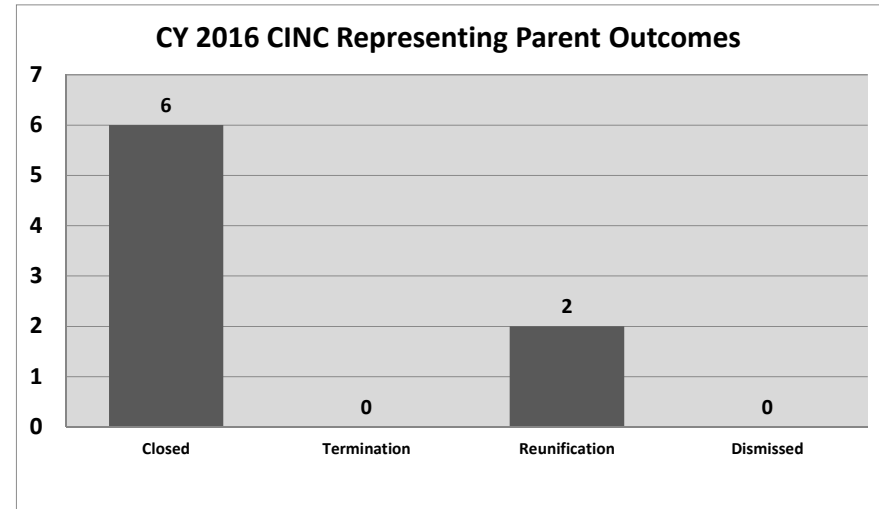
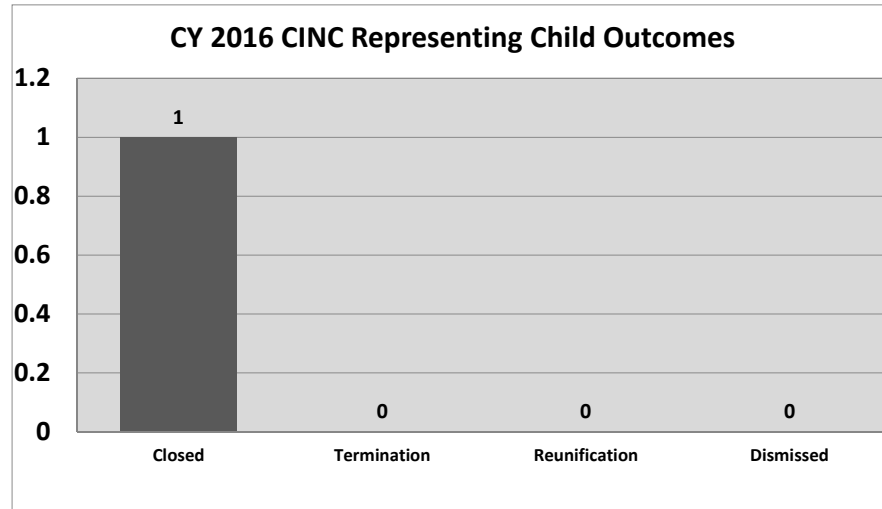
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	17	9	3	20	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	3	1	3	6	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	13	6	12	25	0	2	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	1	2	1	2	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	19	22	8	27	N/A	N/A	17	2	6	0	N/A	N/A	0	0	0
Delinquency Felony	21	17	3	24	N/A	N/A	19	2	5	0	N/A	N/A	1	0	1
Delinquency-Life	2	1	0	2	N/A	N/A	1	0	1	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	422	365	207	629	N/A	N/A	131	39	257	0	1	0	0	3	4
Adult Felony Non-LWOP**	516	480	319	835	N/A	N/A	106	123	303	0	0	3	0	0	3
Adult LWOP	0	1	1	1	N/A	N/A	0	0	0	0	0	1	0	0	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

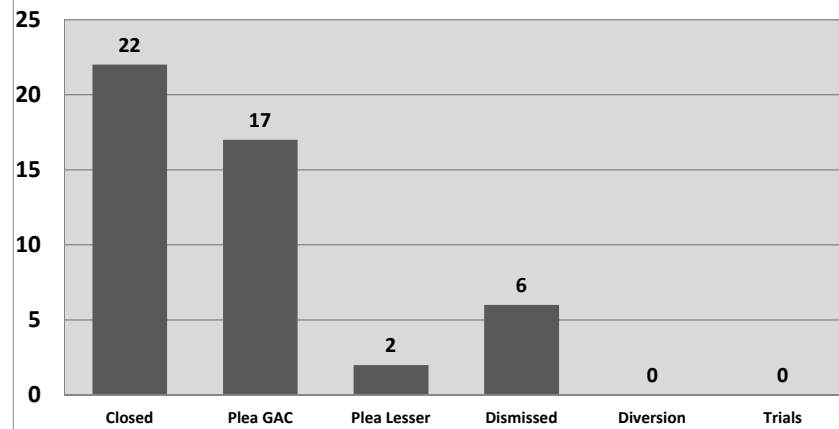
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

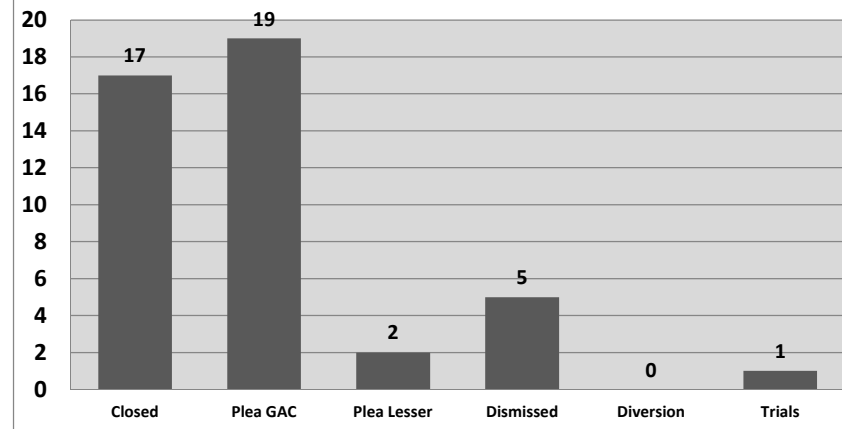
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



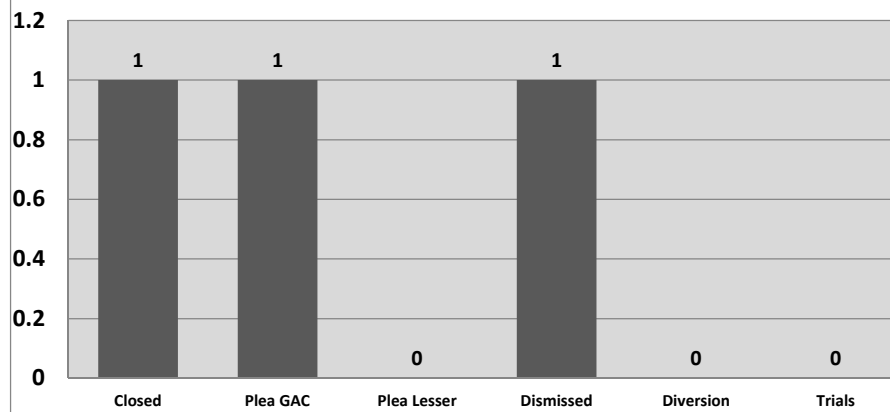
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

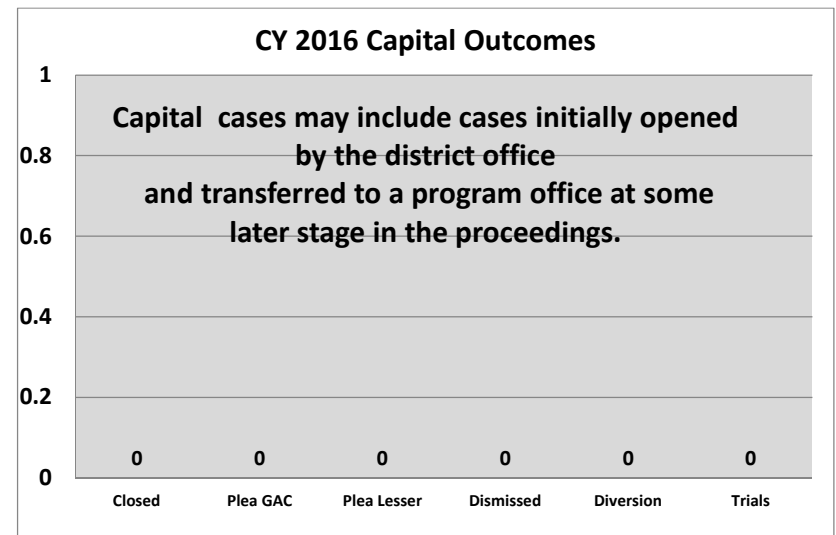
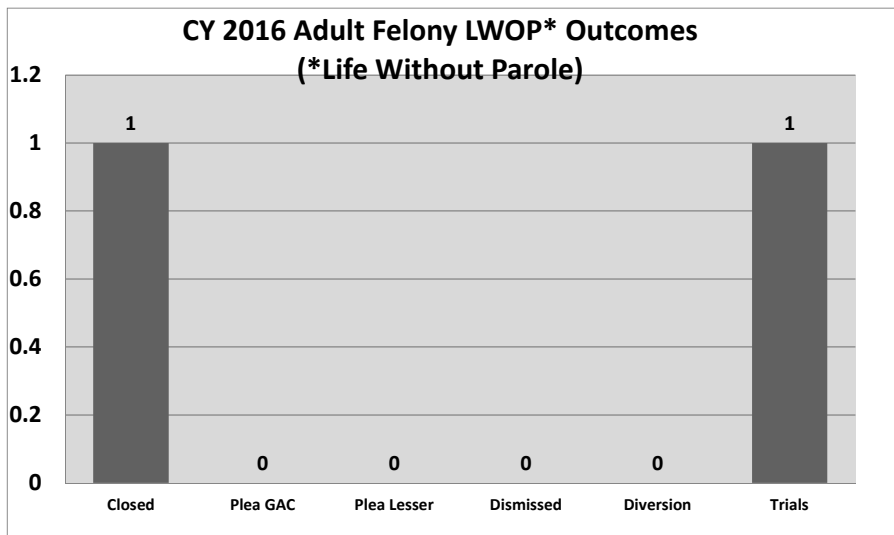
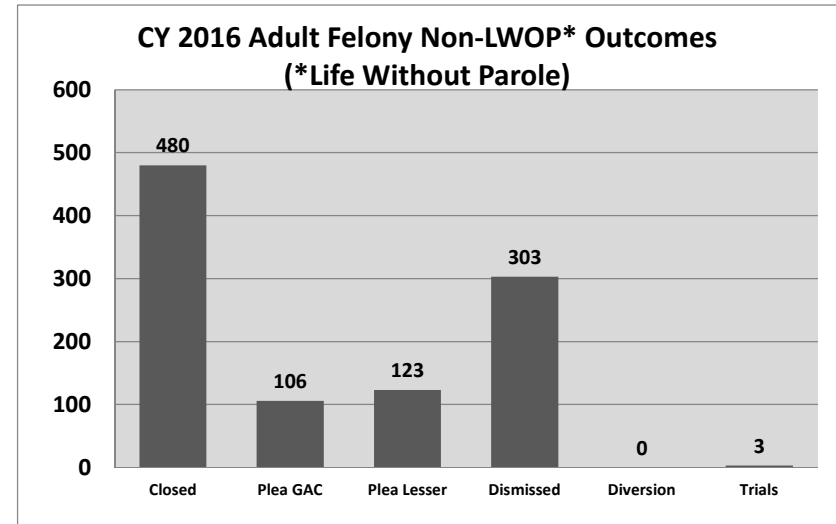
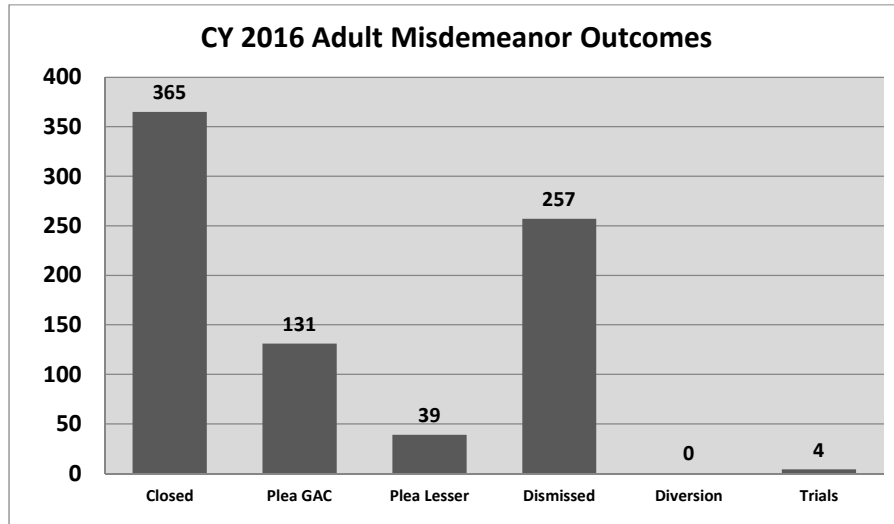


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**



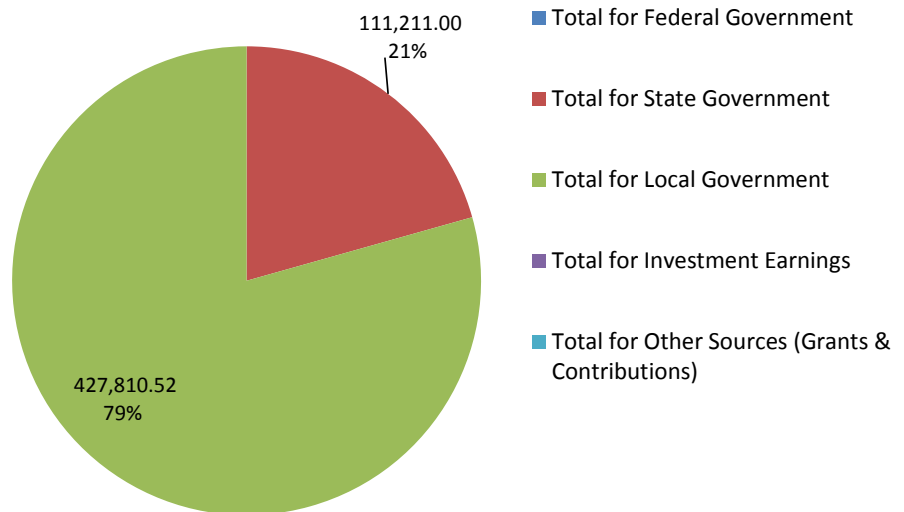


District 6 CY2016	Total CY2016
District Defender: Leroy Smith, Jr.	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	5,018.00
District Assistance Fund (DAF)	106,193.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	111,211.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	29,194.02
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	389,095.50
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	389,095.50
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	4,477.00
Partial Attorney Fees	
Reimbursements [as per 15:176]	5,009.00
Other Reimbursements	-
Other Local Income -List source(s)	35.00
Total for Charges For Services	9,521.00
Total for Local Government	427,810.52
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	539,021.52

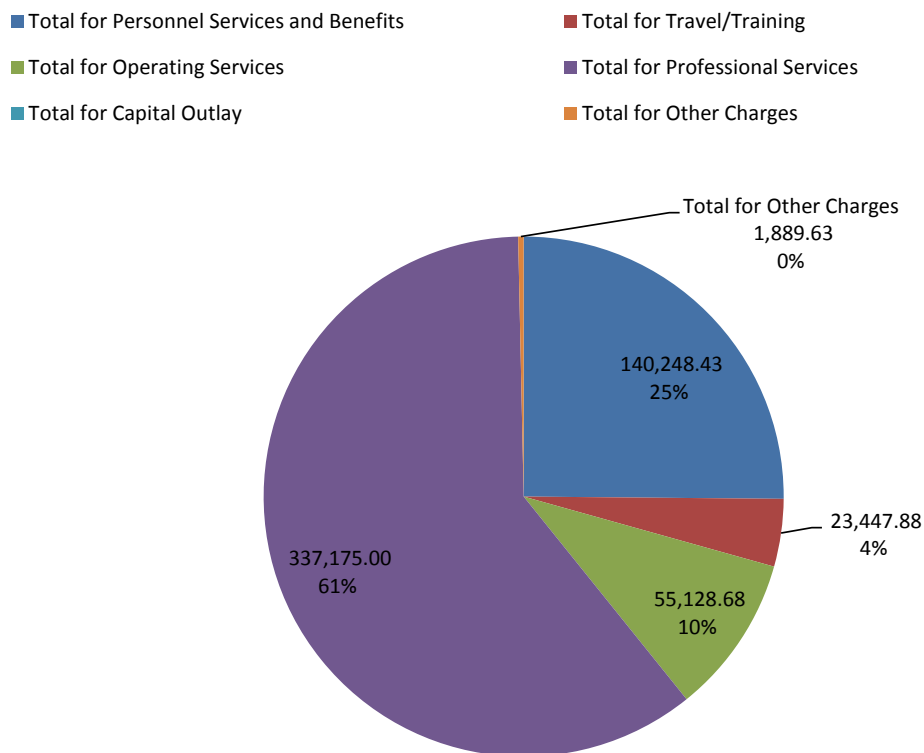
District 6 CY2016	Total CY2016
District Defender: Leroy Smith, Jr.	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	87,521.70
Accrued Leave	-
Payroll Taxes	38,618.74
Hospitalization and Disability Insurance	13,956.25
Retirement	-
Other	151.74
Total for Personnel Services and Benefits	140,248.43
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	23,447.88
Total for Travel/Training	23,447.88
Operating Services	
Advertisements	-
Workers' Compensation	1,934.32
Insurance - Malpractice	11,039.62
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	7,200.00
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	2,588.53
Office - Telephone/Utilities/Postage/Internet	7,964.19
Dues and Seminars	2,426.00
Law Library/Journals/Subscriptions	20,173.10
Office Supplies	1,802.92
Total for Operating Services	55,128.68
Professional Services	
Audit/Accounting Expense	6,865.00
Contract Clerical	-
Expert Witness	2,000.00
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	550.00
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	327,760.00
IT/Technical Support	-
Total for Professional Services	337,175.00
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	1,889.63
Total for Other Charges	1,889.63
Total for EXPENDITURES	557,889.62

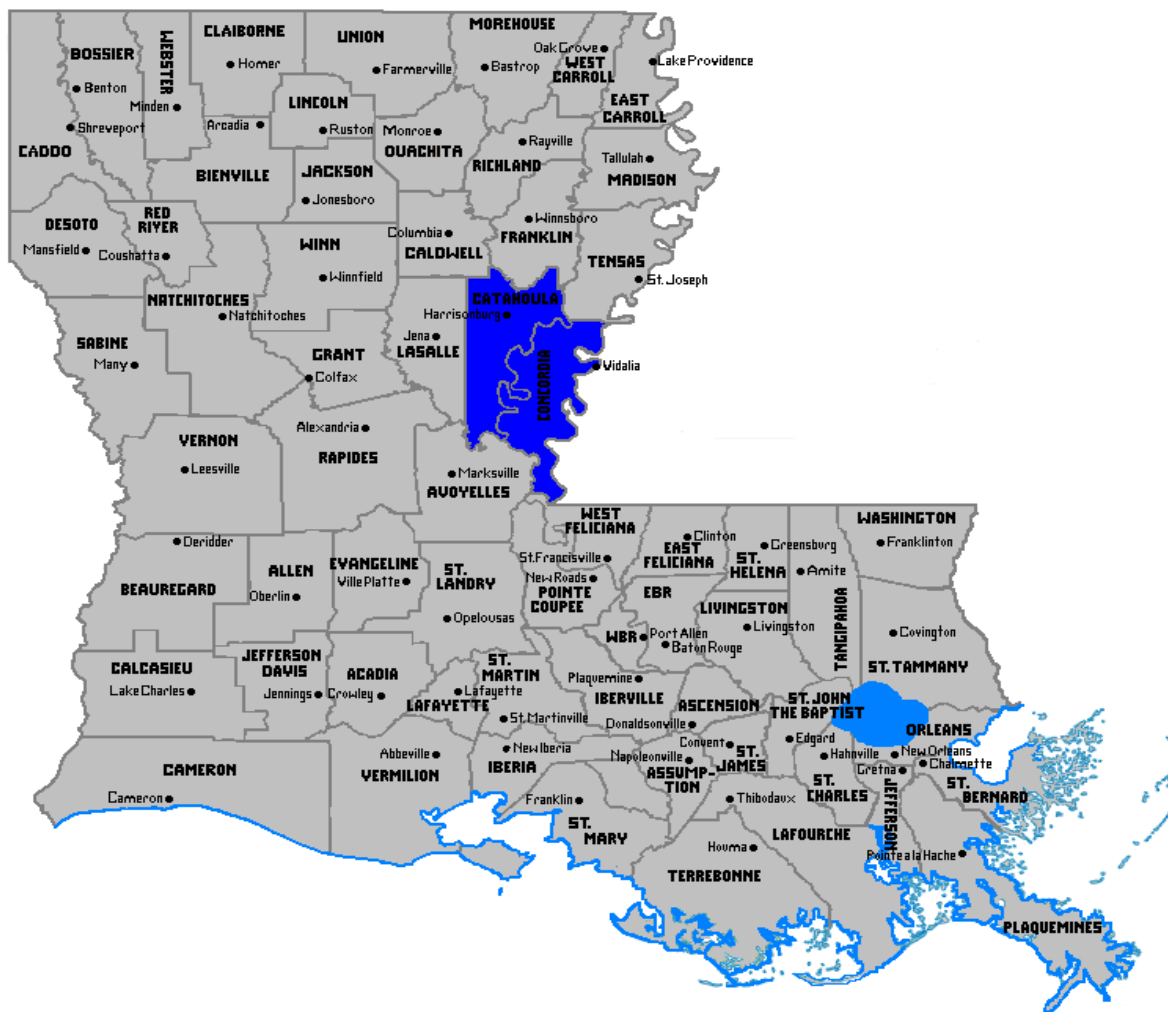
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





## THE 7<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

CATAHOULA (HARRISONBURG) - CONCORDIA (VIDALIA)

DISTRICT DEFENDER: DERRICK CARSON  
4001 CARTER STREET, ROOM 4  
VIDALIA, LA 71373  
(318) 336-7548



7TH JUDICIAL DISTRICT :  
CATAHOULA, CONCORDIA PARISHES

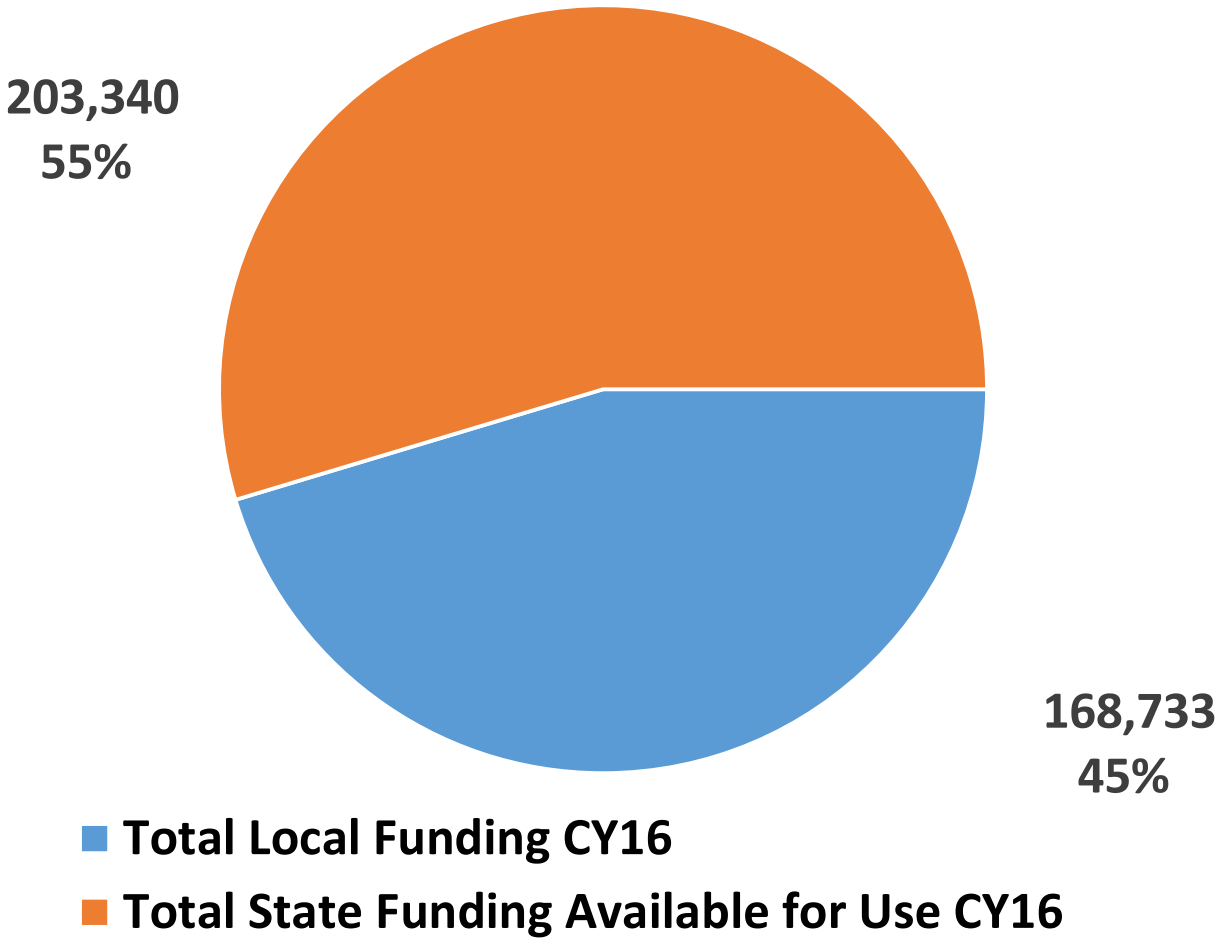
Derrick Carson  
District Defender  
4001 Carter Street, Room 4  
Vidalia, LA 71373  
318-336-7548

During Calendar Year 2016, the 7th Judicial District Public Defenders Office handled 3,345 cases. The office received \$372,073 in total revenues to handle these cases. The district is heavily reliant on supplemental state funding as only 45% of the office's funding came from traffic tickets and special court costs.

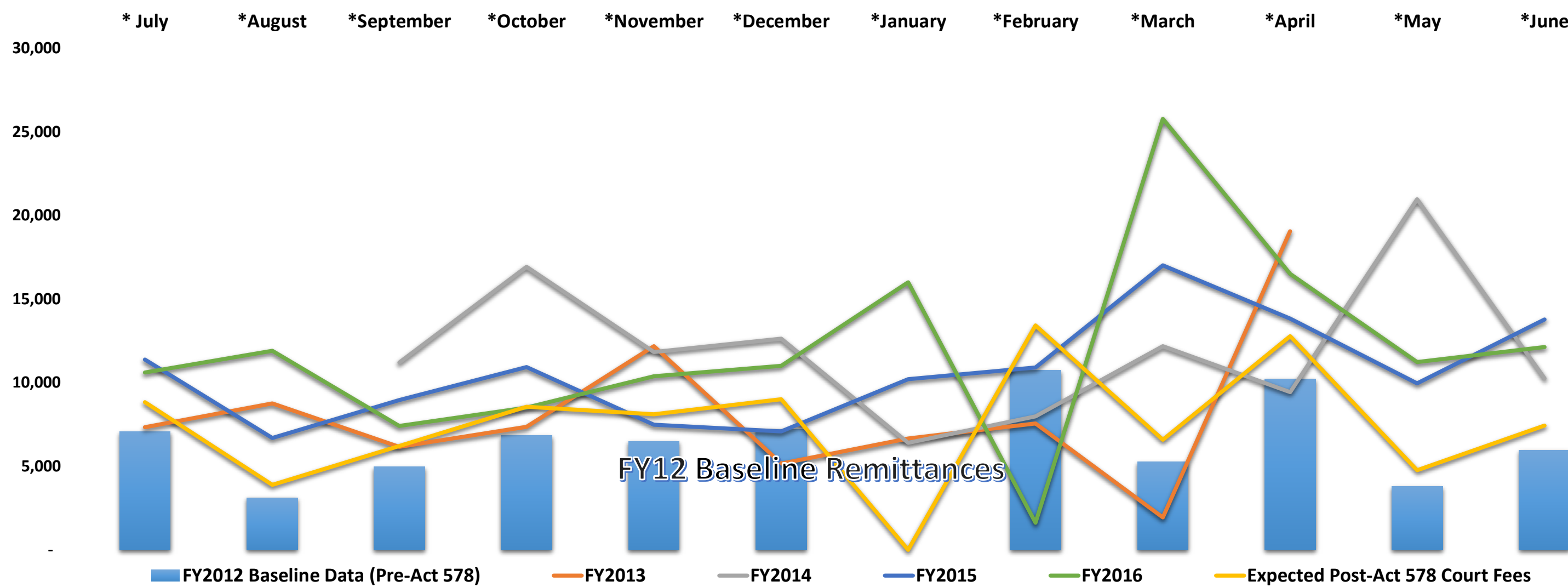
As shown in the graph below, since the inception of the \$10 increase associated with Act 578 (2012), local revenues associated with court costs have been unstable and erratic.

An increase in total revenues over the last two years has allowed the 7th Judicial District office to avoid insolvency.

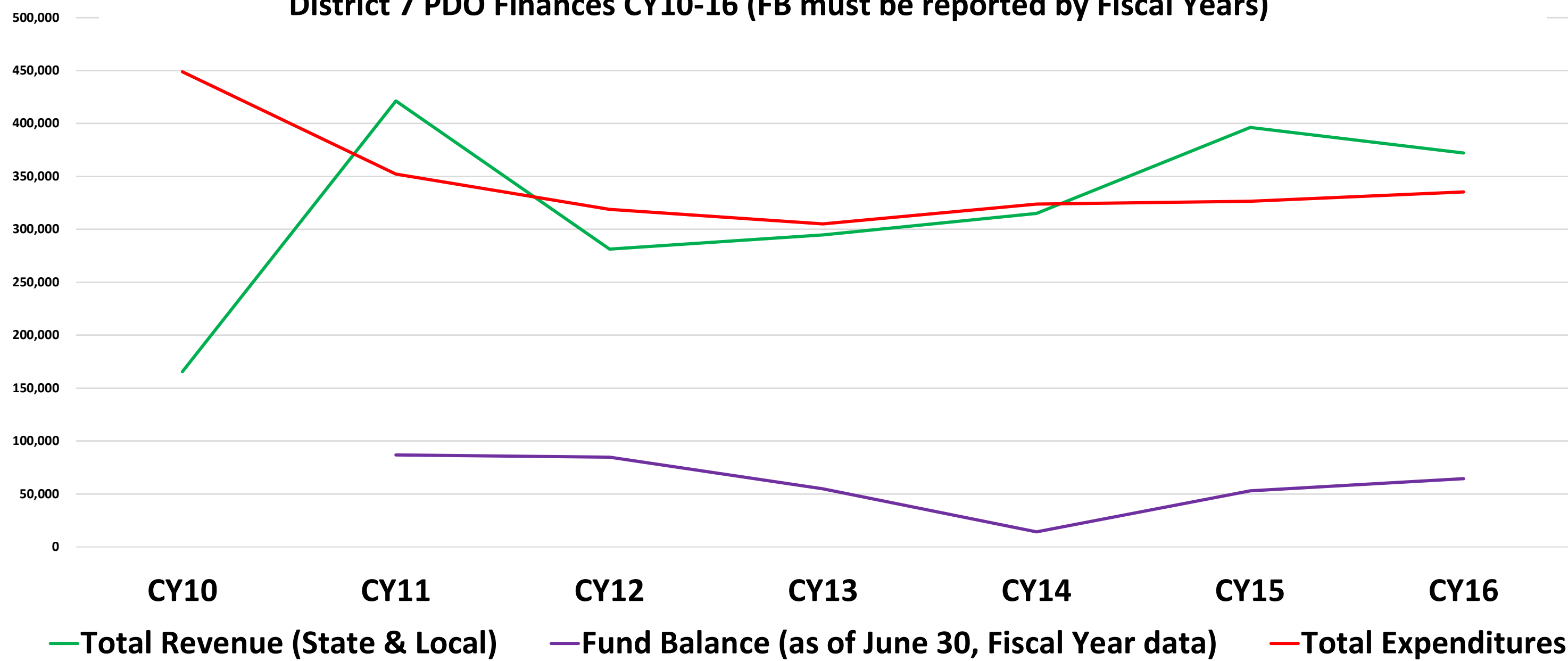
District 7 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 7 PDO

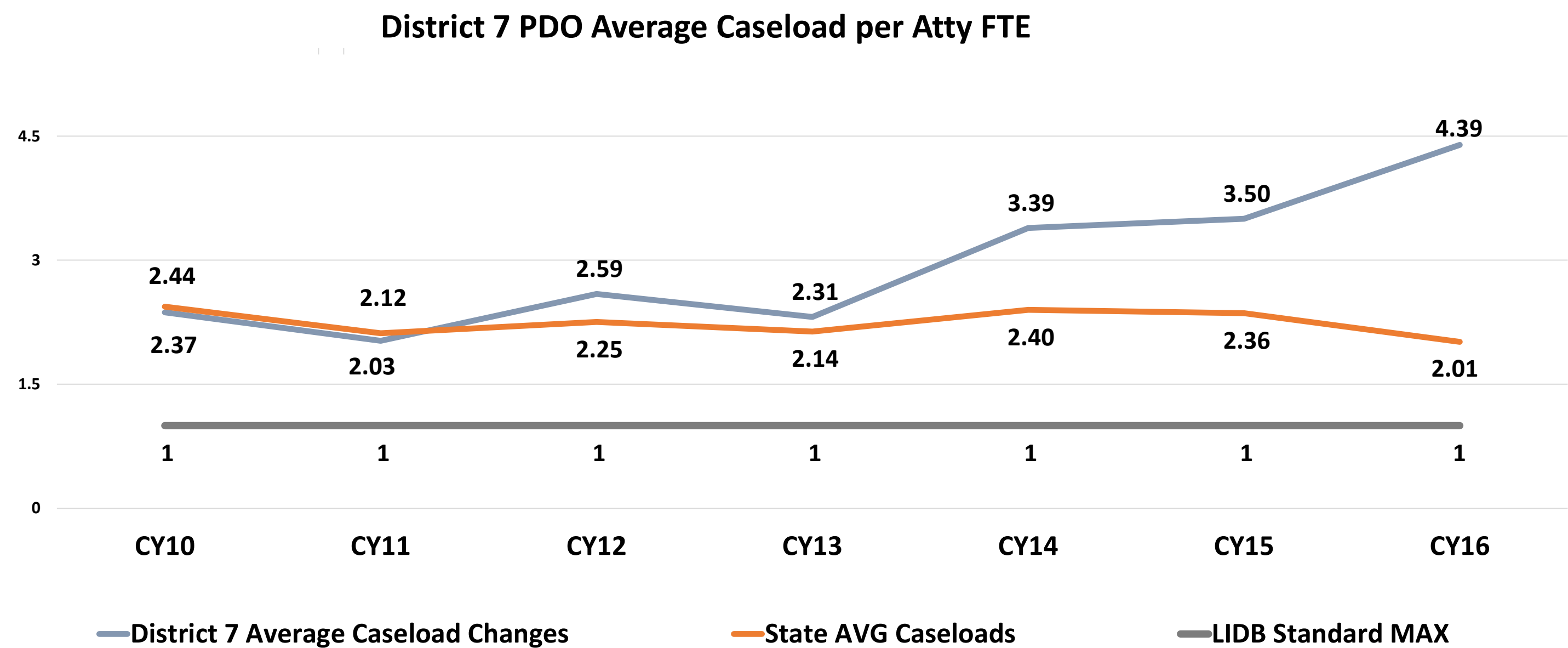


District 7 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



7TH JUDICIAL DISTRICT :  
CATAHOULA, CONCORDIA PARISHES

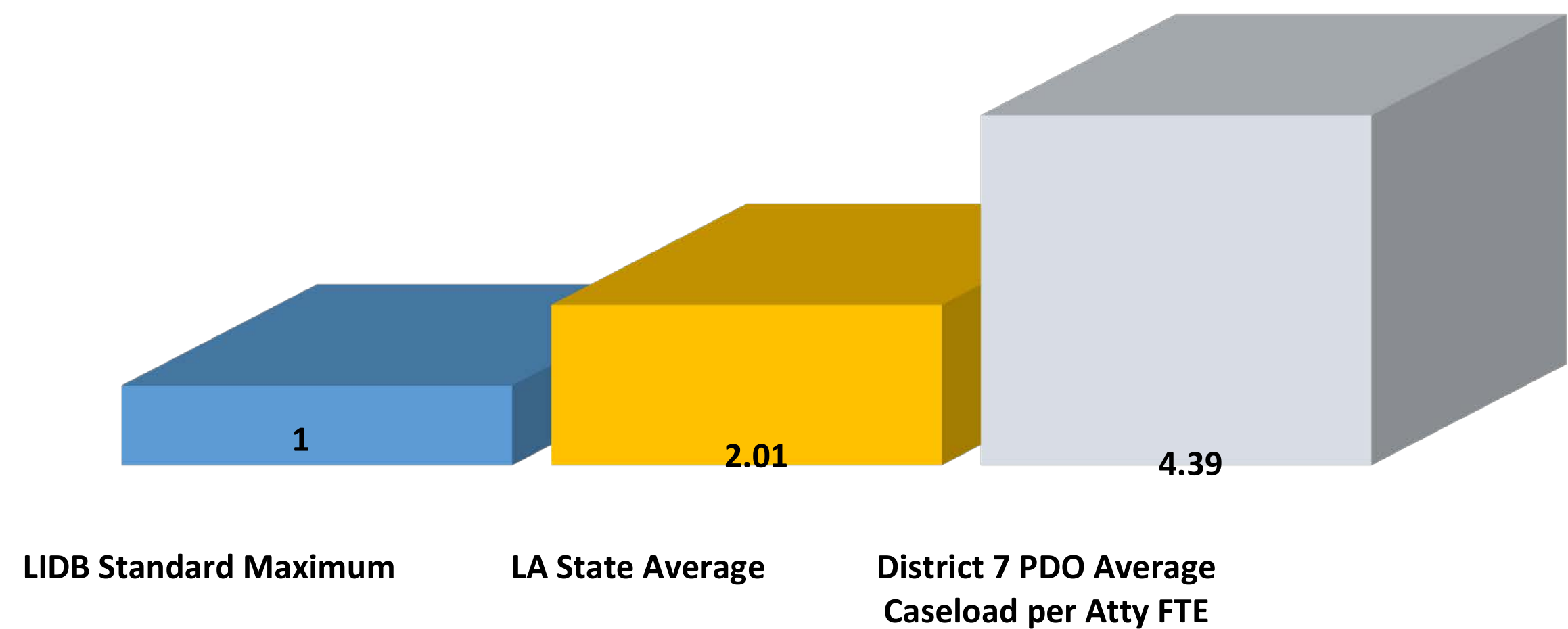
Derrick Carson  
District Defender  
4001 Carter Street, Room 4  
Vidalia, LA 71373  
318-336-7548



In the 7th Judicial District, public defense attorneys maintain caseloads almost four and a half times the recommended caseload limit for each attorney.

The 7th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, reliance on insufficient revenues has resulted in caseloads that by far exceed established caseload limits. Excessive cases limit each defender’s ability to provide effective assistance of counsel to their clients.

District 7 PDO Average Caseloads Compared to State Average & State Standard Maximums



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 7<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Concordia - Vidalia; Catahoula - Harrisonburg
<b>Population</b>	29,449
<b>District Defender</b>	Derrick Carson
<b>Years as District Defender</b>	16
<b>Years in Public Defense</b>	16
<b>Office Manager</b>	Judy Pugh
<b>Primary Office Street Address</b>	4001 Carter Street, Room 4
<b>City</b>	Vidalia
<b>ZIP</b>	71373
<b>Primary Phone</b>	318-336-7548
<b>Primary Mailing Address</b>	4001 Carter Street, Room 4, Vidalia, LA 71373
<b>Primary Fax Number</b>	318-336-2179
<b>Primary Emergency Contact</b>	Judy Pugh
<b>Primary Emergency Phone</b>	318-452-5746; 318-336-7548; 318-757-2870
<b>Secondary Emergency Contact</b>	Derrick Carson
<b>Secondary Emergency Phone</b>	318-623-0390; 318-757-0473
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Concordia Parish Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	None. Space provided by police jury.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Jeri Sue Tosspon, CPA.
<b>Courts and Locations</b>	7th Judicial District Court; Vidalia, Concordia Parish; 7th Judicial District Court, Harrisonburg, Catahoula Parish; Vidalia City Court, Vidalia, LA; (Ferriday Mayor's Court and Jonesville Mayor's Court we do not represent nor get funds from these two courts).
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Div. A, Judge Kathy Johnson, Div. B. Judge John Reeves, Vidalia City Court, Judge George Murray.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Cases are referred by the Court to PD office at magistrate hearing by form that is filled out by Clerk and to PD office. Form is received, clients are interviewed, information is reviewed and counsel assigned.
<b>Name of Adult Detention Facilities in This District</b>	Concordia Parish Correctional Facility; Catahoula Correctional Facility.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Franklin Detention Center, Winnsboro, LA, and women are held at Richland Corrections, Monroe, LA.
<b>Name of Juvenile Detention Facilities In This District</b>	None in parish.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	The district used the St. James Juvenile Detention Center until its closure had been housed at Assumption Youth Center and other facilities around the state at different times.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Inability to see clients on regular basis; budgeting travel expense; using time for travel that could be used to see local clients.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Catahoula Corrections allows access but does not try to accommodate, i.e. making investigator and attorneys wait longer periods to see clients.
<b>District Attorney</b>	Brad Burgett
<b>Chief Judge of Criminal District Court</b>	Judge Kathy Johnson
<b>Juvenile Court Judges (Specify District of City Court)</b>	Div. A, Judge Kathy Johnson, Div. B, Judge Leo Boothe.
<b>Drug Court Judges</b>	No
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	Yes. Judge George Murray, Vidalia City Court.
<b>Name of Specialty and Brief Description:</b>	Misdemeanor cases within the Vidalia city limits.
<b>Indigency Determined by Whom and How?</b>	Judge determines at magistrate hearing, refers to PDO, application filled out.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest. Both incarcerated and bonded defendants are appointed counsel at magistrate hearing or arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	Chief reviews files, discovery, reassigning counsel if necessary
<b>Brief Explanation of Intake Process</b>	Defendant appointed at Magistrate Hearing, appointment sheet filled out by clerk, sent to our office someone interviews defendant.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	2,606
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None

<b>Total Application Fee Dollars Collected in 2016</b>	3,530
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	135,137.45 collected from Parishes, 28,825.90 collected City of Vidalia
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Disbursement sheet provided by Sheriff's Office.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Disbursement sheet provided by Sheriff's Office.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Disbursement sheet provided by Sheriff's Office.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	If defendant's income is above normal range for this area and above guidelines a completed form is submitted to Judge to determine payment amount.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	If fees assessed copy of court minutes from Clerk of Court.
<b>Who Collects the Assessed Partial Payments?</b>	Judge orders to pay office. If at sentencing then Sheriff office collects with other assessed costs.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Sheriff's Office
<b>Who Remits the Partial Payments Collected?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Sheriff's Office
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	1,175

<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted, but no policy established.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Funding necessary to maintain services to clients.
<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Possible, keeping close on revenue and spending and looking for ways to decrease monthly costs
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	One
<b>Immediate Critical Issue Areas</b>	Funding to continue providing services.
<b>Long-Term Critical Issue Areas</b>	Funding & Training
<b>2016 Media Coverage and/or Major Accomplishments</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	None
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Anna Ferguson, Derrick Carson
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	No organization chart District operates under the Chief who oversees and delegates cases to the attorneys. Office Administration and Chief oversee the office.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, normally quarterly, discuss new information, get feedback
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Filed in 2016</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	1

<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Juvenile Attorney follows case.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	None
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	1
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Andy Anders, Representative
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Timely receiving information to identify potential conflicts and distance for client visitation for women housed elsewhere.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	None due to funding issues.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Robert Clark	318-336-5886
HuCheryl Walker	601-334-0862
Anna Ferguson	318-757-1700
Darrell Hickman	318-730-2403
William Yarbrough	318-715-3006
Carmen Ryland	318-331-0445
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Jimmie Darden	318-336-7548
Judy Pugh	318-336-7548
Porchia Matthews	318-336-7548
Nathan Davis	318-336-7548

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Judy Pugh
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	x
Other (please list)	
Number of Legal Research Licenses	5
Total Cost of Legal Research Software:	4,413
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	



Other (list here):	
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	
Google Chrome	x
Other	Mozilla Firefox
<b>HARDWARE:</b>	
Please enter the number of devices in your inventory.	
Television	1
DVD	
VCR	
Desktop PCs	3
Laptops	
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	2
Color Printers	1
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	
No Internet Connection	
Connection Speed:	
Provider Name:	Cableone
Email Provider:	ATT
Please list any software or computer equipment in which you need training:	

### 7th District Defender Office CY 2016 Caseloads & Outcomes

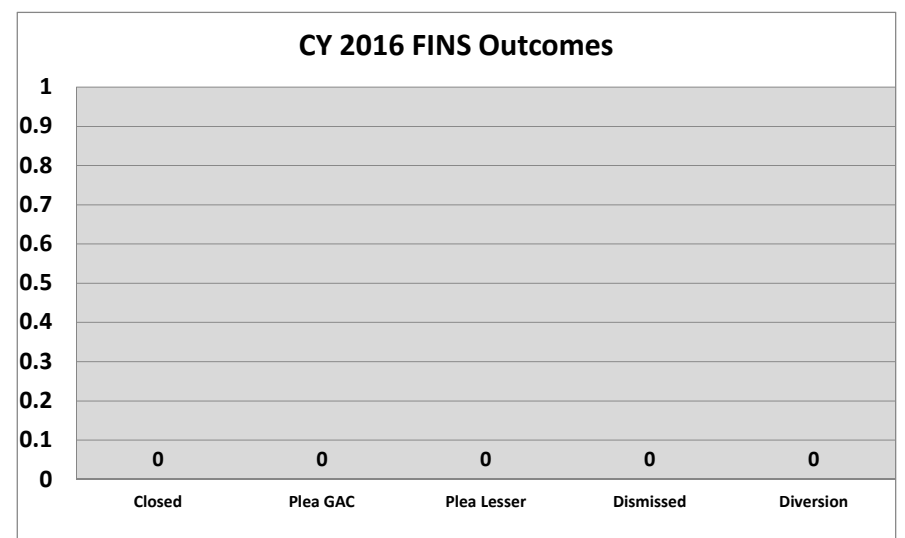
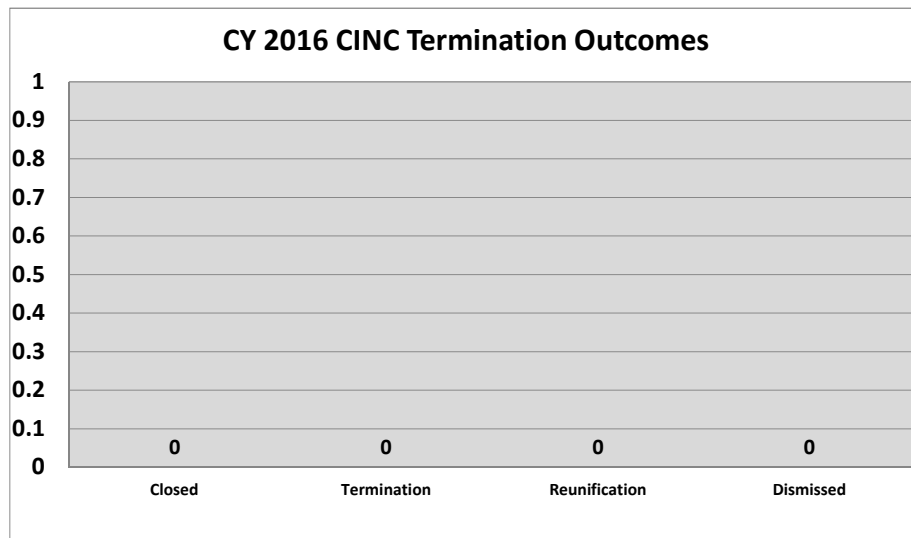
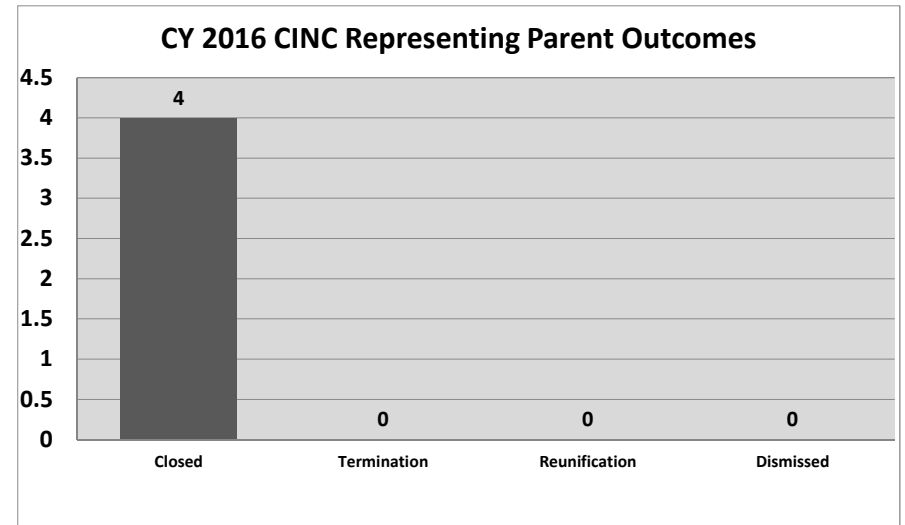
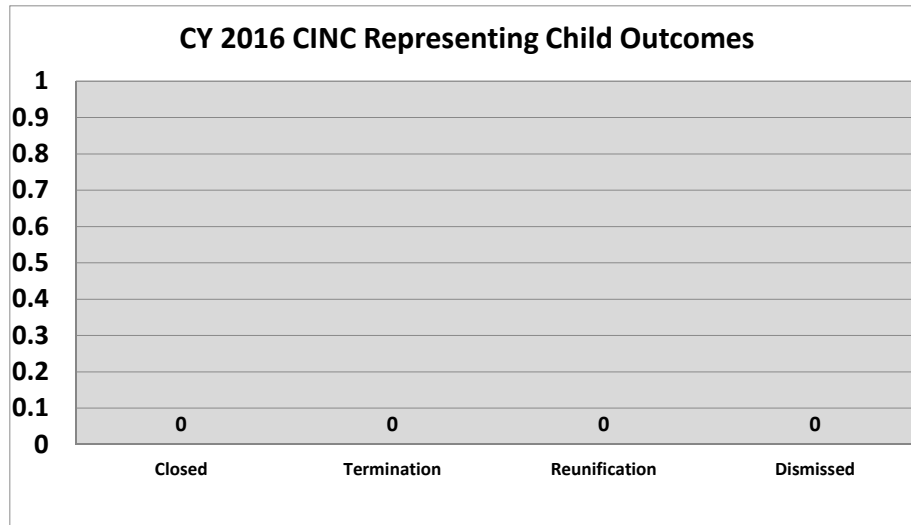
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	5	0	0	5	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	18	4	16	34	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	4	1	1	5	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	6	2	13	19	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	1	0	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	966	564	123	1089	N/A	N/A	221	12	219	0	0	0	0	0	0
Adult Felony Non-LWOP**	1526	1315	569	2095	N/A	N/A	535	32	473	0	0	1	0	0	1
Adult LWOP	1	0	0	1	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	2	0	0	2	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	87	42	7	94	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

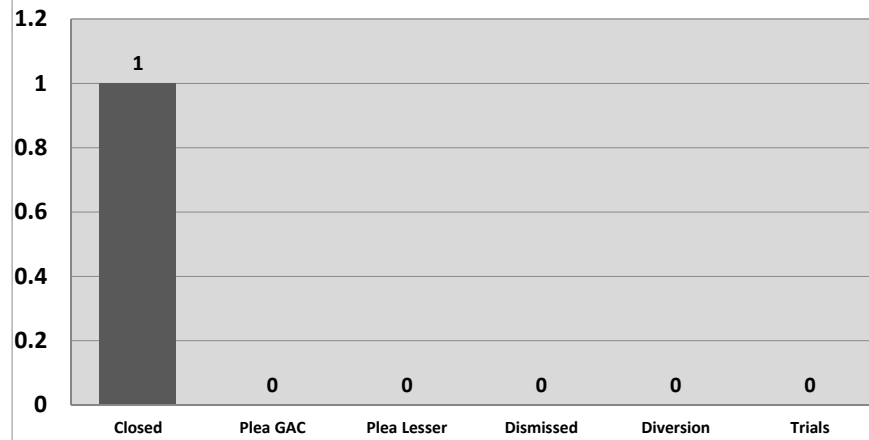
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

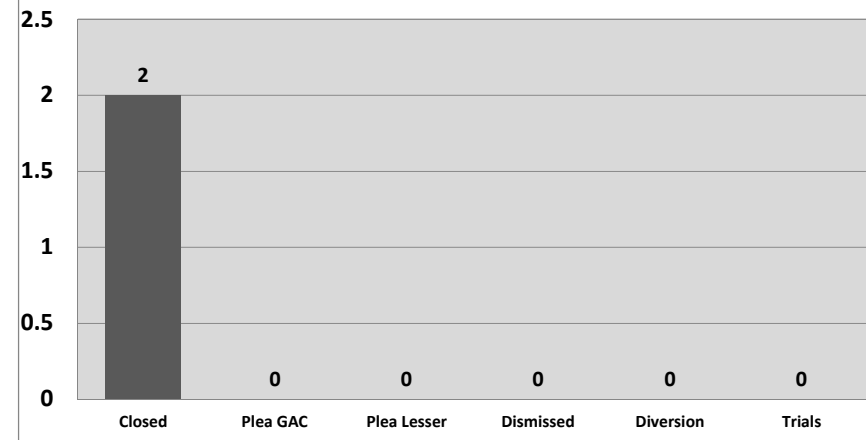
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



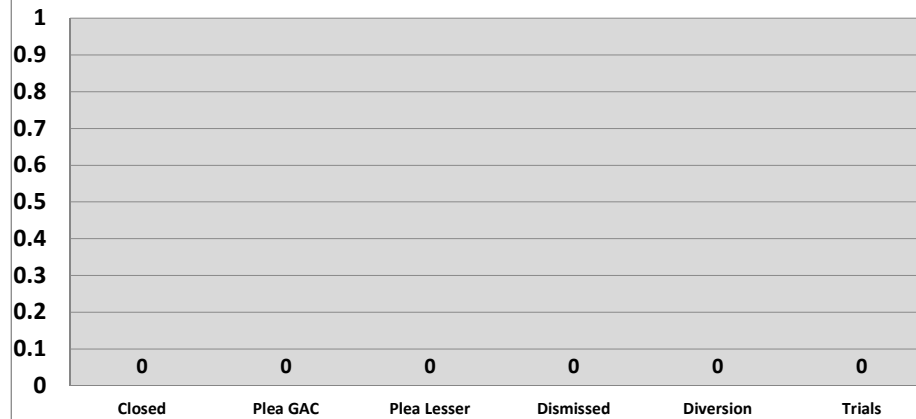
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

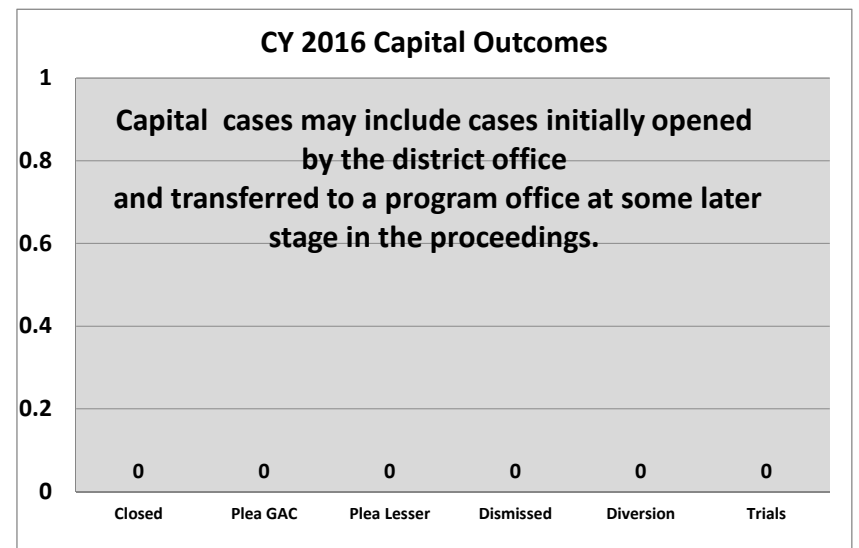
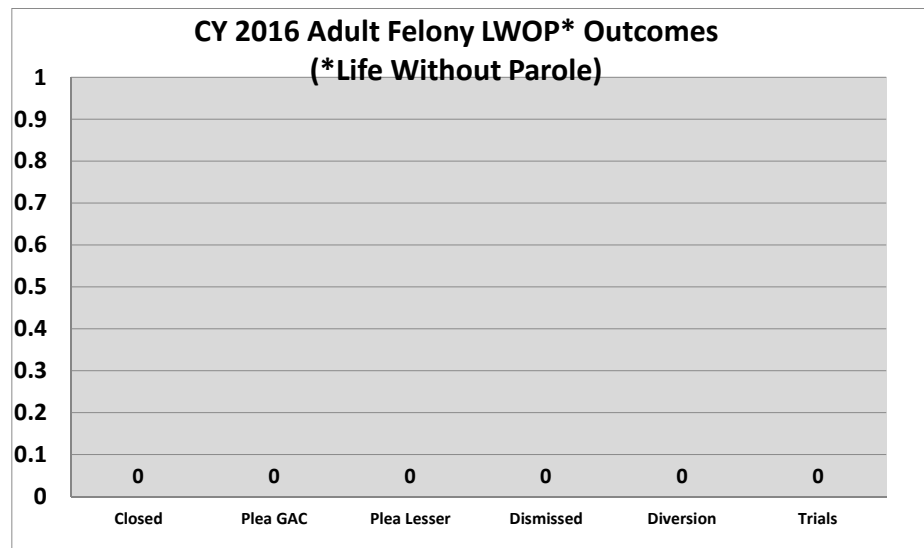
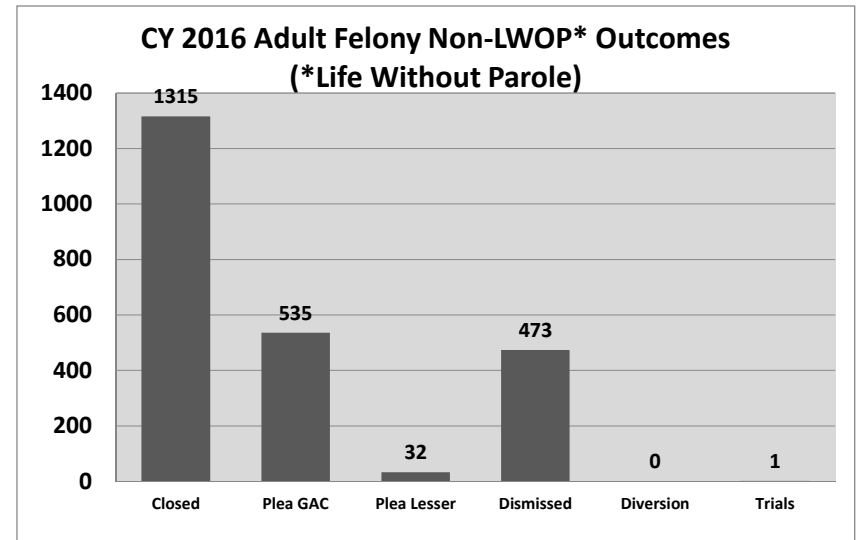
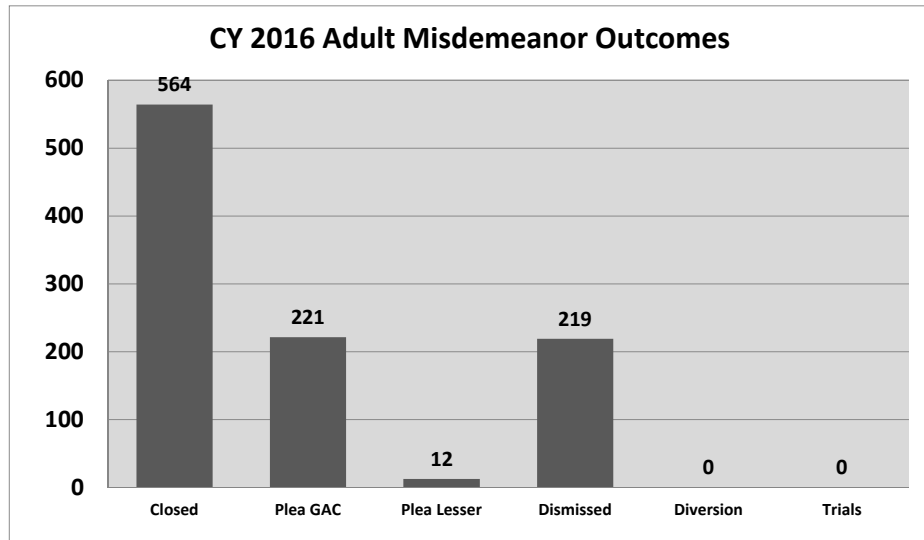


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**

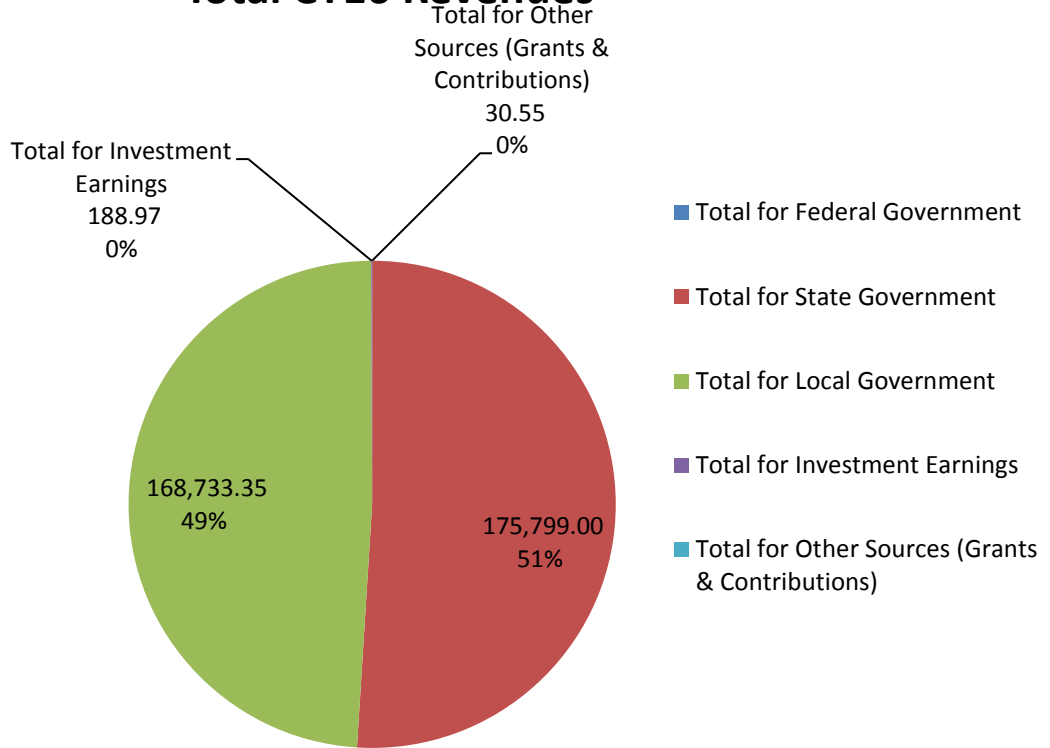




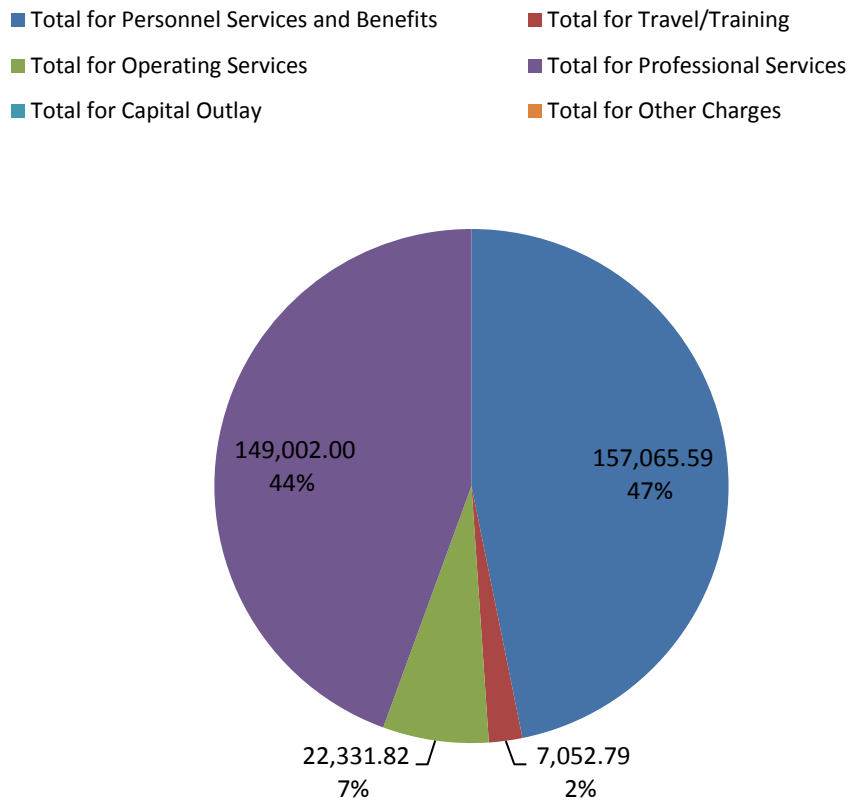
District 7 CY2016	Total CY2016
District Defender: Derrick Carson	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	4,540.00
District Assistance Fund (DAF)	171,259.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	175,799.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	2,465.43
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	795.00
City & City-Ward Courts	13,342.00
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	15,483.90
Parish Courts	41,273.17
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	22,444.09
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	69,679.76
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	163,017.92
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	3,250.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	3,250.00
Total for Local Government	168,733.35
Investment Earnings	
Interest Income	188.97
Other Investment Income - List source(s)	-
Total for Investment Earnings	188.97
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	30.55
Total for Other Sources (Grants & Contributions)	30.55
Total for REVENUE	344,751.87

District 7 CY2016	Total CY2016
District Defender: Derrick Carson	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	138,722.38
Accrued Leave	-
Payroll Taxes	2,999.52
Hospitalization and Disability Insurance	-
Retirement	15,343.69
Other	-
Total for Personnel Services and Benefits	157,065.59
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	7,052.79
Total for Travel/Training	7,052.79
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	5,008.65
Insurance - Auto/Physical Liability	-
Insurance - Other	375.00
Lease - Office	625.00
Lease - Auto/Equipment	1,682.32
Lease - Other	575.00
Office Repair and Maintenance	99.99
Office - Telephone/Utilities/Postage/Internet	5,466.33
Dues and Seminars	180.00
Law Library/Journals/Subscriptions	5,897.22
Office Supplies	2,422.31
Total for Operating Services	22,331.82
Professional Services	
Audit/Accounting Expense	11,928.75
Contract Clerical	-
Expert Witness	-
Investigators	22,810.00
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	68,867.75
Contract - Juvenile Attorneys or CINC	1,067.50
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	44,328.00
IT/Technical Support	-
Total for Professional Services	149,002.00
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
Total for EXPENDITURES	335,452.20

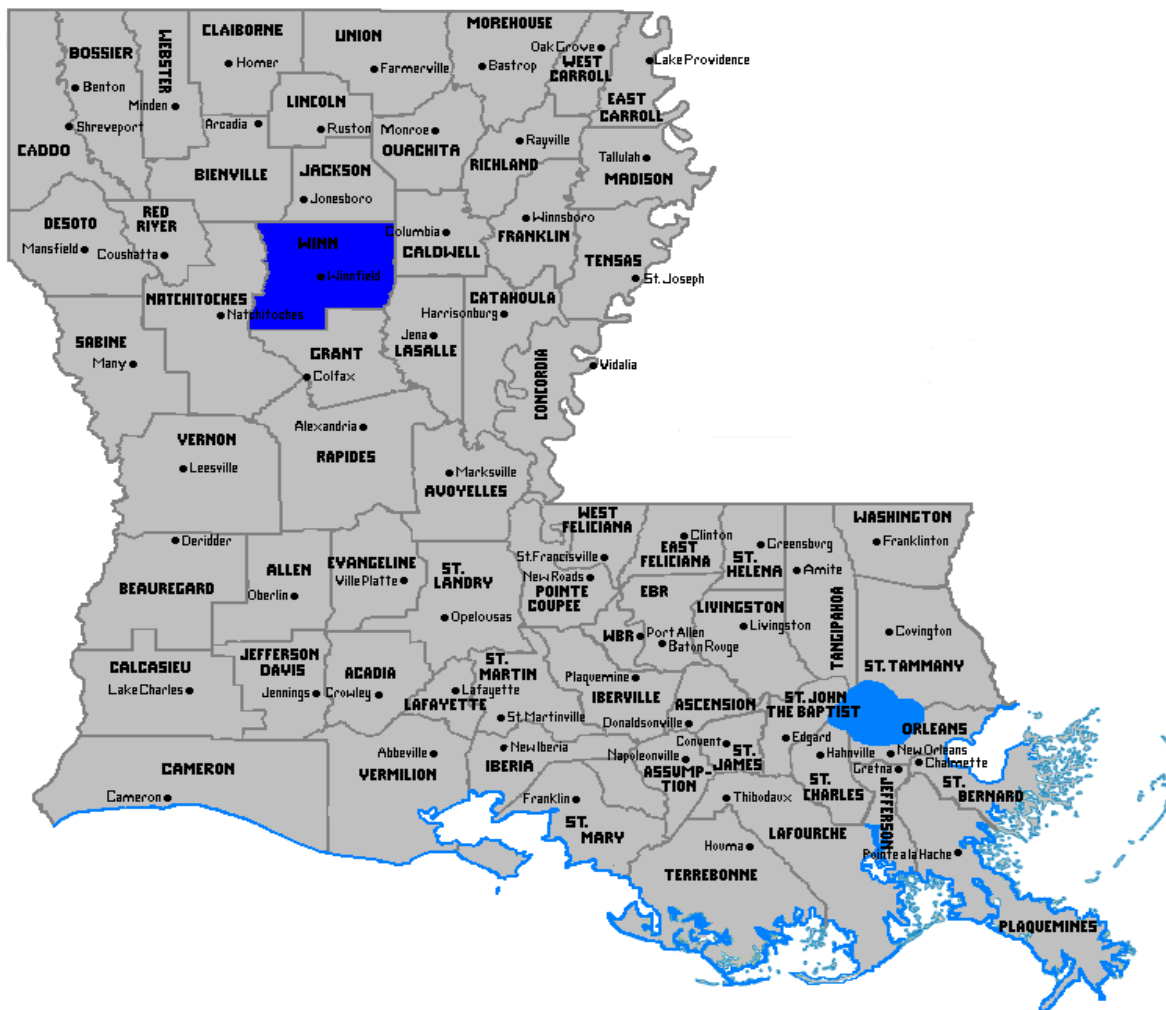
## Total CY16 Revenues



## CY16 Expenditures







THE 8<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
WINN (WINNFIELD)

DISTRICT DEFENDER: HERMAN A. CASTETE  
116 WEST MAIN STREET  
WINNFIELD, LA 71483  
(318) 628-3592

# 8TH JUDICIAL DISTRICT : WINN PARISH

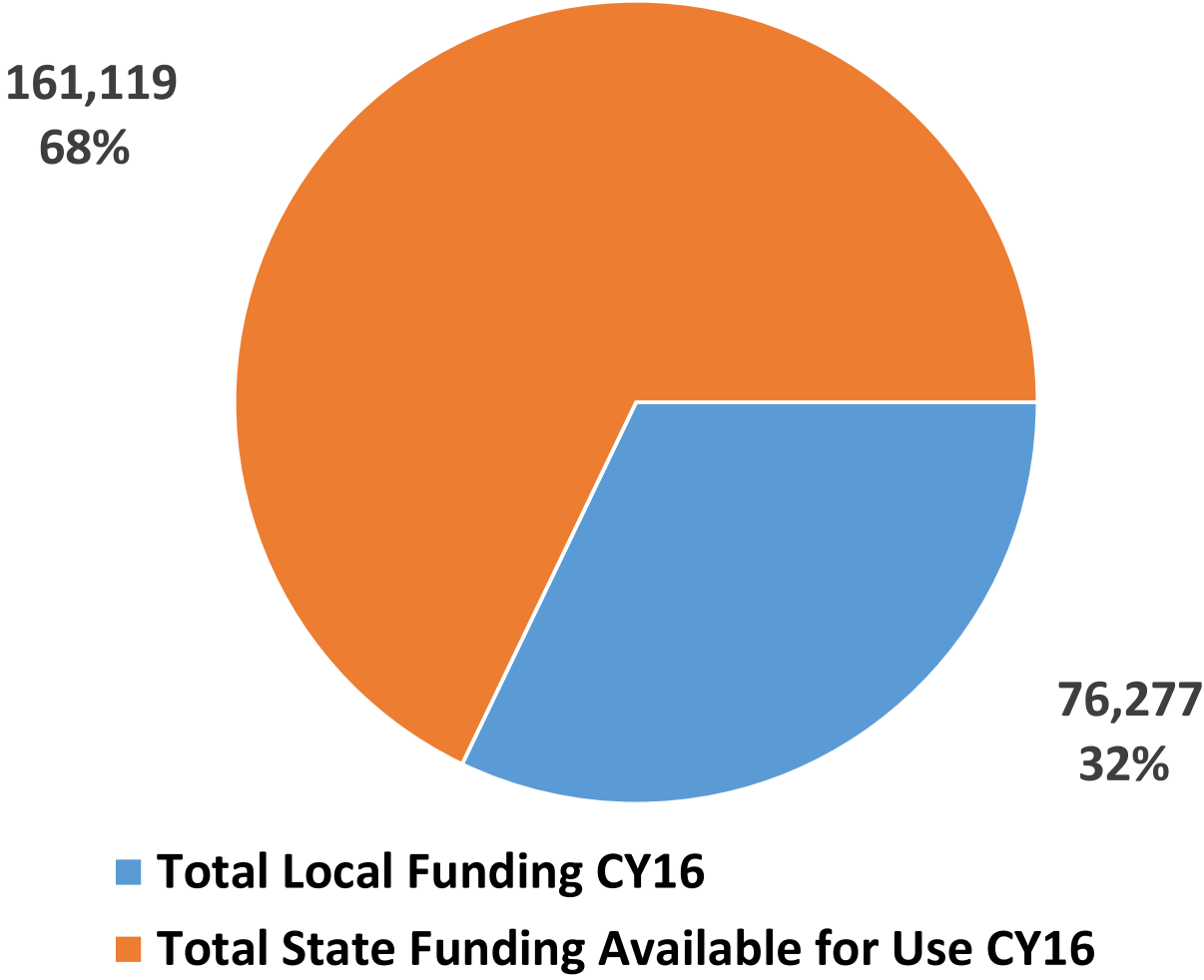
Herman A. Castete  
District Defender  
116 West Main Street  
Winnfield, LA 71483  
318-628-3592

During Calendar Year 2016, the 8th Judicial District Public Defenders Office handled 650 cases. The office received \$237,396 in total revenues to handle these cases. As local funding is largely insufficient, approximately 68% of revenues came from state funding.

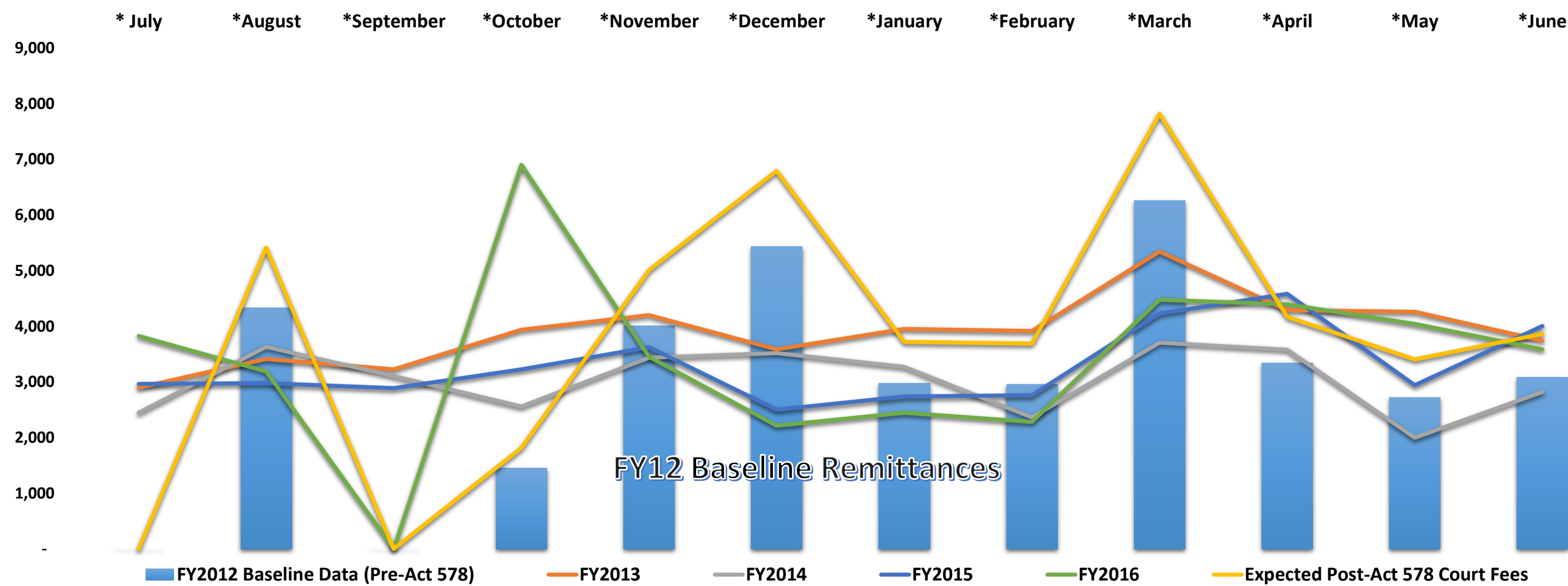
With the exception of a few months, the 8th Judicial District Office has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase to special court costs associated with Act 578 (2012).

The 8th Judicial District remains in service restriction which was implemented on April 1, 2015 due to insufficient personnel and fiscal resources.

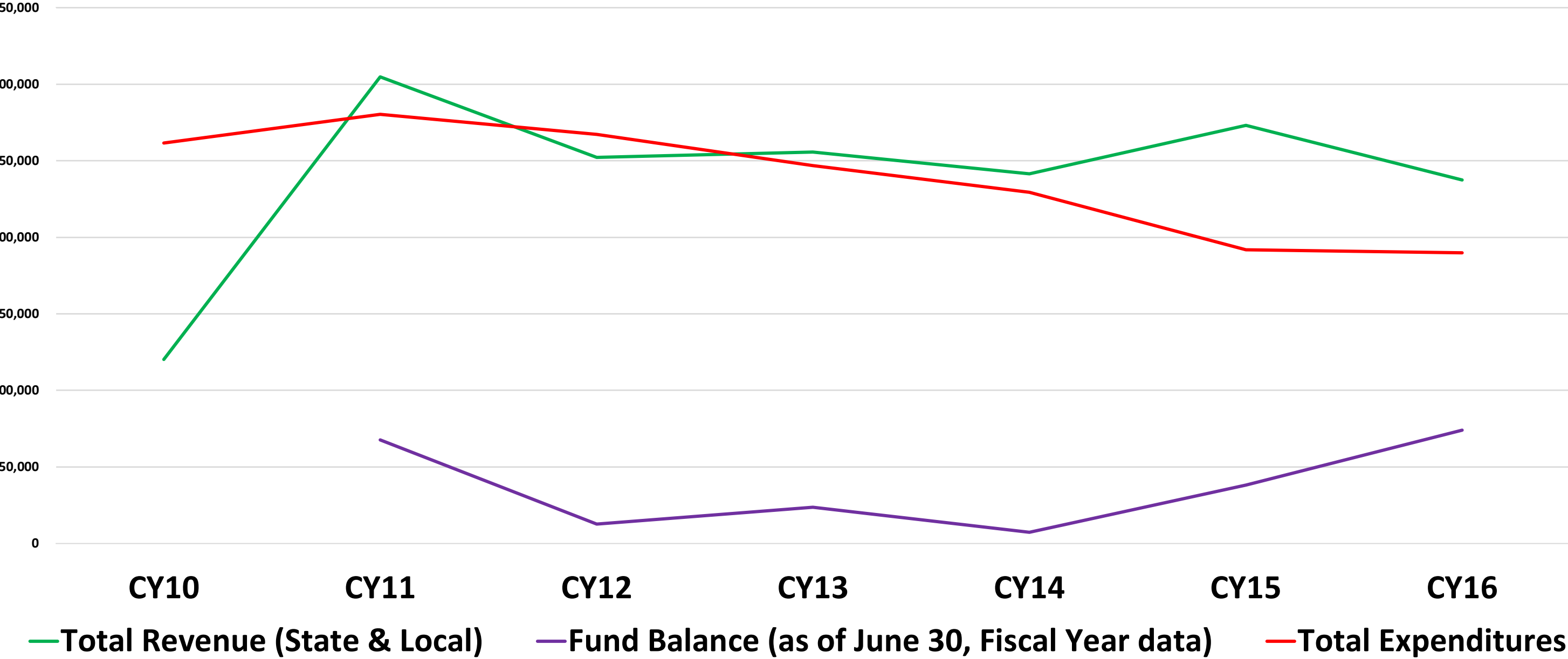
District 8 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 8 PDO

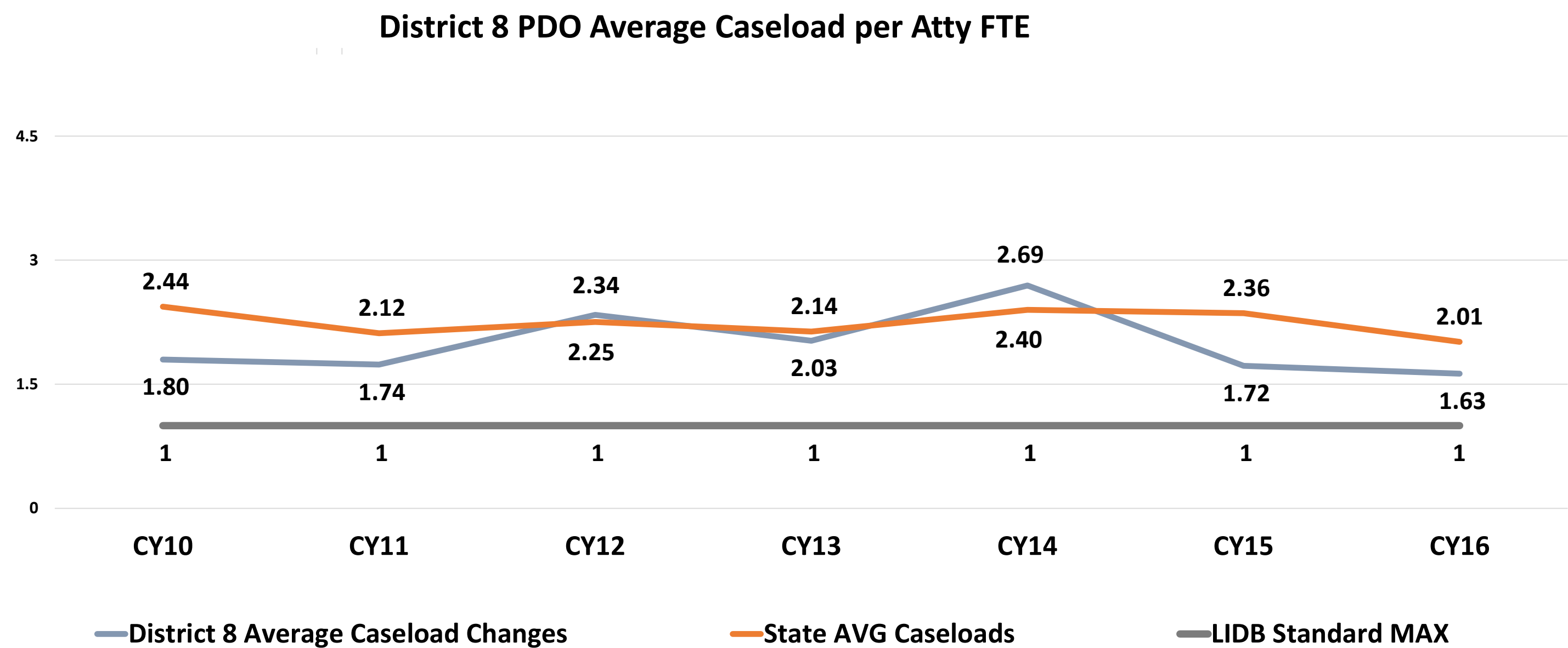


District 8 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



# 8TH JUDICIAL DISTRICT : WINN PARISH

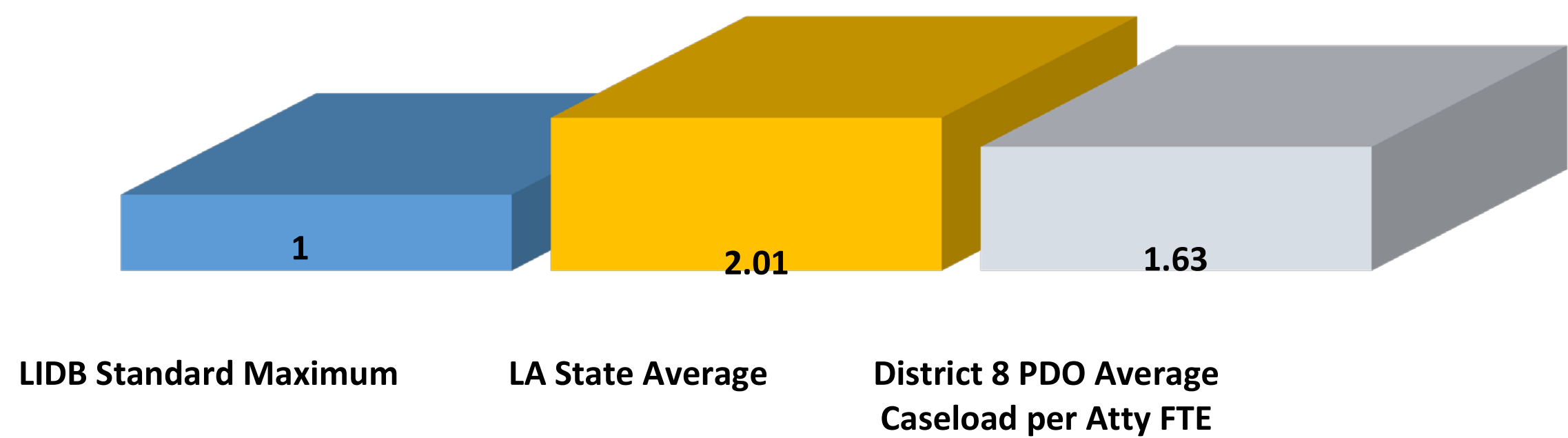
Herman A. Castete  
District Defender  
116 West Main Street  
Winnfield, LA 71483  
318-628-3592



In the 8th Judicial District, public defense attorneys maintain caseloads in excess of the recommended caseload limit for each attorney. Caseload averages do not include two felony cases received during CY16 which are currently on a waitlist.

The 8th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.

District 8 PDO Average Caseloads Compared to State Average & State Standard Maximums



## CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 8<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Winn - Winnfield
<b>Population</b>	15,313
<b>District Defender</b>	Herman A. Castete
<b>Years as District Defender</b>	16
<b>Years in Public Defense</b>	36
<b>Office Manager</b>	Herman Castete
<b>Primary Office Street Address</b>	116 West Main Street
<b>City</b>	Winnfield
<b>ZIP</b>	71483
<b>Primary Phone</b>	318-628-3592
<b>Primary Mailing Address</b>	Post Office Box 428, Winnfield, LA 71483
<b>Primary Fax Number</b>	318-628-5080
<b>Primary Emergency Contact</b>	Herman Castete
<b>Primary Emergency Phone</b>	318-628-3592
<b>Secondary Emergency Contact</b>	Deborah C. Castete
<b>Secondary Emergency Phone</b>	318-805-4525
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Lasyone Rentals, Lasyone Building, Winnfield, LA
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,600
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	8th Judicial District Court, Winnfield, LA 71483
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	One
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Counsel assigned temporarily at 72 hours hearing and normally permanently assigned at arraignment. Felony cases are assigned to the felony attorney and misdemeanors to the misdemeanor attorney except in conflict situations in which both may be appointed as needed as well as a contracted conflict attorney.
<b>Name of Adult Detention Facilities in This District</b>	Winn Parish Jail, Winnfield, LA; Winnfield City Jail, Winnfield, LA

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Jackson Parish Detention Center, Jonesboro, LA; Caldwell Detention Center, Columbia, LA; Concordia Detention Center, Ferriday, LA
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Detention Center, Coushatta, LA.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Juveniles are not routinely shackled. The Court's policy is that shackles be used only if they are a flight risk or considered a danger to others.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Christopher Nevils
<b>Chief Judge of Criminal District Court</b>	Jacque D. Derr (1/1/09)
<b>Juvenile Court Judges (Specify District of City Court)</b>	Jacque D. Derr, District Judge
<b>Drug Court Judges</b>	None
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Public Defender in court at the time of arraignment.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest. Incarcerated defendant - counsel appointed within 72 hours of arrest; bonded defendant - at arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	We have the district defender, misdemeanor attorney, and conflict attorney. Our data base reflects how cases are assigned. If there are more than 4 co-defendants the Judge is asked to appoint counsel to represent any additional defendants.
<b>Brief Explanation of Intake Process</b>	Investigator usually does initial interview and reports to Chief Defender who then assigns counsel.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes.
<b>How Many Applications for Services Were Received?</b>	403
<b>How Many Application Fees Were Waived?</b>	131
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	2,110
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	40,809

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	No. If a defendant goes to jail no fee is assessed. If the defendant is convicted and is not incarcerated the fee is assessed.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Itemized listing submitted with payment from WPSO.
<b>Who Collects the Assessed Court Fees?</b>	WPSO
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Itemized listing submitted with payment from WPSO.
<b>Who Remits the Court Fees Collected?</b>	WPSO
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Itemized listing submitted with payment from WPSO.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	0
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Determined by Public Defender and Judge.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Copy of sentencing document furnished at time Defendant is sentenced.
<b>Who Collects the Assessed Partial Payments?</b>	Public Defender's Office (Vicky Keiffer, John Wooten, Deborah Castete)
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Copy of receipt for payment from database; office receipt book; original money order.
<b>Who Remits the Partial Payments Collected?</b>	Clients remit to Public Defender Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Copy of receipt for payment from database; office receipt book; original money order.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	14,040
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	All attorneys are contract and therefore can maintain a private practice.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes

<b>Primary Immediate Needs</b>	We are in restriction of services because we don't have funding to pay the lawyers we need to represent all entitled defendants. Our district needs funding for 4 lawyers in order to meet the needs of indigent defendants.
<b>Was your office in ROS at any time during 2016</b>	Still in ROS
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	We will remain in ROS. No terminations pending.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Staff will remain as reported in compensation report if revenue supports their salaries.
<b>Immediate Critical Issue Areas</b>	DAF Funding
<b>Long-Term Critical Issue Areas</b>	DAF Funding
<b>2016 Media Coverage and/or Major Accomplishments</b>	Yes, for lack of service provided to indigent defendants.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. Case by case review, analysis and preparation until attorney is ready for solo.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Herman Castete
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District Defender personally oversees the operation of the office. Attorneys are assigned cases and their progress is supervised as required. Non-attorney personnel have specific task assignments which are supervised by the District Defender.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Taking CINC cases as long as CINC funding lasts.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No.
<b>Regular Meetings for Any Staff, Please Describe</b>	State Board Meetings when not in conflict with Court Docket; Office Staff Meetings monthly.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Filed in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	1

[illegible]



## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.

**Survey Completer's Name**

Herman Castete

**Legal Research Tools Used:**

Lexis Nexis

No

Westlaw

No

Other (please list)

No

Number of Legal Research Licenses

0

Total Cost of Legal Research Software:

0

**SOFTWARE:**

Mark an X in all that apply

**Operating Systems Used:**

Windows 10

x

Windows 8

x

Windows 7

Windows Vista

Windows Server 2000/2003/2008

Windows XP

Mac OSX

**Case Management System(s): Check all that apply**

defenderData (LPDB statewide system)

x

Other System (please name)

**Productivity Suites Used:**

Microsoft Office 2016 (Word, Excel, etc.)

Microsoft Office 2013

Microsoft Office 2010

x

Microsoft Office 2007

x

Microsoft Office 2003

Previous Microsoft Office version

Corel Word Perfect

x

Other

**Accounting Software**

QuickBooks

Quicken

x

Intuit

Other (list here):

<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	
Internet Explorer 10	x
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b>HARDWARE:</b>	
Please enter the number of devices in your inventory.	
Television	
DVD	
VCR	0
Desktop PCs	5
Laptops	2
Video Cameras	0
Digital Cameras	0
Video Conferencing Systems	0
B&W Laser Printers	
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	0
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	Sudden Link
Email Provider:	
Please list any software or computer equipment in which you need training:	
Quickbooks, Westlaw	

### 8th District Defender Office CY 2016 Caseloads & Outcomes

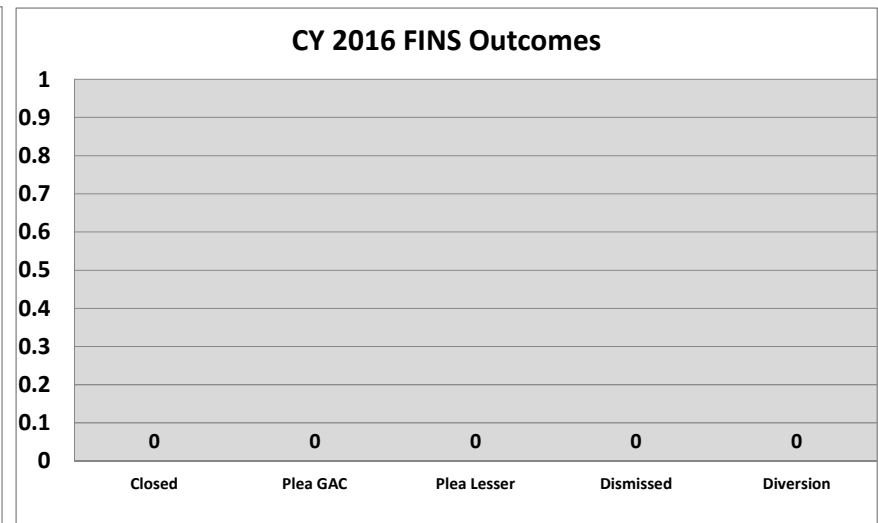
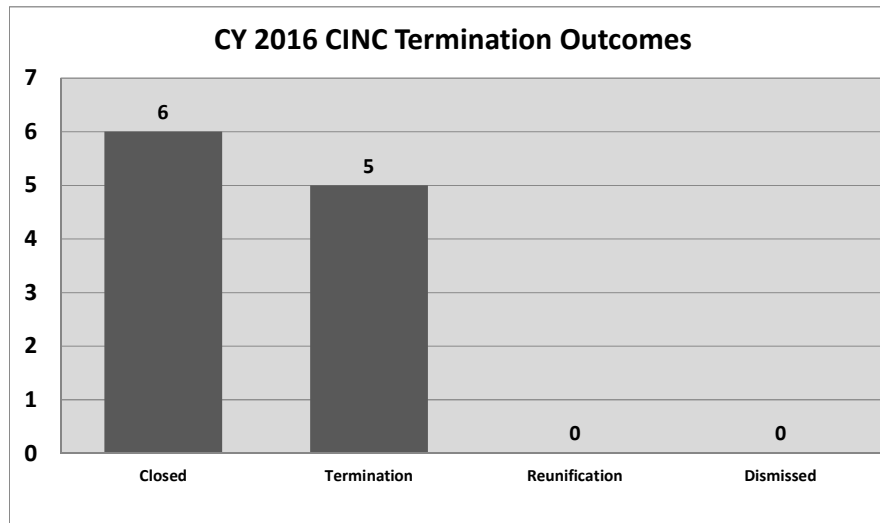
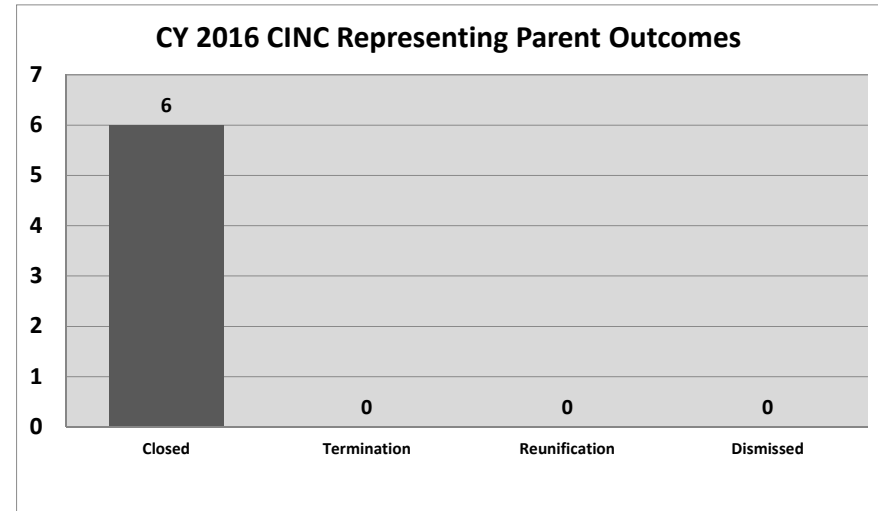
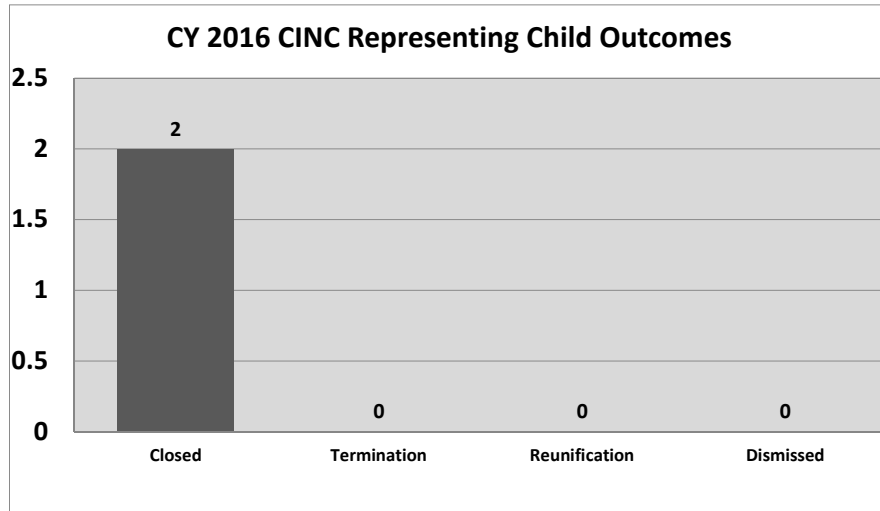
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	8	2	19	27	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	15	6	12	27	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	6	16	16	5	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	13	7	6	19	N/A	N/A	0	2	5	1	N/A	N/A	0	0	0
Delinquency Felony	1	1	2	3	N/A	N/A	0	0	3	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	76	85	47	123	N/A	N/A	36	11	82	0	0	0	0	0	0
Adult Felony Non-LWOP**	284	235	127	411	N/A	N/A	86	50	292	0	0	4	0	1	5
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	7	15	17	24	N/A	N/A	1	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

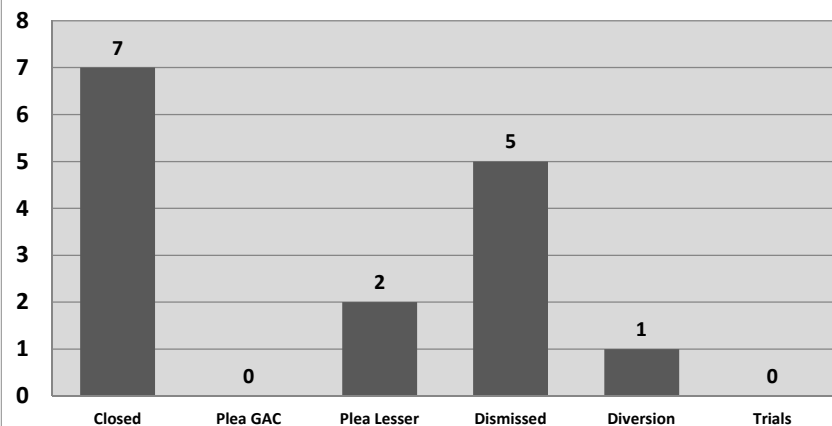
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

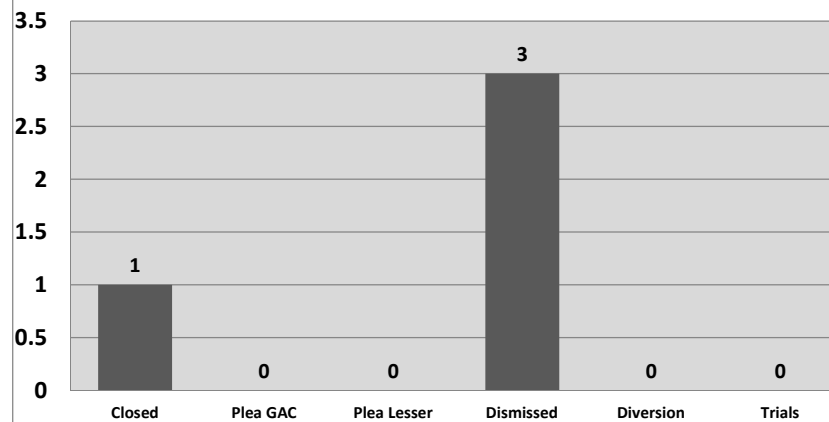
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



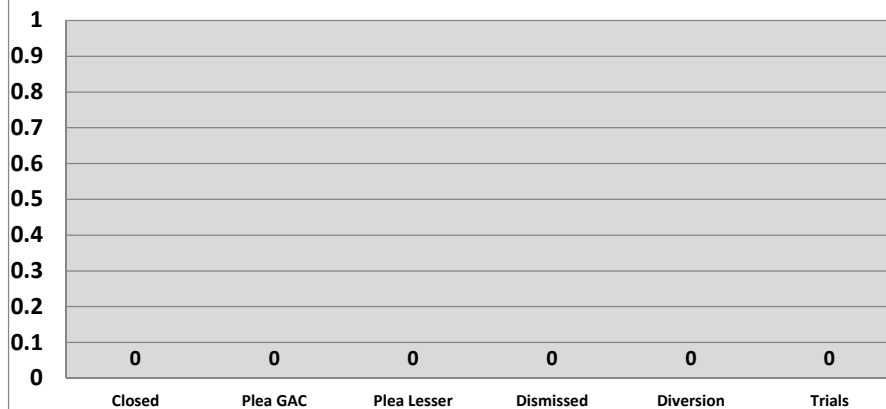
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



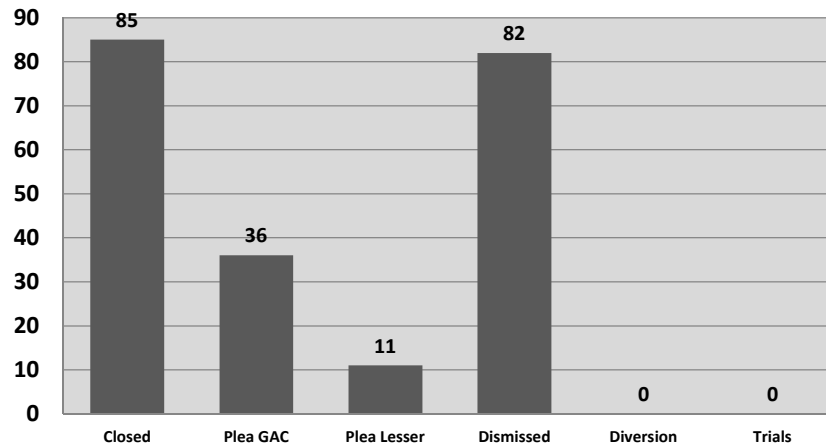
**CY 2016 Delinquency Felony-Grade Outcomes**



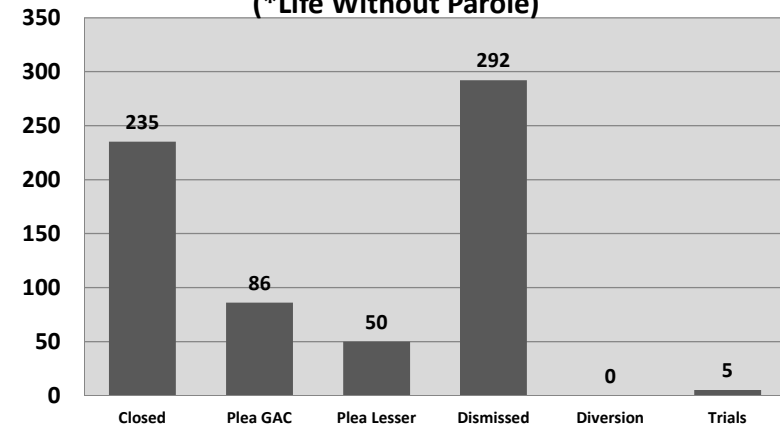
**CY 2016 Delinquency Life Outcomes**



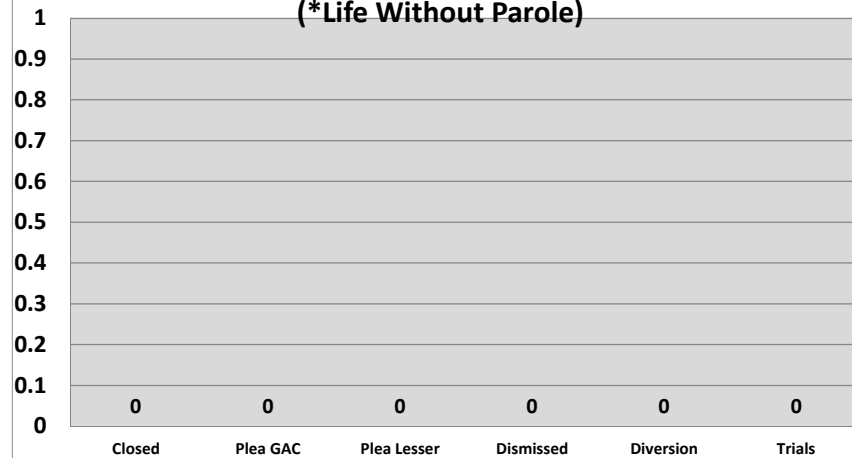
**CY 2016 Adult Misdemeanor Outcomes**



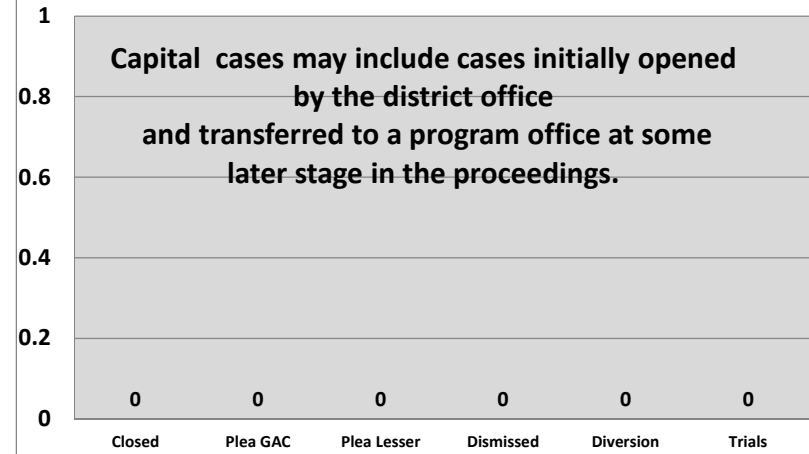
**CY 2016 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Capital Outcomes**



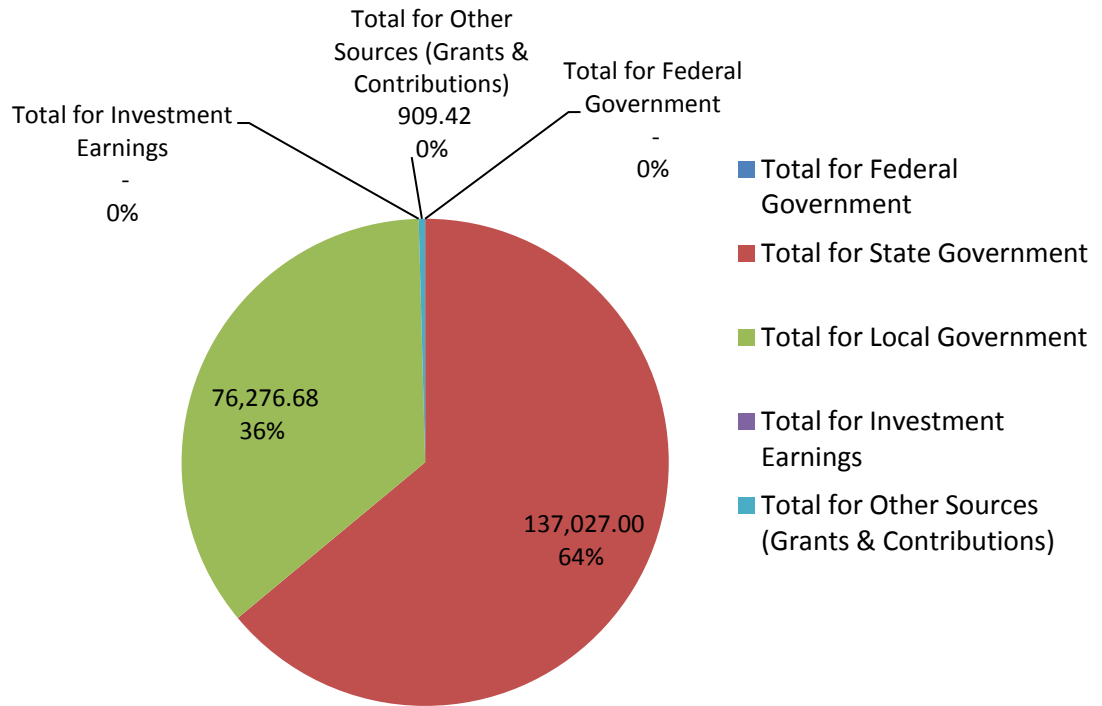
District 8 CY2016	Total CY2016
District Defender: Herman A. Castete	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	4,062.00
District Assistance Fund (DAF)	117,965.00
Supplemental/Emergency Funds	15,000.00
Grants	-
Other State Income -List source(s)	-
Total for State Government	137,027.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	14,594.63
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	580.00
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	45,155.00
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	45,155.00
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	2,430.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	13,516.00
Other Reimbursements	1.05
Other Local Income -List source(s)	-
Total for Charges For Services	15,947.05
Total for Local Government	76,276.68
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	-
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	909.42
Total for Other Sources (Grants & Contributions)	909.42
Total for REVENUE	214,213.10

District 8 CY2016	Total CY2016
District Defender: Herman A. Castete	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	28,116.52
Accrued Leave	-
Payroll Taxes	3,049.10
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	31,165.62
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	1,991.18
Total for Travel/Training	1,991.18
Operating Services	
Advertisements	-
Workers' Compensation	967.00
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	1,385.10
Lease - Office	7,200.00
Lease - Auto/Equipment	1,805.97
Lease - Other	-
Office Repair and Maintenance	2,854.93
Office - Telephone/Utilities/Postage/Internet	6,935.56
Dues and Seminars	605.00
Law Library/Journals/Subscriptions	3,288.15
Office Supplies	1,664.81
Total for Operating Services	26,706.52
Professional Services	
Audit/Accounting Expense	3,022.00
Contract Clerical	-
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	400.00
Contract - Juvenile Attorneys or CINC	2,122.23
Misdemeanor Attorney Contracts	7,200.00
Contract Attorneys - all other	116,800.00
IT/Technical Support	344.62
Total for Professional Services	129,888.85
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	124.00
Total for Other Charges	124.00
Total for EXPENDITURES	189,876.17

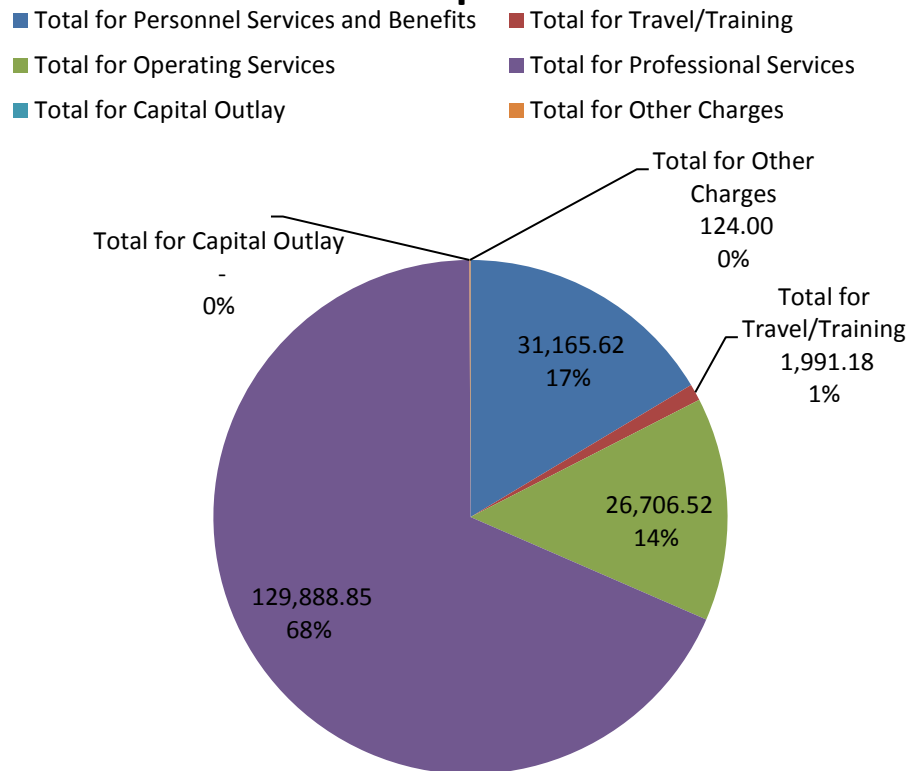
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.



## Total CY16 Revenues



## CY16 Expenditures





THE 9<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDER'S OFFICE  
RAPIDES (ALEXANDRIA)

DISTRICT DEFENDER: DEIRDRE FULLER, EFFECTIVE 5/16/16  
620 MURRAY STREET  
ALEXANDRIA, LA 71301  
(318) 443-7082

# 9TH JUDICIAL DISTRICT : RAPIDES PARISH

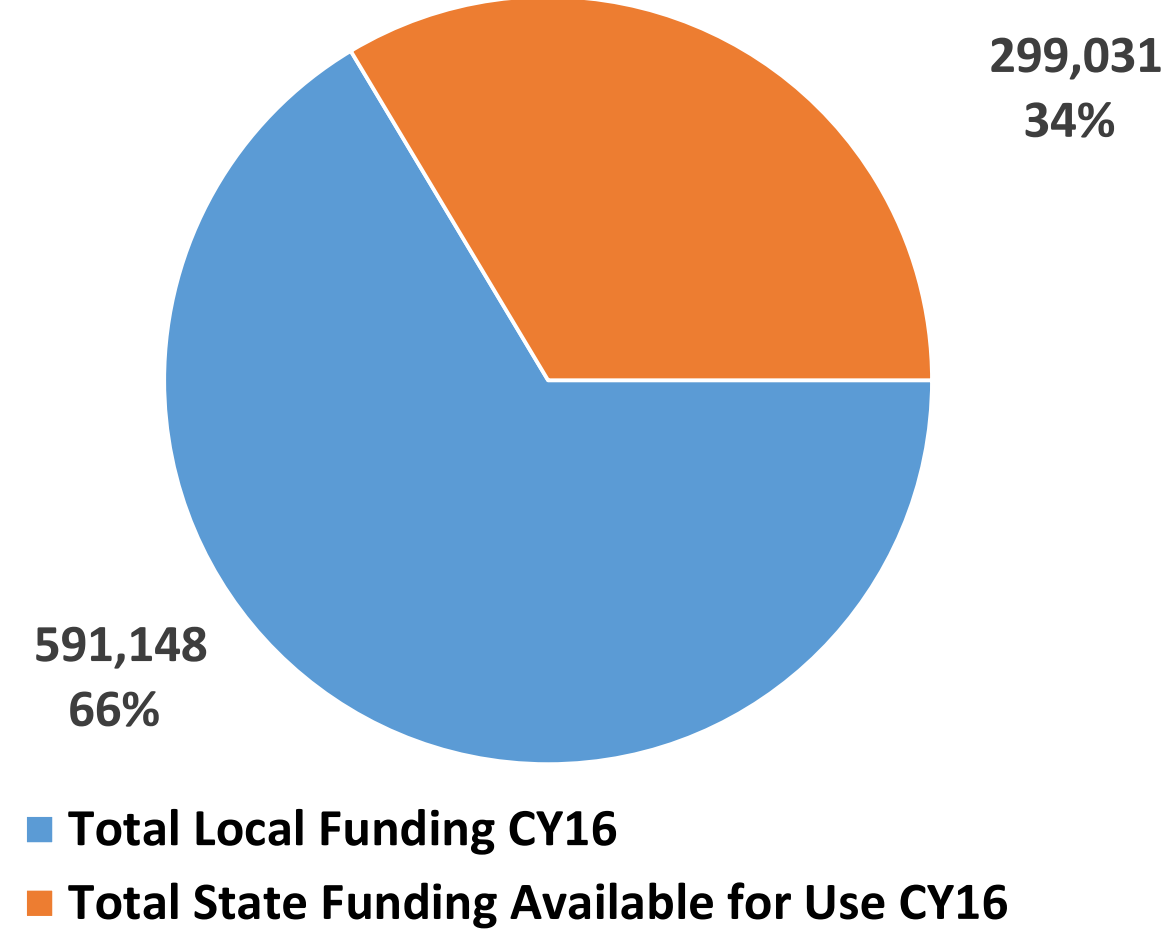
Deidre Fuller  
District Defender  
620 Murray Street  
Alexandria, LA 71301  
318-443-7082

During Calendar Year 2016, the 9th Judicial District Public Defenders Office handled 8,046 cases. The office received \$890,178 in total revenues to handle these cases, approximately 66% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

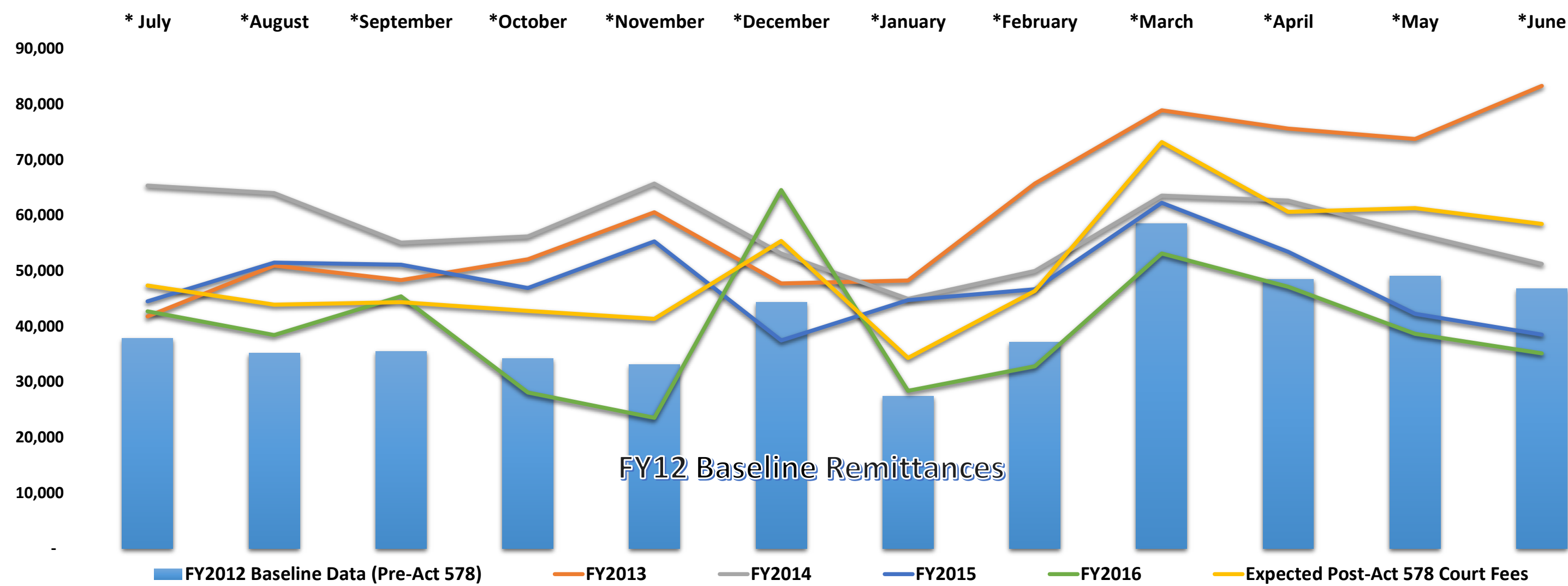
With the exception of Fiscal Year 2013, the year following the passage of Act 578 which increased special court costs by \$10, local revenues associated with court costs have often fallen below the 25% expected increase.

During CY16, the 9th Judicial District office experienced a 14.5% reduction in local revenues from the previous year, amounting to \$100,000 fewer revenues for the office.

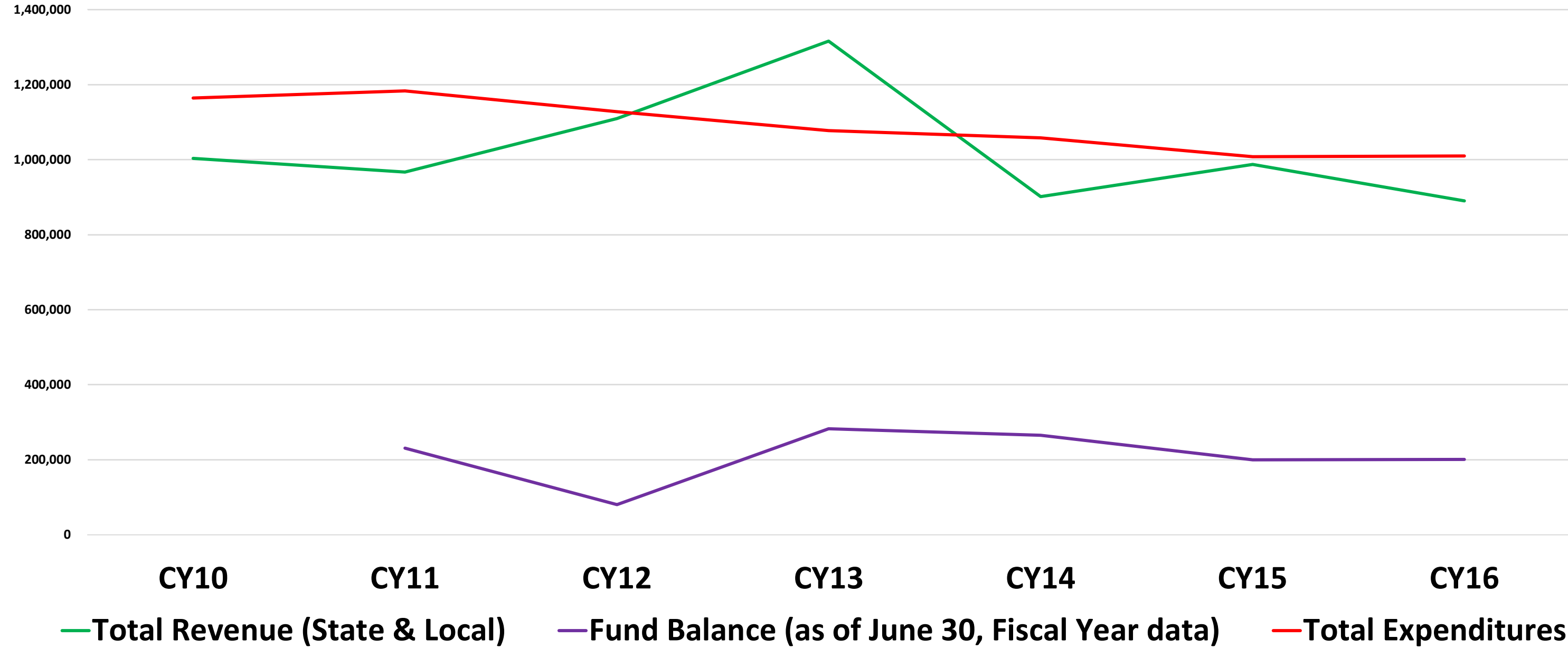
District 9 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 9 PDO

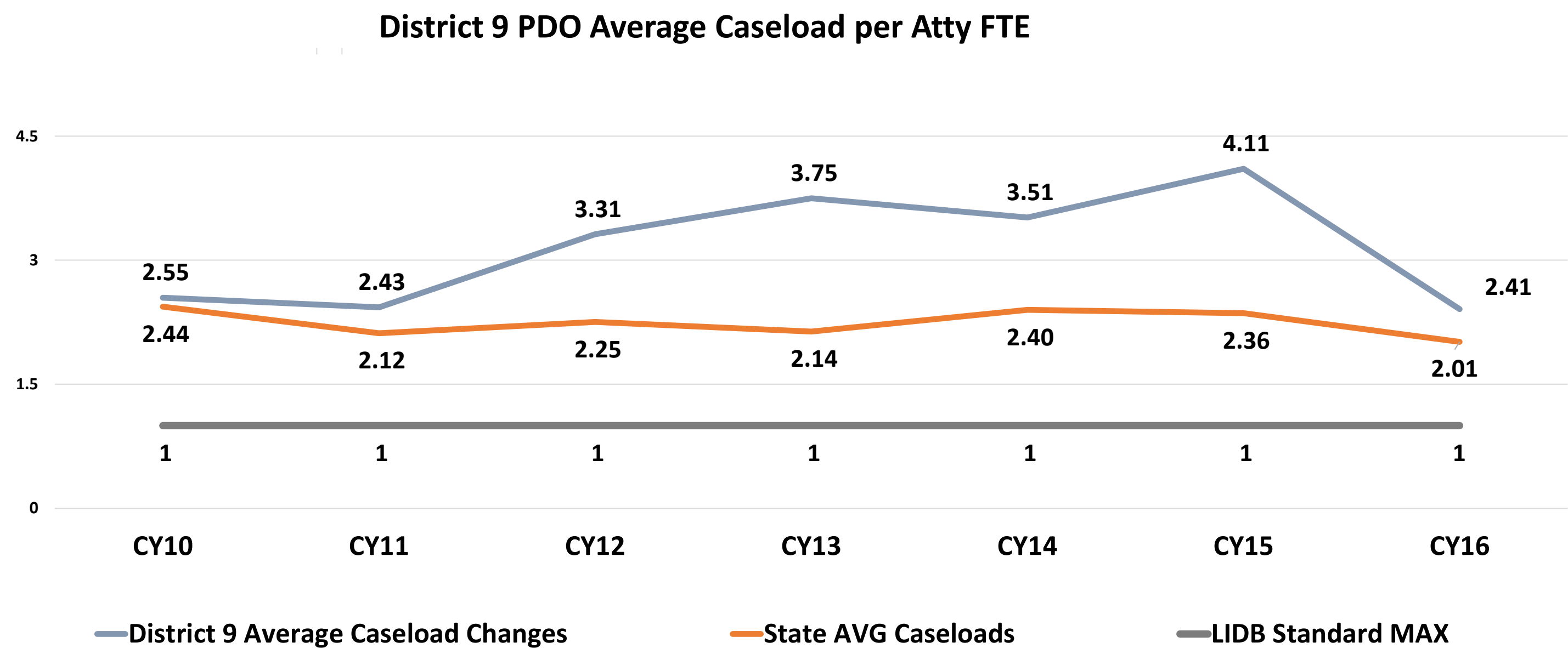


District 9 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



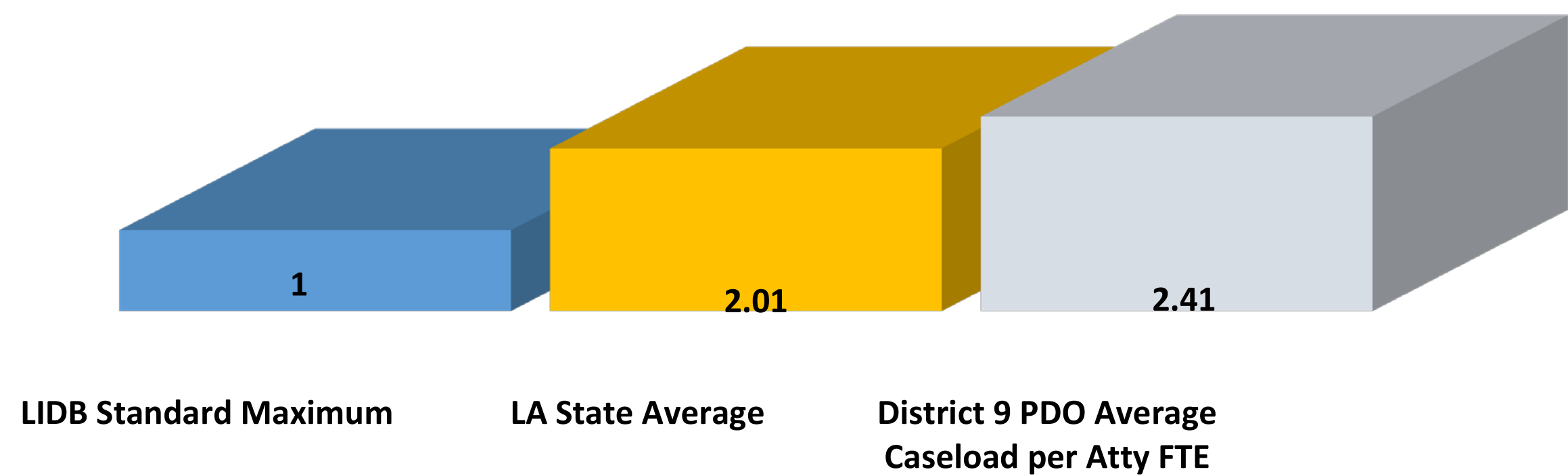
9TH JUDICIAL DISTRICT :  
RAPIDES PARISH

Deidre Fuller  
District Defender  
620 Murray Street  
Alexandria, LA 71301  
318-443-7082



In the 9th Judicial District, public defense attorneys maintain caseloads almost two and a half times the recommended caseload limit for each attorney.

District 9 PDO Average Caseloads Compared to State Average & State Standard Maximums



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 9<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Rapides - Alexandria
<b>Population</b>	132,141
<b>District Defender</b>	Deirdre Fuller, Effective 5/16/16
<b>Years as District Defender</b>	8 months
<b>Years in Public Defense</b>	8
<b>Office Manager</b>	Jessica Martinez
<b>Primary Office Street Address</b>	620 Murray Street
<b>City</b>	Alexandria
<b>ZIP</b>	71301
<b>Primary Phone</b>	318-443-7082
<b>Primary Mailing Address</b>	P O Box 166 Alexandria, LA 71301
<b>Primary Fax Number</b>	318-443-7085
<b>Primary Emergency Contact</b>	Deirdre Fuller
<b>Primary Emergency Phone</b>	318-730-4123
<b>Secondary Emergency Contact</b>	Jessica Martinez
<b>Secondary Emergency Phone</b>	318-443-7082
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	620 Murray Street, Alexandria, LA 71301
<b>Other District Office Contact Personnel (Primary Only)</b>	Debra Warren, 318-442-8752
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Marion French
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Rent: \$1500.00 - Effective 11/8/2016. Utilities: \$230.00
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	No. Payne, Moore & Herrington
<b>Courts and Locations</b>	Ninth Judicial District Court, Rapides Parish, Alexandria; Alexandria City Court; Pineville City Court; Ninth Judicial District Juvenile Court.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	9th Judicial District Court – 2, 1 Standby Court for Extra Trials; Alexandria City Court - 1; Pineville City Court – 1.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Felony and Misdemeanor attorneys are appointed counsel on a rotational basis. Ruth Raper (Juvenile Coordinator) specifically assigns Juvenile cases to individual attorneys in order to avoid conflict and maintain an even caseload.

<b>Name of Adult Detention Facilities in This District</b>	DC-1, Rapides Courthouse, Murray Street, Alexandria; DC-2, 400 B John Allison Dr., Alexandria; DC-3, 7400 Academy Drive, Alexandria.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None other than DOC facilities.
<b>Name of Juvenile Detention Facilities In This District</b>	Renaissance Home for Youth - 6177 Bayou Rapides Road, Alexandria
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, attorney/client communication is more difficult due to location of some facilities. Increase in postal costs is a direct result of attorney attempts to communicate with the clients housed outside this jurisdiction.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Only when we have to drive to conduct an interview. Sometimes it necessitates written correspondence.
<b>District Attorney</b>	Phillip Terrell
<b>Chief Judge of Criminal District Court</b>	Hon. Patricia Koch
<b>Juvenile Court Judges (Specify District of City Court)</b>	Hon. John Davidson
<b>Drug Court Judges</b>	Hon. Mary Doggett
<b>Mental Health Court Judges</b>	Hon. Patricia Koch
<b>Other Specialty Court</b>	Yes.
<b>Name of Specialty and Brief Description:</b>	Juvenile Drug Court, Hon. John Davidson, handles Juvenile drug offenders. Provides skills to live drug free.
<b>Indigency Determined by Whom and How?</b>	Deirdre Fuller, Jessica Martinez, Arteria Scott, Anthony Collins, Ruth Raper, and Debra Warren. Defendant applications are reviewed in accordance with federal poverty guidelines, utilizing questions provided in Defender Data's Indigency Determination section. If defendant received federal assistance, indigency is declared.
<b>When is Assignment/Appointment of Counsel Made?</b>	At the 230.1 Hearing in the jail, when interviewed by our investigator, the investigator returns applications to our office for entry into Defender Data and an attorney is appointed. If defendant is not incarcerated, attorney appointments are made when defendant completes an application in person at our office.
<b>What steps does your office take to ensure conflict – free representation</b>	When interviewed, clients are asked if there are co-defendants. We notate the file to avoid conflicts of interest in representation. We also review docket numbers to further ensure conflict free representation.

Brief Explanation of Intake Process	The Investigator obtains applications from the jail, Anthony Collins obtains applications from Alexandria City Court, Ruth Raper obtains applications from Juvenile Court, Arteria Scott obtains applications in the office, and the entire staff collects applications at Arraignments. After indigency determination, the application is entered into Defender Data and notices are sent to the appropriate parties.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
Does the Office Collect the \$40 Application Fee?	Yes
How Many Applications for Services Were Received?	4,858
How Many Application Fees Were Waived?	None
How Many Application Fees Were Reduced?	None
Total Application Fee Dollars Collected in 2016	33,215
Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
Total Revenue from \$45/\$35 Special Costs Received in 2016	393,743
Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.	Yes
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?	We receive monthly documentation total, but not individual listing from all three courts.
Who Collects the Assessed Court Fees?	The Sheriff in 9th J.D.; the City Marshall in Alex Cty Ct; the Clerk in Pineville City Court.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	We receive monthly letters from the Sheriff, the City Marshall in Alexandria, City Court, and the clerk in Pineville City Court reflecting amounts collected. We retain the letters and copies of all checks as our accounting documentation.
Who Remits the Court Fees Collected?	The Sheriff in 9th J.D.; the City Marshall in Alex Cty Ct; the Clerk in Pineville City Court.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	We receive monthly letters from the Sheriff, the City Marshall in Alexandria, City Court, and the clerk in Pineville City Court reflecting amounts collected. We retain the letters and copies of all checks as our accounting documentation.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?	Yes
From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?	Village of Forest Hill
How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?	6,990
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	

<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	This is determined by the Judge at sentencing and amounts can vary depending on each case.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	This information is then obtained by pulling the plea agreement forms and/or minutes from the Rapides Clerk of Court.
<b>Who Collects the Assessed Partial Payments?</b>	This office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Clients are given a receipt when they make a payment. The payment is recorded in Defender Data under the Fees section and report is generated and printed off the system when needed.
<b>Who Remits the Partial Payments Collected?</b>	This office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Clients are given a receipt when they make a payment. The payment is recorded in Defender Data under the Fees section and report is generated and printed off the system when needed.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	15,551
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Yes it is in writing; i.e. their contract
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Need funding for technology improvements.
<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes. We plan to increase collections by billing through QuickBooks.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Increase of DAF
<b>Long-Term Critical Issue Areas</b>	Remaining out of ROS.
<b>2016 Media Coverage and/or Major Accomplishments</b>	We were honored by Reverend Joseph Franklin at Mount Triumph Baptist Church with a plaque and a dinner and we were featured in an article in Warrior Magazine.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. LACDL dues were paid and we have monthly In-service trainings with all the attorneys and staff.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Dmitrc Burnes and Tiffany Sanders
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes, Handbooks – Supplemented as new policies or revisions of policies occur.



<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Marc Lampert - Felony Division Supervisor, Sam Giordano - Misdemeanor Division Supervisor, Tiffany Sanders - Juvenile Division Supervisor. Each Supervisor monitors their division while working closely with the District Defender.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No. Only workmen's compensation coverage for attorneys and staff.
<b>Regular Meetings for Any Staff, Please Describe</b>	Monthly In-service trainings are held and each training has a guest speaker. Contract Attorneys share their recent trainings / CLEs at monthly meetings.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Filed in 2016</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	8
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None.
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	The Juvenile Division Attorney assigned to the minor client will meet and discuss the case with the attorney assigned on the transferred case.
<b>Number of trial level Juvenile Life Without Parole (<u>Miller</u>) cases handled by your office in CY 2016</b>	0
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) cases pending in your office</b>	10
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) sentencing hearings conducted in your district in CY 2016</b>	1
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Representatives: Jeffrey "Jeff" Hall, Lance Harris, and Lowell C. "Chris" Hazel. Senators: Jay Luneau, Neil Riser, Gerald Long, and James R. "Jim" Fannin.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Probation and Parole does not assist with collections on Application Fees and Judge Ordered Fees.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	The District Defender notifies attorneys of quality CLEs and seeks to have attorneys apply for scholarships. The information from those CLEs are shared with entire staff and attorneys at our monthly In-service Trainings. The District Defender meets with division supervisory to monitor attorney representation.

[illegible]

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Jessica Martinez
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	x
Other (please list)	
Number of Legal Research Licenses	1
Total Cost of Legal Research Software:	\$307.50 a month
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	
Windows Vista	x
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	x
Microsoft Office 2013	x
Microsoft Office 2010	
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	

Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	x
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	0
DVD	0
VCR	0
Desktop PCs	8
Laptops	3
Video Cameras	0
Digital Cameras	0
Video Conferencing Systems	0
B&W Laser Printers	6
Color Printers	3
Wireless Cards	0
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	0
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	Suddenlink
Email Provider:	None
Please list any software or computer equipment in which you need training:	

## 9th District Defender Office CY 2016 Caseloads & Outcomes

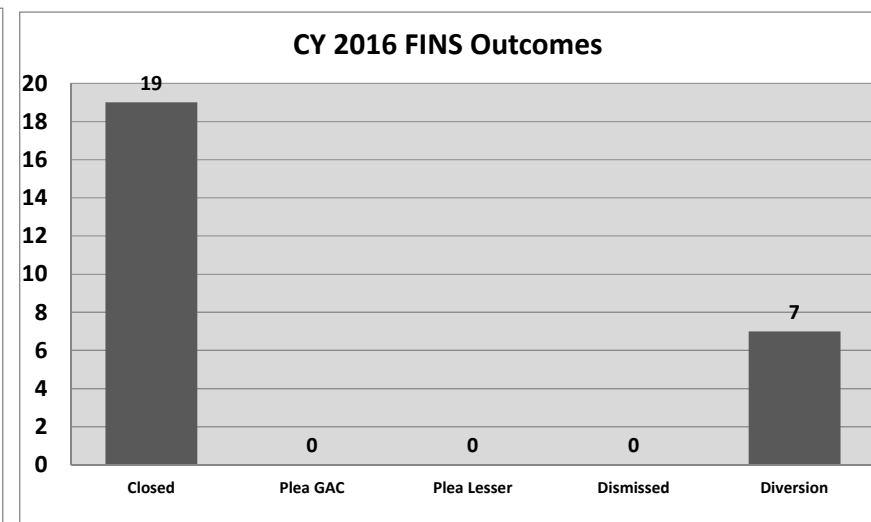
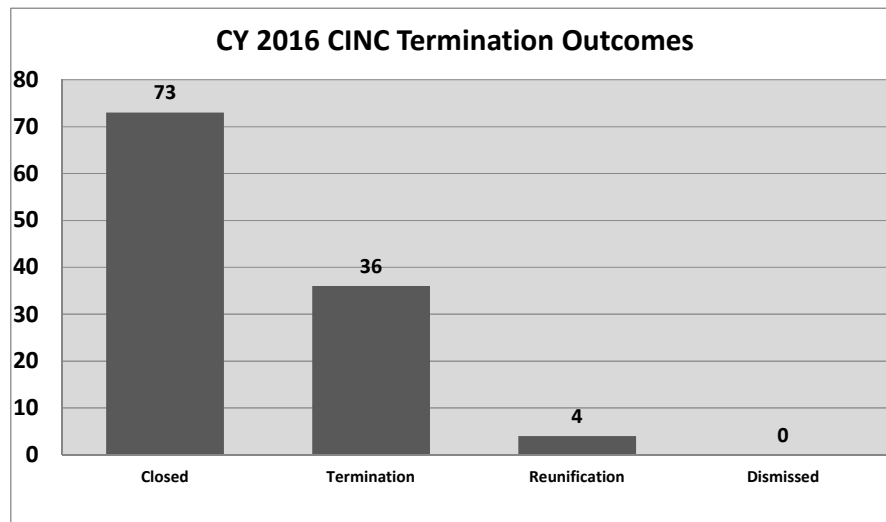
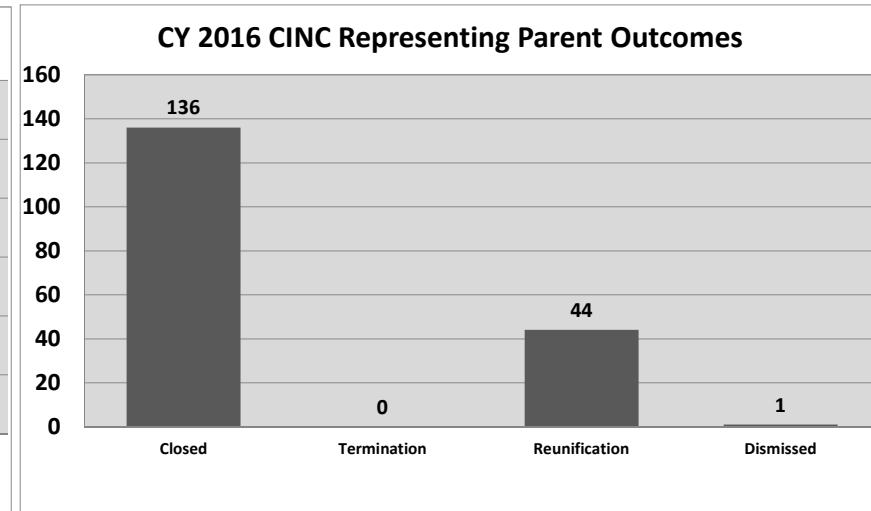
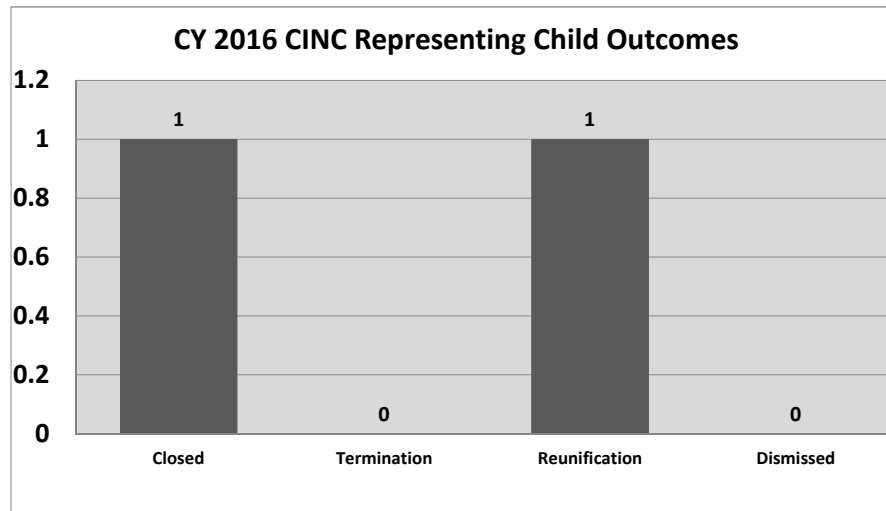
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	1	1	1	2	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	88	136	135	223	0	44	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
Termination	112	73	21	133	36	4	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	56	19	11	67	N/A	N/A	0	0	0	7	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	96	37	6	102	N/A	N/A	4	0	5	9	N/A	N/A	0	1	1
Delinquency Felony	95	57	35	130	N/A	N/A	19	0	10	5	N/A	N/A	0	2	2
Delinquency-Life	1	1	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	3091	1699	527	3618	N/A	N/A	797	96	1352	28	0	0	0	1	1
Adult Felony Non-LWOP**	2284	1645	1302	3586	N/A	N/A	530	228	1001	7	0	1	0	6	7
Adult LWOP	17	27	31	48	N/A	N/A	5	12	26	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	32	115	100	132	N/A	N/A	2	0	1	0	N/A	N/A	N/A	N/A	0
PCR	1	0	2	3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	1	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

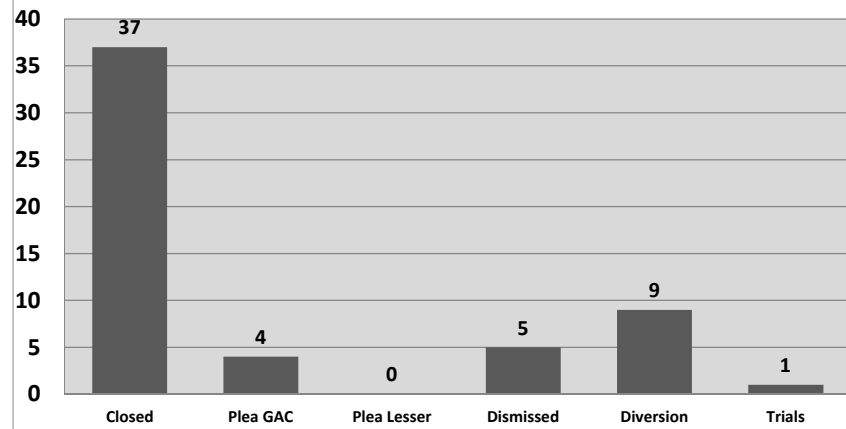
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

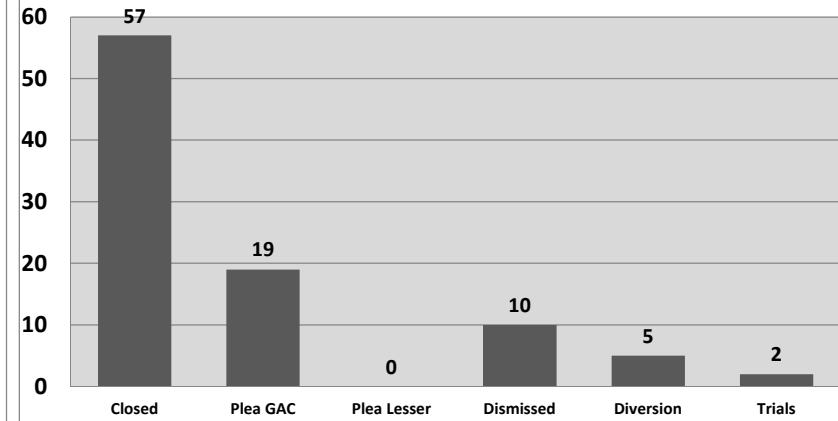
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



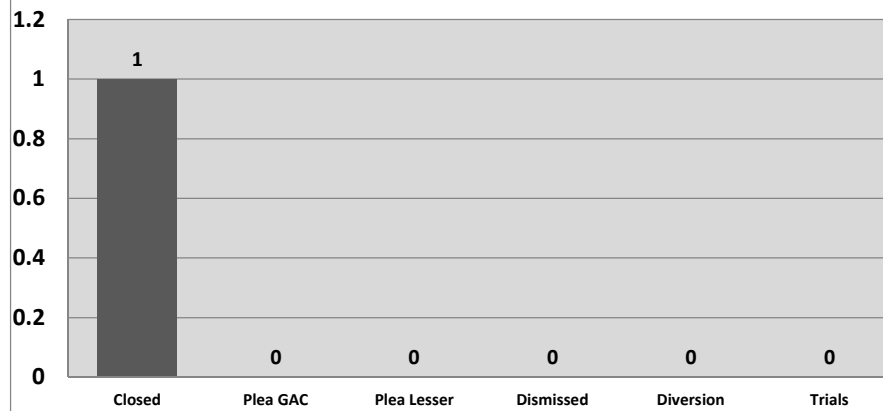
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

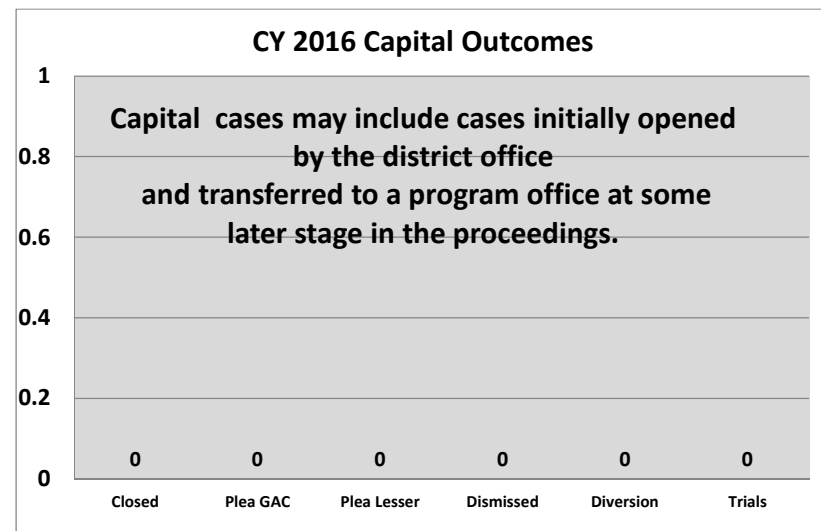
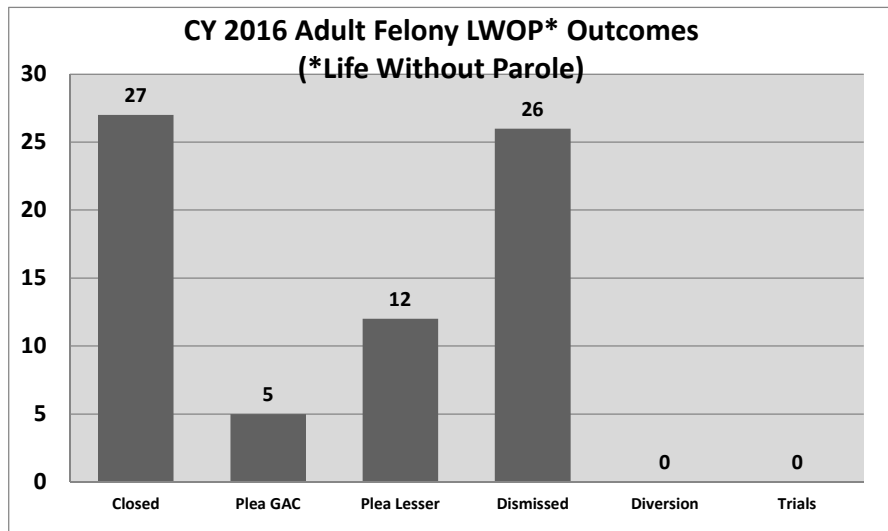
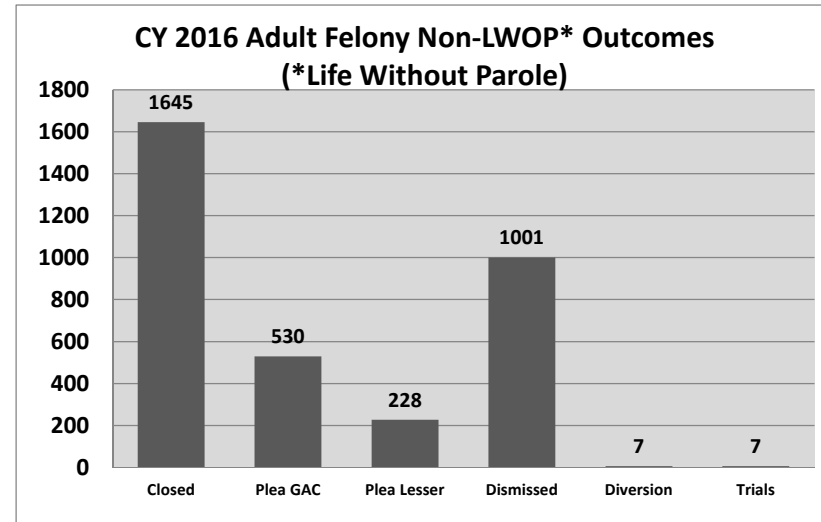
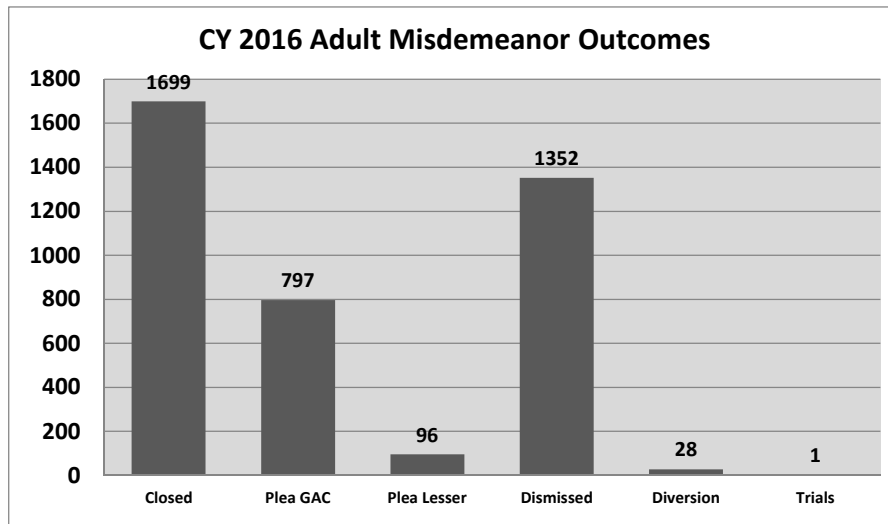


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**





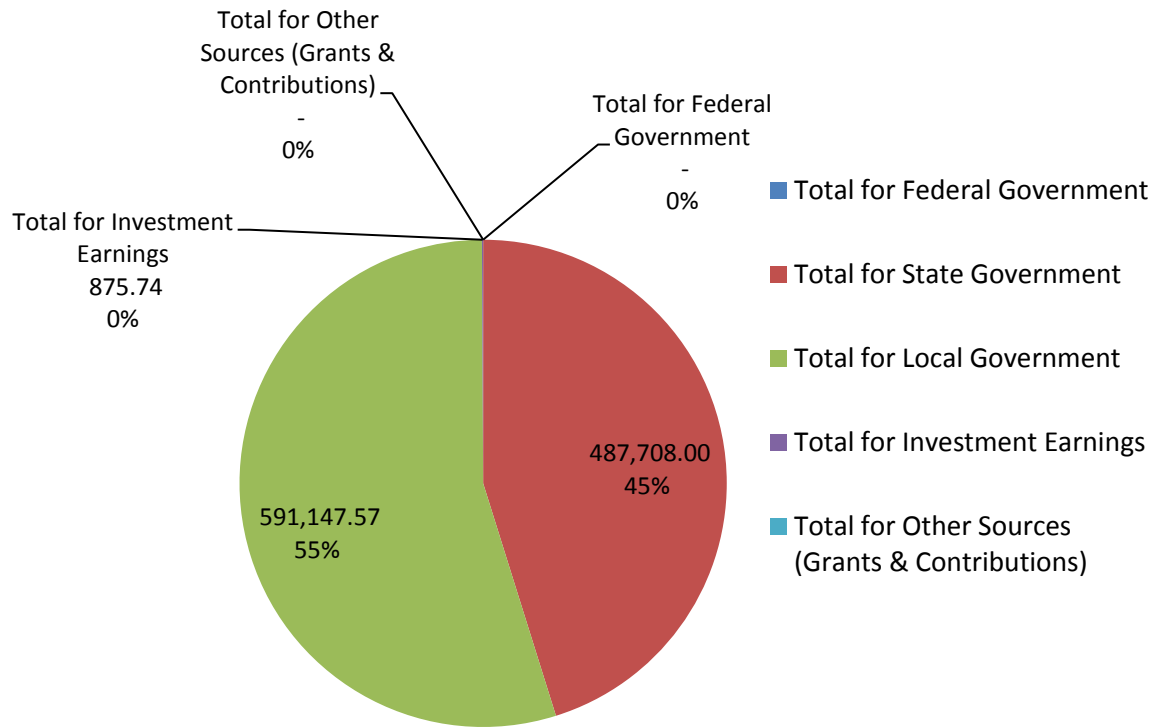


District 9 CY2016	Total CY2016
District Defender: Deirdre Fuller (Tony Tillman Interim part of year)	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	32,497.00
District Assistance Fund (DAF)	451,911.00
Supplemental/Emergency Funds	-
Grants	3,300.00
Other State Income -List source(s)	-
Total for State Government	487,708.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	100,129.08
Traffic Camera	-
Grants	300.00
Other Local Income -List source(s)	10,677.72
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	70,826.41
City & City-Ward Courts	121,902.91
Judicial District Courts	64,120.93
Juvenile Court	311.67
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	6,990.00
Magistrates' Courts	-
Municipal Court	164,392.07
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	428,543.99
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	34,924.93
Partial Attorney Fees	
Reimbursements [as per 15:176]	16,571.85
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	51,496.78
Total for Local Government	591,147.57
Investment Earnings	
Interest Income	875.74
Other Investment Income - List source(s)	-
Total for Investment Earnings	875.74
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	-
Total for REVENUE	1,079,731.31

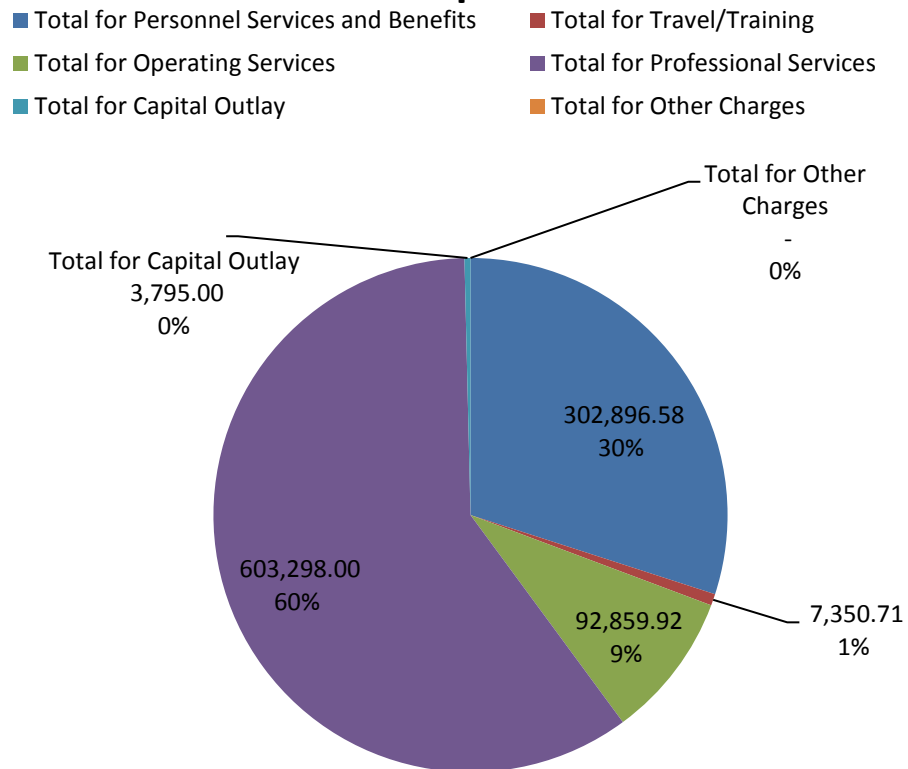
District 9 CY2016	Total CY2016
District Defender: Deirdre Fuller (Tony Tillman Interim part of year)	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	266,514.82
Accrued Leave	-
Payroll Taxes	5,012.99
Hospitalization and Disability Insurance	-
Retirement	31,368.77
Other	-
Total for Personnel Services and Benefits	302,896.58
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	7,350.71
Total for Travel/Training	7,350.71
Operating Services	
Advertisements	1,147.68
Workers' Compensation	7,785.42
Insurance - Malpractice	11,528.26
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	17,700.00
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	18,801.53
Dues and Seminars	7,160.57
Law Library/Journals/Subscriptions	143.84
Office Supplies	28,592.62
Total for Operating Services	92,859.92
Professional Services	
Audit/Accounting Expense	18,472.00
Contract Clerical	-
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	139,945.84
Misdemeanor Attorney Contracts	114,199.84
Contract Attorneys - all other	330,680.32
IT/Technical Support	-
Total for Professional Services	603,298.00
Capital Outlay	
Major Acquisitions	3,795.00
Total for Capital Outlay	3,795.00
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
<b>Total for EXPENDITURES</b>	<b>1,010,200.21</b>

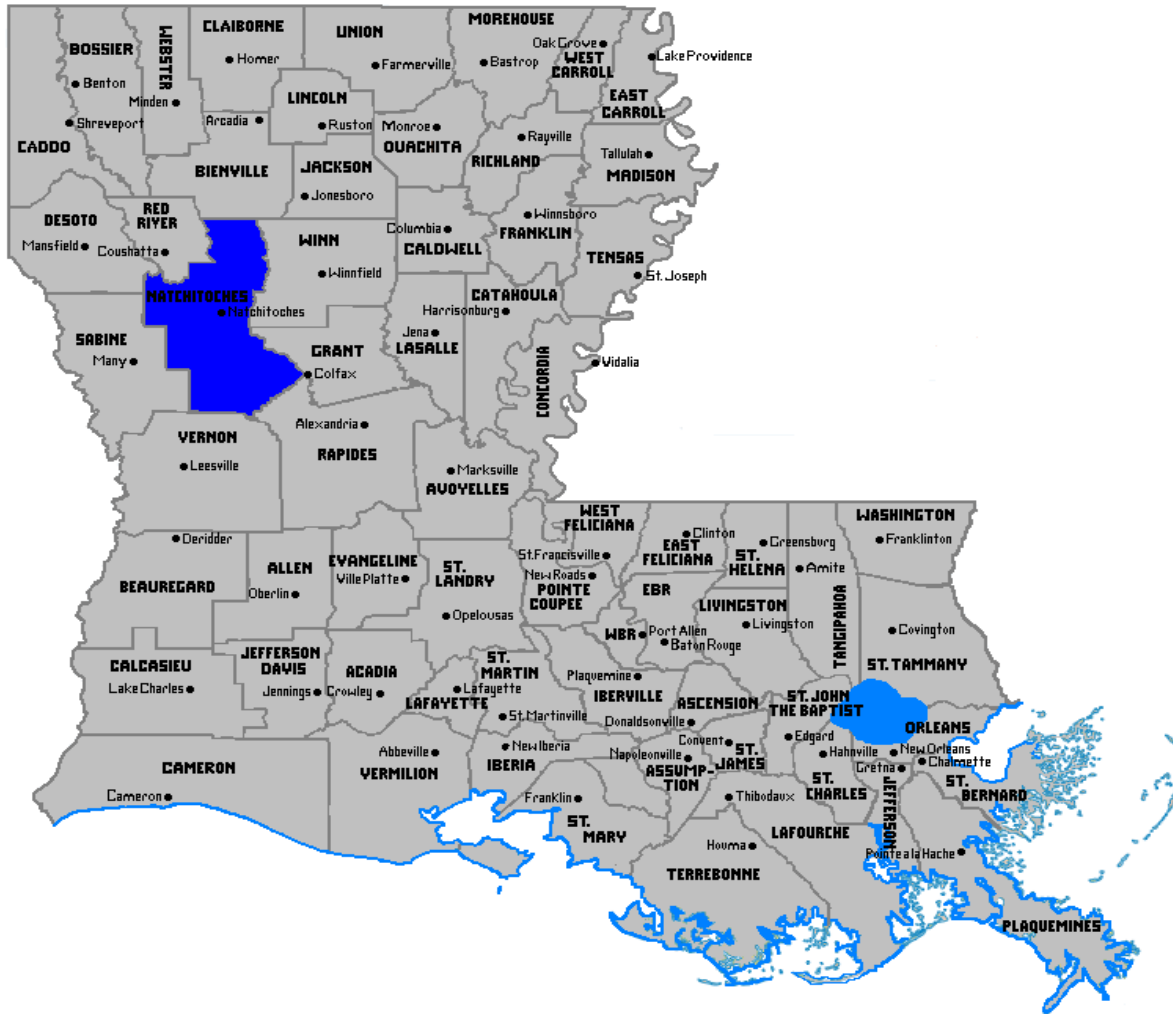
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





THE 10<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
NATCHITOCHES (NATCHITOCHES)

DISTRICT DEFENDER: BRETT BRUNSON  
710 THIRD STREET  
NATCHITOCHES, LA 71457  
(318) 352-9311

10TH JUDICIAL DISTRICT :  
NATCHITOCHE PARISH

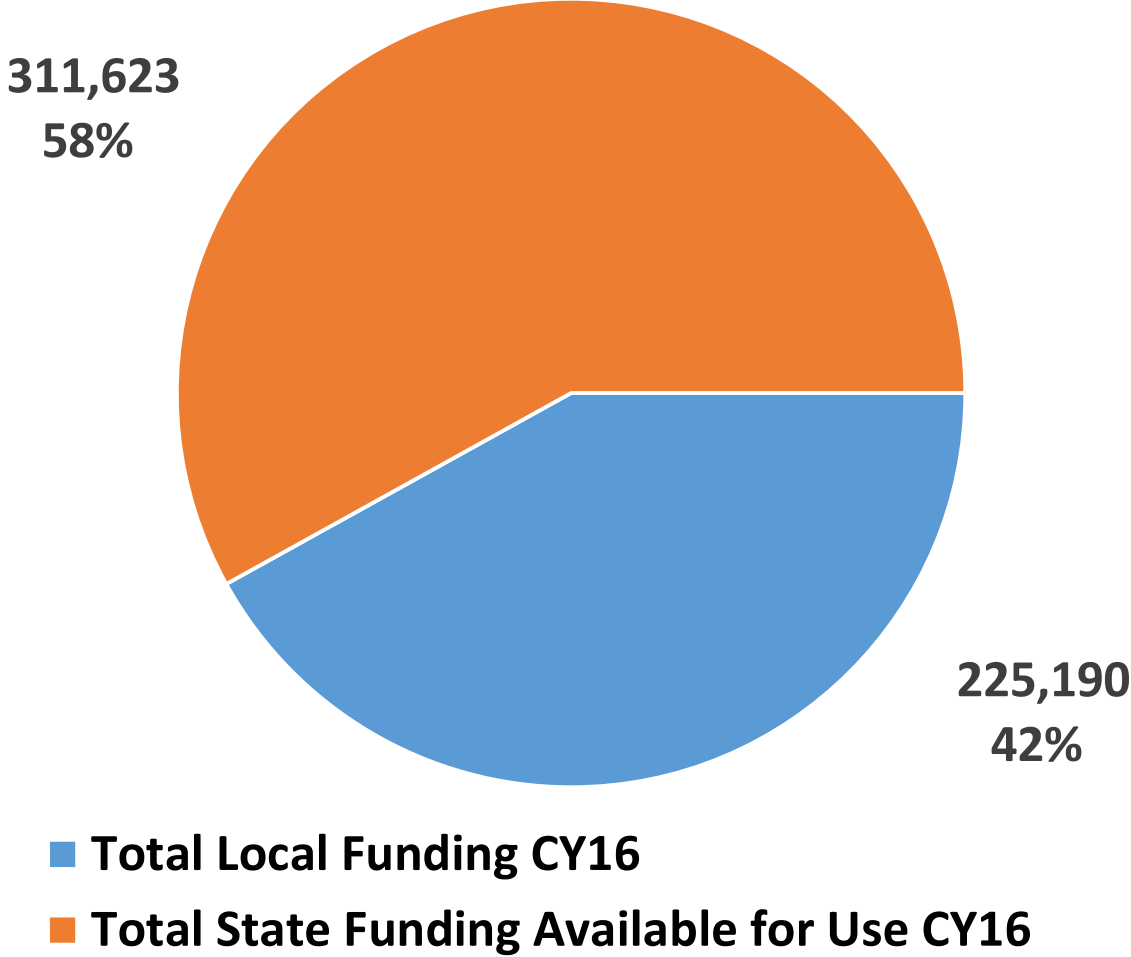
Brett Brunson  
District Defender  
710 Third Street  
Natchitoches, LA 71457  
318-352-9311

During Calendar Year 2016, the 10th Judicial District Public Defenders Office handled 1,453 cases. The office received \$536,813 in total revenues to handle these cases. As local funding is largely insufficient, approximately 58% of revenues came from state funding.

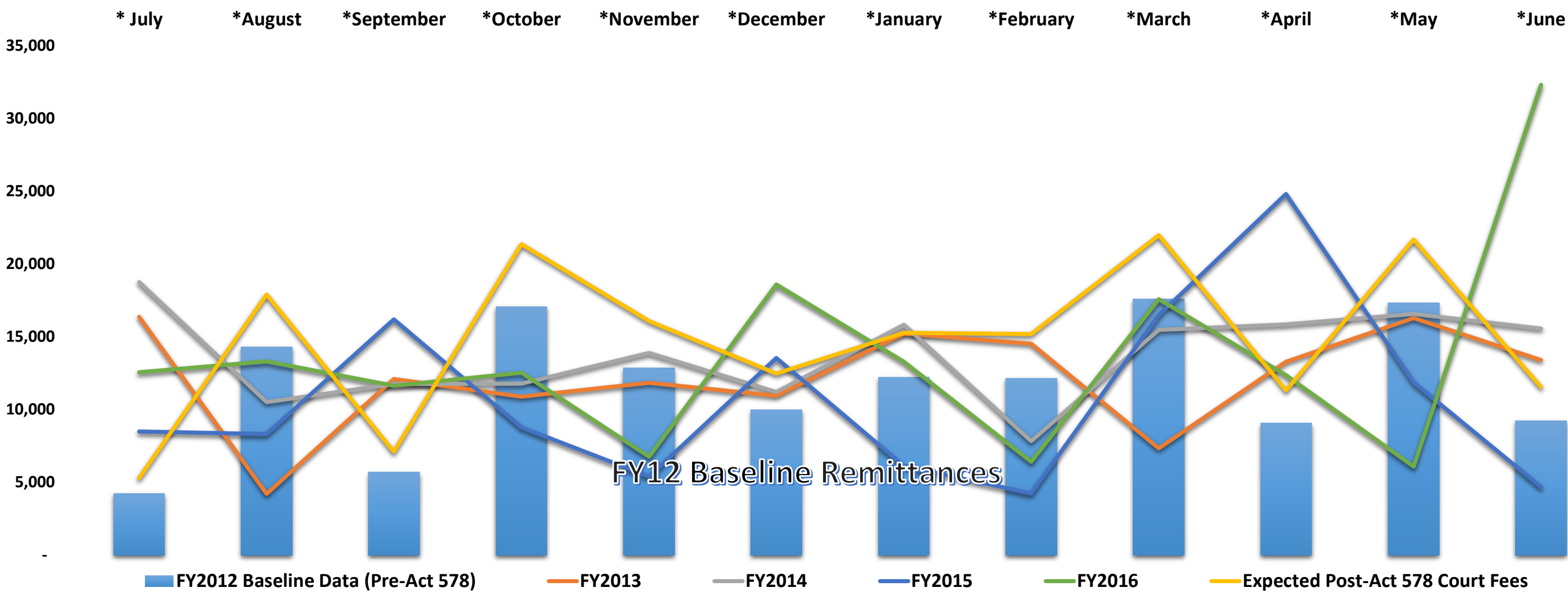
Since the inception of the \$10 increase in special court costs associated with Act 578 (2012), local revenues associated with court costs have fallen below the 25% expected increase fifty percent of the time.

The 10th Judicial District office nearly exhausted its fund balance during Calendar Years 2013 and 2014, however through proper fiscal stewardship and increased revenues the office was able to avoid insolvency and is now accruing a fund balance.

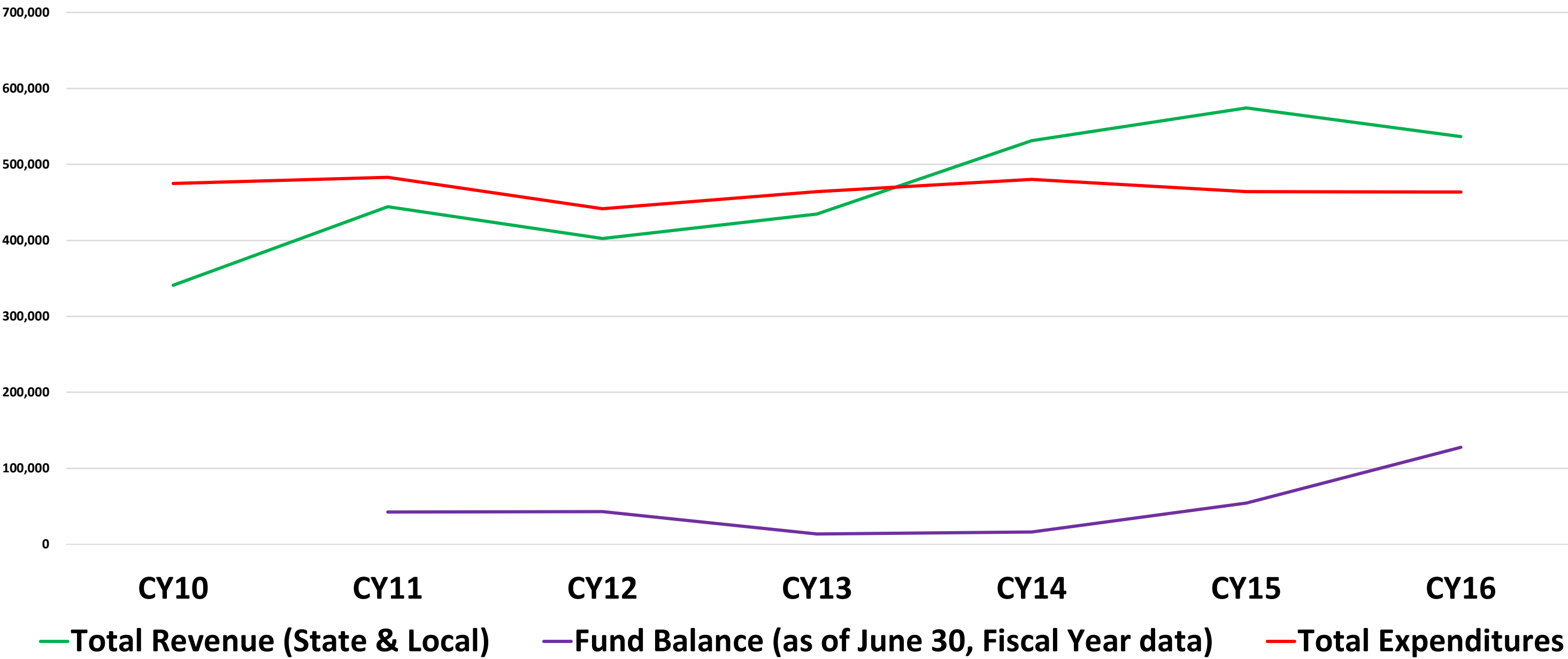
District 10 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 10 PDO

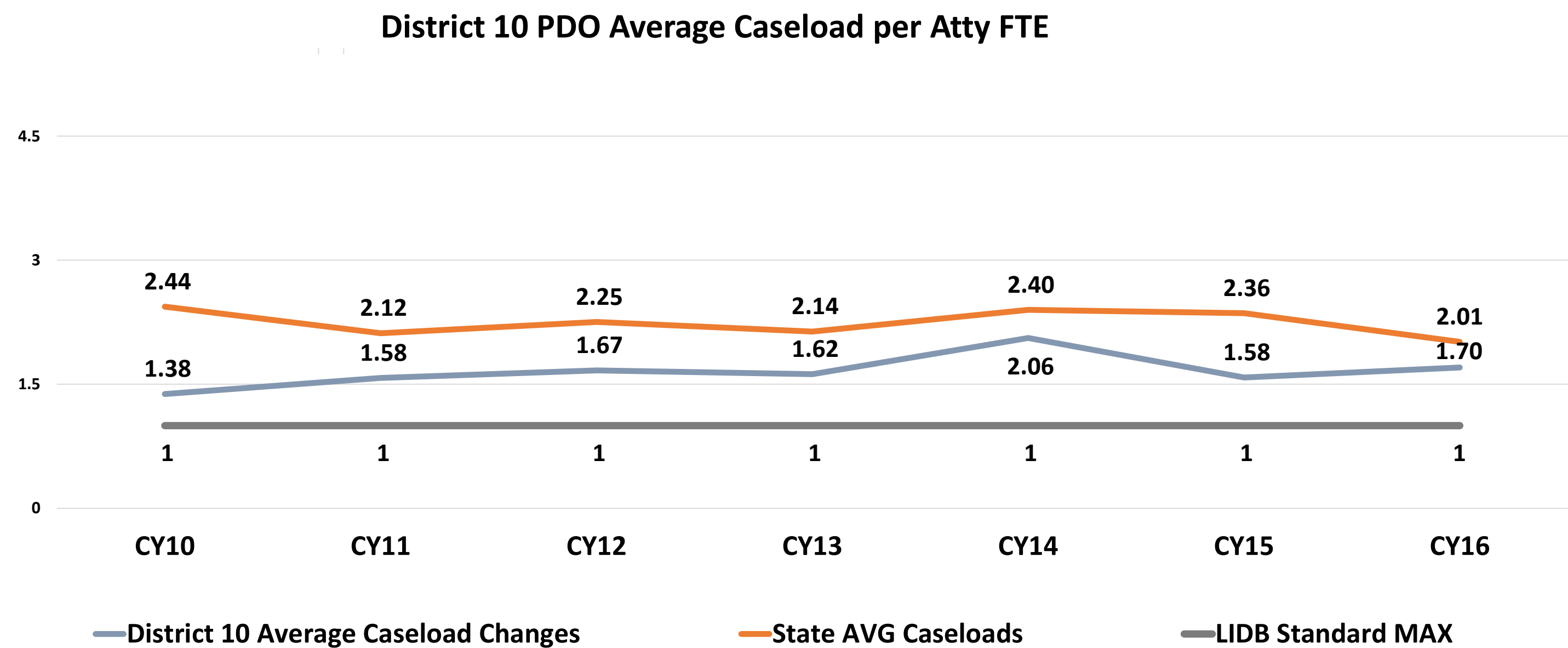


District 10 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



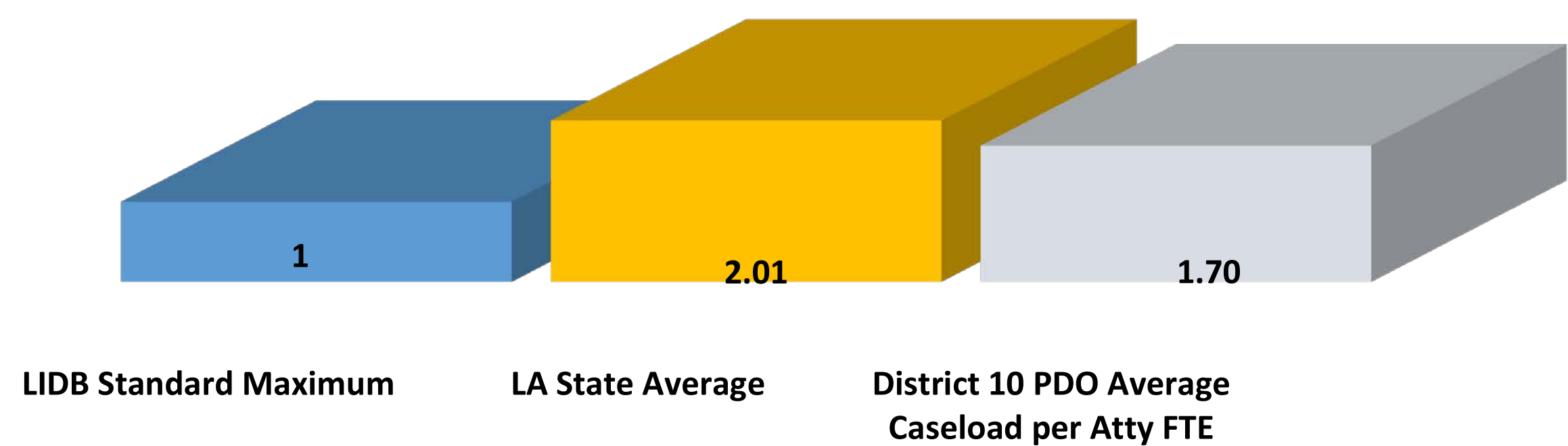
10TH JUDICIAL DISTRICT :  
NATCHITOCHES PARISH

Brett Brunson  
District Defender  
710 Third Street  
Natchitoches, LA 71457  
318-352-9311



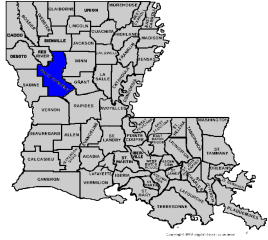
In the 10th Judicial District, public defense attorneys maintain caseloads which exceed the recommended caseload limit for each attorney.

District 10 PDO Average Caseloads Compared to State Average & State Standard...



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 10TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Natchitoches - Natchitoches
<b>Population</b>	39,566
<b>District Defender</b>	Brett Brunson
<b>Years as District Defender</b>	9.6
<b>Years in Public Defense</b>	14.5
<b>Office Manager</b>	Alice Martin
<b>Primary Office Street Address</b>	710 Third Street
<b>City</b>	Natchitoches
<b>ZIP</b>	71457
<b>Primary Phone</b>	318-352-9311
<b>Primary Mailing Address</b>	PO Box 12, Natchitoches, LA 71458
<b>Primary Fax Number</b>	318-352-8019
<b>Primary Emergency Contact</b>	Brett Brunson
<b>Primary Emergency Phone</b>	318-471-9806 - cell
<b>Secondary Emergency Contact</b>	Alice Martin
<b>Secondary Emergency Phone</b>	318-663-4522 - cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	McCoy, Roberts & Begnaud, L.L.C.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,600
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Rozier, Harrington & McKay, CPAs
<b>Courts and Locations</b>	10th Judicial District Court, Natchitoches Parish, 200 Church Street, Natchitoches, 71457; Natchitoches City Court, 314 Amulet Street, Natchitoches, 71457.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	3 - 2 District Court Division and 1 City Court
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Judges forward assignment requests to the PDO and PDO assigns contract attorneys. Volunteers are appointed in CINC and a few juvenile cases.
<b>Name of Adult Detention Facilities in This District</b>	Natchitoches Parish Detention Center, 299 Edwina Drive, Natchitoches, LA, 71457

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles Parish Detention Center, Richland Parish Jail.
<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center, Rt.1 Box 6000 (Hwy 71), Coushatta, LA 71019
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Client contact is less frequent and more costly due to travel expenses. We receive tardy notifications of out-of-parish detainment.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes. At request of counsel, they allow removal.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Billy Joe Harrington
<b>Chief Judge of Criminal District Court</b>	Desiree Duhon Dyess
<b>Juvenile Court Judges (Specify District of City Court)</b>	Lala Sylvester
<b>Drug Court Judges</b>	Yes. Lala Sylvester
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	Yes. Fred Gahagan
<b>Name of Specialty and Brief Description:</b>	City Court - Adult Misdemeanor, FINS, CINC, and Juvenile Delinquency
<b>Indigency Determined by Whom and How?</b>	Administrator - application is reviewed and determination is made using the Annual Federal Poverty Guidelines. (200%)
<b>When is Assignment/Appointment of Counsel Made?</b>	If incarcerated, after 72-hour hearing; If out on bond, at arraignment
<b>What steps does your office take to ensure conflict – free representation</b>	Search of database for information re: prior appointments and co-defendant representation.
<b>Brief Explanation of Intake Process</b>	Application is reviewed and determination is made using the Annual Federal Poverty Guidelines. (200%)
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	431
<b>How Many Application Fees Were Waived?</b>	None / Fee is always requested, but not always received.
<b>How Many Application Fees Were Reduced?</b>	None / they are given an option to pay in increments.
<b>Total Application Fee Dollars Collected in 2016</b>	7,046
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	145,917



<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	They say they do, but we have observed multiple cases in which they did not. Usually those involving multiple year sentences to hard labor.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	None
<b>Who Collects the Assessed Court Fees?</b>	Sheriff & City Marshall
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Itemized Lists
<b>Who Remits the Court Fees Collected?</b>	Sheriff & City Marshall
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Itemized Lists
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	Not yet. We contacted all of them and provided them with a copy of the law. One has sent reports, but none have collected or remitted funds.
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	When the client is between 100% and 200% of the federal poverty guidelines, we request the court to impose a partial reimbursement. We are sending an order to the judge at arraignment, but only a few have been ordered to pay to date.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	PDO if it is imposed at arraignment. City Marshall and Sheriff if it is imposed as part of a sentence.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	City Marshall and Sheriff.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Itemization does not show the source. We separate from the \$46 payments for reporting purposes.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	5,410
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted. The District Defender is the only full time employee who does not represent other clients. Other attorneys are part-time contract attorneys and would not contract if they gave up private practice to do so.

<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Stable funding.
<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No. Unless our DAF is reduced.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Unpredictability of state funding.
<b>Long-Term Critical Issue Areas</b>	State funding.
<b>2016 Media Coverage and/or Major Accomplishments</b>	December, 2016, David Williams and Howard Conday got a not guilty verdict in a serious PWID trial. David Williams was elected Treasurer of LACDL. Katie Cooper and Brett Brunson are on the LACDL board of directors. Brett Brunson was elected president of the Public Defender Association of Louisiana.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	All my attorneys are experienced trial lawyers. All felony attorneys have won multiple LWOP acquittals.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Brett Brunson and Kathryn Cooper
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	We are small, so I directly supervise all staff and contract attorneys.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No written policy, but as the only supervisory staff, the District Defender attends most court dates and observes and assists contract attorneys. All attorneys are experienced enough to handle serious felony trials. We use a team approach to jury trials, with at least two attorneys.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No.
<b>Regular Meetings for Any Staff, Please Describe</b>	Monthly meetings with all staff. LPDB meetings. Regional District Defender Meetings and LACDL Board Meetings and phone conferences.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Filed in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	0

<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	N/A
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	N/A
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	0
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	0
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	0
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Gerald Long, State Senator; Kenny Cox, State Representative
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	<p>We implemented a rotating schedule for contract attorneys to attend 72 hr. hearings and encourage them to see their clients at the Detention Center when they are out there. The District Defender has assisted contract attorneys in preparing for trial and trying cases. We have encouraged a team approach to trial preparation, particularly crime scene investigation and voir dire preparation. I share important court decisions and helpful information from the LACDL list serve with all attorneys. I continue to participate in the District Defender Group started several years ago to gain insight into what other districts are doing and to share that with our attorneys. I have tried to more closely monitor local funding, following a precipitous decline in funding last summer. I have met with the judges, DA, LPDB staff and other District Defenders in an effort to address the problem and increase local funding.</p>

[illegible]

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Brett Brunson
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	
Other (please list)	Fast Case
Number of Legal Research Licenses	0
Total Cost of Legal Research Software:	0
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	

Intuit	
Other (list here):	Client Bookkeeping Solutions
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	3 provided by the District Defender and 2 provided by LPDB.
Laptops	
Video Cameras	
Digital Cameras	2
Video Conferencing Systems	1
B&W Laser Printers	2
Color Printers	1
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	cp-tel
Email Provider:	cp-tel
Please list any software or computer equipment in which you need training:	

## 10th District Defender Office CY 2016 Caseloads & Outcomes

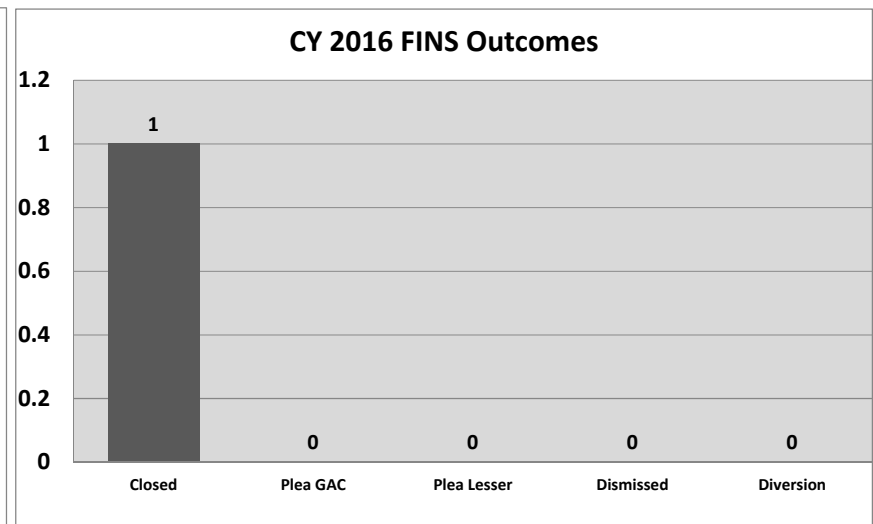
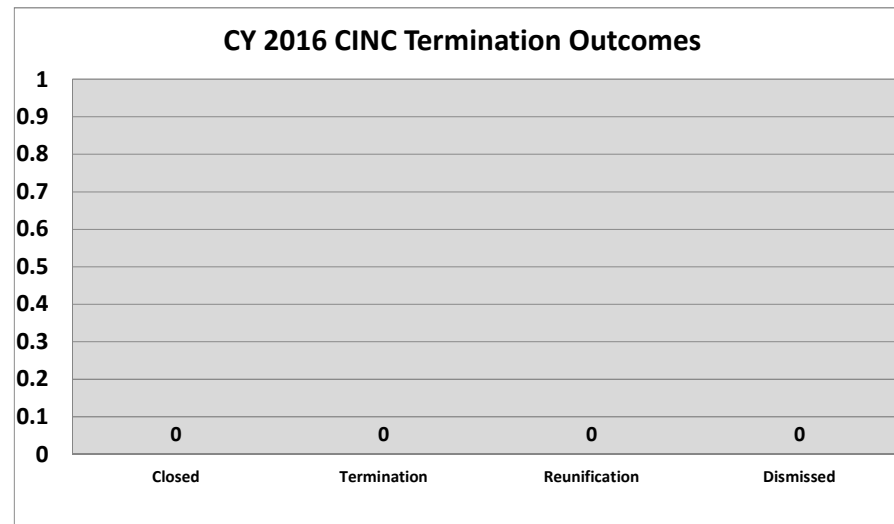
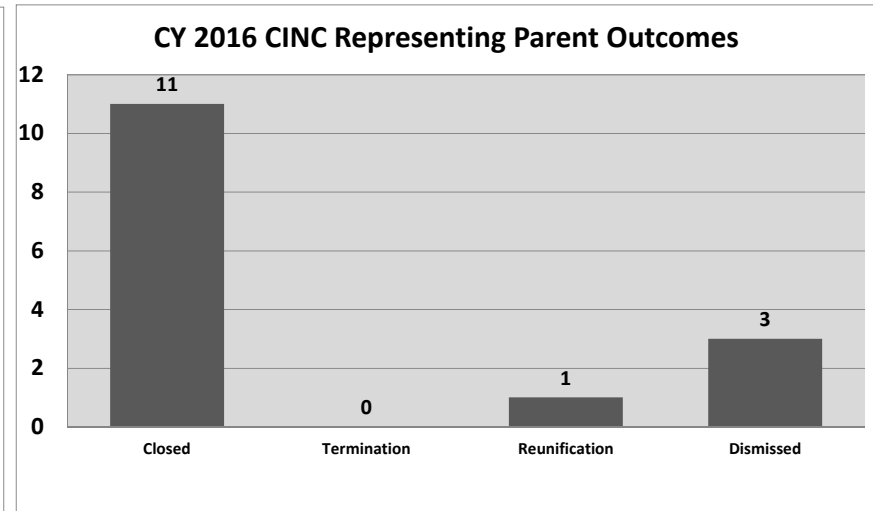
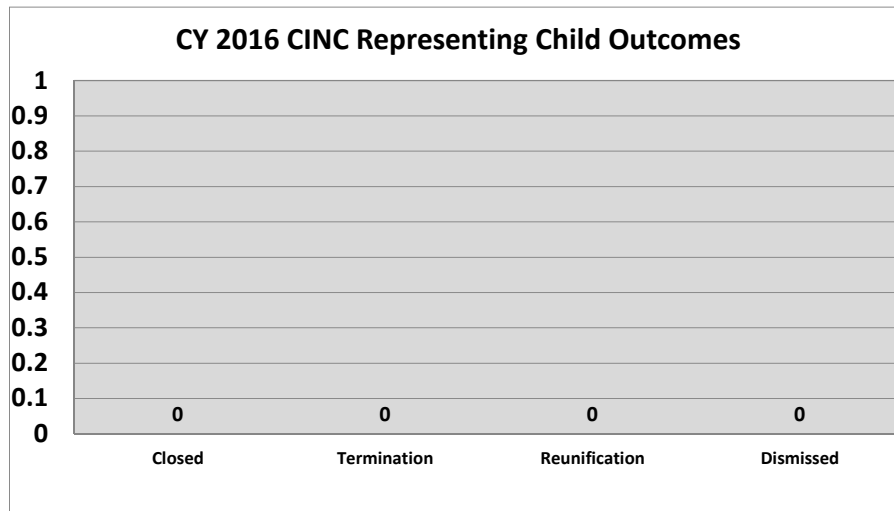
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	2	0	1	3	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	13	11	22	35	0	1	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	2	2	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	3	1	1	4	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	22	28	21	43	N/A	N/A	0	0	35	1	N/A	N/A	0	0	0
Delinquency Felony	28	17	5	33	N/A	N/A	5	1	16	2	N/A	N/A	0	0	0
Delinquency-Life	1	1	0	1	N/A	N/A	0	0	1	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	311	123	71	382	N/A	N/A	24	11	191	20	0	0	0	0	0
Adult Felony Non-LWOP**	521	317	341	862	N/A	N/A	84	47	505	37	1	1	0	2	4
Adult LWOP	3	0	3	6	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	66	40	16	82	N/A	N/A	3	0	6	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

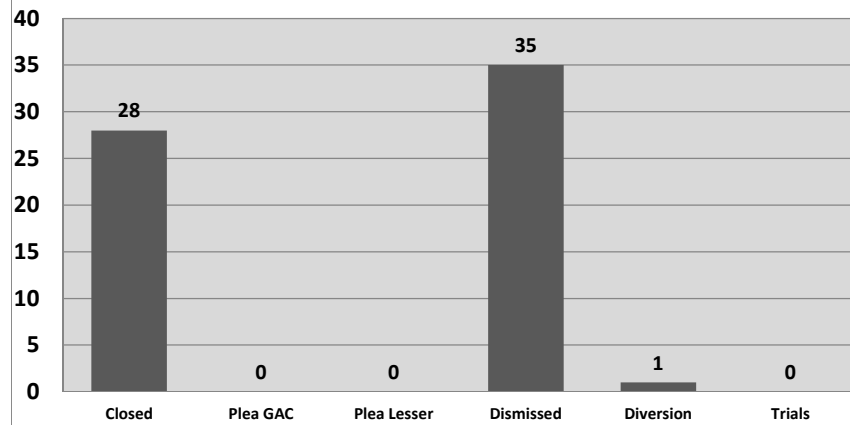
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

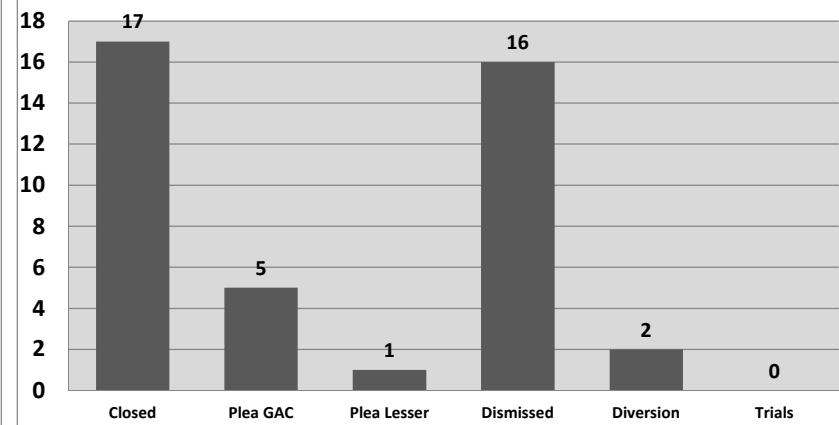




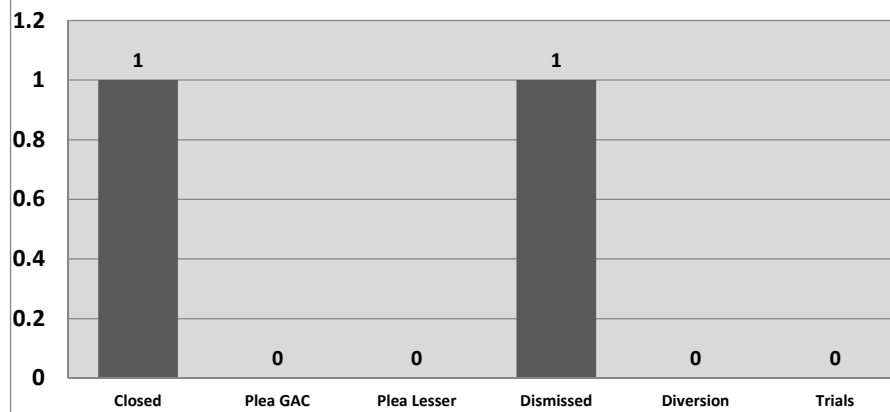
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

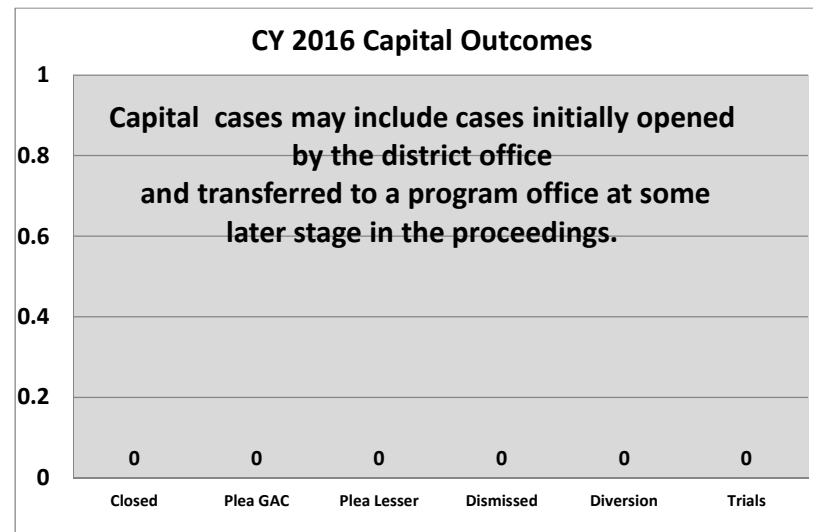
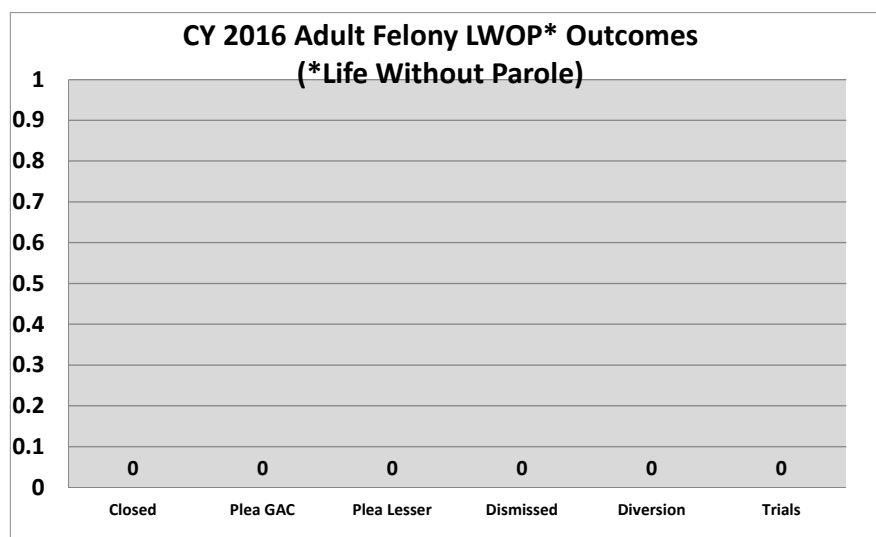
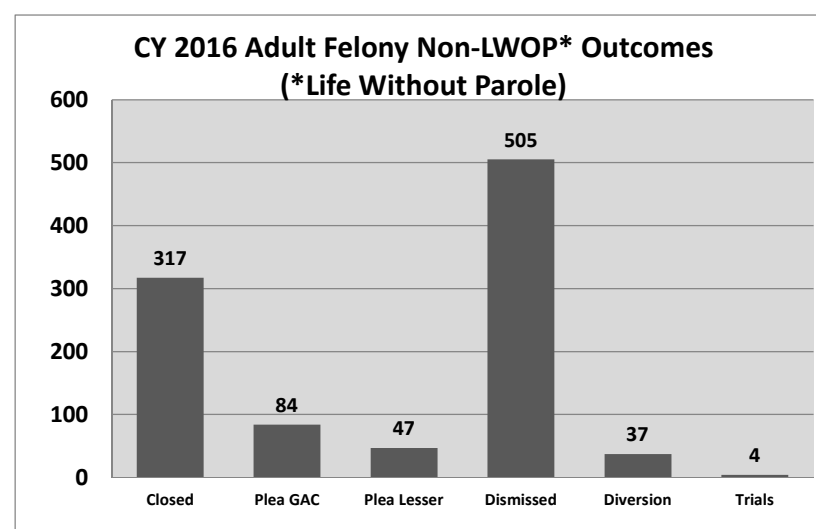
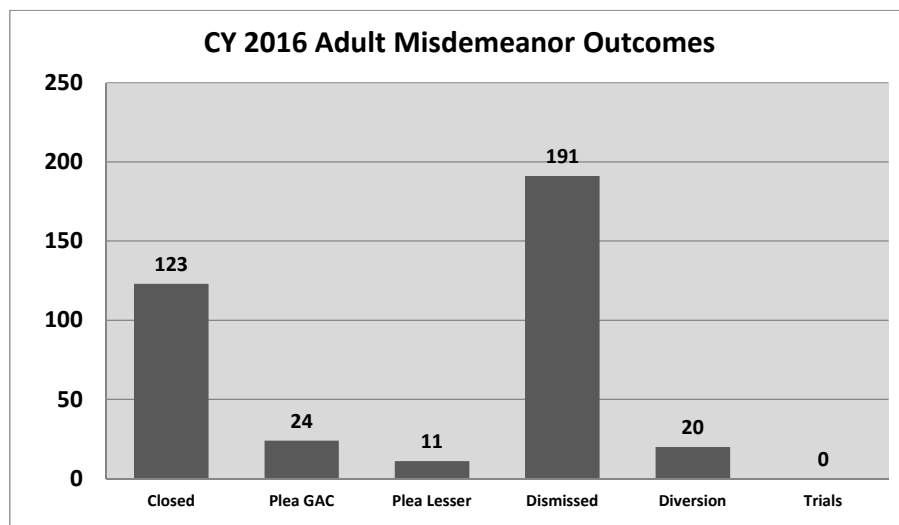


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**



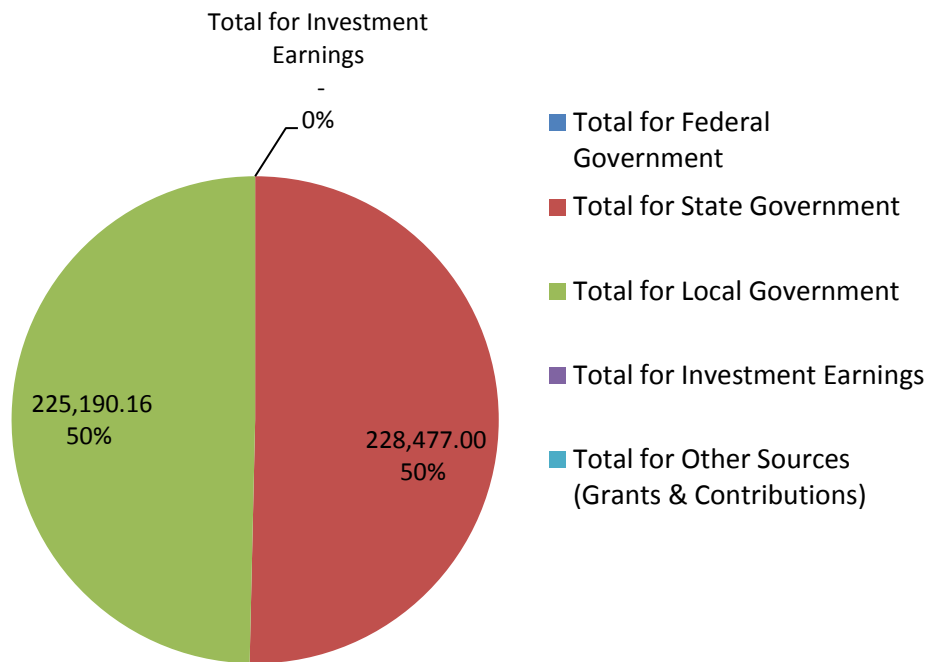


District 10 CY2016	Total CY2016
District Defender: Brett Bunson	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	6,213.00
District Assistance Fund (DAF)	222,264.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	228,477.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	14,779.50
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	36,180.00
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	75,005.00
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	86,448.96
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	161,453.96
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	7,366.70
Partial Attorney Fees	-
Reimbursements [as per 15:176]	5,410.00
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	12,776.70
Total for Local Government	225,190.16
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	-
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	453,667.16

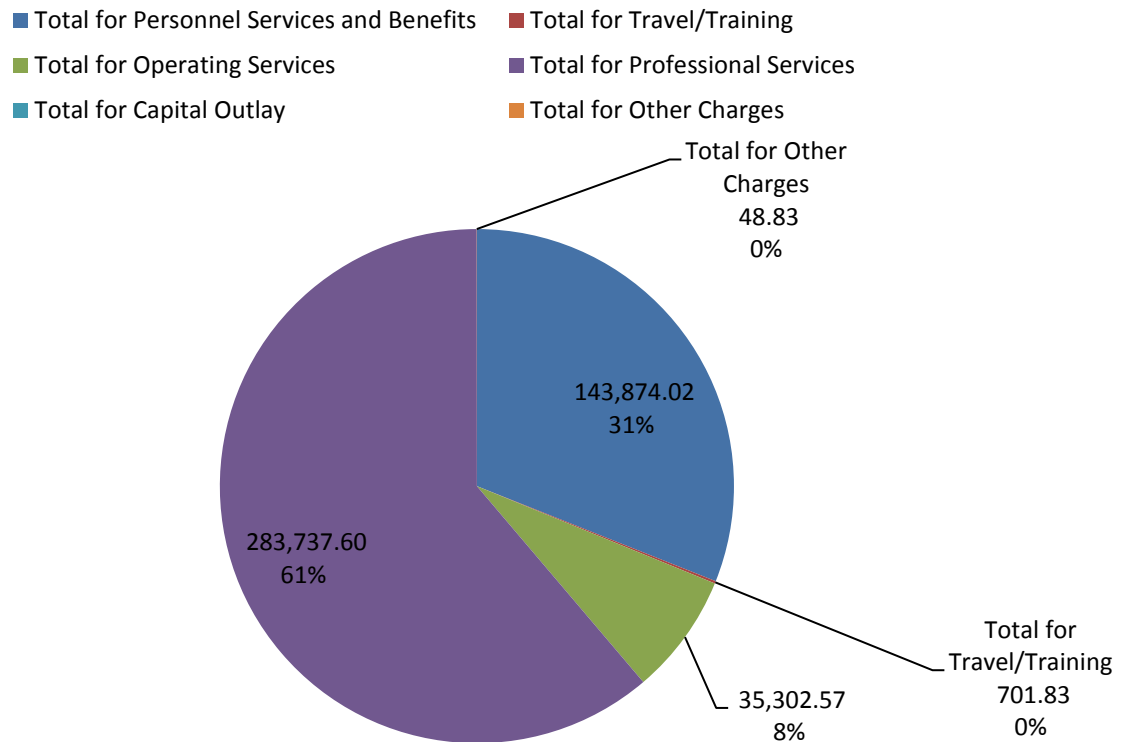
District 10 CY2016	Total CY2016
District Defender: Brett Bunson	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	133,648.39
Accrued Leave	-
Payroll Taxes	10,225.63
Hospitalization and Disability	-
Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	143,874.02
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	701.83
Total for Travel/Training	701.83
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	7,412.89
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	12,000.00
Lease - Auto/Equipment	1,454.40
Lease - Other	-
Office Repair and Maintenance	-
Office -	
Telephone/Utilities/Postage/Internet	8,626.33
Dues and Seminars	4,035.00
Law Library/Journals/Subscriptions	722.49
Office Supplies	1,051.46
Total for Operating Services	35,302.57
Professional Services	
Audit/Accounting Expense	10,007.76
Contract Clerical	25,200.00
Expert Witness	-
Investigators	1,530.00
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	12,000.00
Contract Attorneys - all other	234,999.84
IT/Technical Support	-
Total for Professional Services	283,737.60
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	48.83
Total for Other Charges	48.83
Total for EXPENDITURES	463,664.85

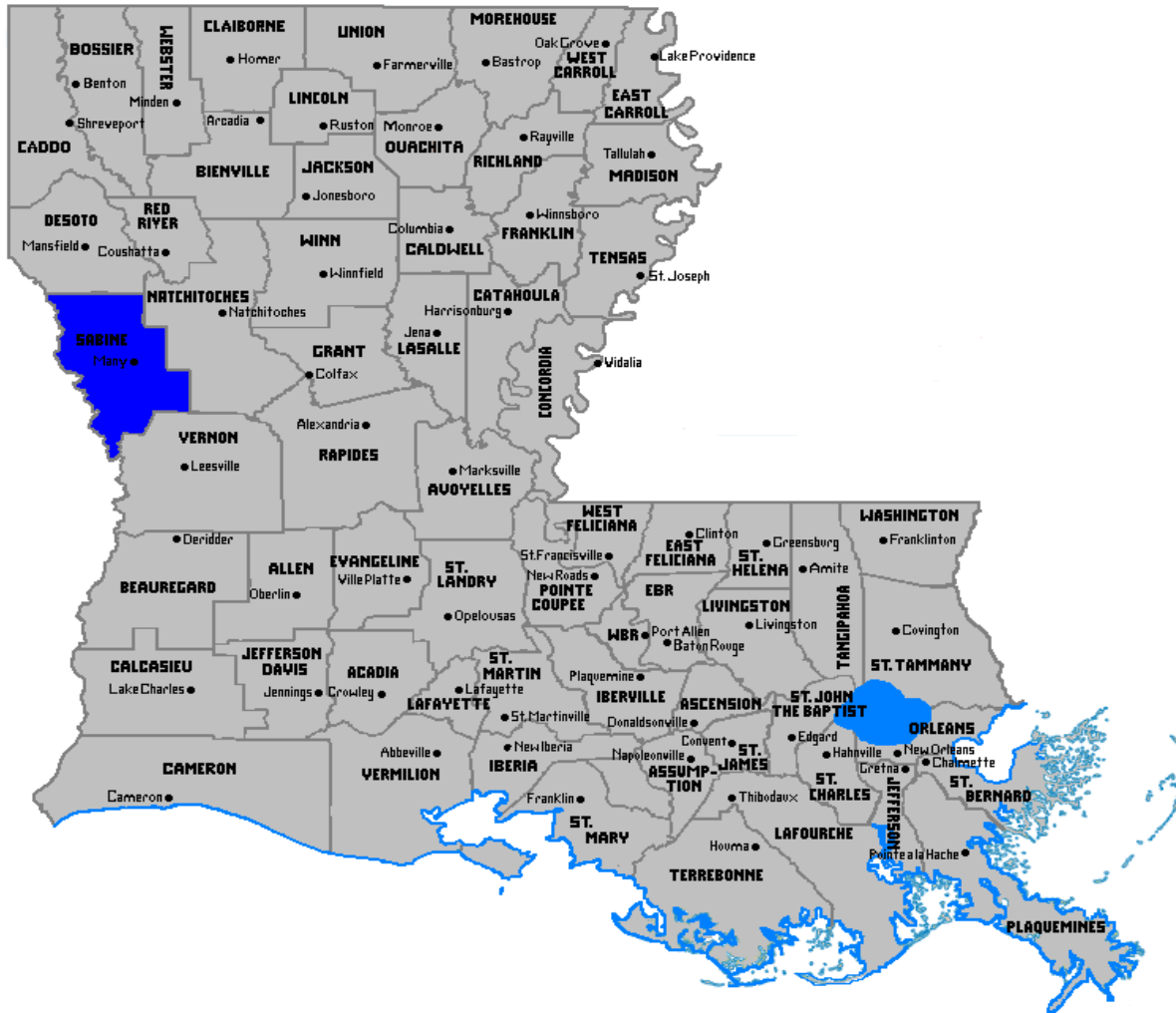
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





THE 11<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
SABINE (MANY)

DISTRICT DEFENDER: STEVEN R. THOMAS  
111 NORTH WASHINGTON  
MANSFIELD, LA 71052  
(318) 872-6250

11TH JUDICIAL DISTRICT :  
SABINE PARISH

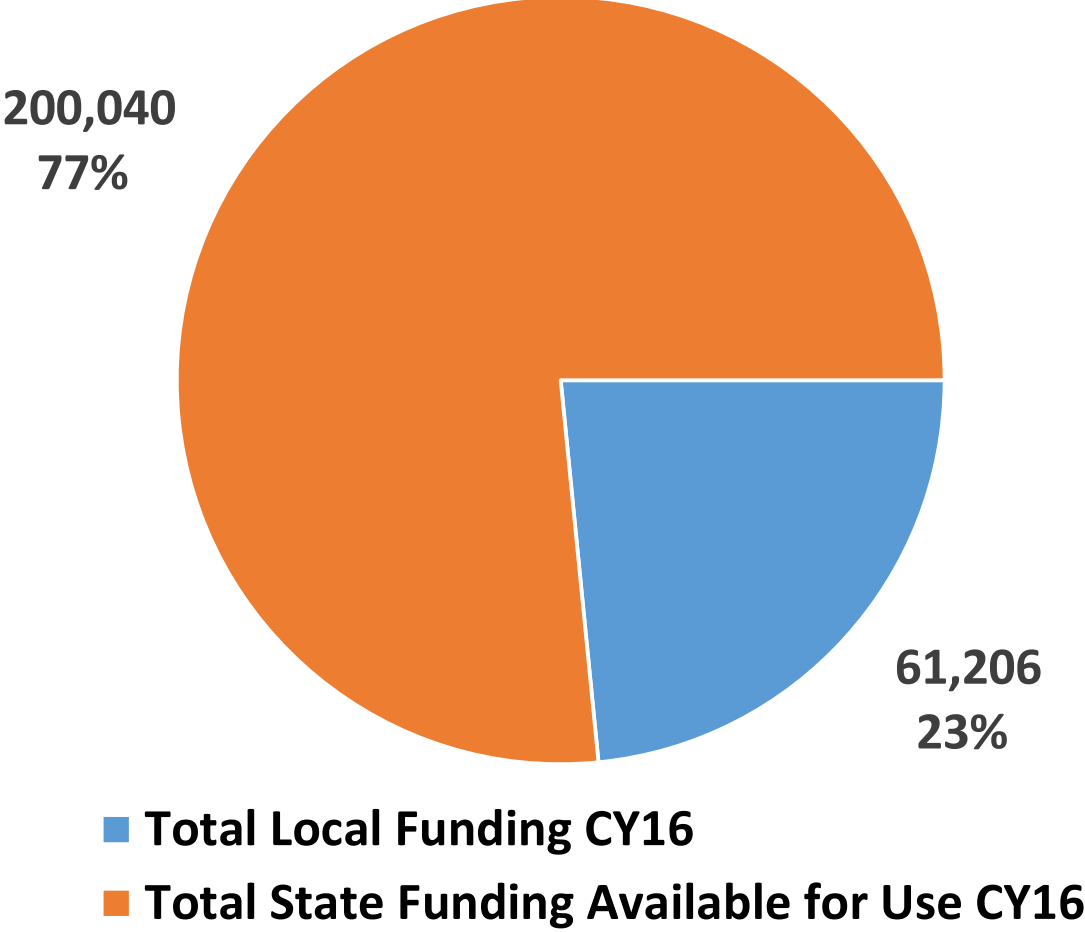
Steven R. Thomas  
District Defender  
111 North Washington  
Mansfield, LA 71052  
318-872-6250

During Calendar Year 2016, the 11th Judicial District Public Defenders Office handled 1,662 cases. The office received \$261,246 in total revenues to handle these cases. As local funding is largely insufficient, approximately 77% of revenues came from state funding compared to the statewide average of 35%.

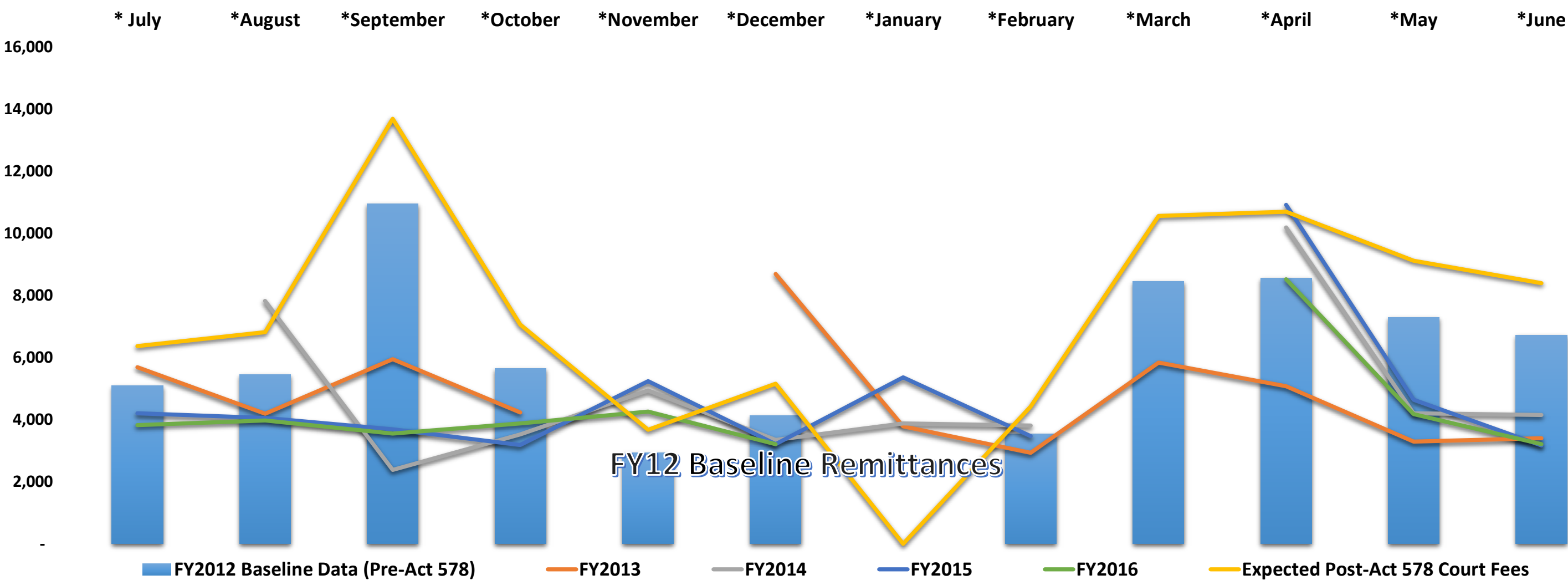
The 11th has failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated with Act 578 (2012), in fact revenues are generally lower than pre-Act 578 levels.

The 11th Judicial District office’s expenditures exceed the office’s revenues. The district has remained solvent only due to a cooperative endeavor agreement with the 42nd Judicial District.

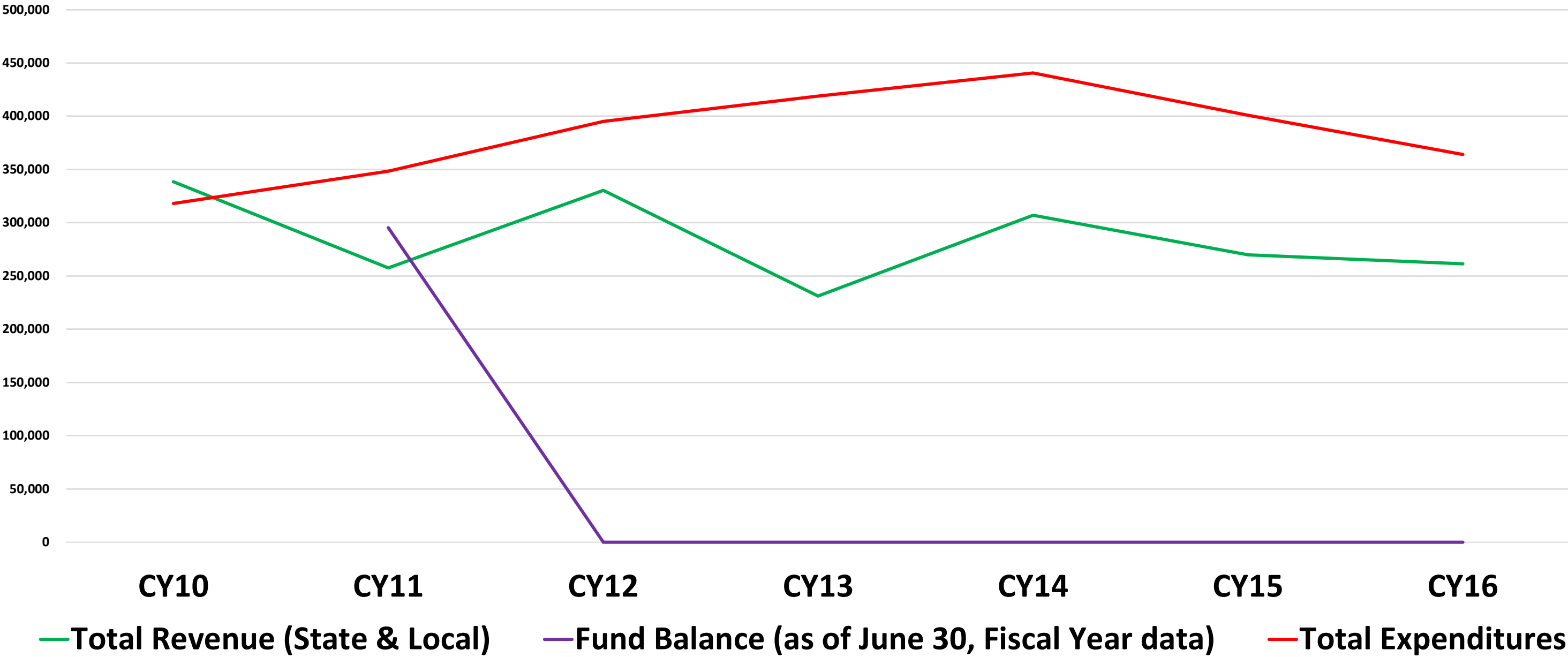
District 11 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 11 PDO

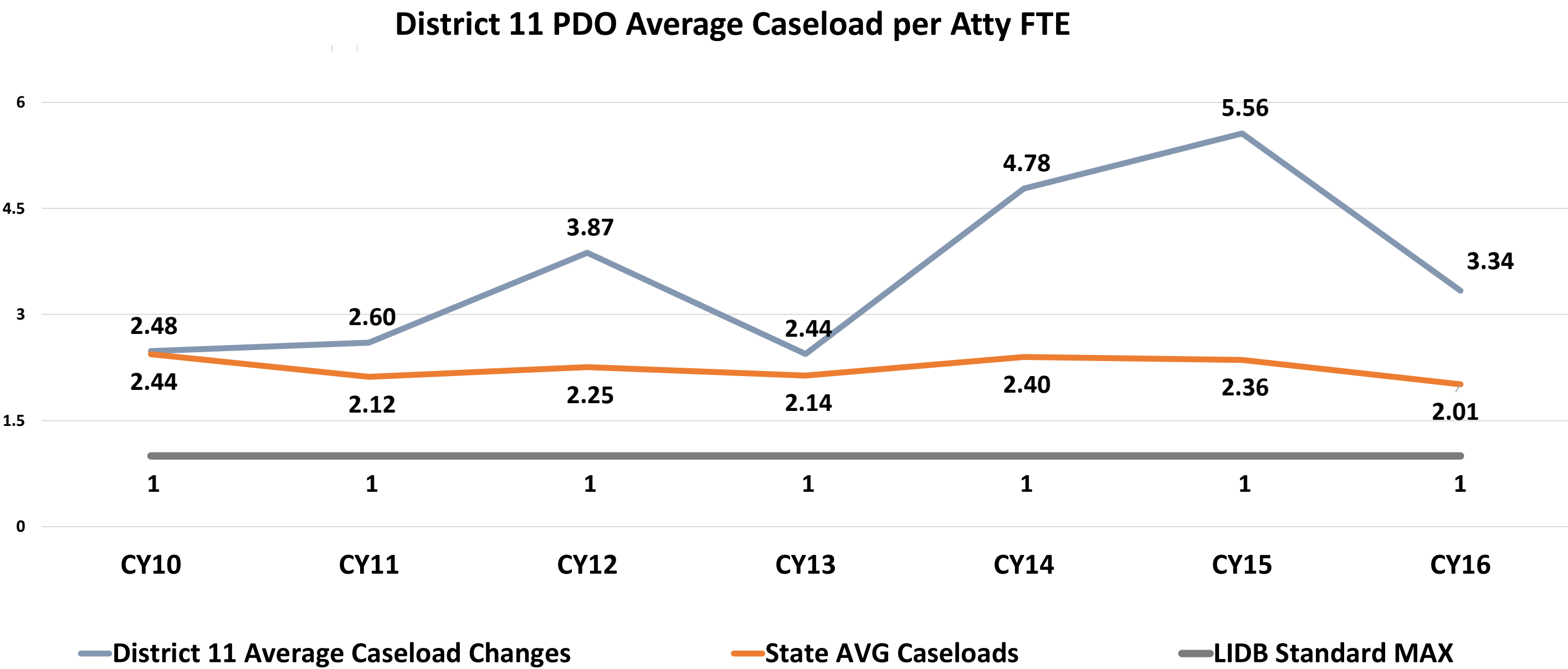


District 11 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



11TH JUDICIAL DISTRICT :  
SABINE PARISH

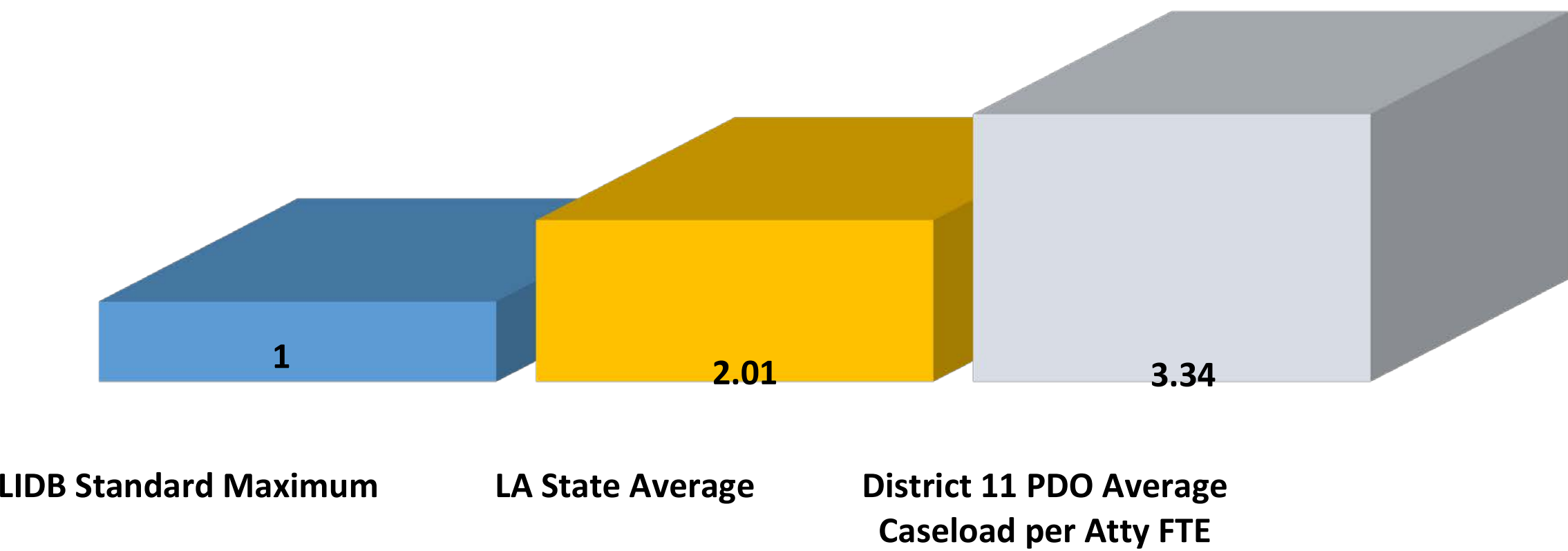
Steven R. Thomas  
District Defender  
111 North Washington  
Mansfield, LA 71052  
318-872-6250



In the 11th Judicial District, public defense attorneys maintain excessive caseloads which are more than three times the recommended caseload limit for each attorney.

Reliance on insufficient revenues has resulted in caseloads that by far exceed established caseload limits. Excessive cases limit each defender’s ability to provide effective assistance of counsel to their clients.

District 11 PDO Average Caseloads Compared to State Average & State Standard...



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.





## THE 11<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Sabine - Many
<b>Population</b>	24,233
<b>District Defender</b>	Steven R. Thomas
<b>Years as District Defender</b>	17
<b>Years in Public Defense</b>	36
<b>Office Manager</b>	Cheri Sewell
<b>Primary Office Street Address</b>	111 North Washington
<b>City</b>	Mansfield
<b>ZIP</b>	71052
<b>Primary Phone</b>	318-872-6250
<b>Primary Mailing Address</b>	P.O. Box 1004 Mansfield La. 71052
<b>Primary Fax Number</b>	318-872-6262
<b>Primary Emergency Contact</b>	Steven R. Thomas
<b>Primary Emergency Phone</b>	cell: 318-465-7001
<b>Secondary Emergency Contact</b>	Brian McRae
<b>Secondary Emergency Phone</b>	cell: 318-286-2486 Brian McRae
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	Brian McRae cell: 318-286-2486
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Steven R. Thomas
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Donated by Steven R. Thomas
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Deborah Dees CPA
<b>Courts and Locations</b>	11 JDC Sabine Parish, Many, Louisiana, Mayor's Court, Many, Louisiana
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	One division
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	All 72 hour hearing forms are sent to District Defender who assigns attorneys.
<b>Name of Adult Detention Facilities in This District</b>	Sabine Parish Detention Center, P.O. Box 1550, Many La. 71449
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	N/A

<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center, Coushatta La.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, distance from clients impacts access and greatly increases costs for attorneys, mileage, etc.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Don M. Burkett
<b>Chief Judge of Criminal District Court</b>	Stephen Beasley
<b>Juvenile Court Judges (Specify District of City Court)</b>	Stephen Beasley
<b>Drug Court Judges</b>	N/A
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Initially, at 72 hour by district judge based on poverty guidelines. Subsequently after questionnaire by district defender.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest. Within 72 hours of notice to PD office
<b>What steps does your office take to ensure conflict – free representation</b>	Careful review of indigence at 72 hour notice by DD, to identify conflicts. On going review of case developments.
<b>Brief Explanation of Intake Process</b>	Primarily by teleconference within 72 hours of notice of appointment
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	206
<b>How Many Application Fees Were Waived?</b>	81
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	5,045
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	43,211
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Form Provided by Sabine Sheriffs Department
<b>Who Collects the Assessed Court Fees?</b>	Sabine Sheriffs Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Check stub from Sabine Sheriffs Department and copy of disbursement form.
<b>Who Remits the Court Fees Collected?</b>	Sabine Parish Sheriff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Check Stub from Sabine and copy of form from Sabine Sheriffs Office
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	District Defender makes determination
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Provided by probation office/form.
<b>Who Collects the Assessed Partial Payments?</b>	Probation office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Report from Probation office
<b>Who Remits the Partial Payments Collected?</b>	Probation Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Report from Probation Office
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	3,362
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private practice is permitted for contract attorneys. No it is not in writing.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	See attachment.
<b>Primary Immediate Needs</b>	More funding.
<b>Was your office in ROS at any time during 2016</b>	No

<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No, not yet
	Critical shortfall in revenue. The 11th has little/no concern and is unwilling to change anything. uncertainty in revenue source makes it difficult to plan and impossible to grow/improve my program. Poor revenue from Sabine is getting progressively worse and any reduction in DAF would force us to reconsider the fairness of the agreement and practical/moral basis for continuing it.
<b>Immediate Critical Issue Areas</b>	
<b>Long-Term Critical Issue Areas</b>	See above.
<b>2016 Media Coverage and/or Major Accomplishments</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, I pay for seminars for attorneys. I also work individually with attorneys about strategies and approach on particular cases. We also train on the data base. We have quarterly training as well.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Richard Woolbert/Brian McRae
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chief Defender- Steven R. Thomas, Assistant District Defender- Brian C. McRae, and staff contract attorneys.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Supervisory staff has reduced case load.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, quarterly staff meetings for attorneys, and bi-monthly staff meeting for support staff.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Filed in 2016</b>	2
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None

<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Both. Attorneys responsible for representation in juvenile delinquency cases also handle adult felonies. The case stays with them.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	1
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	None
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Frank A. Howard, State Representative, Gerald Long, Senator
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	There seems to be little or no balance between the 307 board and staff's ever increasing demand for reports and data and micro management and recognition that these increase time and demands that should be devoted to representing indigent accused people. This increases attorney's dissatisfaction.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Improved house training for attorneys and staff
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Steven R. Thomas	318-872-6250
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Brian C. McRae	318-872-2973
D. Scott Kendrick	318-354-9146
Richard Woolbert	318-918-5767
Rebecca Rial	318-645-6265
Kevin Berg	318-946-8962
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Maura Dees	318-872-3007
Cheri Sewell	318-872-6250
Pam Mathis	318-872-6250

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Cheri Sewell
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	
Other (please list)	Fastcase
Number of Legal Research Licenses	
Total Cost of Legal Research Software:	No Cost
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	

<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b>HARDWARE:</b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	0
VCR	
Desktop PCs	4
Laptops	2
Video Cameras	
Digital Cameras	
Video Conferencing Systems	2
B&W Laser Printers	
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	High
Provider Name:	cep-tel
Email Provider:	att&t
Please list any software or computer equipment in which you need training:	

### 11th District Defender Office CY 2016 Caseloads & Outcomes

Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	2	2	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	17	22	119	136	0	9	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	30	41	125	155	N/A	N/A	2	0	1	4	N/A	N/A	0	0	0
Delinquency Felony	6	3	24	30	N/A	N/A	3	0	4	0	N/A	N/A	0	1	1
Delinquency-Life	1	1	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	407	269	248	655	N/A	N/A	169	11	178	2	0	0	1	2	3
Adult Felony Non-LWOP**	351	328	220	571	N/A	N/A	186	46	155	11	0	4	3	5	12
Adult LWOP	0	0	2	2	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	94	94	16	110	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	1	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

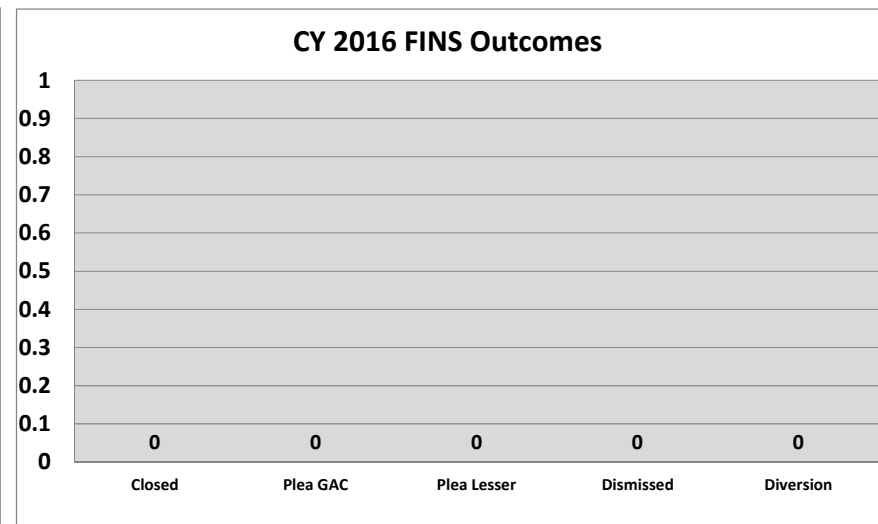
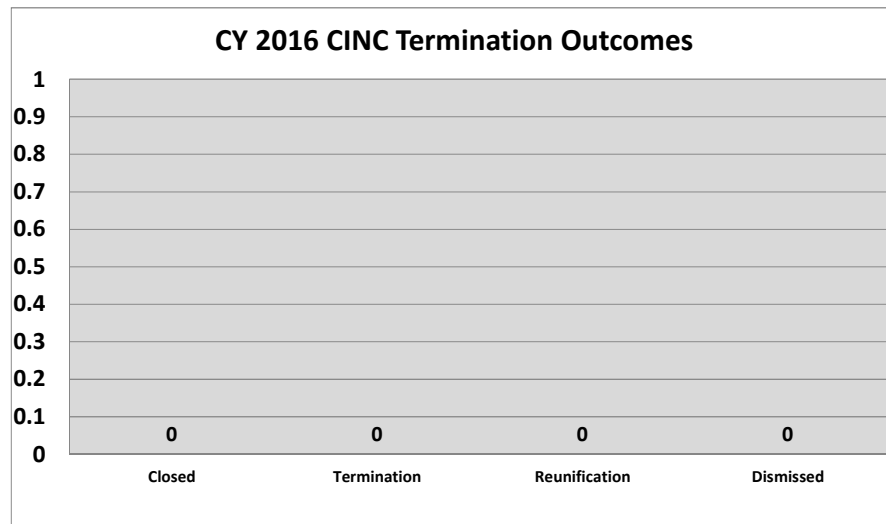
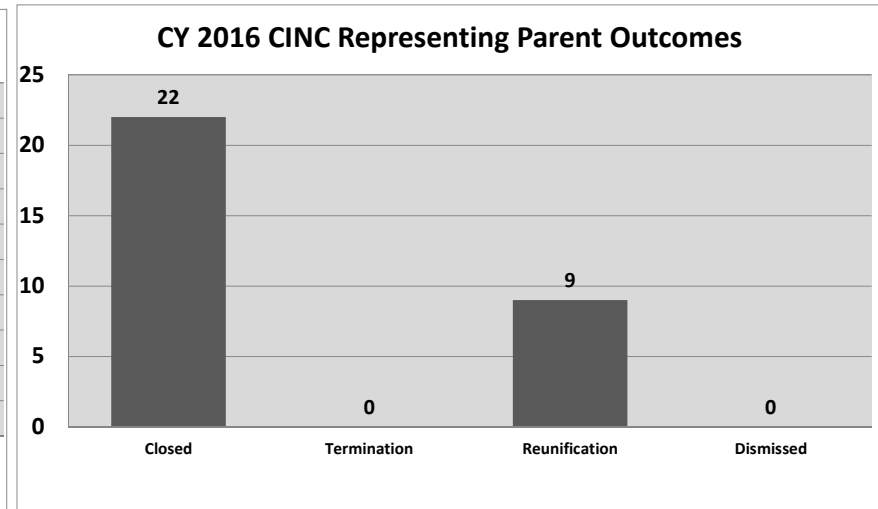
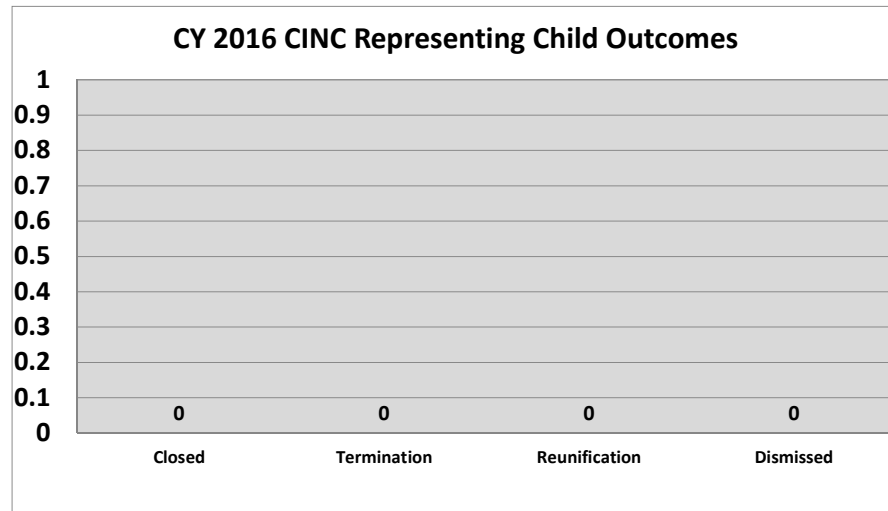
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

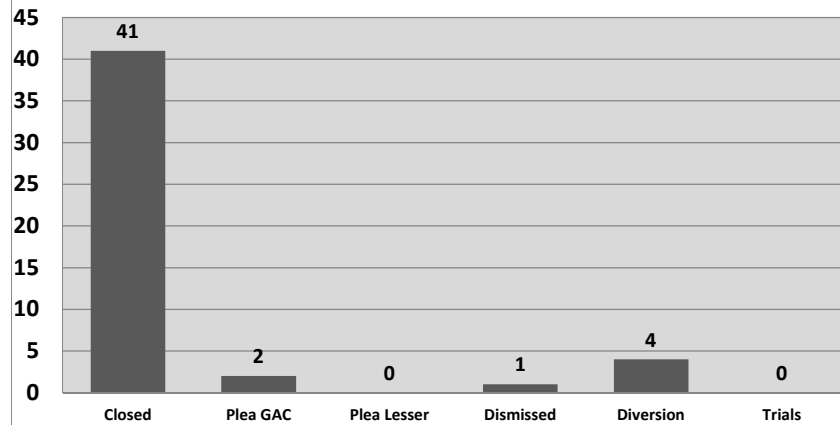
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

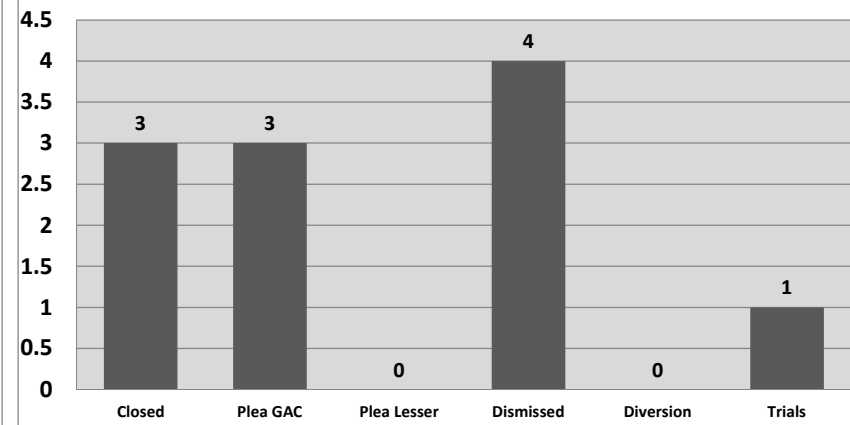




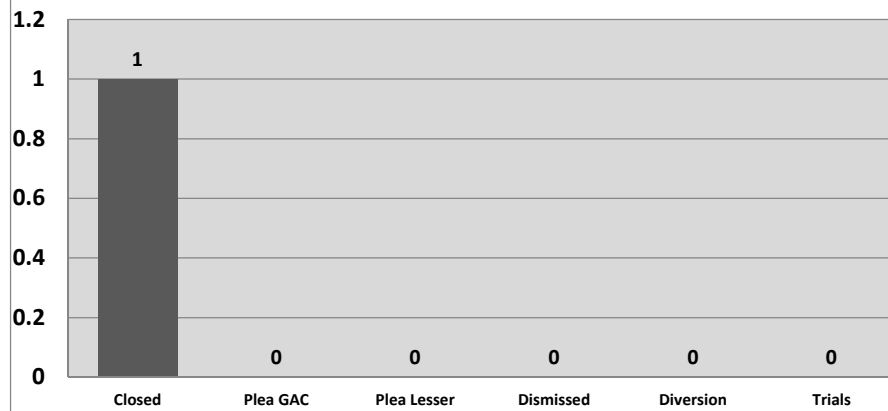
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

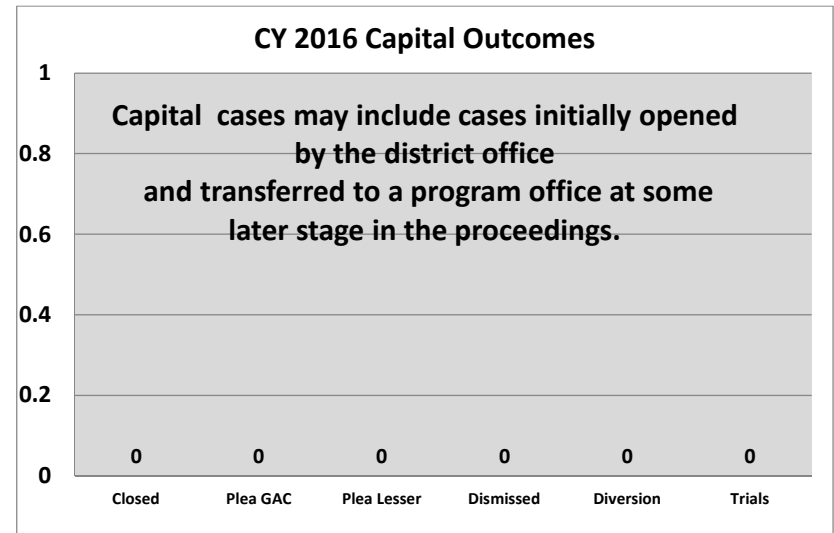
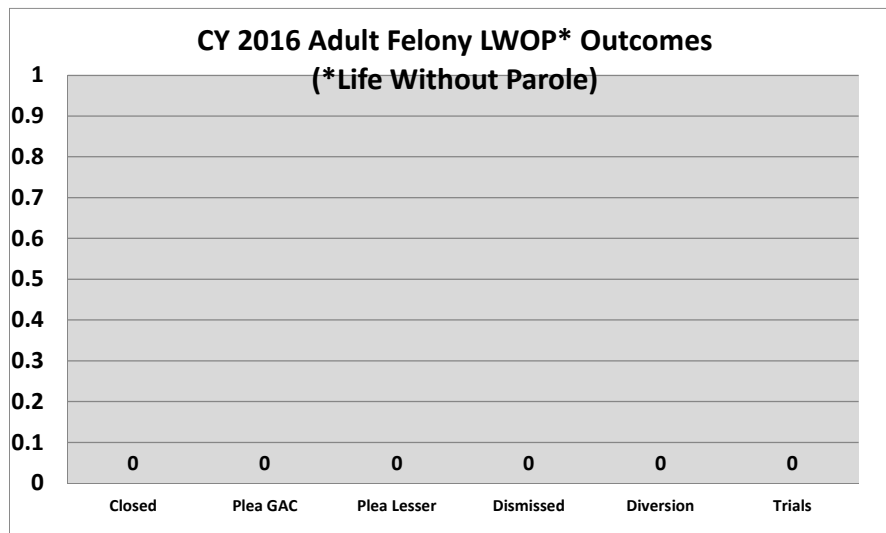
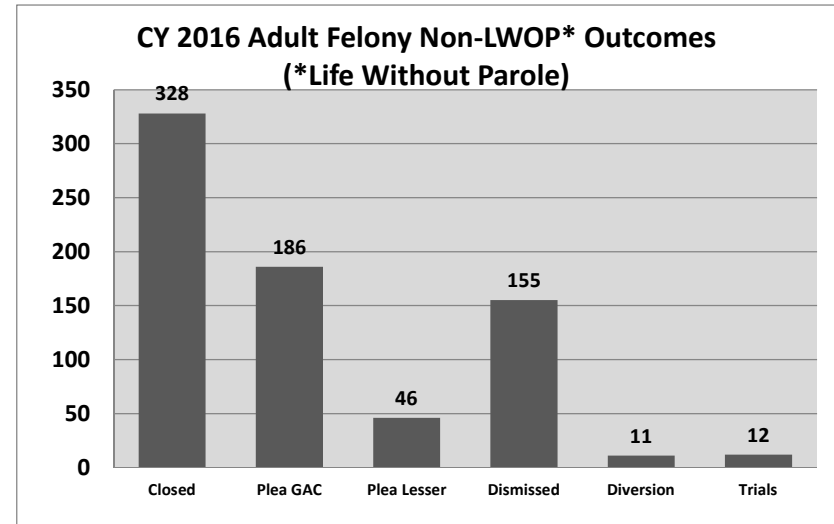
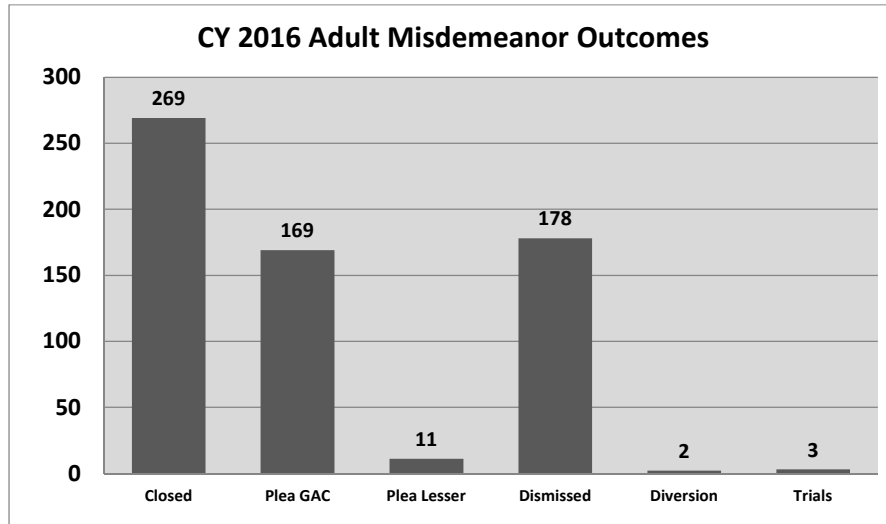


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**



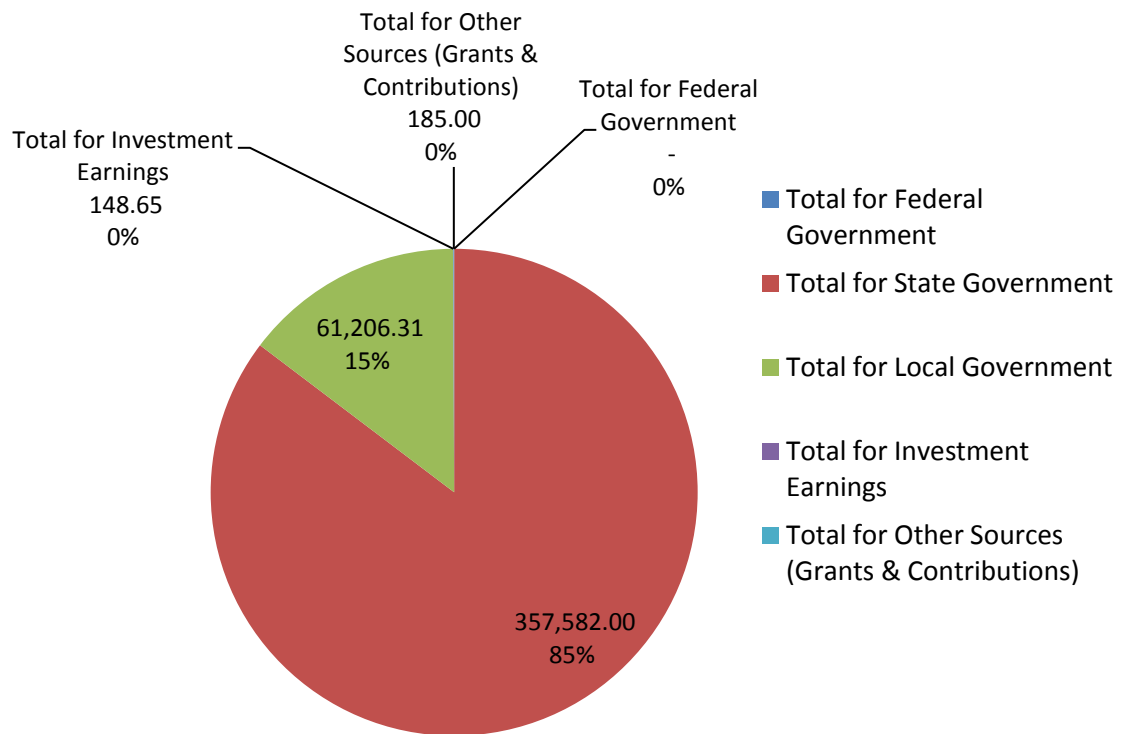


District 11 CY2016	Total CY2016
District Defender: Steven R. Thomas	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	14,576.00
District Assistance Fund (DAF)	343,006.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	357,582.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	8,988.12
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	600.00
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	43,210.99
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	43,210.99
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	5,045.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	3,362.20
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	8,407.20
Total for Local Government	61,206.31
Investment Earnings	
Interest Income	148.65
Other Investment Income - List source(s)	-
Total for Investment Earnings	148.65
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	185.00
Total for Other Sources (Grants & Contributions)	185.00
Total for REVENUE	419,121.96

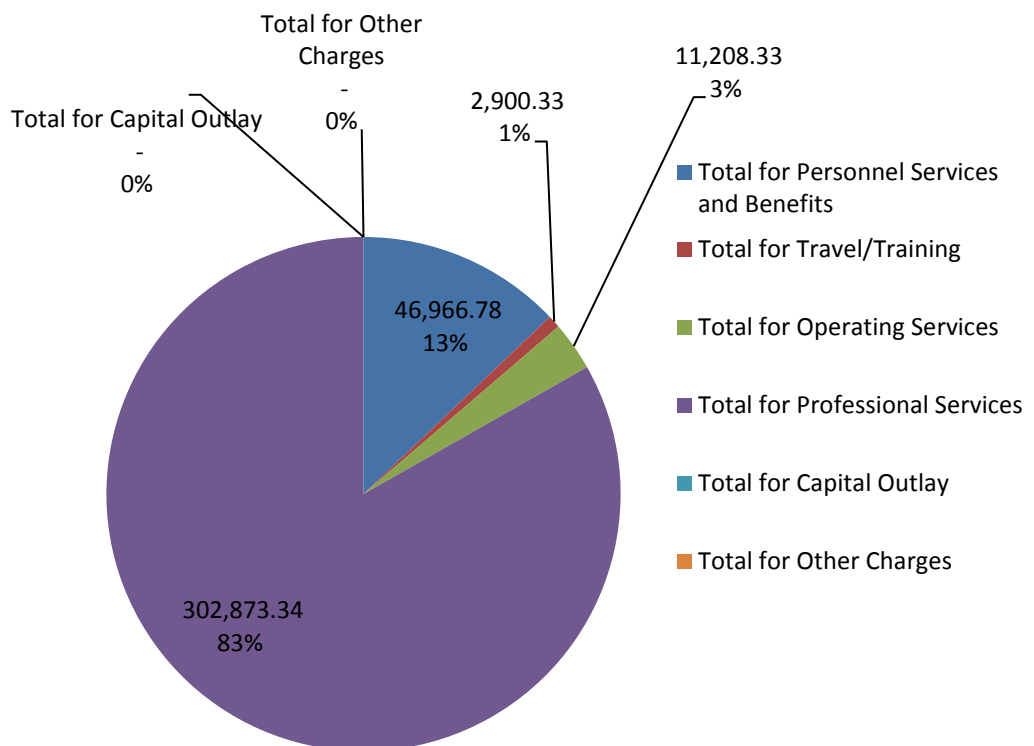
District 11 CY2016	Total CY2016
District Defender: Steven R. Thomas	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	43,629.20
Accrued Leave	-
Payroll Taxes	3,337.58
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	46,966.78
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	2,900.33
Total for Travel/Training	2,900.33
Operating Services	
Advertisements	11.00
Workers' Compensation	293.50
Insurance - Malpractice	2,201.32
Insurance - Auto/Physical Liability	-
Insurance - Other	1,025.82
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	4,621.87
Dues and Seminars	902.88
Law Library/Journals/Subscriptions	798.92
Office Supplies	1,353.02
Total for Operating Services	11,208.33
Professional Services	
Audit/Accounting Expense	7,287.50
Contract Clerical	-
Expert Witness	2,400.00
Investigators	1,620.00
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	35,750.00
Misdemeanor Attorney Contracts	12,000.00
Contract Attorneys - all other	242,828.06
IT/Technical Support	987.78
Total for Professional Services	302,873.34
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
Total for EXPENDITURES	363,948.78

NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





THE 12<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
AVOYELLES (MARKSVILLE)

DISTRICT DEFENDER: BRADLEY P. DAUZAT  
110 E. MARK STREET  
MARKSVILLE, LA 71351  
(318) 253-0091

# 12TH JUDICIAL DISTRICT : AVOYELLES PARISH

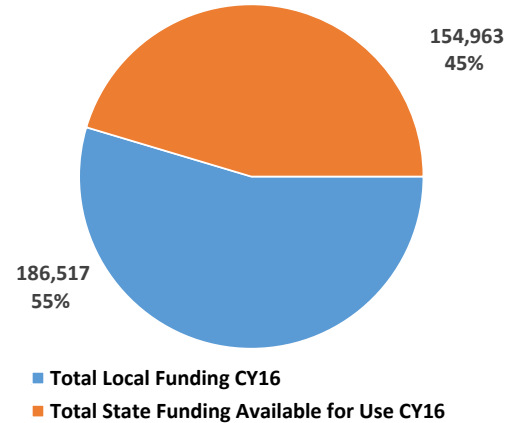
Bradley P. Dauzat  
District Defender  
110 E Mark Street  
Marksville, LA 71351  
318-253-0091

During Calendar Year 2016, the 12th Judicial District Public Defenders Office handled 2,668 cases. The office received \$341,480 in total revenues to handle these cases, approximately 55% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

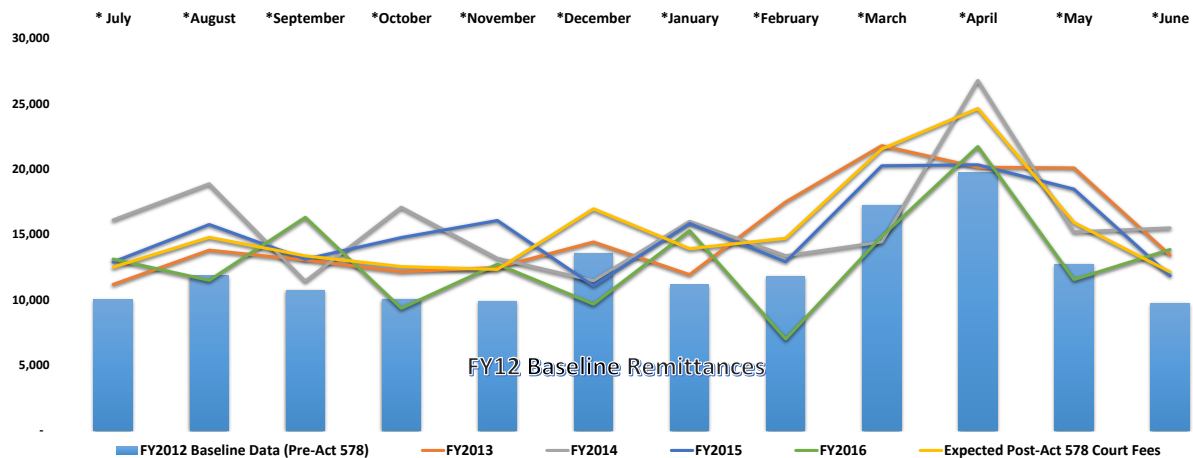
Since the inception of the \$10 increase in special court costs associated with Act 578 (2012), local revenues associated with court costs have fallen below the 25% expected increase more than fifty percent of the time.

The 12th Judicial District office has nearly exhausted its fund balance. Additional state supplemental assistance in previous years has prevented insolvency, however without a reliable increase in revenues or reduction in expenditures, the office will deplete its small fund balance and eventually become insolvent.

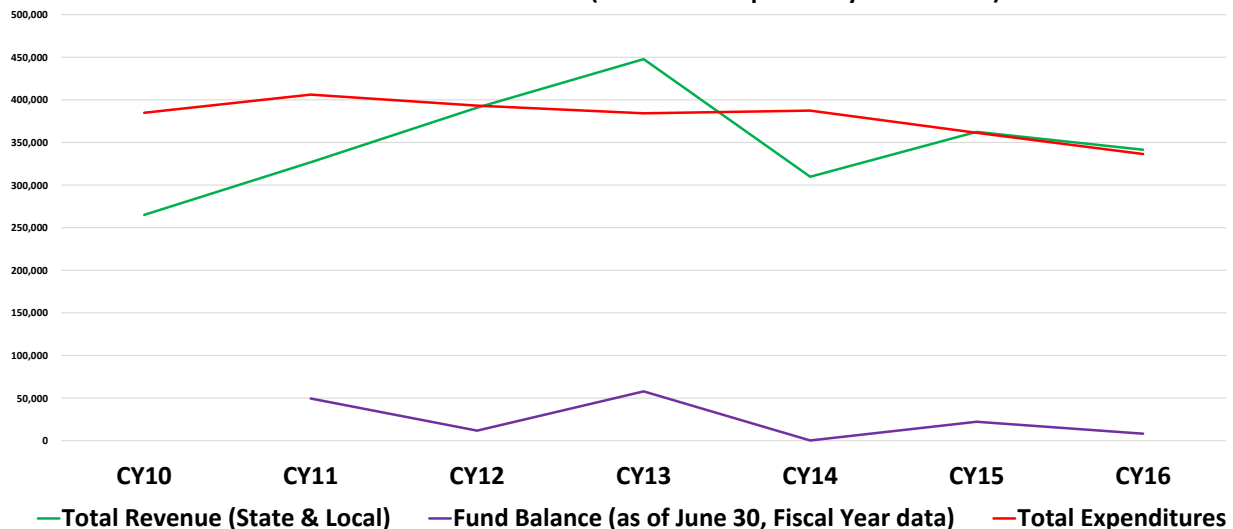
**District 12 PDO Revenue Sources CY16**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 12 PDO**



**District 12 PDO Finances CY10-16 (FB must be reported by Fiscal Years)**

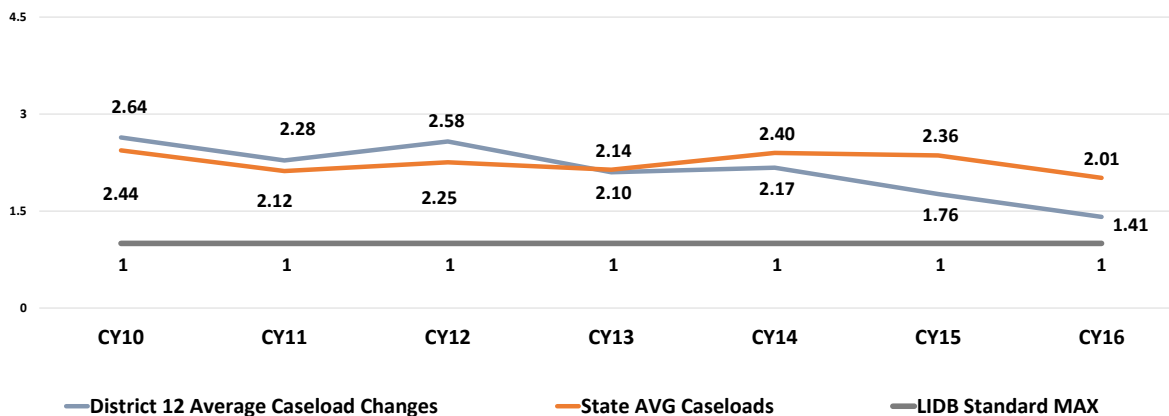




## 12TH JUDICIAL DISTRICT : AVOYELLES PARISH

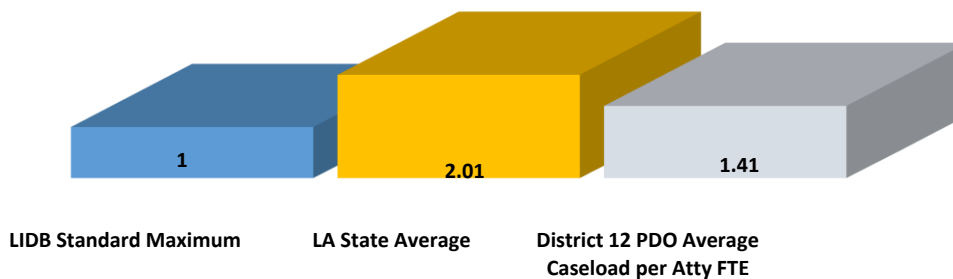
Bradley P. Dauzat  
District Defender  
110 E Mark Street  
Marksville, LA 71351  
318-253-0091

District 12 PDO Average Caseload per Atty FTE



In the 12th Judicial District, public defense attorneys maintain caseloads in excess of recommended caseload limits for each attorney.

District 12 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 12<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Avoyelles - Marksville
<b>Population</b>	41,103
<b>District Defender</b>	Bradley P. Dauzat
<b>Years as District Defender</b>	9
<b>Years in Public Defense</b>	11
<b>Office Manager</b>	V. Elaine Benjamin
<b>Primary Office Street Address</b>	110 E Mark Street
<b>City</b>	Marksville
<b>ZIP</b>	71351
<b>Primary Phone</b>	318-253-0091
<b>Primary Mailing Address</b>	P.O. Box 111, Marksville, LA 71351
<b>Primary Fax Number</b>	318-253-0088
<b>Primary Emergency Contact</b>	Elaine Benjamin
<b>Primary Emergency Phone</b>	318-359-0732
<b>Secondary Emergency Contact</b>	Bradley Dauzat
<b>Secondary Emergency Phone</b>	318-253-7964
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	bdmanagement
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,350
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Ducote & Company
<b>Courts and Locations</b>	12th Judicial District Court, Avoyelles Parish, Marksville; Marksville City Court; Bunkie City Court.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	4- 2 district court divisions 2 city courts.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	2 criminal court divisions - 2 public defenders (contract) per division handling felonies; 1 attorney handles misd. in both divisions; 1 full time juvenile attorney - district and city courts and 2 conflict hourly attorney as needed (felony & CINC).
<b>Name of Adult Detention Facilities in This District</b>	Bunkie Detention Center; Sheriff's Office/Men's Parish Jail; Cottonport Women's Prison

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Rapides (only for special cases - rare/frequent).
<b>Name of Juvenile Detention Facilities In This District</b>	Avoyelles Parish Sheriff's Office Temporary Housing.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Rapides (only for special cases - rare/frequent).
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Marginally -- however, defense attorney are allowed any request necessary to facilitate proper representation.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No shackles before the Judge.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	None
<b>District Attorney</b>	Charles Riddle, III
<b>Chief Judge of Criminal District Court</b>	William Bennett
<b>Juvenile Court Judges (Specify District of City Court)</b>	William Bennett District Court, Kerry Spruill, District Court, Angelo Piazza III Marksville City Court; Derrick Earles Bunkie City Court.
<b>Drug Court Judges</b>	William Bennett
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Initial inquiry by Judge then by application to chief defender. Incarceration automatically qualifies.
<b>When is Assignment/Appointment of Counsel Made?</b>	At 72 hour hearing. If incarcerated - at 72 hour hearing; if on bond - at 72 hour hearing, upon application, or at arraignment - whichever occurs first.
<b>What steps does your office take to ensure conflict – free representation</b>	District Chief reviews file before appointments are made.
<b>Brief Explanation of Intake Process</b>	The chief defender is the primary counsel at 72 hour hearing. At arraignment, a more thorough intake is completed which becomes part of the client file.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	1,037
<b>How Many Application Fees Were Waived?</b>	None, applications fees waived on inmate clients.
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	7,300
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	151,733

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Collected by Sheriff & Judicial Administrator.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Monthly invoices from Sheriff and from City Courts.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff and City Court Clerks
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Itemized listing is provided each month.
<b>Who Remits the Court Fees Collected?</b>	Sheriff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	See above
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	N/A
<b>Who Collects the Assessed Partial Payments?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	N/A
<b>Who Remits the Partial Payments Collected?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	N/A
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	0
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private practice and criminal practice permitted provide no conflict.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Insure funding and continued training of personnel.

<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Unknown as this time
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Yes. Had to lay off Freeman Ford.
<b>Immediate Critical Issue Areas</b>	Find funding to insure continuing operations and to properly fund LWOP Cases. Provide a central file storage area for all closed P.D. files.
<b>Long-Term Critical Issue Areas</b>	Explore possibility of purchasing a building for the PDO.
<b>2016 Media Coverage and/or Major Accomplishments</b>	Due to cuts in expenditures & staff downsize, this office was able to complete the year without going into restrictions of services.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	12th JDC has 2 criminal court divisions with 2 defenders (1 senior and 1 junior) in each along with the chief. Each junior has a more experienced senior attorney upon which they can get advice and experience. Juniors are asked to sit on senior trials and seniors are asked to monitor junior trials. Chief monitors all. Juvenile defender is responsible only to the client and the chief. Chief takes criminal cases because he chooses to and each defender is assigned cases equally by the chief.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Maxwell Bordelon
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	None
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	12th JDC has 2 criminal court divisions with 2 defenders (1 senior and 1 junior) in each along with the chief. Each junior has a more experienced senior attorney upon which they can get advice and experience. Juniors are asked to sit on senior trials and seniors are asked to monitor junior trials. Chief monitors all. Juvenile defender is responsible only to the client and the chief. Chief takes criminal cases because he chooses to and each defender is assigned cases equally by the chief.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No. See supervisory structure above.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Elaine Benjamin
<b>Regular Meetings for Any Staff, Please Describe</b>	Chief Defender Bradley Dauzat attends state board meetings each month.

<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	No data retained in 2016
<b>Number of Writs Your District Filed in 2016</b>	No Data retained in 2016
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	None
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	None
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Robert Johnson – Rep. Eric Lafleur - Senate.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Clients failure to consult with his/her counsel.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	More effort was spent in supervisory role and file review with defenders.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Bradley Dauzat	318-253-7964
Maxwell Bordelon	318-253-0091
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Keith Manuel	318-253-5126
Allen Smith	318-448-3234
Chad Guillot	318-792-2192
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Elaine Benjamin	318-253-0091

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	V. Elaine Benjamin
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	No-Due to budget cut
Westlaw	No-Due to budget cut
Other (please list)	No-Due to budget cut
Number of Legal Research Licenses	No-Due to budget cut
Total Cost of Legal Research Software:	0
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	x (own excel program to monitor clients)
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	

Intuit	x
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	3
VCR	
Desktop PCs	2
Laptops	1
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	1
Wireless Cards	
Smartphones (Funded by Office)	2
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	AT&T
Email Provider:	AT&T
Please list any software or computer equipment in which you need training:	Power Point



## 12th District Defender Office CY 2016 Caseloads & Outcomes

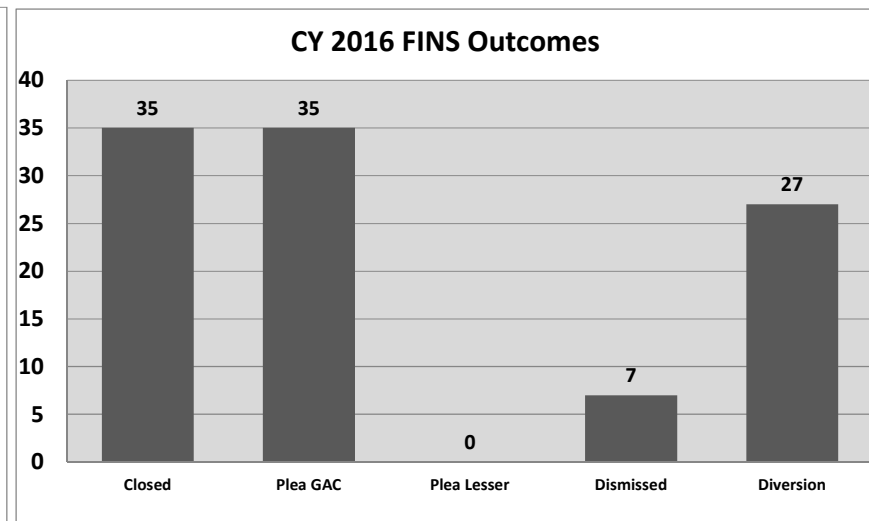
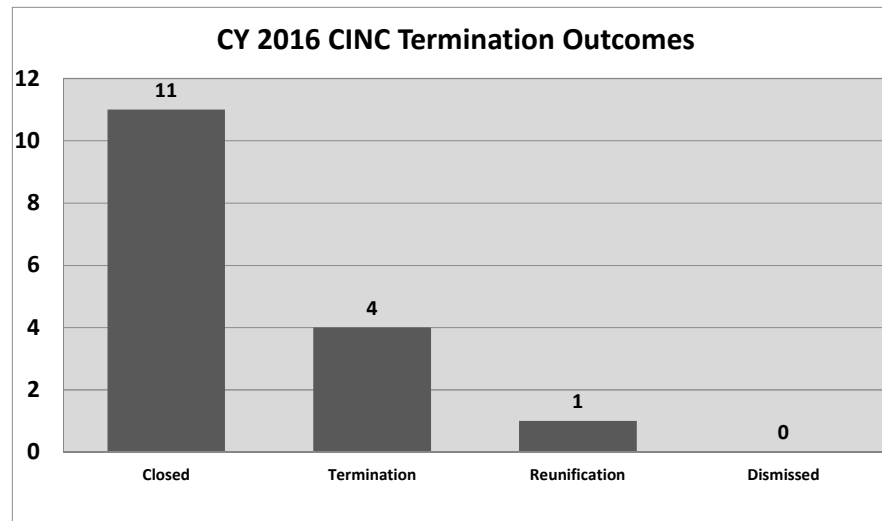
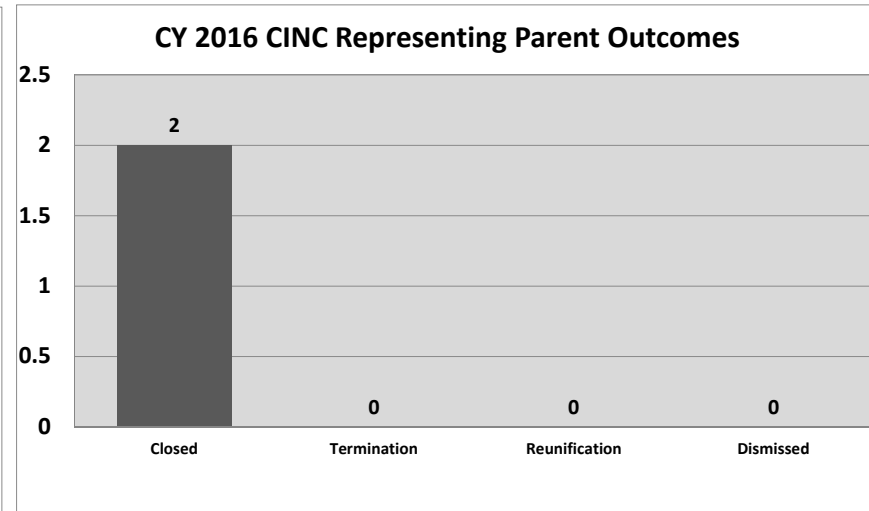
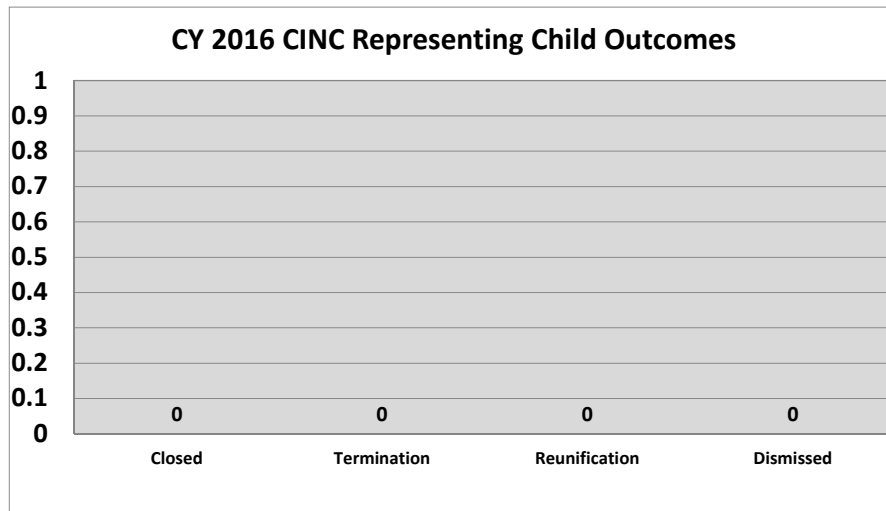
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	1	1	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	17	2	2	19	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	10	11	0	0	4	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	34	35	1	0	N/A	N/A	35	0	7	27	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	155	169	0	0	N/A	N/A	167	3	0	117	N/A	N/A	0	2	2
Delinquency Felony	28	84	0	67	N/A	N/A	54	8	0	3	N/A	N/A	0	1	1
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	1366	1181	227	1593	N/A	N/A	631	57	429	0	0	0	13	20	33
Adult Felony Non-LWOP**	727	639	193	920	N/A	N/A	375	145	130	0	0	1	0	4	5
Adult LWOP	4	2	1	5	N/A	N/A	1	1	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	63	63	0	63	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

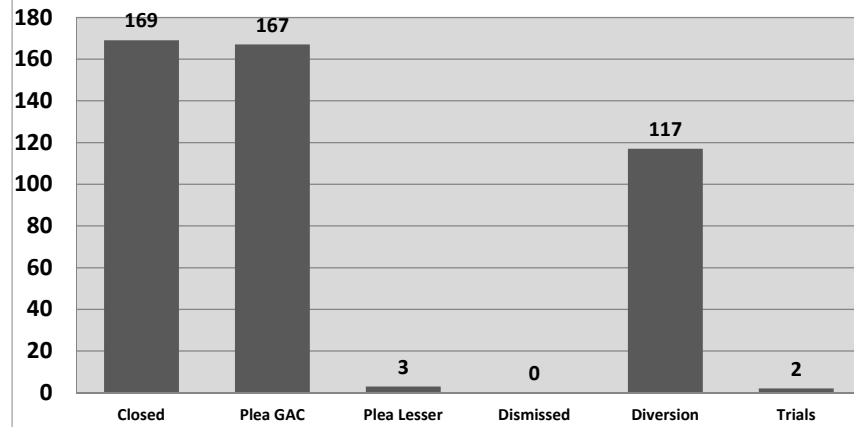
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

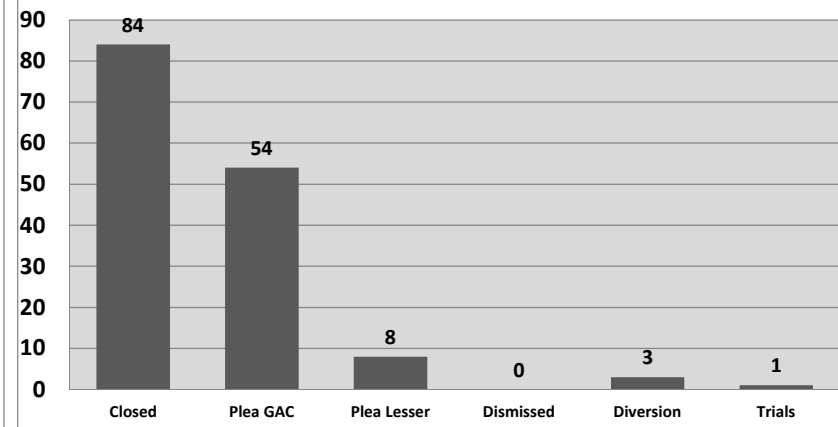
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



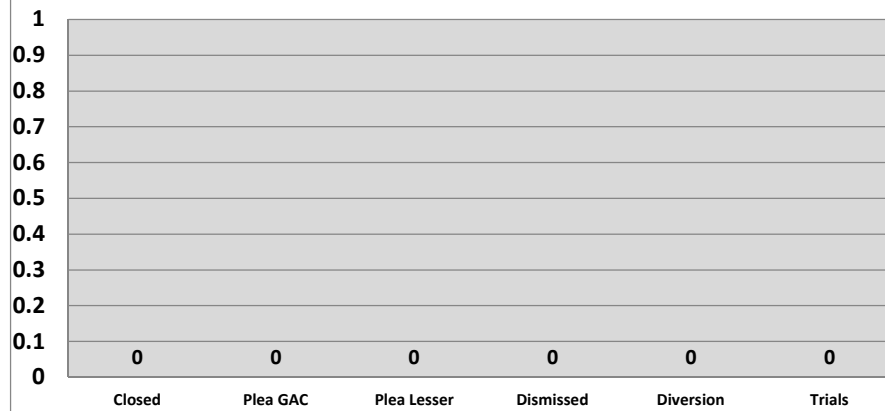
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

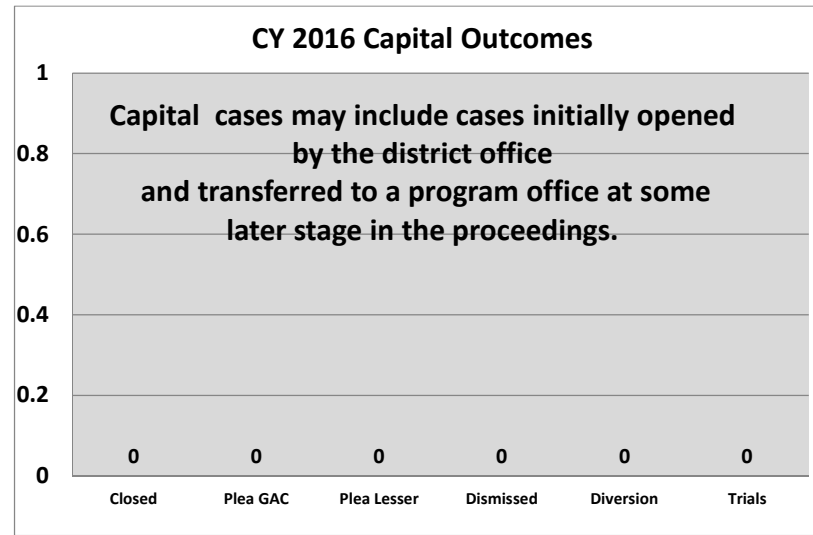
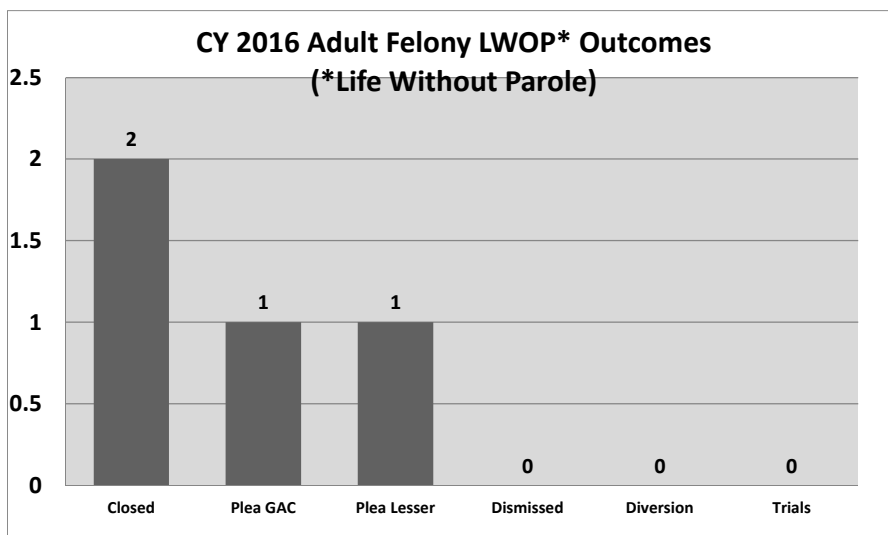
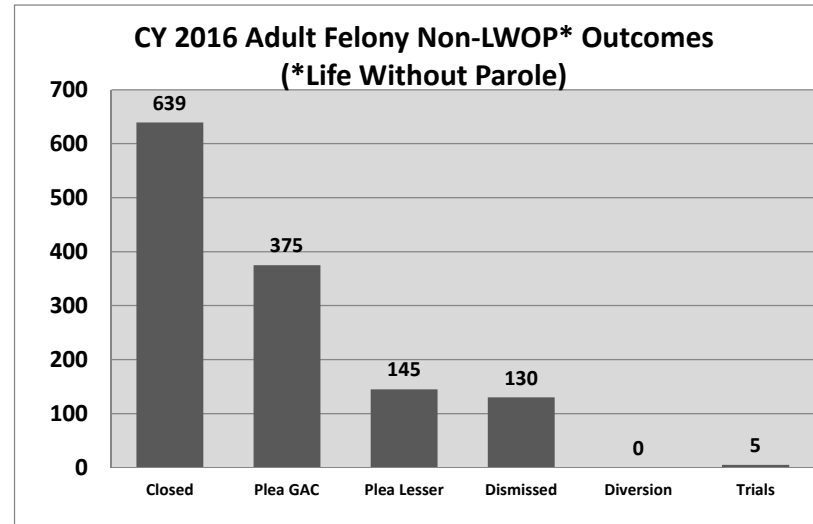
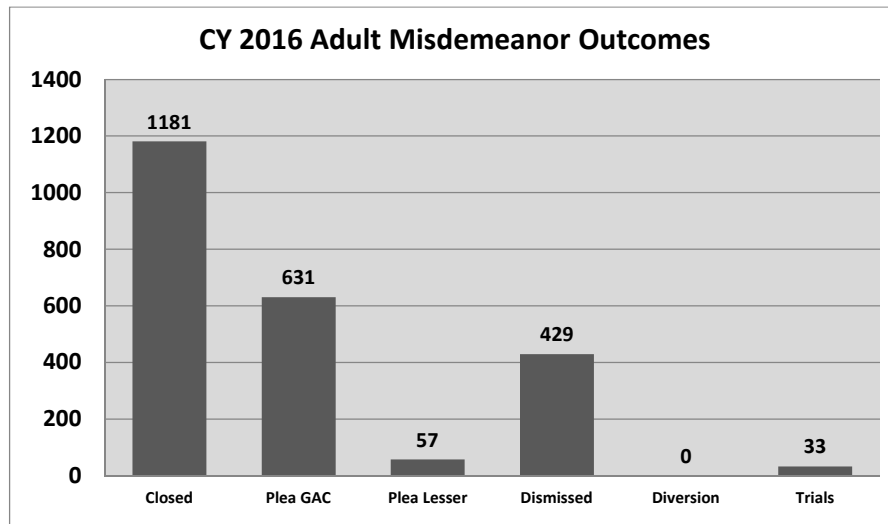


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**





District 12 CY2016	Total CY2016
District Defender: Bradley P. Dautat	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	956.00
District Assistance Fund (DAF)	187,889.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	188,845.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	12,526.70
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	974.00
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	37,135.00
Judicial District Courts	126,346.82
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	163,481.82
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	7,780.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	1,754.00
Total for Charges For Services	9,534.00
Total for Local Government	186,516.52
Investment Earnings	
Interest Income	165.74
Other Investment Income - List source(s)	-
Total for Investment Earnings	165.74
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	375,527.26

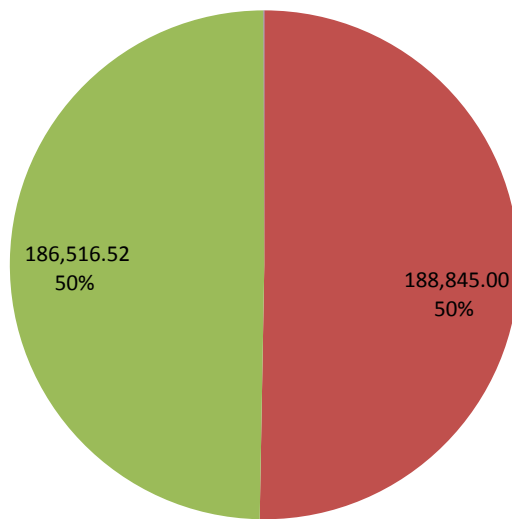
District 12 CY2016	Total CY2016
District Defender: Bradley P. Dautat	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	137,600.16
Accrued Leave	-
Payroll Taxes	2,491.85
Hospitalization and Disability Insurance	3,035.74
Retirement	17,888.16
Other	-
Total for Personnel Services and Benefits	161,015.91
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	85.00
Total for Travel/Training	85.00
Operating Services	
Advertisements	50.00
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	7,800.00
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	7,924.96
Dues and Seminars	65.00
Law Library/Journals/Subscriptions	-
Office Supplies	1,226.02
Total for Operating Services	17,065.98
Professional Services	
Audit/Accounting Expense	3,000.00
Contract Clerical	-
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	21,600.00
Contract Attorneys - all other	133,200.00
IT/Technical Support	190.00
Total for Professional Services	157,990.00
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	312.08
Total for Other Charges	312.08
Total for EXPENDITURES	336,468.97

NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues

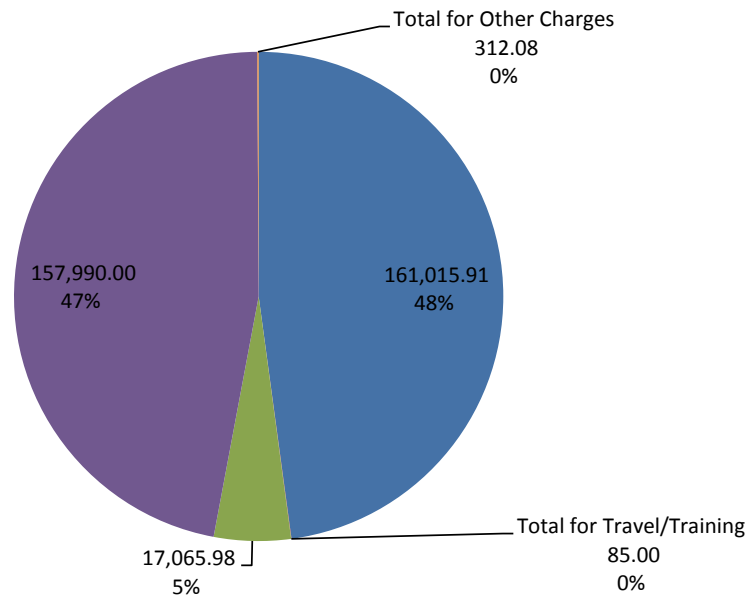
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)

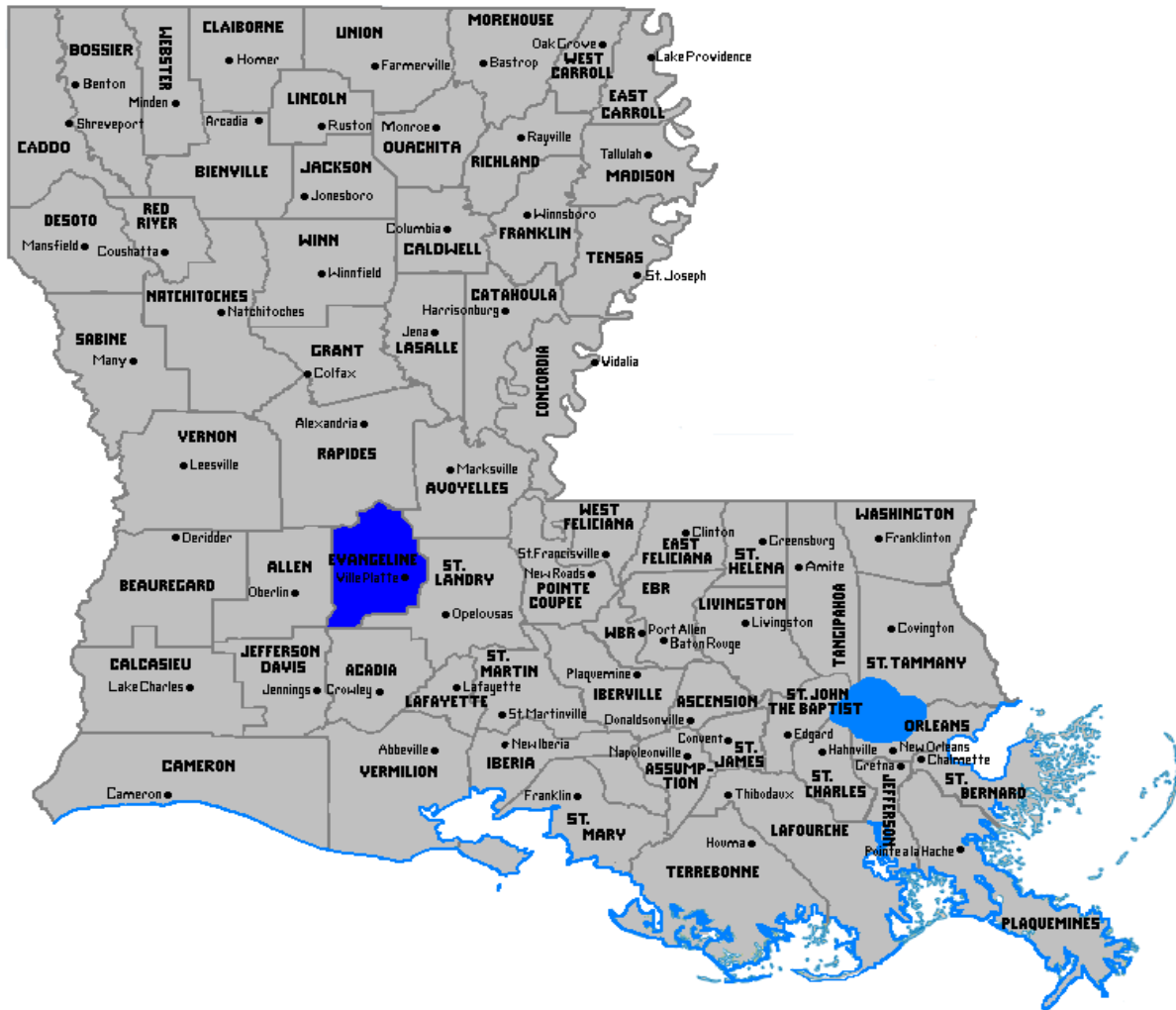
Total for Investment  
Earnings  
165.74  
0%



## CY16 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





# THE 13<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE EVANGELINE (VILLE PLATTE)

DISTRICT DEFENDER: ALEX D. CHAPMAN, JR.  
801 WEST LINCOLN ROAD  
VILLE PLATTE, LA 70586  
(337) 363-2229



# 13TH JUDICIAL DISTRICT : EVANGELINE PARISH

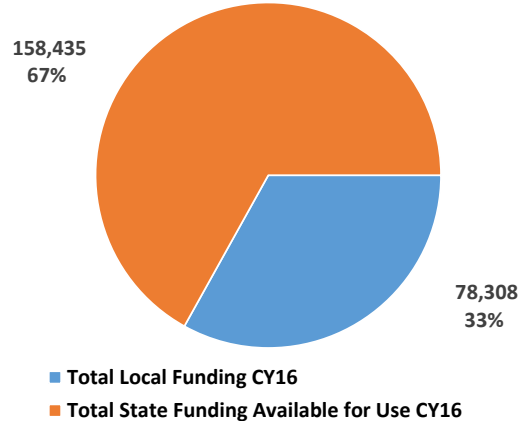
Alex D. Chapman, Jr.  
District Defender  
801 W. Lincoln Road  
Ville Platte, LA 70586  
337-363-2229

During Calendar Year 2016, the 13th Judicial District Public Defenders Office handled 1,960 cases. The office received \$236,743 in total revenues to handle these cases. As local funding is largely insufficient, approximately 67% of revenues came from state funding.

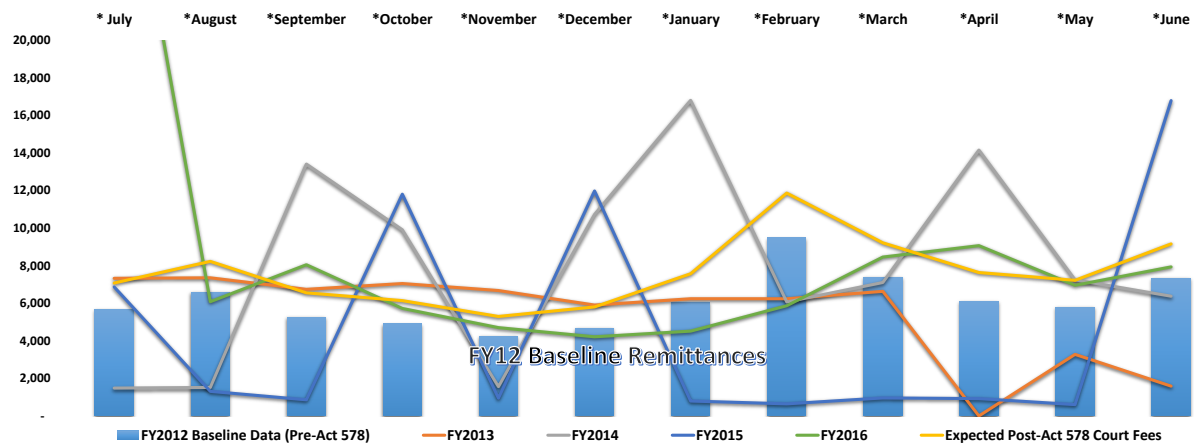
With the exception of a few months, the 13th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated with Act 578 (2012).

With the exception of CY15, the 13th Judicial District office's expenditures have exceeded revenues every year since CY10, resulting in a minimal fund balance for the office.

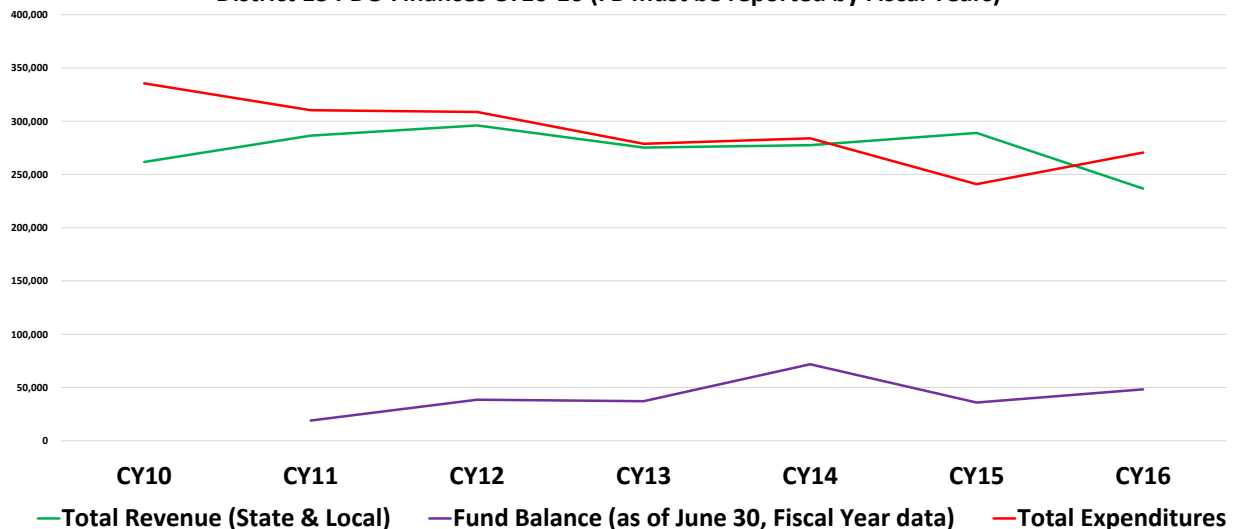
**District 13 PDO Revenue Sources CY16**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 13 PDO**



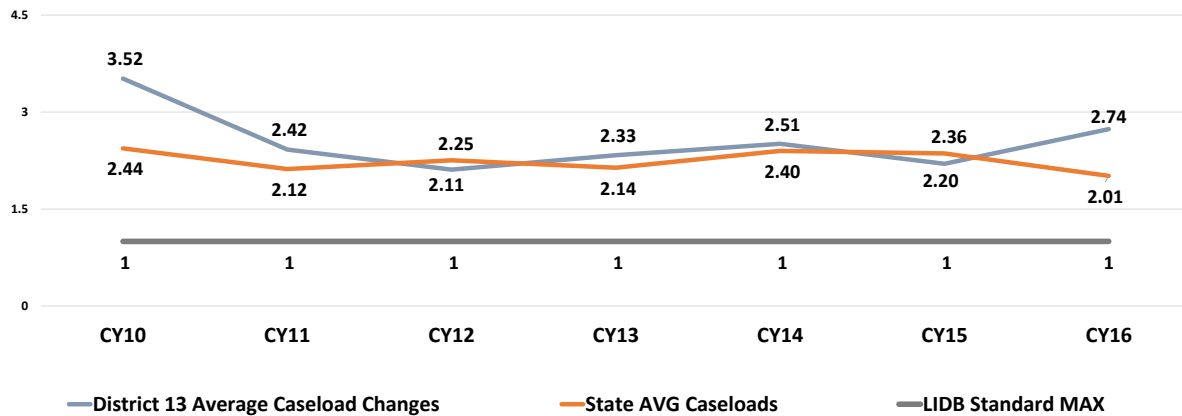
**District 13 PDO Finances CY10-16 (FB must be reported by Fiscal Years)**



# 13TH JUDICIAL DISTRICT : EVANGELINE PARISH

Alex D. Chapman, Jr.  
District Defender  
801 W. Lincoln Road  
Ville Platte, LA 70586  
337-363-2229

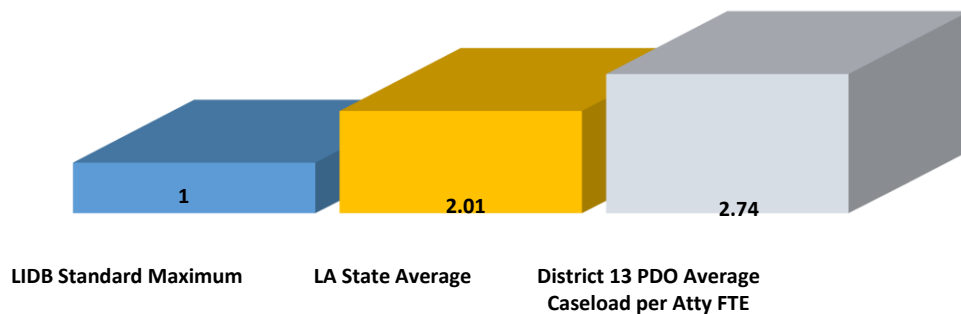
District 13 PDO Average Caseload per Atty FTE



In the 13th Judicial District, public defense attorneys maintain caseloads more than two and a half times the recommended caseload limit for each attorney.

The 13th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.

District 13 PDO Average Caseloads Compared to State Average & State Standard Maximums



## CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 13<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Evangeline - Ville Platte
<b>Population</b>	33,984
<b>District Defender</b>	Alex D. Chapman, Jr.
<b>Years as District Defender</b>	11
<b>Years in Public Defense</b>	18
<b>Office Manager</b>	Phyllis Lafleur
<b>Primary Office Street Address</b>	801 W. Lincoln Road
<b>City</b>	Ville Platte
<b>ZIP</b>	70586
<b>Primary Phone</b>	337-363-2229
<b>Primary Mailing Address</b>	Same as street address.
<b>Primary Fax Number</b>	337-363-6024
<b>Primary Emergency Contact</b>	Alex D. Chapman, Jr.
<b>Primary Emergency Phone</b>	337-831-0058 - cell
<b>Secondary Emergency Contact</b>	Phyllis Lafleur
<b>Secondary Emergency Phone</b>	337-789-1176 - cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Nicole Dardeau. Rent paid to Ms. Dardeau.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	2,179.50/month combined
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Kolder, Champagne, Slaven & Co.
<b>Courts and Locations</b>	13th Judicial District Court, Ville Platte, LA; Ville Platte City Court, Ville Platte, LA
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	District Court - 2 divisions; City Court - 1 division.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	In Dist. Ct. def's are sequentially appointed at arraign or 72 hr hearings. In Juv. Proceedings 1 atty handles Dist. Ct. matters and 1 atty handles City Ct. matters.

<b>Name of Adult Detention Facilities in This District</b>	Evangeline Parish Sher. Dept., Ville Platte, LA; Basile Correctional, Basile, LA; Pine Prairie Correctional, Pine Prairie, LA; Mamou City Jail, Mamou, LA; Ville Platte City Jail, Ville Platte, LA.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Allen Correctional Ctr., Kinder, LA; Avoyelles Bunkie Det. Ctr., Bunkie, LA; Avoyelles Women's Correctional, Simmesport, LA; Caldwell Parish Detention Ctr., Grayson, LA.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No. Juveniles are unshackled.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Trent S. Brignac
<b>Chief Judge of Criminal District Court</b>	Chuck R. West; Gary J. Ortego
<b>Juvenile Court Judges (Specify District of City Court)</b>	Chuck R. West and Gary J. Ortego - District Court; Gregory Vidrine - City Court.
<b>Drug Court Judges</b>	None
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Initially Judges at time of appointment of attorney.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time charges are filed. If is incarcerated - at 72 hour court hearing. If bonded out-at arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	Constant communication among attorneys.
<b>Brief Explanation of Intake Process</b>	Incarcerated clients visited by assigned indigent defense attorney within 72 hours of appointment to determine bond issues, need for investigation, conflicts and family communication.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	No. Clients, on probated sentences, are assessed a fee of \$350.00 for Felony charges and \$150.00 for Misdemeanor charges.
<b>How Many Applications for Services Were Received?</b>	N/A
<b>How Many Application Fees Were Waived?</b>	N/A
<b>How Many Application Fees Were Reduced?</b>	N/A
<b>Total Application Fee Dollars Collected in 2016</b>	N/A

Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?	N/A
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
Total Revenue from \$45/\$35 Special Costs Received in 2016	Evangeline Parish Sheriff's Dept. - \$67,167; Ville Platte City Court - \$11,141; DOC - \$11,893.
Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.	Private pay only.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?	Plea Bargain Agreements and Court Minutes.
Who Collects the Assessed Court Fees?	Probation and Parole, Evangeline Parish Sheriff Dept. and Ville Platte City Court.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	Evangeline Parish Sheriff Dept.
Who Remits the Court Fees Collected?	Probation and Parole, Evangeline Parish Sheriff Dept. and Ville Platte City Court.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	Evangeline Parish Sheriff Dept.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?	No
From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?	N/A
How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?	N/A
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment	N/A
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?	N/A
Who Collects the Assessed Partial Payments?	N/A
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	N/A
Who Remits the Partial Payments Collected?	N/A
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	N/A
Amount, If Any, of Partial Indigence Payments Received by the Office in CY16	None

<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private criminal practice by Indigent Defense Attorneys in this district is allowed but extremely rare.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes. See Attachment
<b>Primary Immediate Needs</b>	Maintain current funding and re-hiring investigators.
<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes. Restrict assignments.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Maintain current funding and re-hiring investigators.
<b>Long-Term Critical Issue Areas</b>	Maintain current funding and re-hiring investigators.
<b>2016 Media Coverage and/or Major Accomplishments</b>	Local radio and newspaper accounts of mistrial and Lessor Responsive Verdict.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. Monitoring, directly and indirectly, all attorneys and investigators.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Gilbert J. Aucoin
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Distribute information from Louisiana Indigence Defense Board.
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Jacob Fusilier is the Supervising Attorney for District Defender.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	No
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Filed in 2016</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	4
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None

<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	This is within the purview of the two juvenile attorneys of this district.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	None
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	None
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	State Representative – Bernard LeBas, State Senator – Eric Lafleur, Both of the 38th district
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Always tried to be fair and supportive to all district personnel.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Alex D. Chapman, Jr.	337-363-2229
Jacob Fusilier	337-363-6661
Justin West	337-363-2772
Alicia Phillips-Kelly	337-363-1955
Doug Pucheu	337-363-8589
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Phyllis Lafleur	337-363-2229
Renee Brown	337-363-0484
Jessica Chapman	337-363-1955
Heidi Godeau	337-363-8589

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Phyllis Lafleur and Alex Chapman
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	
Other (please list)	FastCase
Number of Legal Research Licenses	
Total Cost of Legal Research Software:	Free
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	



<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	x
Microsoft Edge	
Firefox	x
Google Chrome	
Other	
<b>HARDWARE:</b>	
Please enter the number of devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	2
Laptops	2
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	
No Internet Connection	
Connection Speed:	1792 KB
Provider Name:	Centurylink DSL
Email Provider:	Centurylink DSL
Please list any software or computer equipment in which you need training:	

### 13th District Defender Office CY 2016 Caseloads & Outcomes

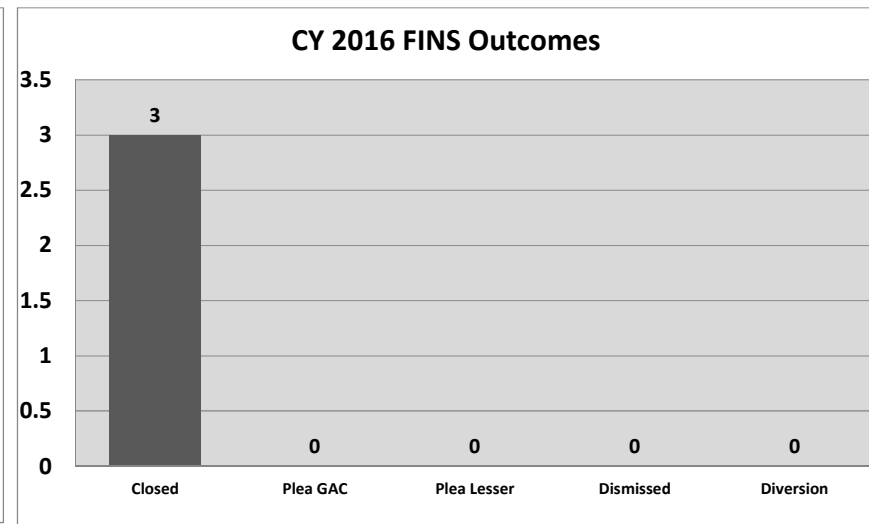
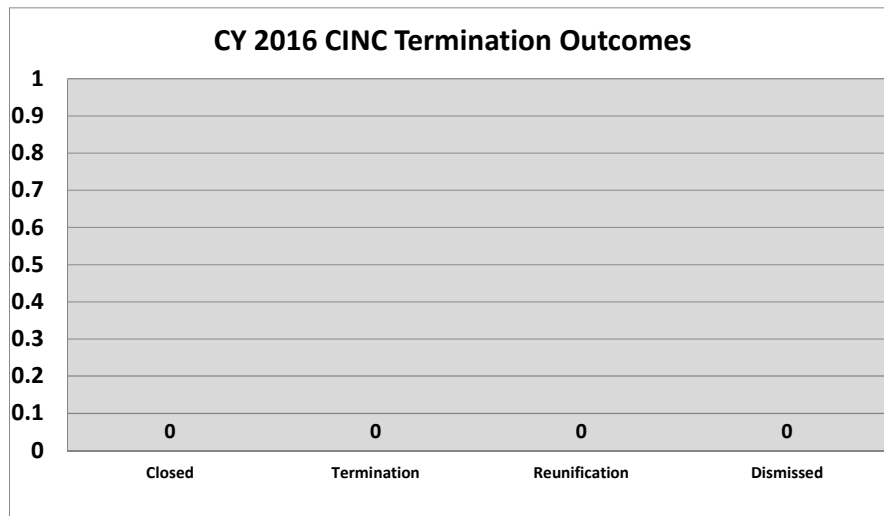
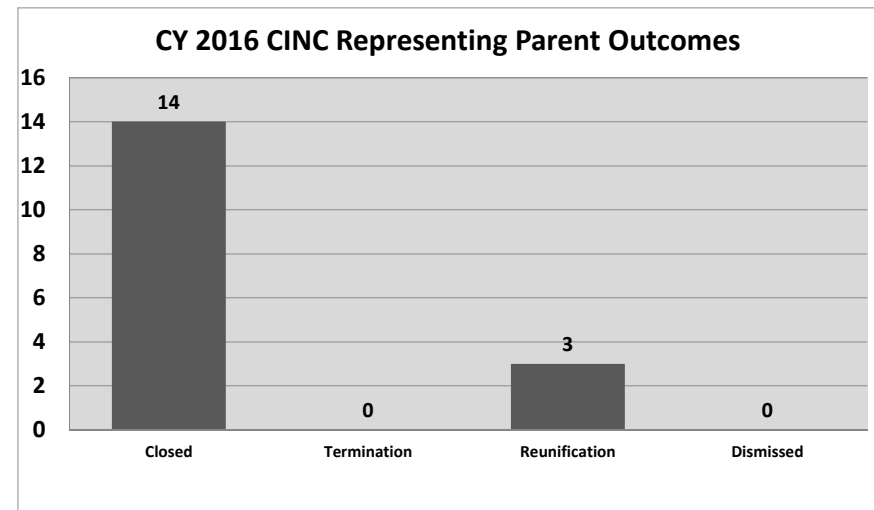
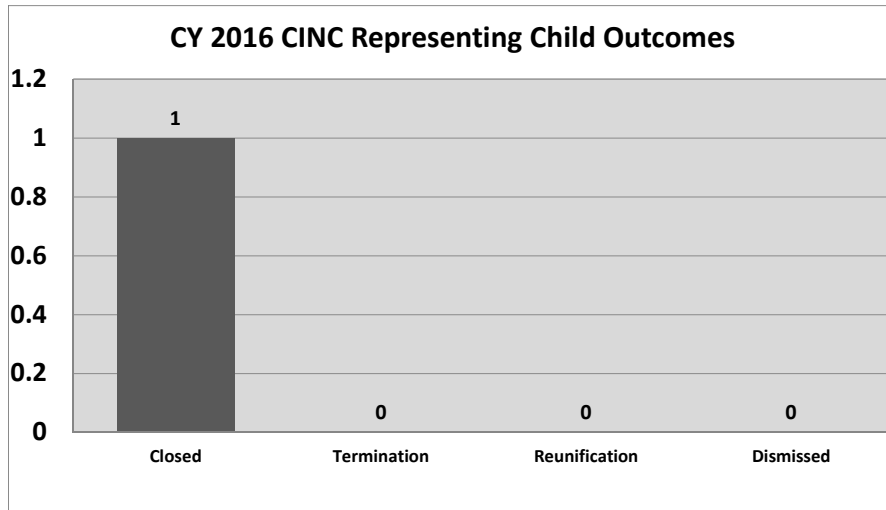
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	1	2	2	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	57	14	20	77	0	3	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	10	3	3	13	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	145	62	42	187	N/A	N/A	0	0	9	14	N/A	N/A	0	0	0
Delinquency Felony	5	0	0	5	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	362	226	119	481	N/A	N/A	134	8	50	26	0	0	0	1	1
Adult Felony Non-LWOP**	707	543	434	1141	N/A	N/A	301	55	207	53	0	3	0	8	11
Adult LWOP	0	4	5	5	N/A	N/A	0	0	0	0	0	1	0	0	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	46	26	1	47	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	2	0	0	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

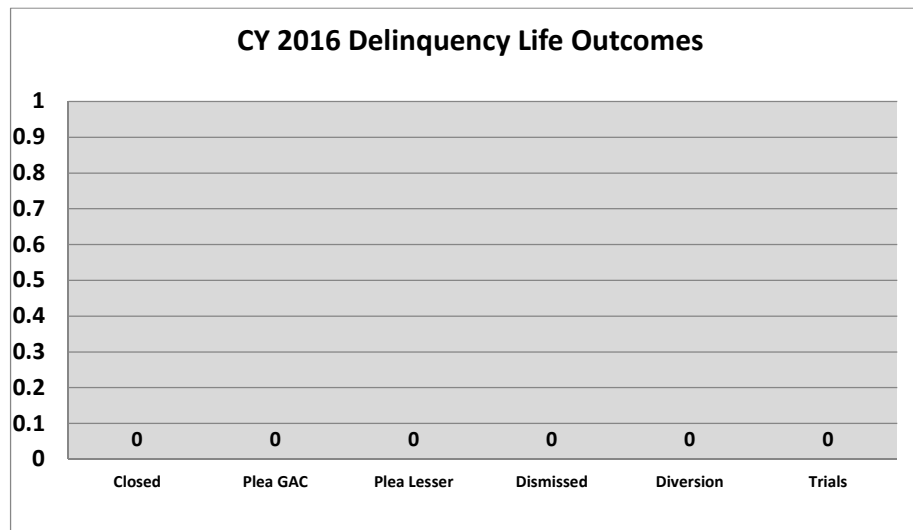
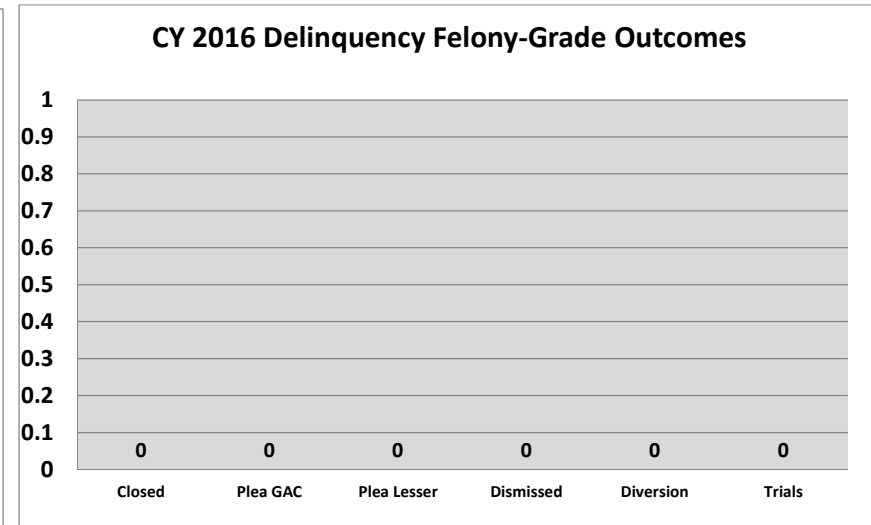
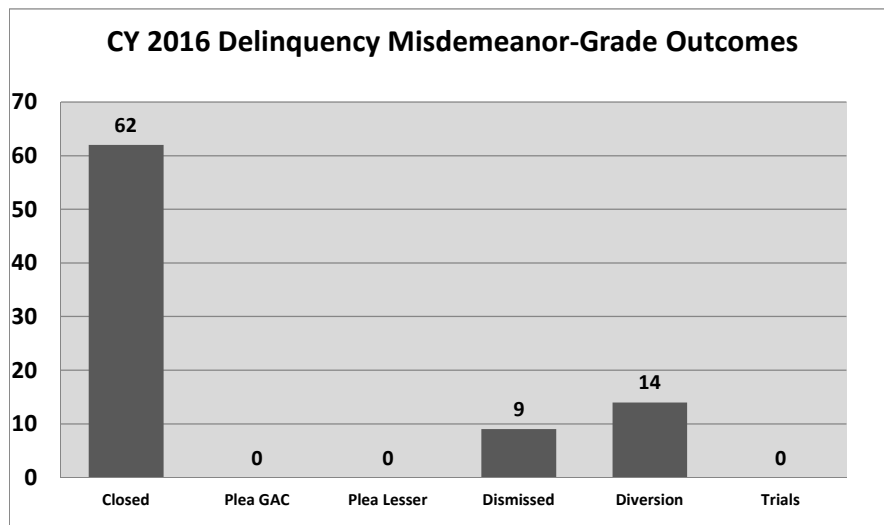
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

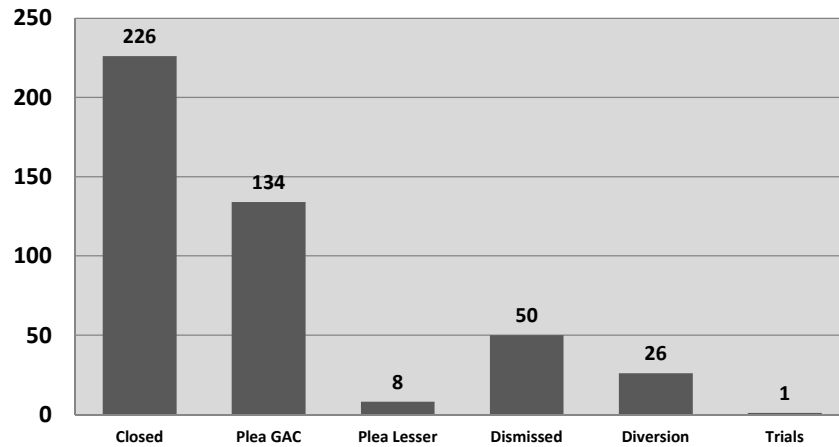
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

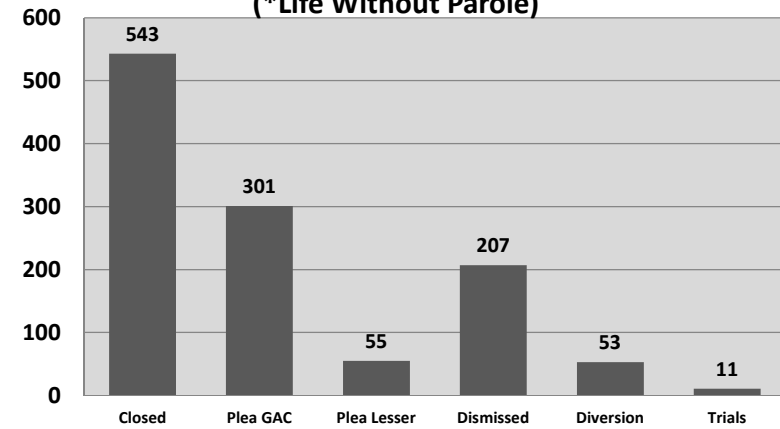




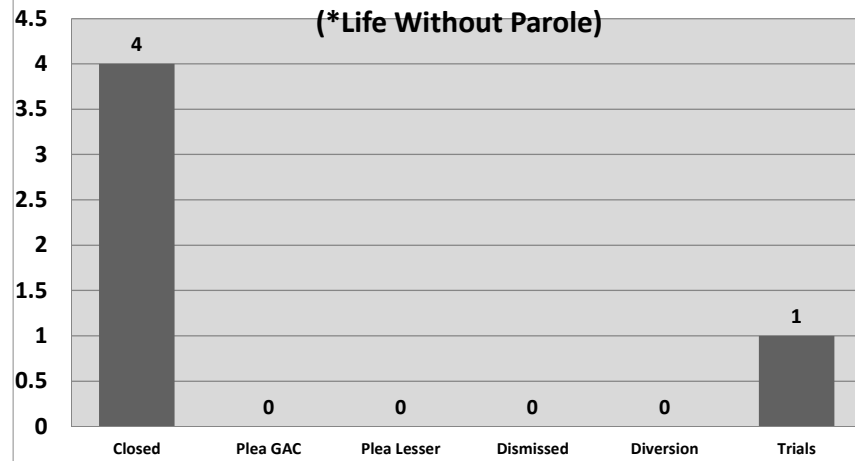
**CY 2016 Adult Misdemeanor Outcomes**



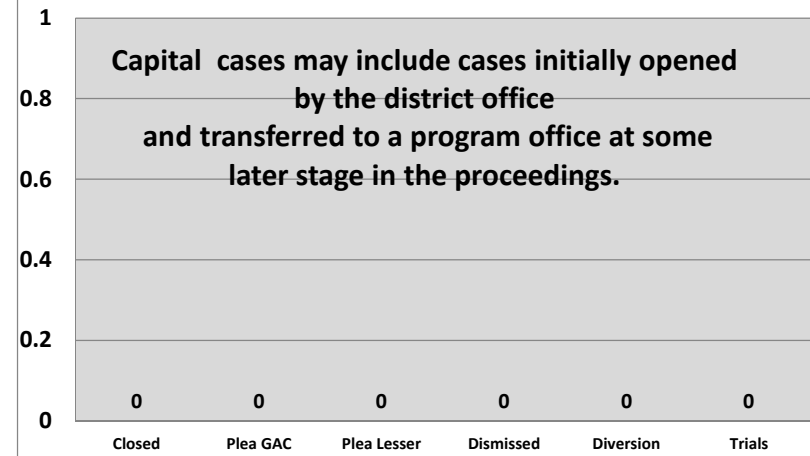
**CY 2016 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Capital Outcomes**

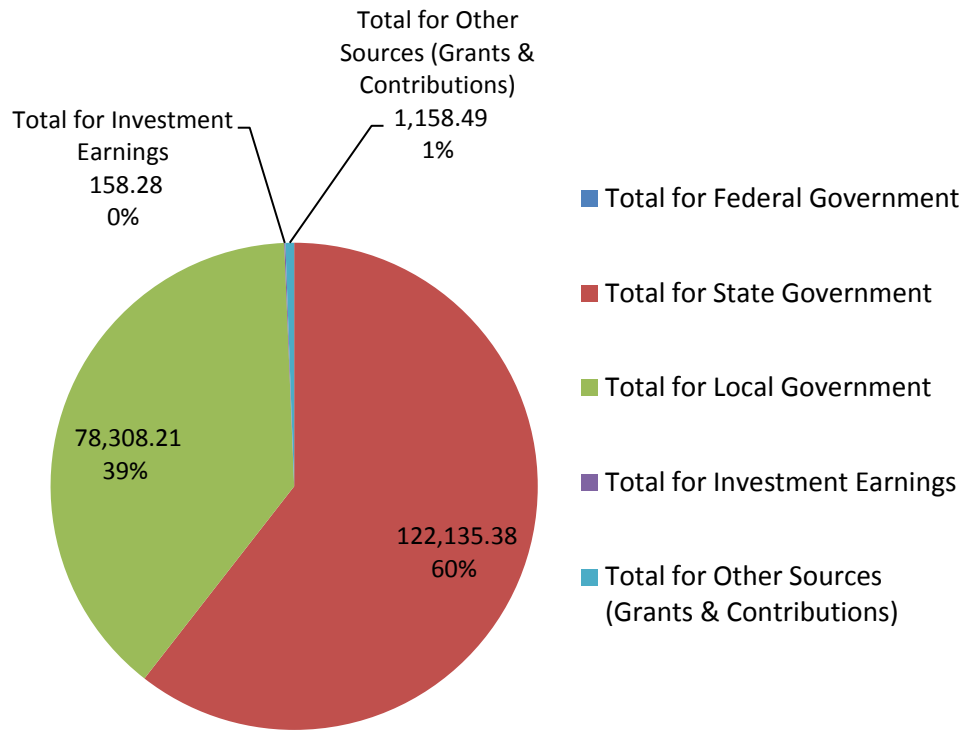


District 13 CY2016	Total CY2016
District Defender: Alex D. Chapman, Jr.	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	11,893.38
Child in Need of Care (CINC)	7,407.00
District Assistance Fund (DAF)	102,835.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	122,135.38
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	-
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	11,141.39
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	67,166.82
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	78,308.21
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	-
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	
Total for Local Government	78,308.21
Investment Earnings	
Interest Income	158.28
Other Investment Income - List source(s)	-
Total for Investment Earnings	158.28
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	1,158.49
Total for Other Sources (Grants & Contributions)	1,158.49
Total for REVENUE	201,760.36

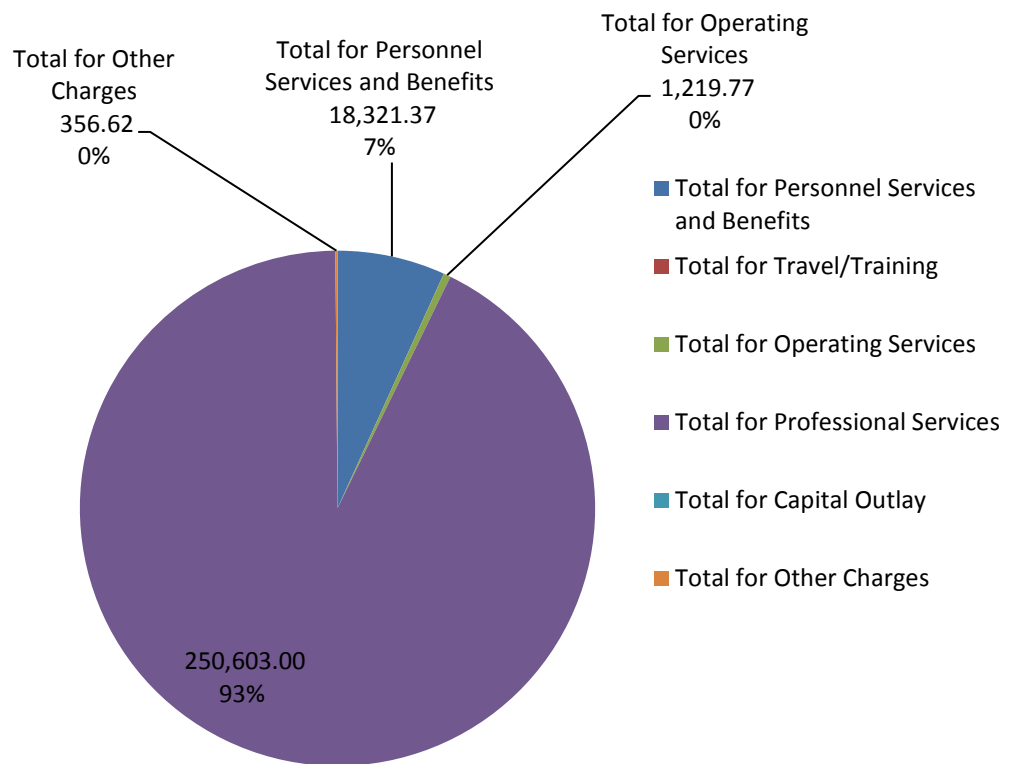
District 13 CY2016	Total CY2016
District Defender: Alex D. Chapman, Jr.	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	16,765.19
Accrued Leave	-
Payroll Taxes	1,276.38
Hospitalization and Disability Insurance	-
Retirement	-
Other	279.80
Total for Personnel Services and Benefits	18,321.37
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	-
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	205.60
Dues and Seminars	65.00
Law Library/Journals/Subscriptions	949.17
Office Supplies	-
Total for Operating Services	1,219.77
Professional Services	
Audit/Accounting Expense	4,820.00
Contract Clerical	16,995.00
Expert Witness	45.00
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	575.00
Contract - Juvenile Attorneys or CINC	38,184.00
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	189,984.00
IT/Technical Support	-
Total for Professional Services	250,603.00
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	356.62
Total for Other Charges	356.62
Total for EXPENDITURES	270,500.76

NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

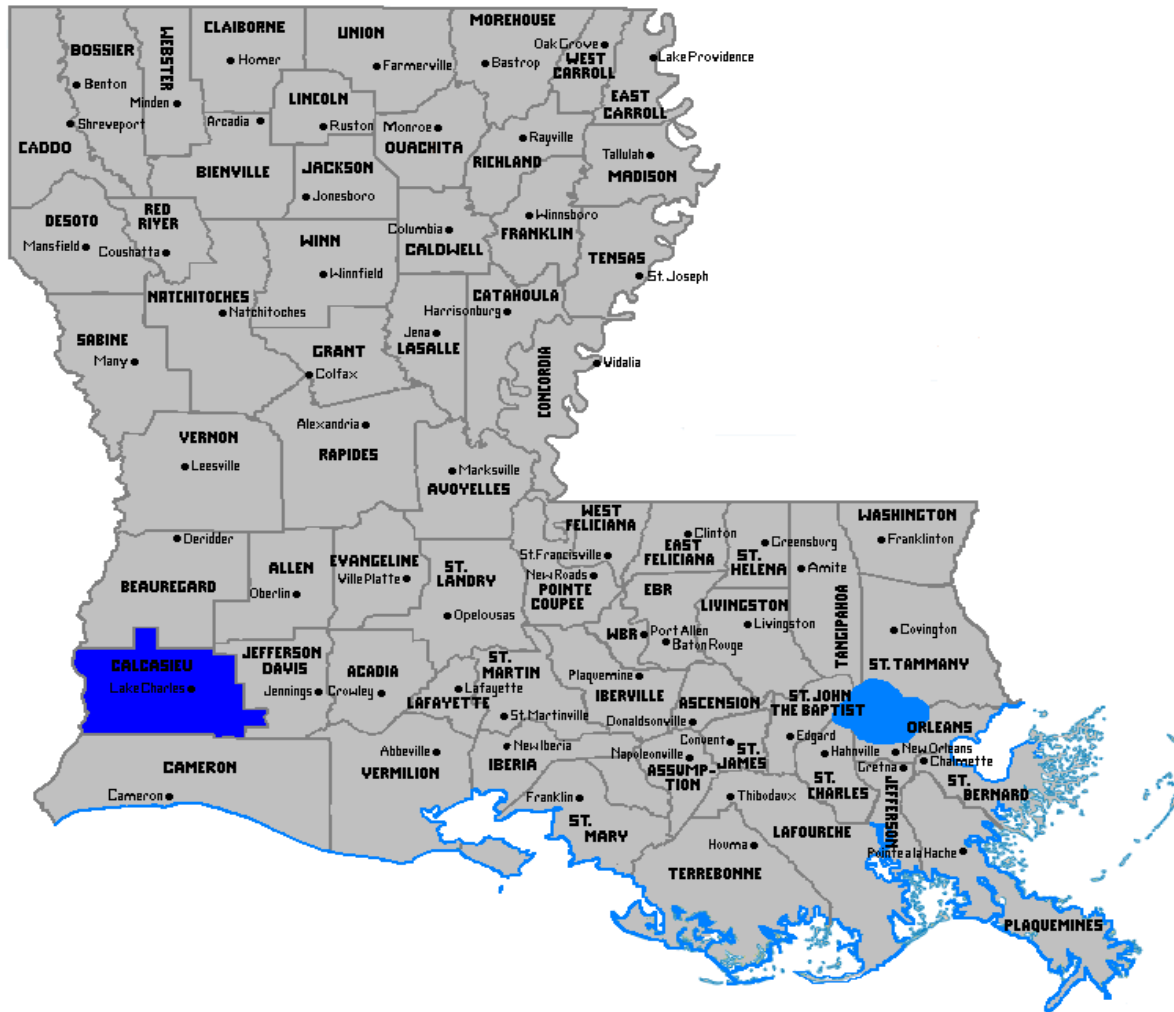
## Total CY16 Revenues



## CY16 Expenditures







## THE 14<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

CALCASIEU (LAKE CHARLES)

DISTRICT DEFENDER: HARRY FONTENOT  
1032 RYAN STREET  
LAKE CHARLES, LA 70601  
(337) 436-1718

# 14th JUDICIAL DISTRICT : CALCASIEU PARISH

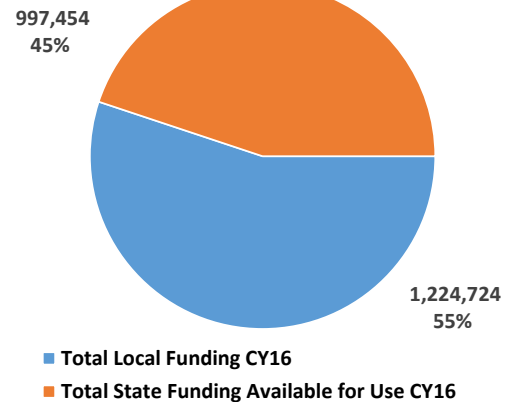
Harry Fontenot  
District Defender  
1032 Ryan Street  
Lake Charles, LA 70601  
337-436-1718

During Calendar Year 2016, the 14th Judicial District Public Defenders Office handled 13,413 cases. The office received \$2,222,178 in total revenues to handle these cases, approximately 55% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

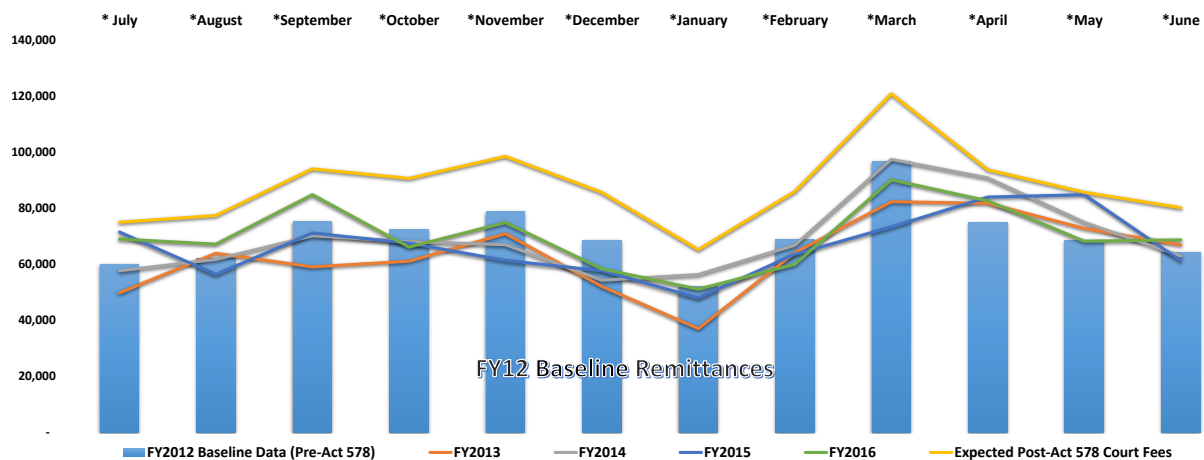
The 25% increase in local funds expected as a result of the \$10 increase in special court costs associated with Act 578 (2012) has never materialized in the 14th Judicial District.

The 14th Judicial District office is not currently engaged in deficit spending. However revenues are largely insufficient, resulting in attorney caseloads which exceed client representation standards.

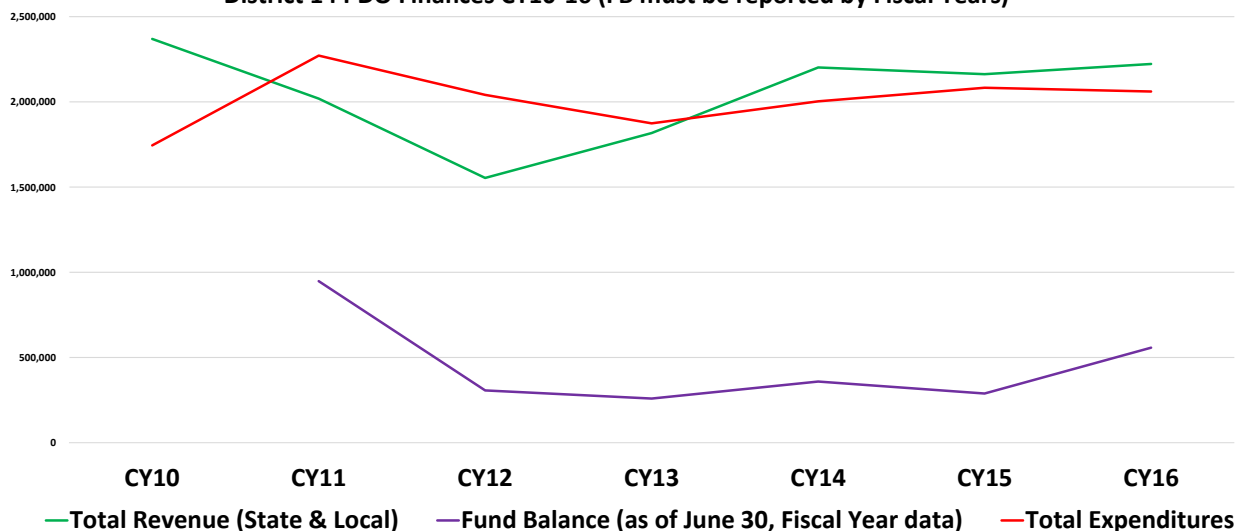
**District 14 PDO Revenue Sources CY16**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 14 PDO**



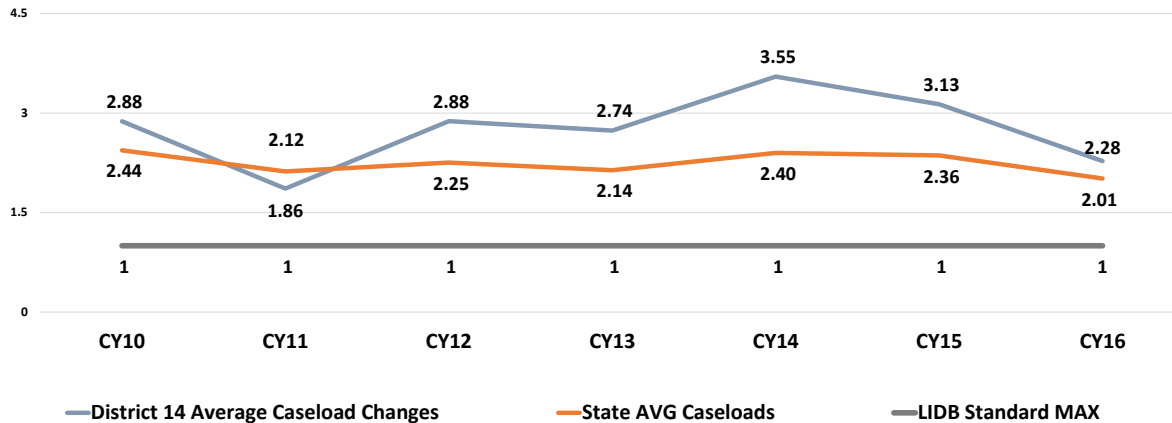
**District 14 PDO Finances CY10-16 (FB must be reported by Fiscal Years)**



# 14th JUDICIAL DISTRICT : CALCASIEU PARISH

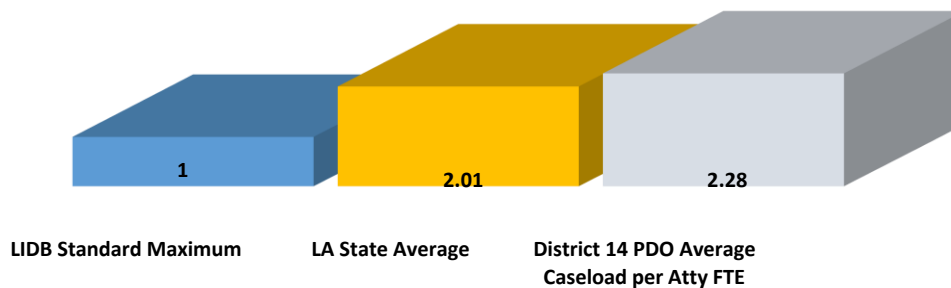
Harry Fontenot  
District Defender  
1032 Ryan Street  
Lake Charles, LA 70601  
337-436-1718

District 14 PDO Average Caseload per Atty FTE



In the 14th Judicial District, public defense attorneys maintain caseloads more than two times the recommended caseload limit for each attorney.

District 14 PDO Average Caseloads Compared to State Average & State Standard Maximums



## CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 14TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Calcasieu - Lake Charles
<b>Population</b>	197,000
<b>District Defender</b>	Harry Fontenot (December 1, 2013)
<b>Years as District Defender</b>	4
<b>Years in Public Defense</b>	18
<b>Office Manager</b>	Mitchell P. Bergeron - Deputy District Defender & Chief financial Officer
<b>Primary Office Street Address</b>	1032 Ryan Street
<b>City</b>	Lake Charles
<b>ZIP</b>	70601
<b>Primary Phone</b>	337-436-1718
<b>Primary Mailing Address</b>	P.O. Box 3757, Lake Charles, LA 70602
<b>Primary Fax Number</b>	337-494-0370
<b>Primary Emergency Contact</b>	Harry Fontenot
<b>Primary Emergency Phone</b>	337-405-9771
<b>Secondary Emergency Contact</b>	Mitchell Bergeron
<b>Secondary Emergency Phone</b>	337-529-0907
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Calcasieu Parish Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	6,882
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	14th Judicial District Court, Calcasieu Parish, Lake Charles; Lake Charles City Court; and Sulphur City Court.

<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	The Supreme Court has approved having retired Judge Arthur Planchard act as a Hearing Officer. His authority is hearing arraignments for felonies and misdemeanors. He cannot accept felony pleas other than not guilty. His court is in session while the division who is scheduled for Crim II (misdemeanor and arraignments) is holding court at the same time. Because of the simultaneous court sessions, we were required to hire an attorney to attend the Hearing Officer sessions. The DA agreed to give us \$20,000 per year from his LACE fund to cover the expense.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	After approximately 3 months, we let the contract attorney go in an effort to conserve money. District defender Harry Fontenot has taken over these duties.
<b>Name of Adult Detention Facilities in This District</b>	Calcasieu Correctional Center, Lake Charles, Louisiana
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Name of Juvenile Detention Facilities In This District</b>	Juvenile Detention Center, Lake Charles, Louisiana
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	If a juvenile is in custody and is accused of a crime of violence then they appear before the judge in shackles. If the juvenile is not accused of a violent crime or is not in custody then they do not appear in shackles.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	John DeRosier
<b>Chief Judge of Criminal District Court</b>	Clayton Davis
<b>Juvenile Court Judges (Specify District of City Court)</b>	Lilynn Cutrer, Guy Bradberry and Mitch Redd
<b>Drug Court Judges</b>	G. Michael Canaday, David Ritchie and Clayton B. Davis
<b>Mental Health Court Judges</b>	Robert Wyatt
<b>Other Specialty Court</b>	Veteran's Court
<b>Name of Specialty and Brief Description:</b>	Veteran's Court will be used to address the specific mental health or substance abuse needs of veterans who are brought into the criminal justice system.
<b>Indigency Determined by Whom and How?</b>	Upon requesting counsel, the accused is required to fill out an application for court-appointed counsel. The application is presented to the judge who makes the indigency determination.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time charges are filed. If incarcerated - at 72 hour hearing; if on bond - at arraignment.

<b>What steps does your office take to ensure conflict – free representation</b>	We do an initial review of the intake/interview forms to look for potential co-defendants, victims and witnesses. If a conflict is discovered, the case is referred to conflict free counsel. A secondary search is conducted after discovery is received on a case to verify there are no other potential conflicts that may not have been known to the client or discovered in our initial investigation. We also run that list of individuals against each of the conflict attorneys to ensure there are no potential conflicts with the conflict attorney who is appointed on a particular case.
<b>Brief Explanation of Intake Process</b>	Intake is done by either an attorney or investigator who is assigned to complete that work on a given week.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	4,717
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	34,466
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	652,085
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	A spreadsheet is provided by the Calcasieu Parish Sheriff's Dept. for the fees collected in the District Court. A summary sheet is provided by the Lake Charles City Court and Sulphur City Court.
<b>Who Collects the Assessed Court Fees?</b>	Calcasieu Parish Sheriff Dept. as well as Clerk's office for Lake Charles City Court and Sulphur City Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Same as above
<b>Who Remits the Court Fees Collected?</b>	Calcasieu Parish Sheriff Dept., Lake Charles City Court, and Sulphur City Court
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Same as above
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	Yes

From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?	Westlake, Iowa, Vinton and DeQuincy
How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?	103,300
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment	Upon reviewing an application, the judge will make a determination as to whether fees are due.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?	The PDO receives notice from the clerk's office of the assessment of attorney fees.
Who Collects the Assessed Partial Payments?	The PDO collects these fees.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	We prepare and maintain that documentation.
Who Remits the Partial Payments Collected?	The clients, themselves.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	Done in office.
Amount, If Any, of Partial Indigence Payments Received by the Office in CY16	76,885
Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?	All attorneys employed by PD office are fulltime with no outside practice permitted. Contract attorneys are considered part-time and have their own private practices.
For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract	See attached
Primary Immediate Needs	Adequate funds to maintain the attorneys at full-time.
Was your office in ROS at any time during 2016	No
If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?	No
In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.	We let go of the Contract Attorney handling felony arraignments. District Defender Harry Fontenot assumed those duties in order to conserve funds.
Immediate Critical Issue Areas	Adequate funds to maintain the attorneys as full-time employees.
Long-Term Critical Issue Areas	Adequate funding.
2016 Media Coverage and/or Major Accomplishments	We have had several trials. At least two (2) were responsive verdicts. In Child in Need of Care, we conducted over 50 trials with 4 out right wins. We have won several bench trials.

<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	As last year, we put on our own CLE this year and invited neighboring districts to attend for free. This free CLE included professionalism and ethics and all hours needed for the year.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Harry Fontenot; Necole Williams; Mike Stratton; Ted Nichols; Wade Smith; and Robert Sheffield.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District defender Harry Fontenot oversees all aspects of the office. Deputy District defender Mitchell Bergeron has supervisory authority over all employees and is the Chief Financial Officer. LWOP attorneys Andrew Casanave and E. King Alexander were promoted to Line Supervisors and have supervisory authority over their division and support staff. All supervisors act as mentors and training officers.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes. Staff provided with health, dental and life insurance without deductions from their salary.
<b>Regular Meetings for Any Staff, Please Describe</b>	Meetings are scheduled for the first Monday of every month. Other meetings are scheduled as needed. (eg. one is set for Jan. 19, 2013.)
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Filed in 2016</b>	2
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	An LWOP attorney will assist the Juvenile attorney in any hearing which involves transfer.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	3
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	6
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	0



<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Representative Brett Geymann had term limited out of office. His successor is Stephen Dwight. Rep. Charles Kleckley has term limited out of office. His successor is Mark Abraham.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	We are having trouble collecting our application fees and partial reimbursement fees. Chief Judge Davis is attempting to set up a program where the Sheriff's Department is responsible for collecting the fees for us.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	We have conducted several Criminal Justice Meetings. The DA's office has agreed to give us discovery at arraignment or asap.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Mitch Bergeron	337-436-1718
E. King Alexander	337-436-1718
Andrew Casanave	337-436-1718
Steven Coward	337-436-1718
Harry Fontenot	337-436-1718
Joshua Monroe	337-436-1718
Edmonson, Carla	337-436-1718
Rogers, Scott	337-436-1718
George, Natasha	337-436-1718
Plunkett, Ashley	337-436-1718
Mike Stratton	337-436-1718
Richard, Jacob	337-436-1718
Necole Williams	337-436-1718
Ralph Williams	337-436-1718
Dunn, Cortney	337-436-1718
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Robert Shelton	337-497-0011
J. Wade Smith	337-436-8424
Shunette Thomas-Jordan	337-990-5004
Donald Guidry	337-794-1794
Bauman, Edward	337-491-0570
Eugene Bouquet	337-433-9900
Samara Sabin	337-433-3305
Larry Pichon	337-439-3073
<b><u>Non Attorney Employees, Contractors, and Other Staff</u></b>	<b><u>Contact Information</u></b>
Heather Basco	337-436-1718
Amanda Hale	337-436-1718
Deanna Conn	337-436-1718
Gadd, Badeia	337-436-1718
Pam Jones	337-436-1718
Paula Nixon	337-436-1718

Kelly Rosteet	337-436-1718
Amy Braud	337-436-1718
Amanda Welch	337-436-1718
Tori Broussard	337-436-1718
Alicia Savoy	337-436-1718
Jennifer Romero	337-436-1718

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Harry Fontenot
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	Lexis Nexis
Westlaw	N/A
Other (please list)	FastCase
Number of Legal Research Licenses	19
Total Cost of Legal Research Software:	14,777
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	x
Other (list here):	

<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	1
DVD	
VCR	
Desktop PCs	35
Laptops	3
Video Cameras	1
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	4
Color Printers	1
Wireless Cards	1
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	12mb
Provider Name:	suddenlink
Email Provider:	gmail
Please list any software or computer equipment in which you need training:	DefenderData training always useful.

### 14th District Defender Office CY 2016 Caseloads & Outcomes

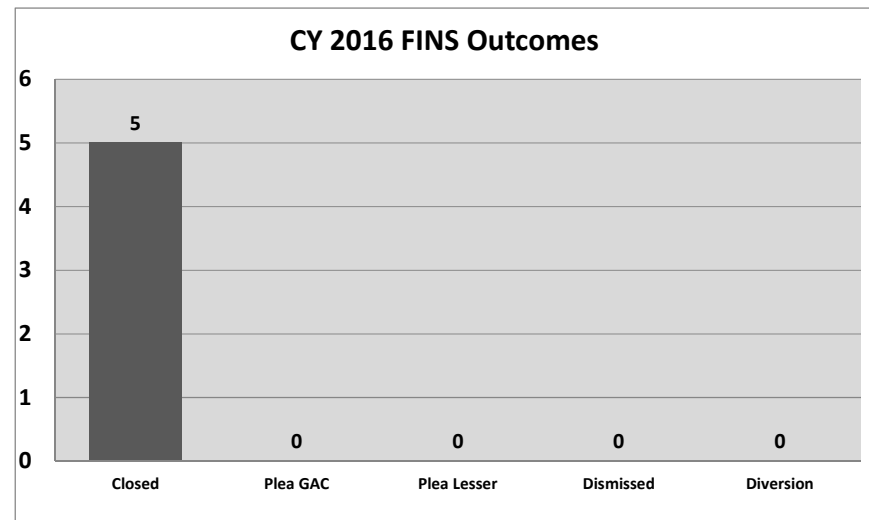
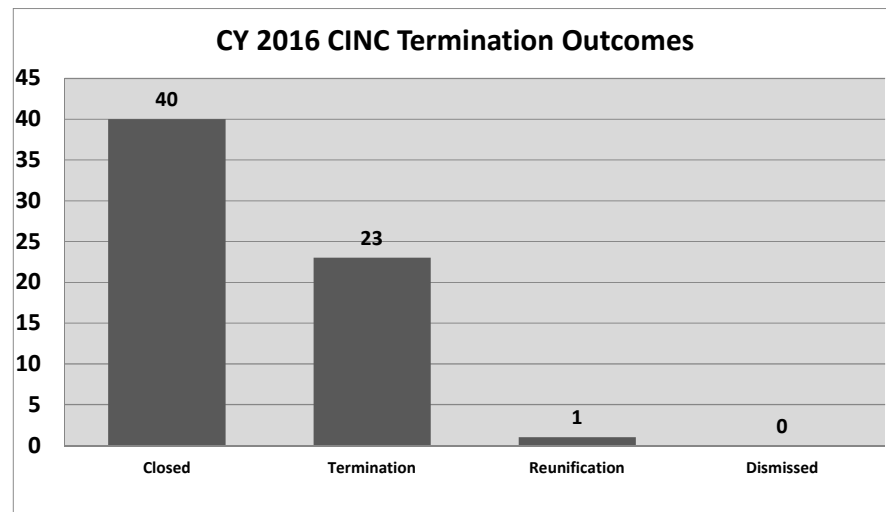
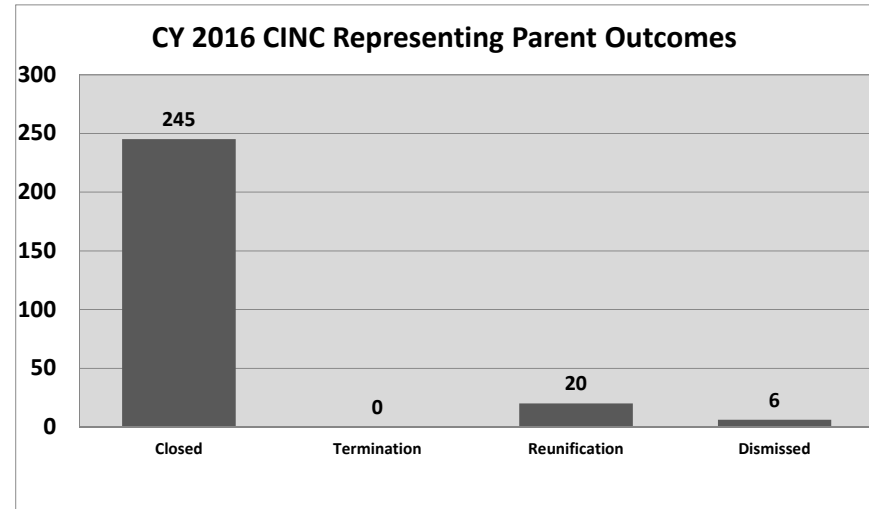
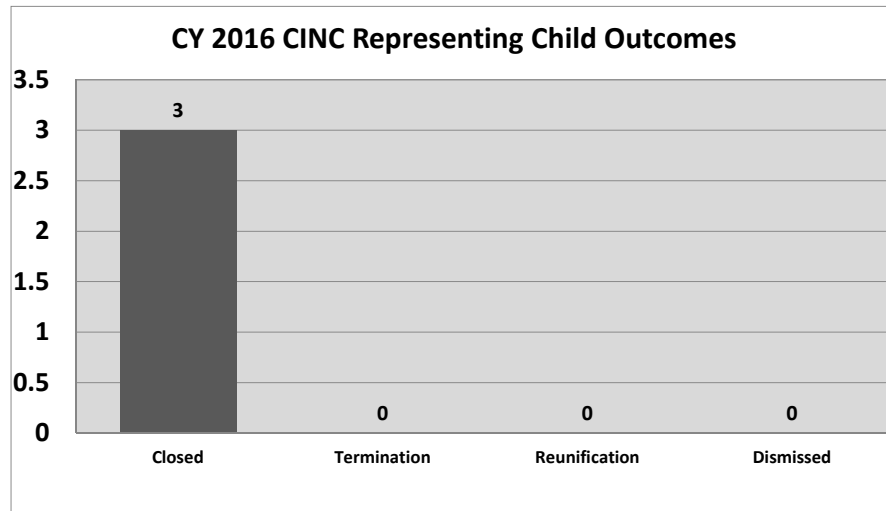
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	3	3	3	6	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	226	245	220	446	0	20	N/A	N/A	6	N/A	N/A	N/A	N/A	N/A	0
Termination	28	40	15	43	23	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	5	7	7	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	345	279	261	606	N/A	N/A	184	17	121	4	N/A	N/A	0	1	1
Delinquency Felony	171	143	134	305	N/A	N/A	85	22	77	0	N/A	N/A	0	0	0
Delinquency-Life	1	1	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	6	152	0	6	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	2063	2566	2095	4158	N/A	N/A	957	224	1728	8	0	2	2	9	13
Adult Felony Non-LWOP**	3477	3533	3284	6761	N/A	N/A	1050	983	2874	8	1	15	2	64	82
Adult LWOP	0	10	18	18	N/A	N/A	0	4	3	0	0	1	0	2	3
Capital***	0	1	1	1	N/A	N/A	0	0	1	0	0	0	0	0	0
Revocations	372	486	682	1054	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

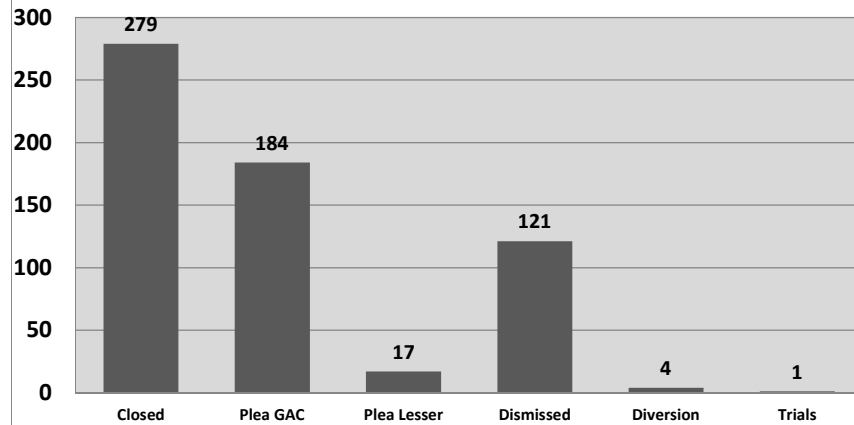
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

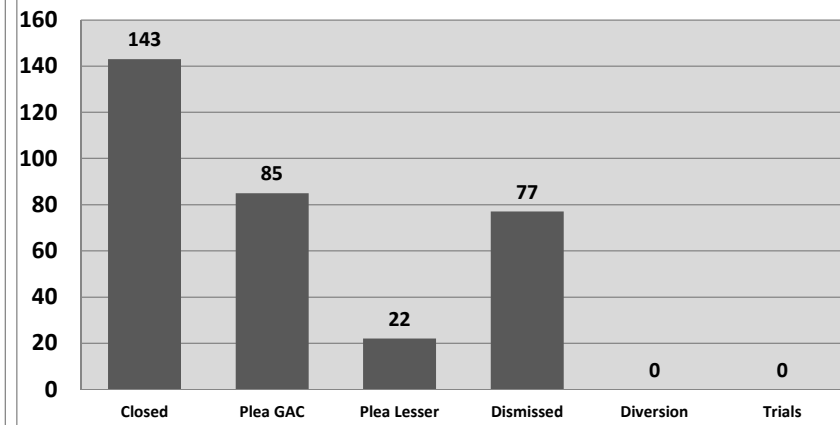
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



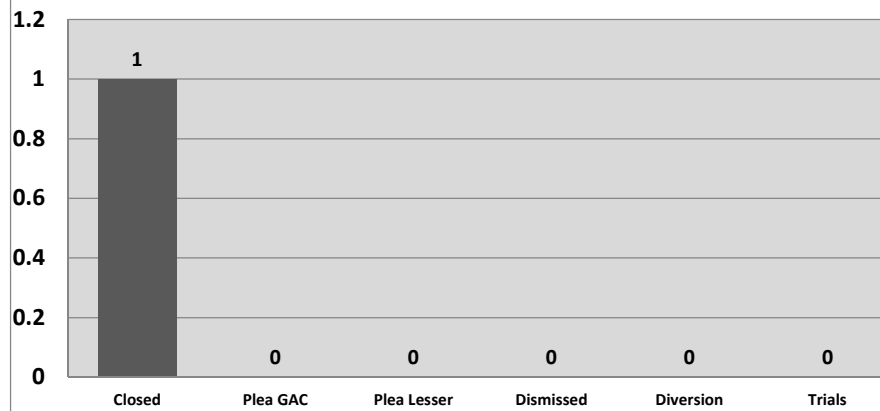
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

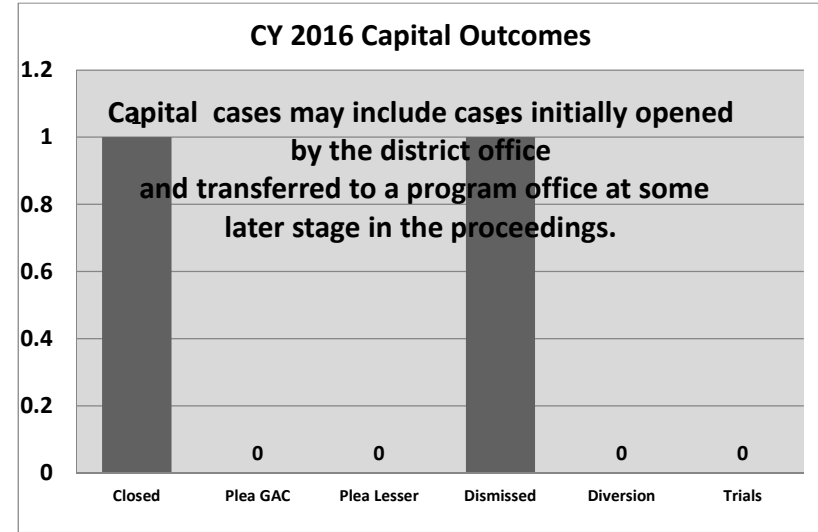
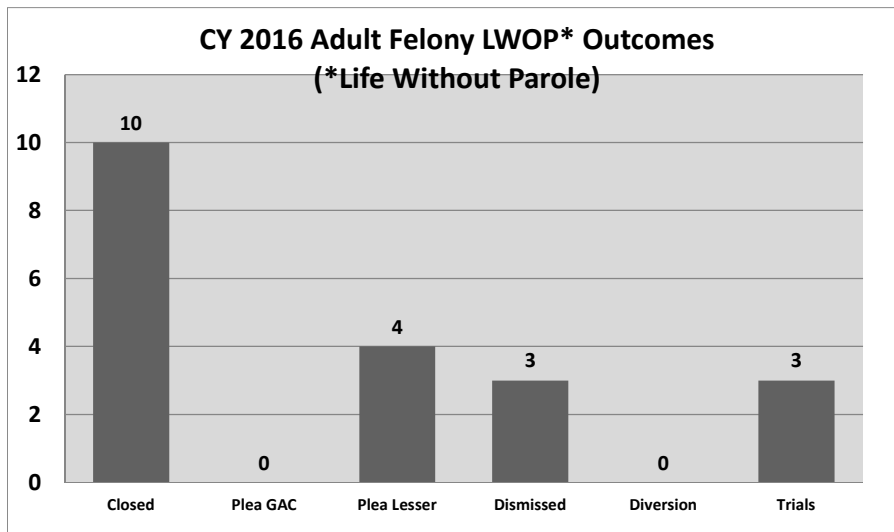
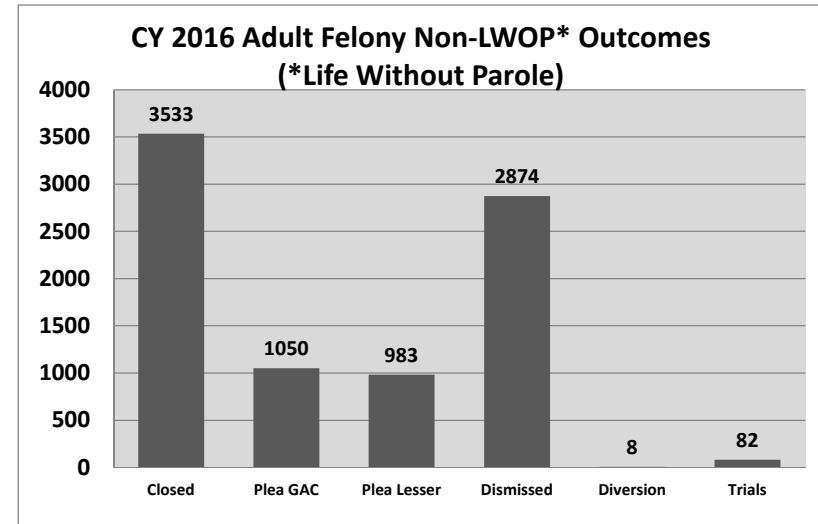
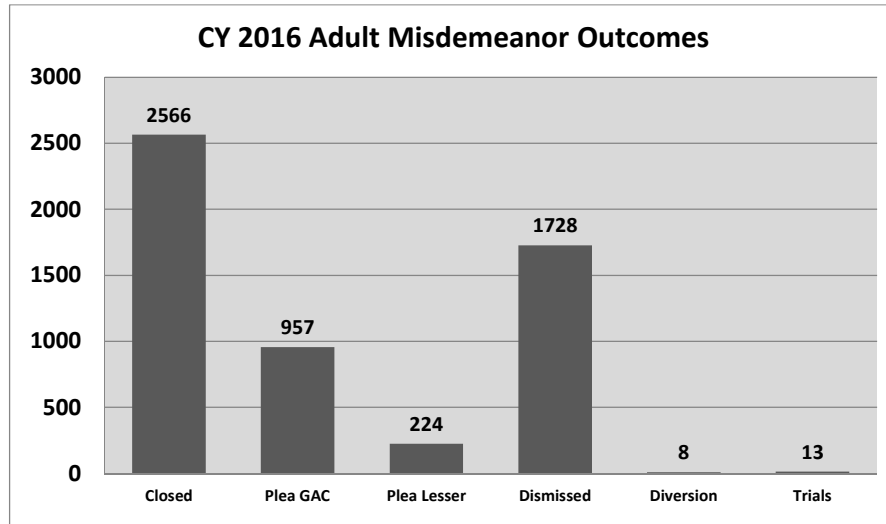


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**





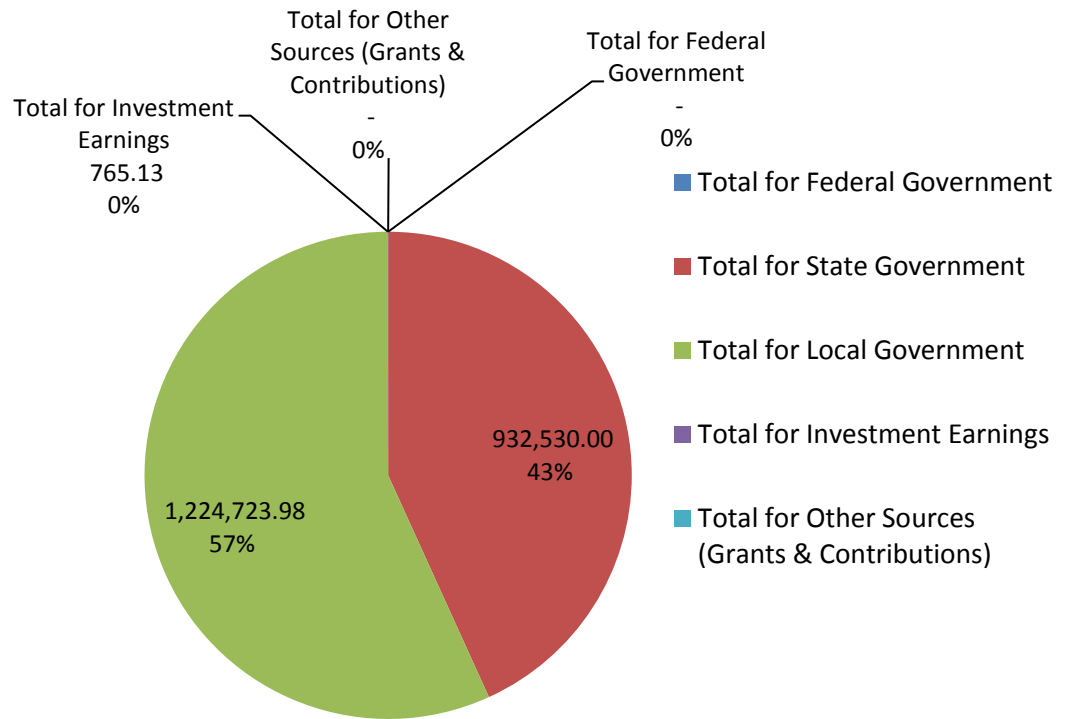


District 14 CY2016	Total CY2016
District Defender: Harry Fontenot	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	69,772.00
District Assistance Fund (DAF)	862,758.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	932,530.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	175,630.79
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	122,891.47
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	357,994.35
Judicial District Courts	126,114.83
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	103,300.00
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	167,976.27
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	56,538.63
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	811,924.08
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	34,466.32
Partial Attorney Fees	-
Reimbursements [as per 15:176]	76,885.29
Other Reimbursements	2,131.13
Other Local Income -List source(s)	794.90
Total for Charges For Services	114,277.64
Total for Local Government	1,224,723.98
Investment Earnings	
Interest Income	765.13
Other Investment Income - List source(s)	-
Total for Investment Earnings	765.13
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	-
Total for REVENUE	2,158,019.11

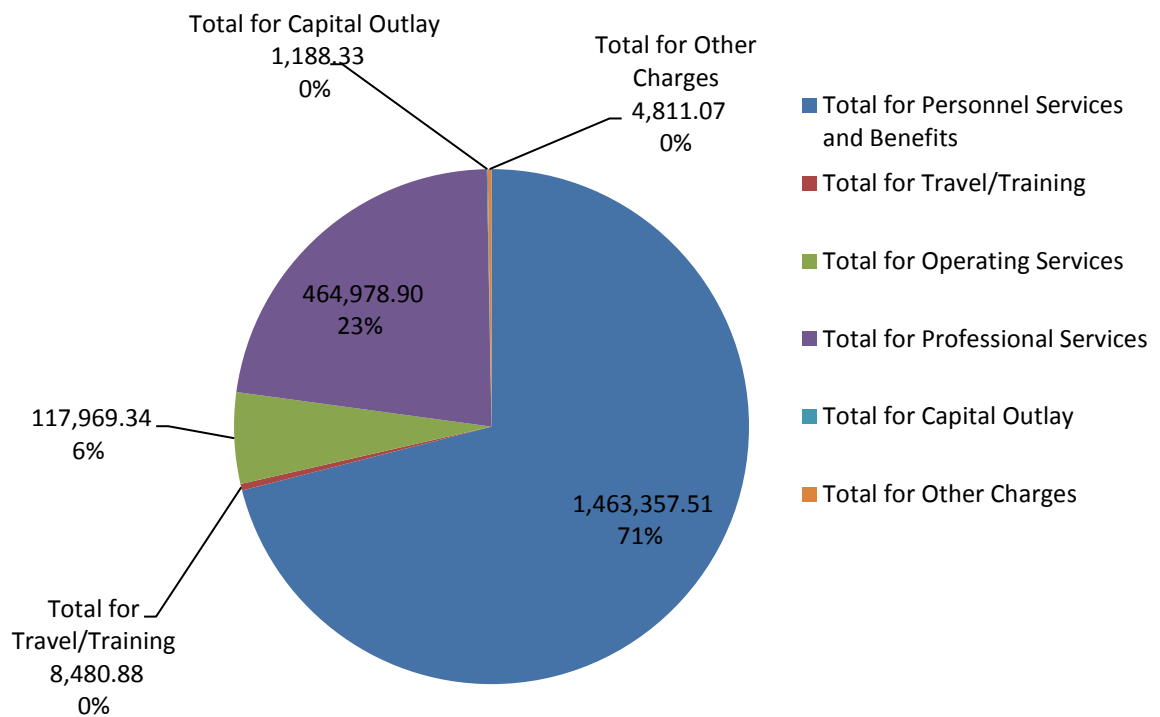
District 14 CY2016	Total CY2016
District Defender: Harry Fontenot	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	1,201,615.91
Accrued Leave	-
Payroll Taxes	93,316.58
Hospitalization and Disability Insurance	146,400.18
Retirement	22,024.84
Other	-
Total for Personnel Services and Benefits	1,463,357.51
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	8,480.88
Total for Travel/Training	8,480.88
Operating Services	
Advertisements	92.76
Workers' Compensation	5,021.20
Insurance - Malpractice	15,598.53
Insurance - Auto/Physical Liability	1,879.51
Insurance - Other	-
Lease - Office	10,735.92
Lease - Auto/Equipment	132.74
Lease - Other	-
Office Repair and Maintenance	1,820.00
Office - Telephone/Utilities/Postage/Internet	15,605.04
Dues and Seminars	7,664.99
Law Library/Journals/Subscriptions	27,226.97
Office Supplies	32,191.68
Total for Operating Services	117,969.34
Professional Services	
Audit/Accounting Expense	-
Contract Clerical	24,064.36
Expert Witness	1,000.00
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	339,906.92
Contract - Juvenile Attorneys or CINC	61,333.64
Misdemeanor Attorney Contracts	32,749.98
Contract Attorneys - all other	-
IT/Technical Support	5,924.00
Total for Professional Services	464,978.90
Capital Outlay	
Major Acquisitions	1,188.33
Total for Capital Outlay	1,188.33
Other Charges	
Other Operating Expenses	4,811.07
Total for Other Charges	4,811.07
Total for EXPENDITURES	2,060,786.03

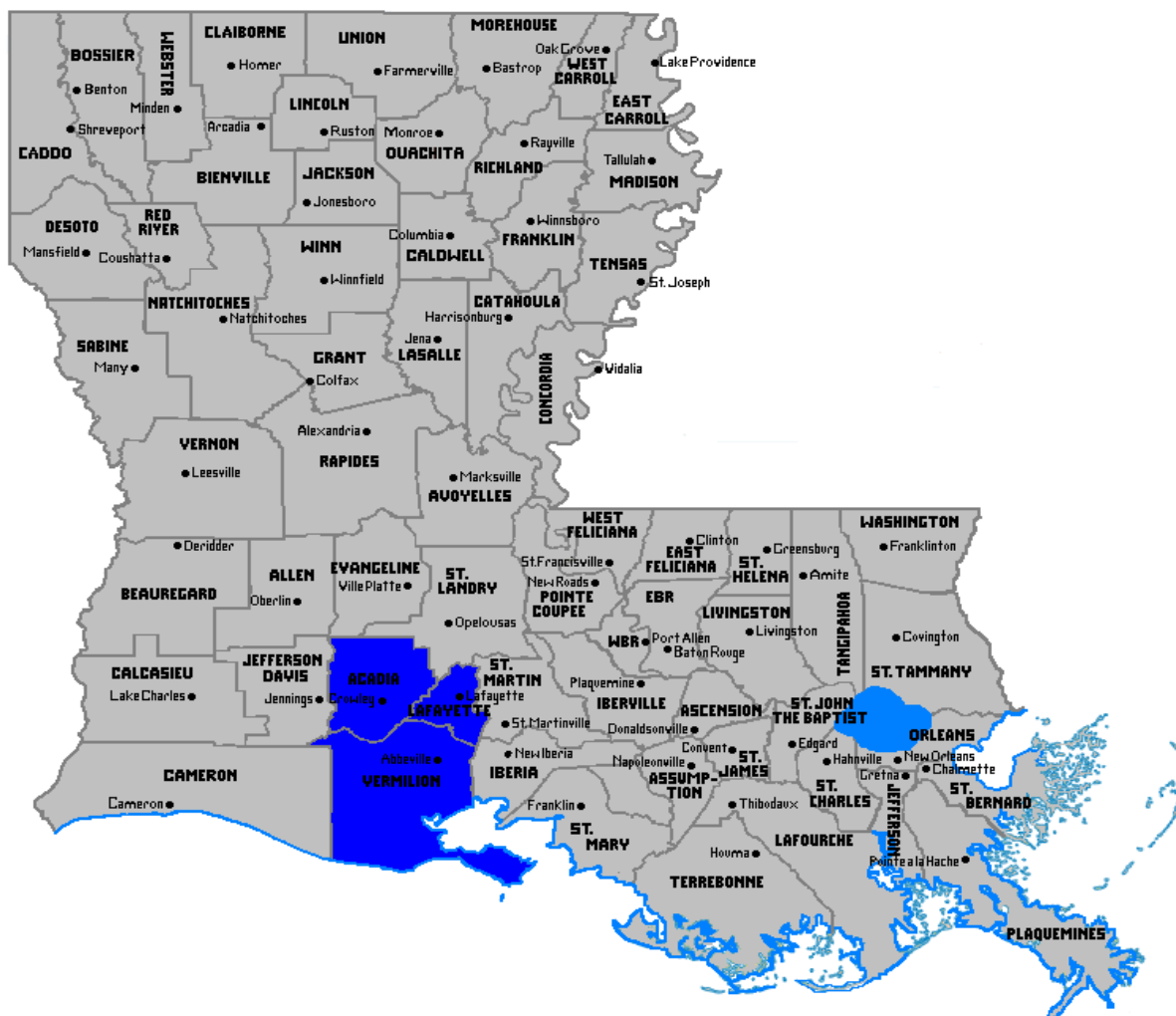
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





## THE 15<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

ACADIA (CROWLEY) - LAFAYETTE (LAFAYETTE) - VERMILION (ABBEVILLE)

DISTRICT DEFENDER: G. PAUL MARX  
600 JEFFERSON STREET, SUITE 902  
LAFAYETTE, LA 70501  
(337) 232-9345

15TH JUDICIAL DISTRICT :  
ACADIA, LAFAYETTE, VERMILLION PARISHES

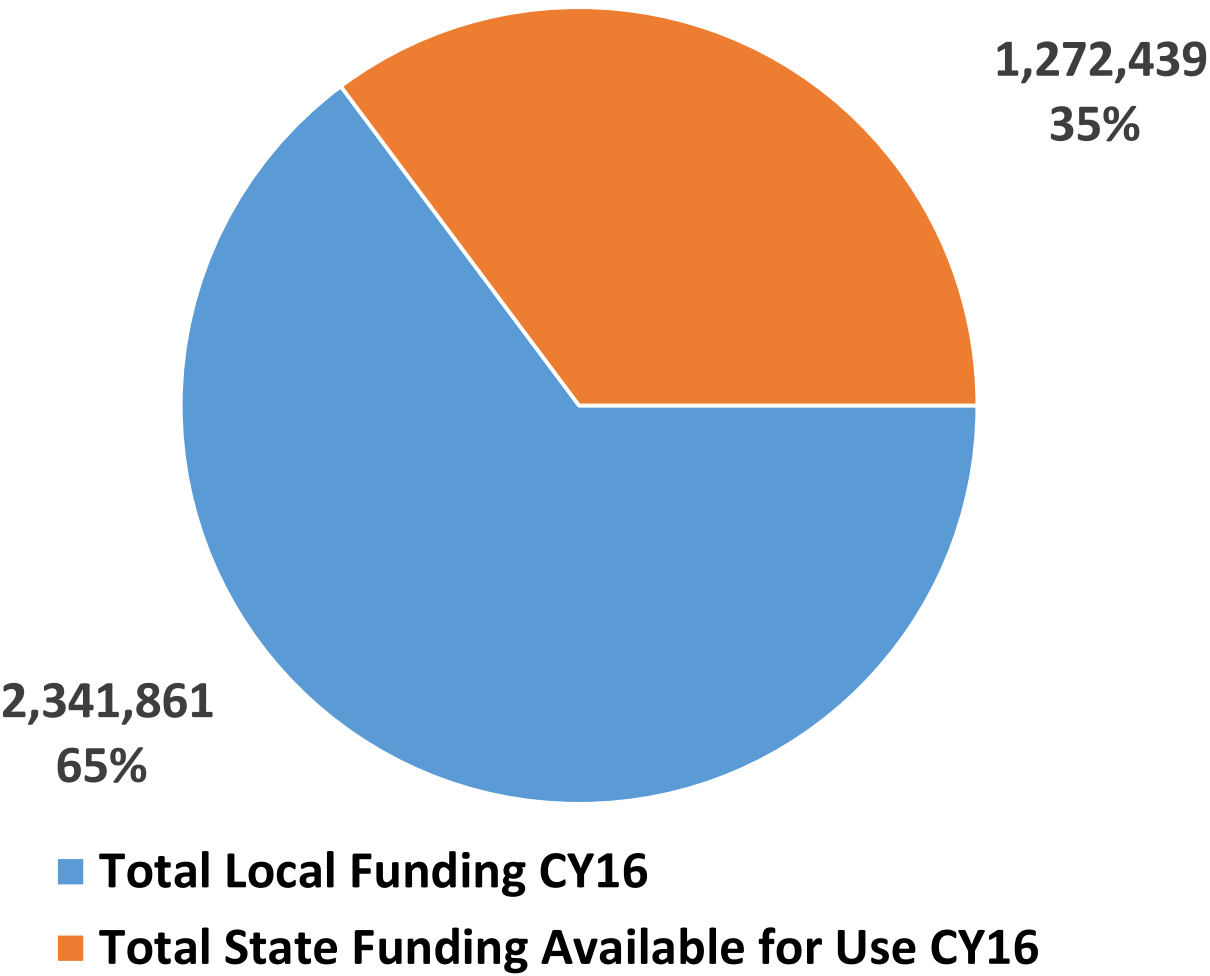
G. Paul Marx  
District Defender  
600 Jefferson Street, Suite 902  
Lafayette, LA 70501  
337-232-9345

During Calendar Year 2016, the 15th Judicial District Public Defenders Office handled 18,281 cases. The office received \$3,614,300 in total revenues to handle these cases. Approximately 65% of revenues came from local funding which was derived primarily from traffic tickets and special court costs.

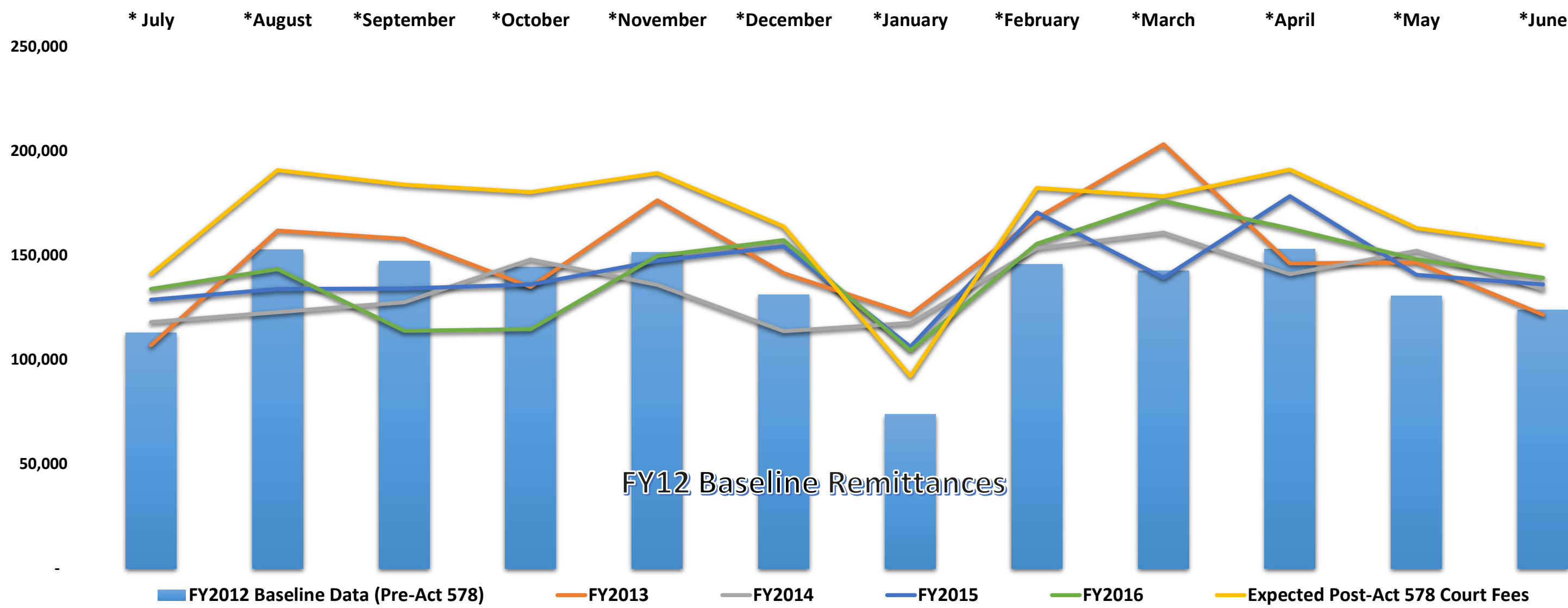
The 15th Judicial District has only realized the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated with Act 578 (2012) four times over the last four years.

The 15th Judicial District office exhausted its fund balance and began restricting services on January 1, 2016.

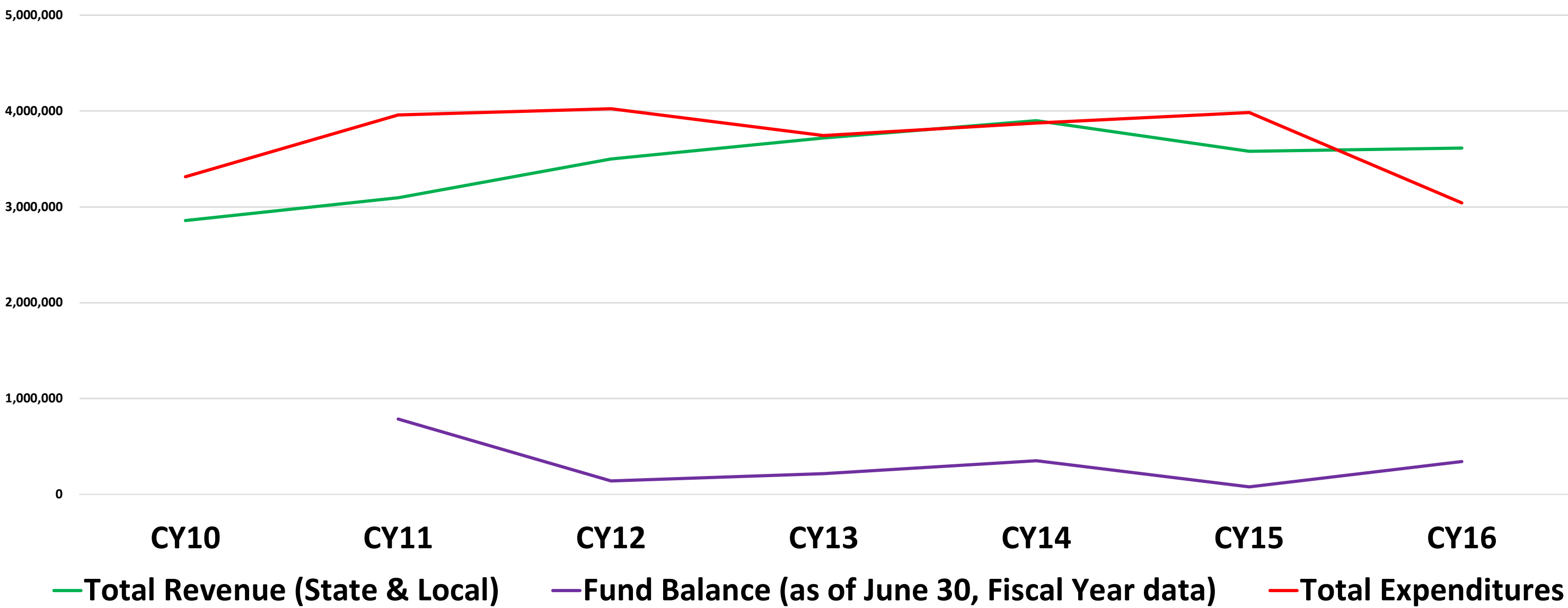
District 15 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 15 PDO

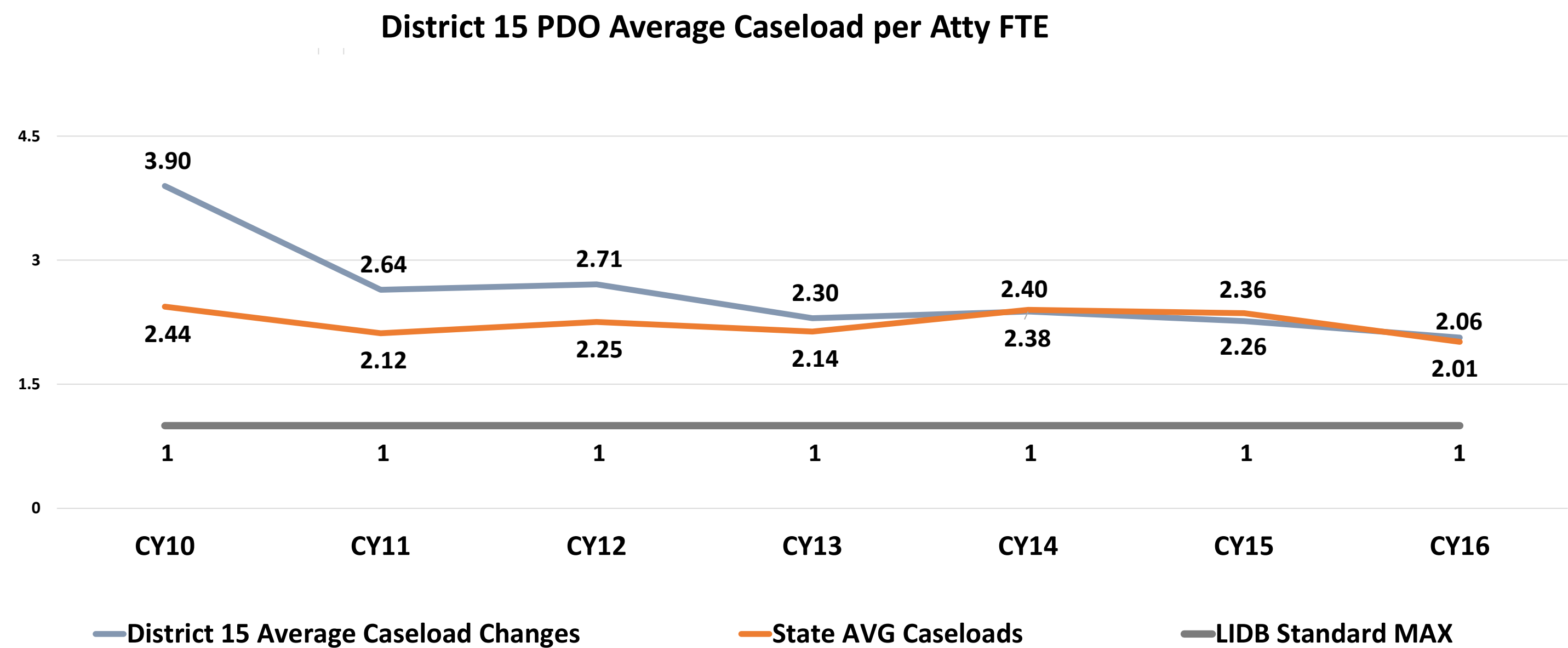


District 15 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



15TH JUDICIAL DISTRICT :  
ACADIA, LAFAYETTE, VERMILLION PARISHES

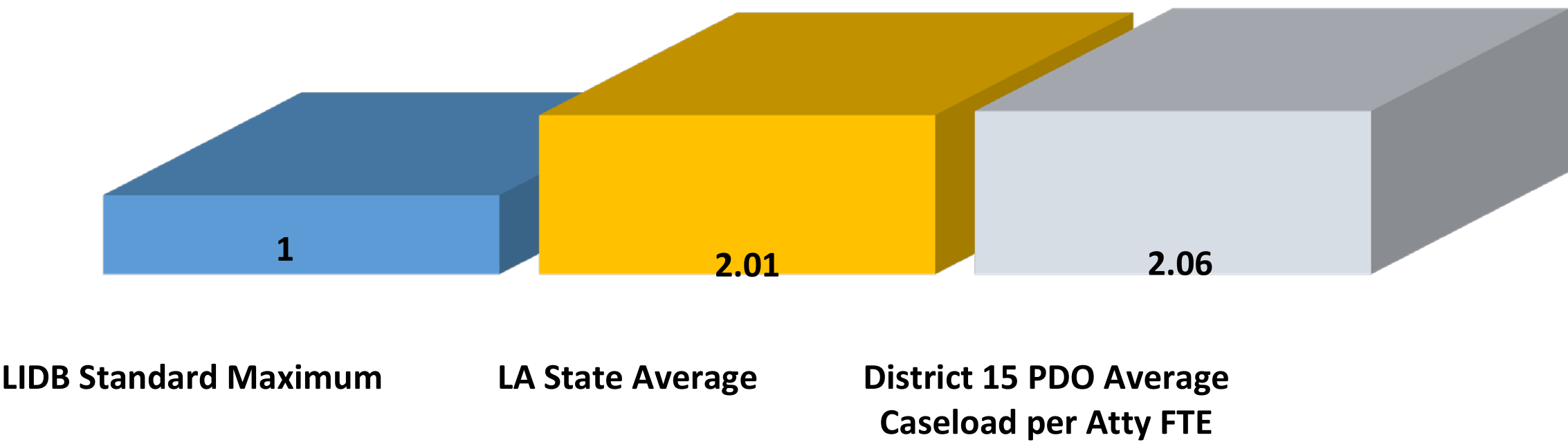
G. Paul Marx  
District Defender  
600 Jefferson Street, Suite 902  
Lafayette, LA 70501  
337-232-9345



In the 15th Judicial District, public defense attorneys maintain caseloads more than twice the recommended caseload limit for each attorney. These caseload averages do not include the 463 felony, two juvenile, 82 misdemeanor cases and 61 traffic-related cases received during CY16 which were still on the office's waitlist in January 2017.

The district also had thousands of cases received prior to CY16 which were moved to the waitlist due to attorney layoffs.

District 15 PDO Average Caseloads Compared to State Average & State Standard Maximums



CAPITAL REPRESENTATION

This PDO has capitally certified counsel on contract to handle the cases that arise in the district, however, the Board passed a Resolution in 2015 to prohibit districts in restriction of services from accepting new capital appointments. As a result, the responsibility for staffing capital cases in this district is transferred to the State, until such time as the district exits Restriction of Services.



## THE 15<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Acadia - Crowley; Lafayette - Lafayette; Vermilion - Abbeville
<b>Population</b>	362,550
<b>District Defender</b>	G Paul Marx
<b>Years as District Defender</b>	Oct 2010 to present, and 1987-2000
<b>Years in Public Defense</b>	36
<b>Office Manager</b>	Chris St. Julien - Business Team Leader
<b>Primary Office Street Address</b>	600 Jefferson Street, Suite 902
<b>City</b>	Lafayette
<b>ZIP</b>	70501
<b>Primary Phone</b>	337-232-9345
<b>Primary Mailing Address</b>	Post Office Box 3622, Lafayette, LA 70501
<b>Primary Fax Number</b>	337-232-1169
<b>Primary Emergency Contact</b>	G Paul Marx
<b>Primary Emergency Phone</b>	337-278-6518
<b>Secondary Emergency Contact</b>	Chris St. Julien
<b>Secondary Emergency Phone</b>	337-344-7488
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Acadia - 516 SE Court Circle, Crowley, P.O. Box 252, Crowley LA 70527; Vermilion - 204 Chairty Street, Abbeville, LA 70510.
<b>Other District Office Contact Personnel (Primary Only)</b>	ACADIA: Annette Guidry, Michelle Calloway. VERMILION: April Broussard, Brittany Broussard.
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Acadia- Legion City Hall, Inc.; Lafayette- Chase Tower, LLC; Vermilion- Area Holdings, LLC.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Acadia-1,620; Lafayette-12,740; Vermilion-960
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Accounting is internal with a CPA firm which verifies monthly accounting and provides summary report. J. L. Sonnier, CPA. This CPA has governmental accounting compliance expertise as well.
<b>Courts and Locations</b>	15th Judicial District Court, Lafayette Parish, 800 S. Buchanan, Lafayette; 15th Judicial District Court, Acadia Parish, Crowley; 15th Judicial District Court, Vermilion Parish, 100 N. State Street, Abbeville; Crowley City Court; Rayne City Court; Lafayette City Court; Abbeville City Court, 208 State Street, Abbeville; Kaplan City Court; Mayor's Courts, Lafayette Parish: Carencro, Youngsville, Scott.



<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Lafayette- 5 Criminal Divisions, including one for all drug offenses; 2 juvenile Divisions in addition; Acadia 2 Criminal Divisions; Vermilion 2 Criminal Divisions.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Cases are assigned by track. Some attorneys are cross-tracked, meaning they have clients in more than a single division. This is moving away from "judge assigned" to "client assigned".
<b>Name of Adult Detention Facilities in This District</b>	Acadia Parish Detention Center, 1061 Capital Avenue, Crowley, 70526; Acadia Parish Jail, 1037 Capital Avenue, Crowley, 70526; Lafayette Parish Correctional Center; Vermilion Parish Correctional Center - 14202 Savoy Road, Abbeville, 70510.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles Marksville Detention Center, Marksville, LA; New Iberia Correction Center, New Iberia, LA ; Richland Detention Center, Rayville, LA.
<b>Name of Juvenile Detention Facilities In This District</b>	Lafayette Juvenile Detention Center.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Lafayette Parish Juvenile Detention, PO Box 2399, Lafayette, LA; Assumption Youth Detention Center, 122 Parish Complex Rd, Napoleonville, LA 70390.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	The Criminal Justice Coordinating Committee in Lafayette Parish has been of great help in dealing with such issues, and improved client access has been the result. On occasion there is a problem with DOC prisoners as the court, over our objection, sometimes ships inmates back to their DOC home. But pre-trial facilities are accessible.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Motions have been filed and writs taken, but the practice continues.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Rarely and only when inmate is a security concern or has a Hard Labor Conviction.
<b>District Attorney</b>	Keith Stutes
<b>Chief Judge of Criminal District Court</b>	David Blanchet
<b>Juvenile Court Judges (Specify District of City Court)</b>	Lafayette City Court - Doug Saloom & Francie Bouillion; Kaplan City Court - Stanton Hardee; Crowley City Court - Malese Trahan; Lafayette District Court - Thomas Duplantier; Vermilion District Court - Ed Broussard, Laurie Hulin & Thomas Duplantier; Acadia District Court.
<b>Drug Court Judges</b>	Judge Jules Edwards (adult) and Thomas Duplantier (juvenile)
<b>Mental Health Court Judges</b>	Still no mental health court.
<b>Other Specialty Court</b>	Yes
<b>Name of Specialty and Brief Description:</b>	Adult DWI Treatment Court.



<b>Indigency Determined by Whom and How?</b>	Court makes initial referral in most cases. Intake then consists of review of financial statement unless incarcerated, and appointment of counsel if client is unable to afford counsel of their choice.
<b>When is Assignment/Appointment of Counsel Made?</b>	Vertical appointment based on time of offense for all felonies. Inmates appointed out of 72s or as soon as PDO is aware. Those not detained as soon as application is approved.
<b>What steps does your office take to ensure conflict – free representation</b>	Staff reviews related parties at intake. Counsel is required to continually review and request reassignment immediately upon finding conflicts that arise after initial appointment.
<b>Brief Explanation of Intake Process</b>	Clients provide basic financial information. Unless the client has exceptional resources, only the application fee is requested.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	We continue to push for client payments, and in fact have pursued collection including La Dept. of Revenue refund garnishment.
<b>How Many Applications for Services Were Received?</b>	10,550
<b>How Many Application Fees Were Waived?</b>	6,042
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2016</b>	109,902
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Generally no, otherwise some cases go to the Sheriff for collection without separate accounting.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	1,671,504
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Assessed as general court costs. No waiver generally but PDs are advised to move for waiver if client hardship would result from assessment.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	A disbursement detail indicating the number of cases assessed and the dollar amount collected and disbursed is provided by most of our city courts. District Court collections are reflected on the same kind of report from each Sheriff's Office.
<b>Who Collects the Assessed Court Fees?</b>	City Courts, District Court the Parish Sheriff's Office and Mayor's Courts.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	A disbursement detail indicating the number of cases assessed and the dollar amount collected and disbursed is provided by most of our city courts. District Court collections are reflected on the same kind of report from each Sheriff's Office.
<b>Who Remits the Court Fees Collected?</b>	City Courts, District Court the Parish Sheriff's Office and Mayor's Courts either the PD or the town clerk.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	A disbursement detail indicating the number of cases assessed and the dollar amount collected and disbursed is provided by most of our city courts. District Court collections are reflected on the same kind of report from each Sheriff's Office.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	

<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	0
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	District court adopted a Rule in cooperation with District Defender in 2011. Provides those over Poverty Guidelines will be assess fixed fee. In addition, clients may decide to make their own voluntary contribution.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	The court issues an Order at the beginning of the case. The PDO keeps a record of payments during litigation, and at sentencing the trial court may order the collection through the court which then informs the PDO of payments at the time those are sent to us.
<b>Who Collects the Assessed Partial Payments?</b>	The PDO keeps a record of payments during litigation, and at sentencing the trial court may order the collection through the court which the Sheriff collects and remits those payment to PDO monthly.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Lafayette Parish Sheriff reports detail for the largest parish. Other sheriffs provide less detailed reports.
<b>Who Remits the Partial Payments Collected?</b>	Clients pay during litigation and then after final judgment payment is through the presiding court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	A detailed report which includes client names, docket numbers and payments is provided by the Lafayette Parish Sheriff Office for any fees collected by that office.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	128,044
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Full time attorneys have no private practice, although they can take leave time or off time for legal matters. Contractors must limit outside practice and treat public defense clients equally with appointed cases.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Written contract attached, with Compensation Addendum.
<b>Primary Immediate Needs</b>	Immediate need for Capital Division at a cost of \$700,000 annually; FT mitigation and investigation included; 1,000,000 additional DAF to meet workload standards and clerical assistance.
<b>Was your office in ROS at any time during 2016</b>	Yes

<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	ROS continues with a backlog of cases on wait list and until those are subject to intake we will be in ROS.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	We continue to enjoy the benefits of Gideons Promise and will have two lawyers funded for year one with a Law School Partnership Grant. We have not upsized to full strength yet and hope to in FY 2018 if DAF is increased.
<b>Immediate Critical Issue Areas</b>	District has about 2.8 capital cases per year in which state is seeking death penalty. This district could establish capital office and provide assistance to neighboring region in which most have no capital cases other than a rare one every 4 to 5 years.
<b>Long-Term Critical Issue Areas</b>	Continue to push client centered work. Built on work with other stakeholders for protection of clients.
<b>2016 Media Coverage and/or Major Accomplishments</b>	Massive media arising from ROS - exhibits attached.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	We continue to build mentoring and training support, including 12 annual CLE hours at no charge, in house.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Janet Brown, Daniel Ginnetty, Leanna Duncan, Nicole Guidry, Kasey Pharis, Laura Melancon
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	ROS has been destructive of systemic growth, and we have lost a portion of full time and part time felony defense. Supervision and controls have been impaired due to the litigation related to judges demanding lawyers and DD along with executive staff responding to complaints from clients other stakeholders.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	FAIL due to ROS, which increased workload even with case assignment reductions by weakening controls, increasing inefficiencies, litigation over ROS status.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	All full time employees are enrolled for health and dental benefits after 60 days of employment. PDO pays all but \$15 of the premium cost.
<b>Regular Meetings for Any Staff, Please Describe</b>	Team Leaders meetings, monthly attorney staff meetings, special committees also and training exercises for new hires during first 3 months of their term.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	8
<b>Number of Writs Your District Filed in 2016</b>	16
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	3

<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Counsel will work with Juvenile attorney who is first assigned and preference will be given to appointment of a lawyer with Juvenile Justice expertise.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	None. We have eight that were set aside due to ROS. Will re start in 2017.
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	One
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Jack Montoucet resigned, Special Election March 2017; Gerald Boudreaux elected for District 24
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	State Board prior to 2016 Legislation was tilted toward funding outside agencies. New board membership may resolve some favoritism and lack of objectivity for policymaking at state level.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	None during ROS. Things are worse due to overloaded lawyers, loss of client goodwill, turnover of lawyers in full time, disorganization due to workflow overload and other factors.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Marx, G. Paul	337-456-1643
Brown, Janet	337-232-9345
Ikerd, Chad	337-232-9345
Martin, Amanda	337-898-2090
Rubin, David	337-232-9345
Donnelly, Kevin	337-232-9345
Hangartner, Lilian	337-232-9345
Talaska, Jack	337-232-9345
Costales, Jorge	337-232-9345
Charles-Young, JaVonna	337-232-9345
Ginnetty, Daniel	337-232-9345
Luskin, Charles	337-232-9345
White, Celeste	337-232-9345
Duncan, Leanne	337-232-9345
Koons, Amanda	337-232-9345
Adams, Aaron	337-232-9345
Frasier, Cyrus	337-232-9345
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Block, Gerald	337-232-9396

McCann, Randle	337-232-1255
Amos, Valex	337-291-9115
Alonzo, Thomas V.	337-704-2615
Gautreaux, Kay	337-232-7747
Cloutier, Monique	337-658-5245
Mose, Travis	337-232-7239
LaRue, Chris	337-291-9100
Lejeune, Clay	337-788-1505
Howie, Glenn	337-785-8500
Harrington, Thomas	337-783-8580
Landry, Michael	337-788-1850
Stefanski, John	337-783-7000
Pillette, Raven	337-898-2090
Guidry, Nicole	337-740-8885
Alexander, Xavier	337-374-1822
Register, III, Harold D.	337-988-6644
Klock, James	337-788-1505
Marquet, Edward	337-237-6841
Dangerfield, Lloyd	337-232-7041
Guidry, Burton	337-740-0834
Mitchell, Parker	337-788-0768
Lounsberry, Sr., Robert	337-223-5040
Lasseigne, Randy	337-233-1720
Pharis, Kasey	337-254-5387
Roberts, India	337-247-7051
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
St. Julien, Chris	337-232-9345
McManus-Bernard, Lindsay	337-232-9345
Clay, Jaminka	337-232-9345
Broussard, April	337-232-9345
Guidry, Annette	337-232-9345
Arceneaux, Germaine	337-232-9345
Broussard, Brittany	337-232-9345
Miguez, Paula	337-232-9345
Delcambre, Megan	337-232-9345
Caitlin Ard	337-232-9345
Calloway, Michelle	337-232-9345
Kline, David	337-232-9345
Marquet, Jean-Pierre	337-232-9345
Broussard, Julianne	337-232-9345

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	G. Paul Marx and Chris St. Julien
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	x
Westlaw	
Other (please list)	
Number of Legal Research Licenses	8
Total Cost of Legal Research Software:	750 month
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	x
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	x
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	

Intuit	x
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	x
Internet Explorer 11	x
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	0
DVD	0
VCR	0
Desktop PCs	
Laptops	4
Video Cameras	1
Digital Cameras	0
Video Conferencing Systems	0
B&W Laser Printers	23
Color Printers	6
Wireless Cards	1
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	2
<b><u>INTERNET SERVICES:</u></b>	
Dialup	No
Broadband	Yes
No Internet Connection	
Connection Speed:	125 mbps
Provider Name:	LUS & Cox
Email Provider:	Local Server through LUS Fiber
Please list any software or computer equipment in which you need training:	None

### 15th District Defender Office CY 2016 Caseloads & Outcomes

Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	580	478	95	675	N/A	N/A	N/A	N/A	8	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	3	5	9	12	0	5	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	438	305	294	732	0	225	N/A	N/A	57	N/A	N/A	N/A	N/A	N/A	0
Termination	53	50	20	73	56	14	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	0
FINS	7	6	26	33	N/A	N/A	0	0	4	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	547	437	260	807	N/A	N/A	48	7	342	115	N/A	N/A	1	0	1
Delinquency Felony	370	249	177	547	N/A	N/A	68	10	255	54	N/A	N/A	0	3	3
Delinquency-Life	5	4	4	9	N/A	N/A	2	1	2	0	N/A	N/A	0	0	0
Juvenile Revocations	0	2	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	4300	4192	2258	6558	N/A	N/A	3469	181	2518	0	1	1	21	38	61
Adult Felony Non-LWOP**	4181	4403	3932	8113	N/A	N/A	2060	986	3986	2	1	7	5	5	18
Adult LWOP	59	81	98	157	N/A	N/A	19	41	77	0	0	2	0	0	2
Capital***	3	3	13	16	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	212	941	307	519	N/A	N/A	1	1	5	0	N/A	N/A	N/A	N/A	0
PCR	8	13	15	23	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4	5	9
SOAP	0	6	7	7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

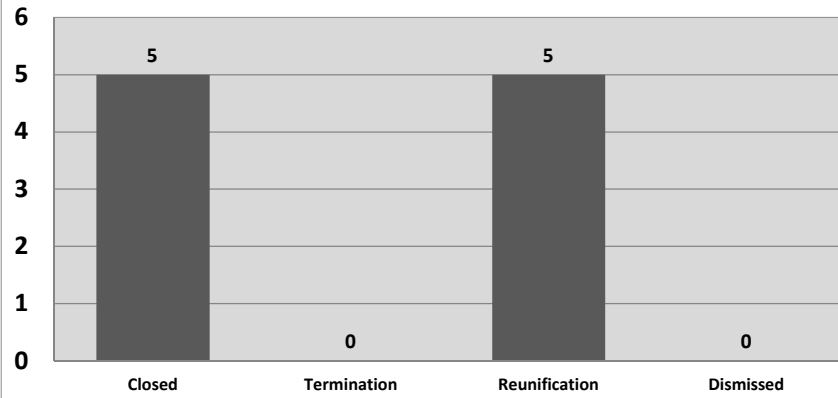
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

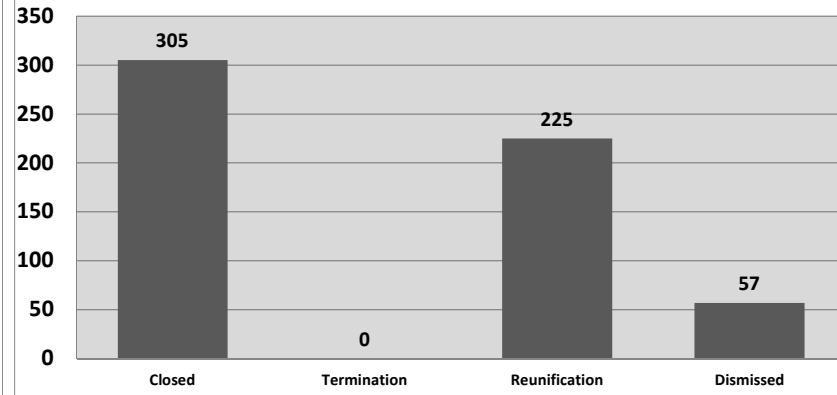
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



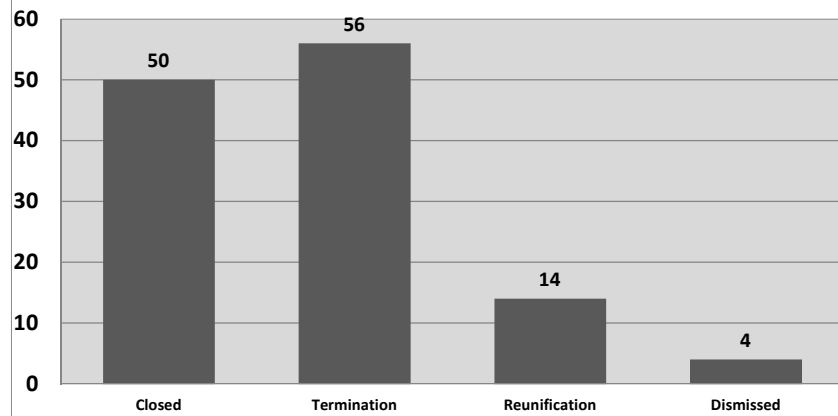
**CY 2016 CINC Representing Child Outcomes**



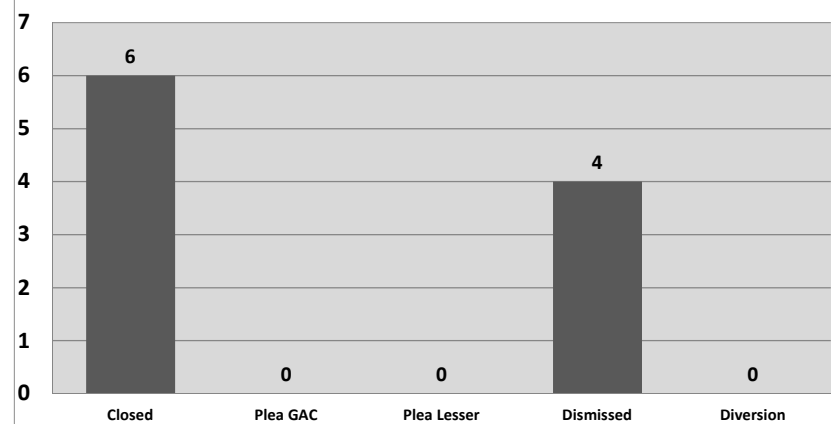
**CY 2016 CINC Representing Parent Outcomes**



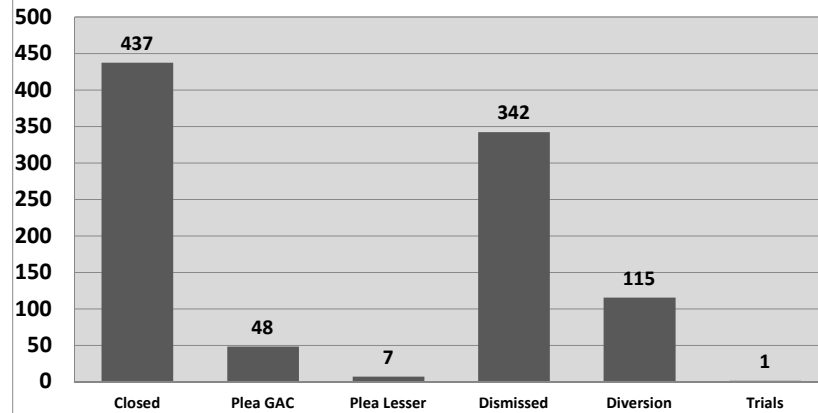
**CY 2016 CINC Termination Outcomes**



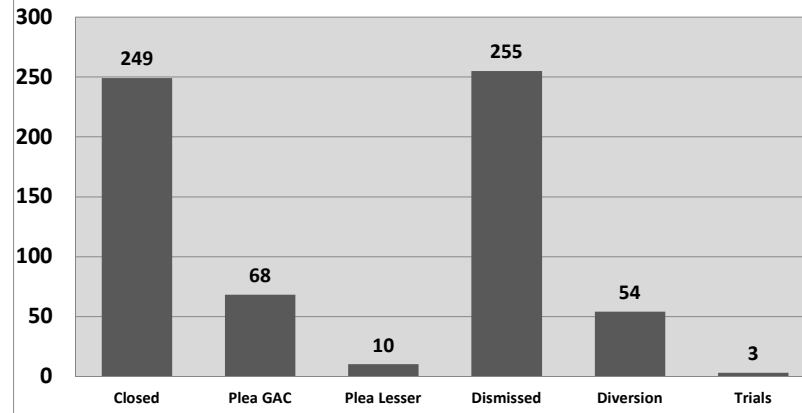
**CY 2016 FINS Outcomes**



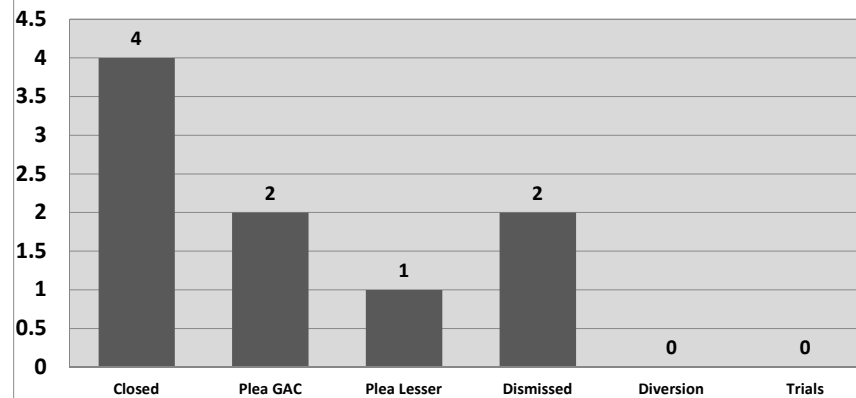
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



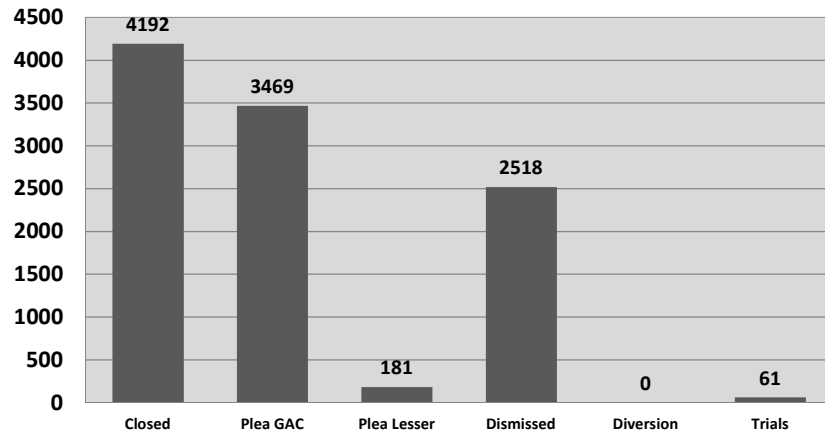
**CY 2016 Delinquency Felony-Grade Outcomes**



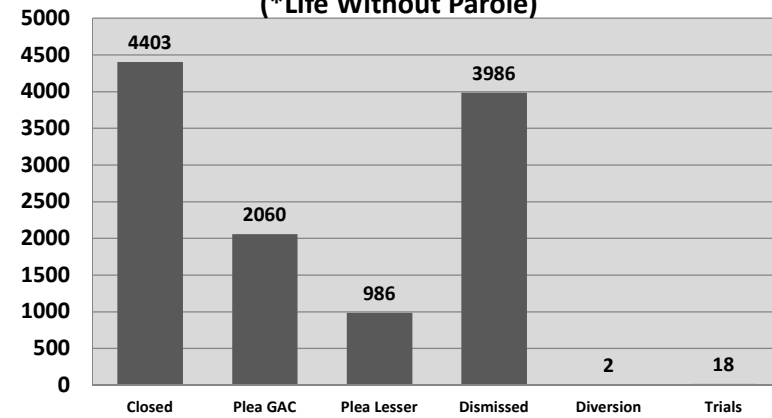
**CY 2016 Delinquency Life Outcomes**



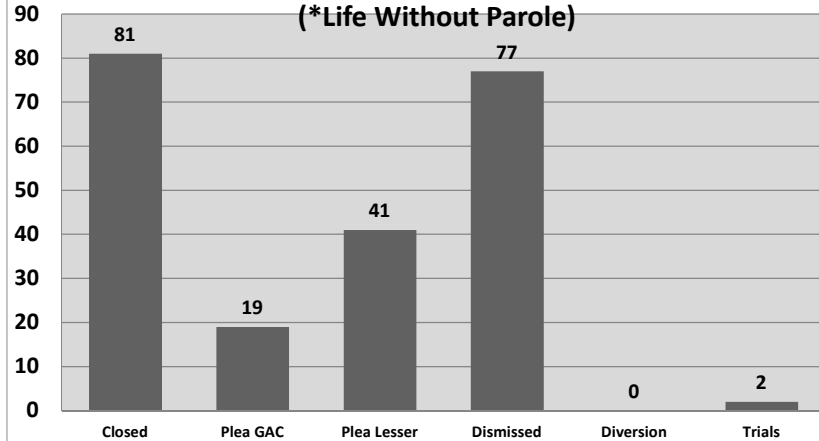
**CY 2016 Adult Misdemeanor Outcomes**



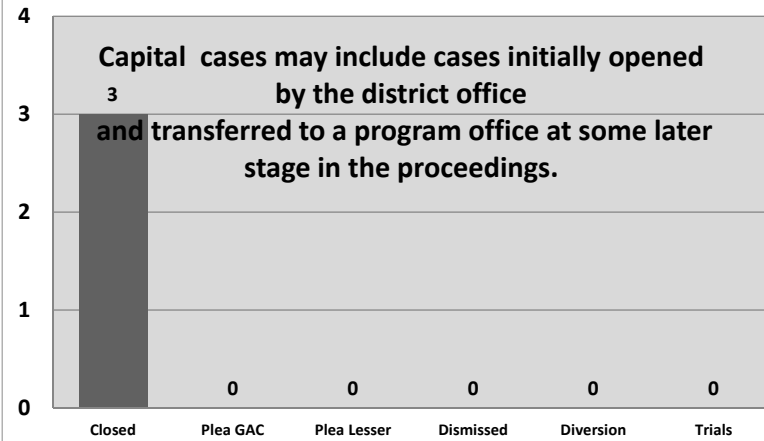
**CY 2016 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Capital Outcomes**

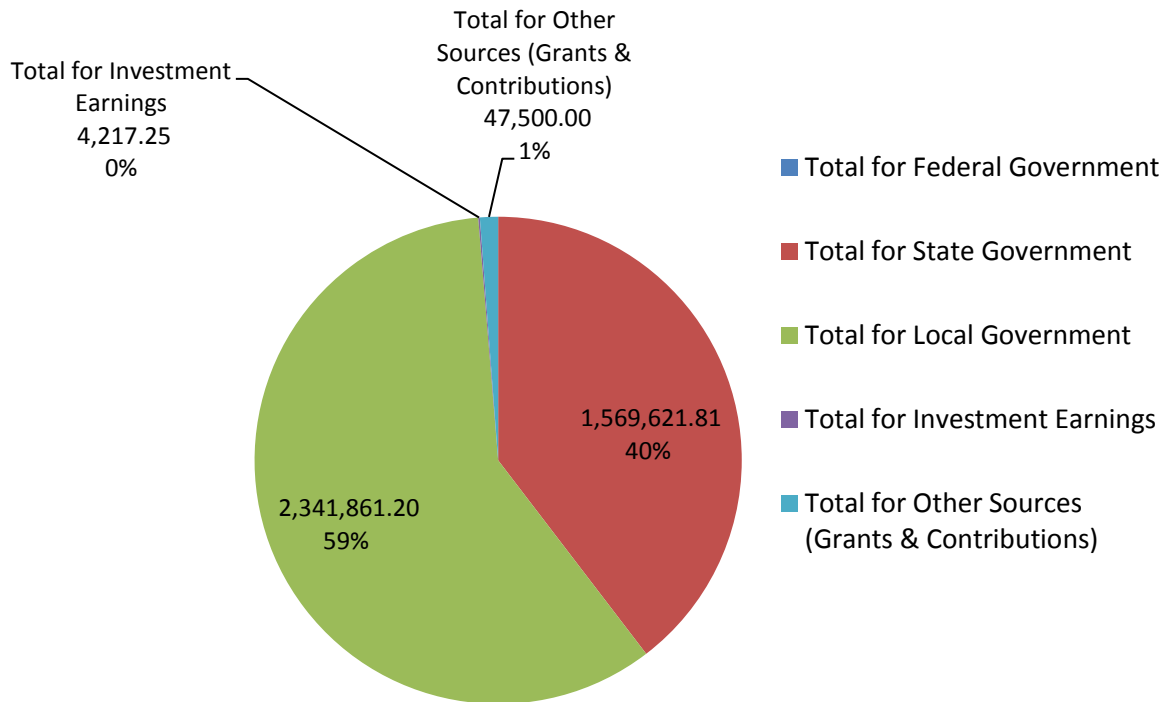


District 15 CY2016	Total CY2016
District Defender: G. Paul Marx	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	67,622.00
District Assistance Fund (DAF)	1,411,152.00
Supplemental/Emergency Funds	44,902.00
Grants	-
Other State Income -List source(s)	45,945.81
Total for State Government	1,569,621.81
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	327,730.24
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	104,640.00
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	358,868.85
City & City-Ward Courts	1,023,644.60
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	288,981.00
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	1,671,494.45
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	109,902.43
Partial Attorney Fees	
Reimbursements [as per 15:176]	128,044.08
Other Reimbursements	-
Other Local Income -List source(s)	50.00
Total for Charges For Services	237,996.51
Total for Local Government	2,341,861.20
Investment Earnings	
Interest Income	4,217.25
Other Investment Income - List source(s)	-
Total for Investment Earnings	4,217.25
Other Sources (Grants & Contributions)	
Non-Profit Organizations	47,500.00
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	47,500.00
Total for REVENUE	3,963,200.26

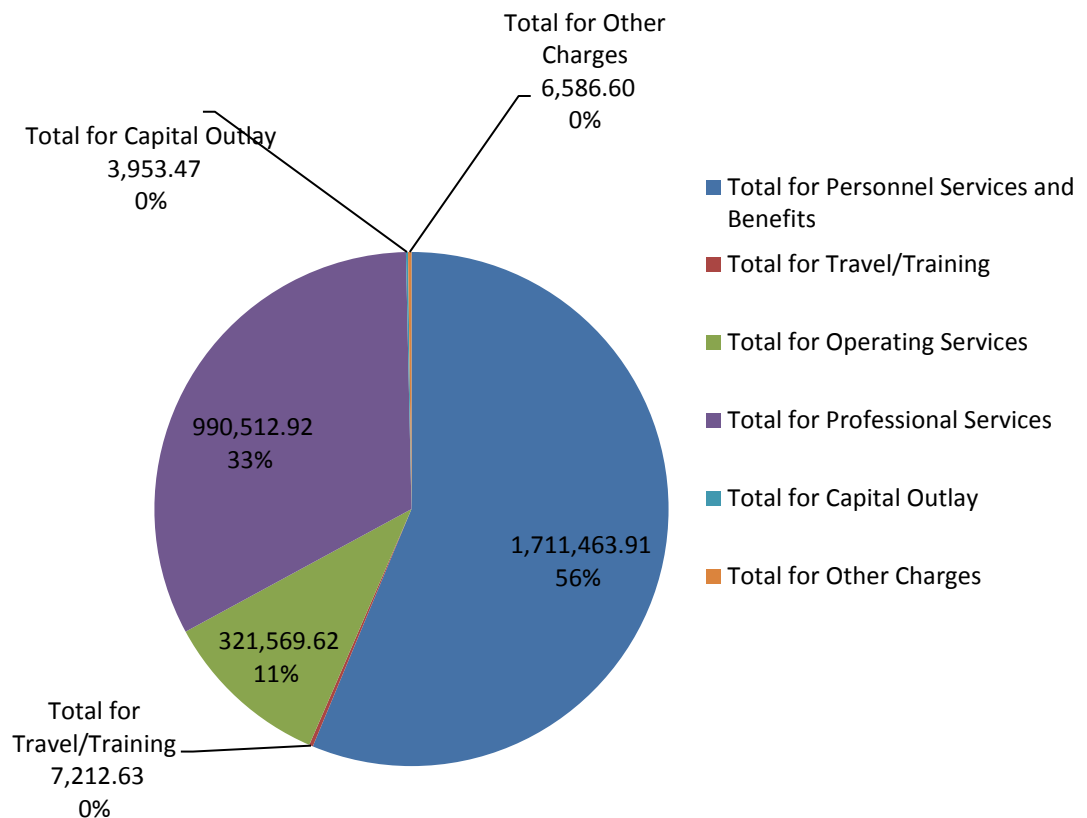
District 15 CY2016	Total CY2016
District Defender: G. Paul Marx	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	1,451,563.90
Accrued Leave	-
Payroll Taxes	108,444.71
Hospitalization and Disability Insurance	129,685.74
Retirement	17,059.29
Other	4,710.27
Total for Personnel Services and Benefits	1,711,463.91
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	7,212.63
Total for Travel/Training	7,212.63
Operating Services	
Advertisements	257.00
Workers' Compensation	1,349.00
Insurance - Malpractice	8,586.17
Insurance - Auto/Physical Liability	11,616.95
Insurance - Other	385.00
Lease - Office	174,544.43
Lease - Auto/Equipment	12,040.30
Lease - Other	12,102.68
Office Repair and Maintenance	3,263.74
Office - Telephone/Utilities/Postage/Internet	34,313.17
Dues and Seminars	11,372.63
Law Library/Journals/Subscriptions	19,833.86
Office Supplies	31,904.69
Total for Operating Services	321,569.62
Professional Services	
Audit/Accounting Expense	20,586.00
Contract Clerical	-
Expert Witness	50,982.38
Investigators	49,028.21
Interpreters	-
Social Workers	-
Capital Representation	15,269.87
Conflict	9,155.25
Contract - Juvenile Attorneys or CINC	147,925.98
Misdemeanor Attorney Contracts	192,760.50
Contract Attorneys - all other	490,075.80
IT/Technical Support	14,728.93
Total for Professional Services	990,512.92
Capital Outlay	
Major Acquisitions	3,953.47
Total for Capital Outlay	3,953.47
Other Charges	
Other Operating Expenses	6,586.60
Total for Other Charges	6,586.60
Total for EXPENDITURES	3,041,299.15

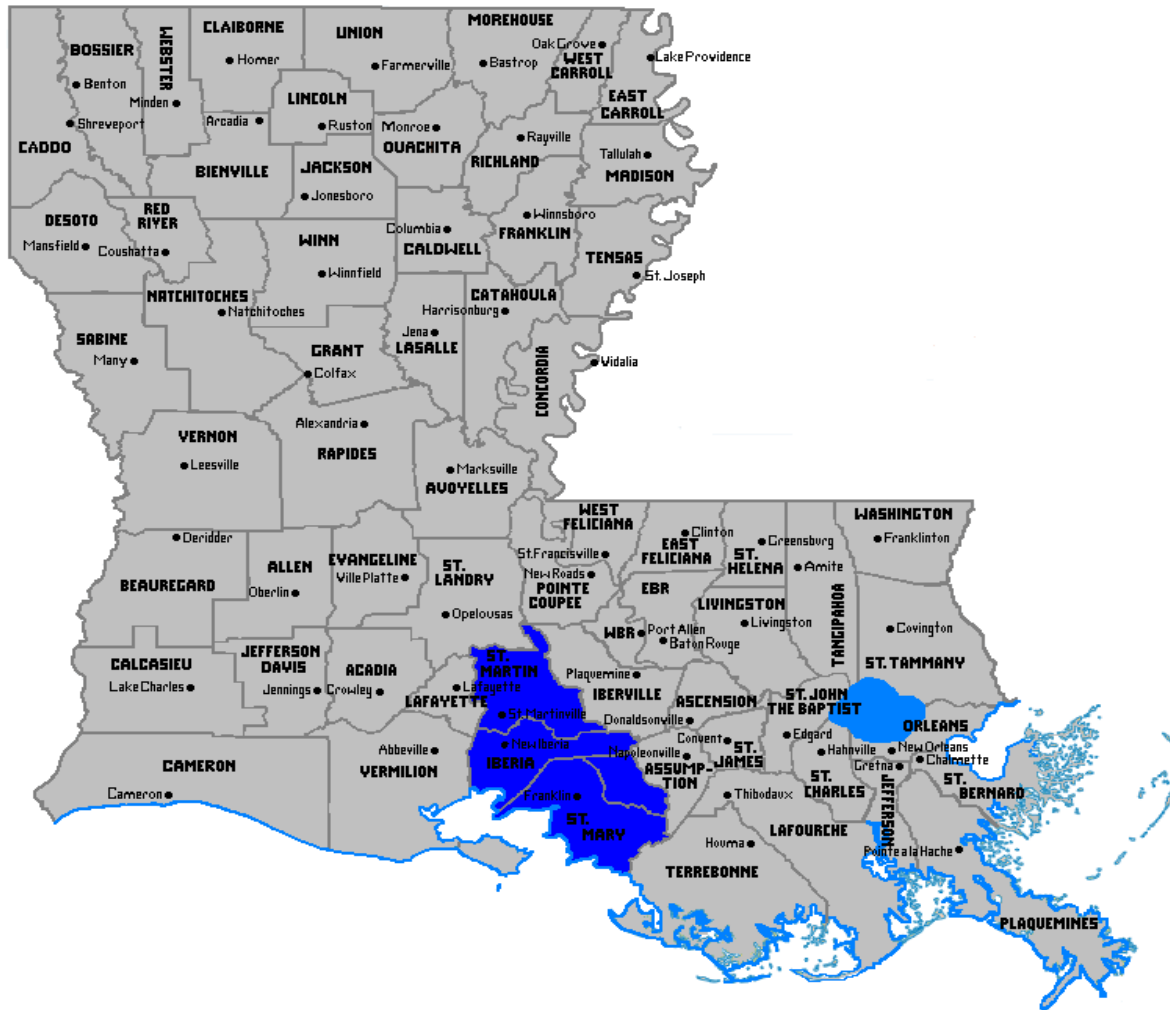
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





## THE 16<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

IBERIA (NEW IBERIA) - SAINT MARTIN (ST. MARTINVILLE) - SAINT MARY  
(FRANKLIN)

DISTRICT DEFENDER: CECILIA BONIN  
215 WEST ST. PETER STREET  
NEW IBERIA LA 70560  
(337) 365-4006

# 16TH JUDICIAL DISTRICT : IBERIA, ST. MARTIN, ST. MARY PARISHES

Cecelia Bonin  
District Defender  
215 West St. Peter Street  
New Iberia, LA 70560  
337-365-4006

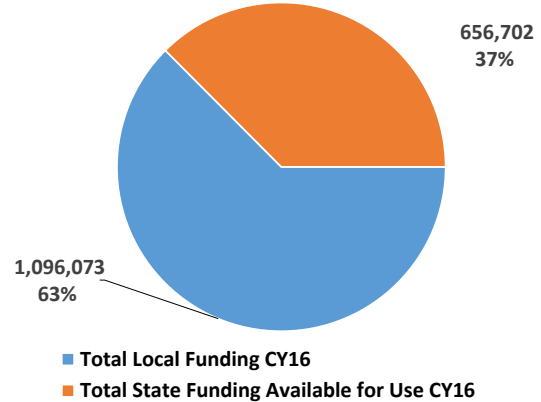
During Calendar Year 2016, the 16th Judicial District Public Defenders Office handled 8,500 cases. The office received \$1,752,775 in total revenues to handle these cases.

Approximately 63% of the office's revenues came from local funding which was derived primarily from traffic tickets and special court costs.

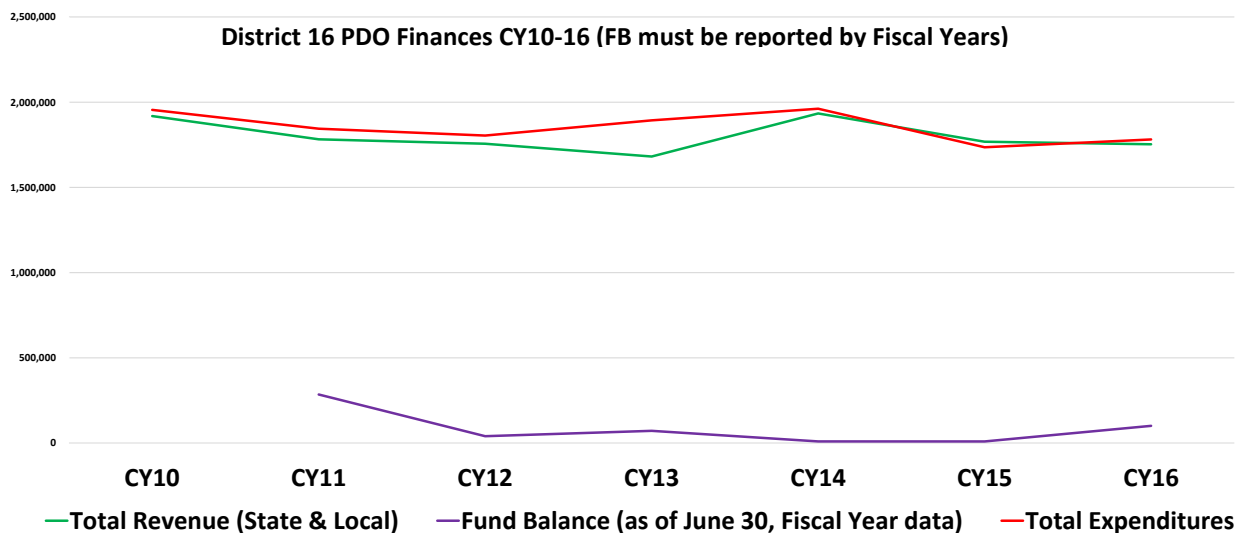
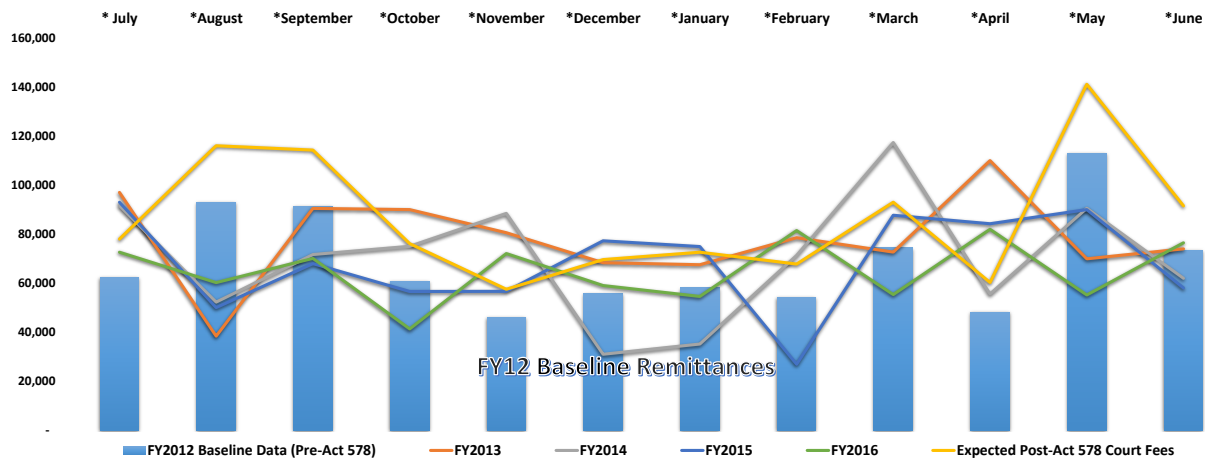
With the exception of a few anomalies, the 16th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of Act 578 (2012).

Due to diminishing financial resources which prevented the office from providing the personnel resources necessary to provide effective assistance of counsel, the office began restricting services on May 27, 2016.

**District 16 PDO Revenue Sources CY16**



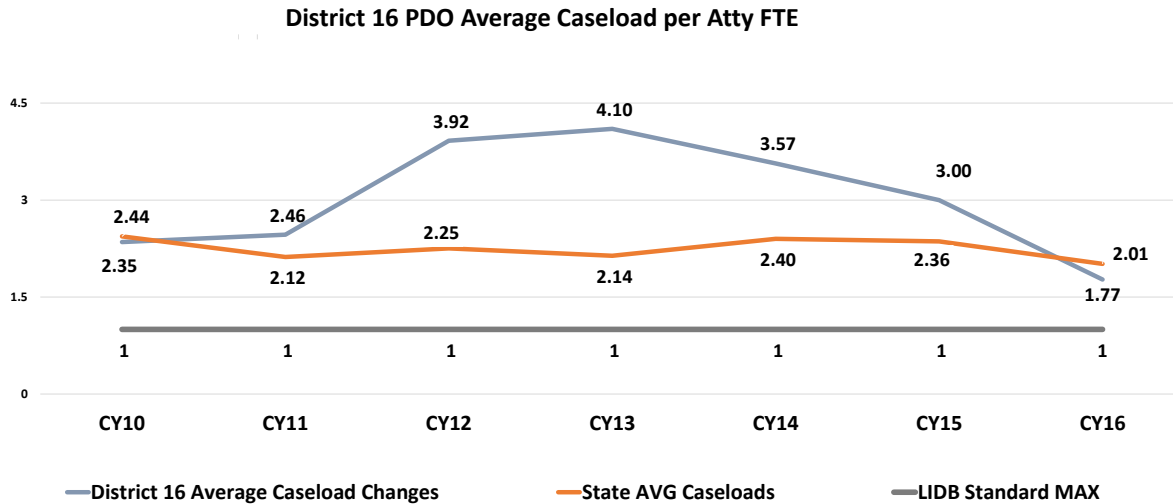
**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 16 PDO**





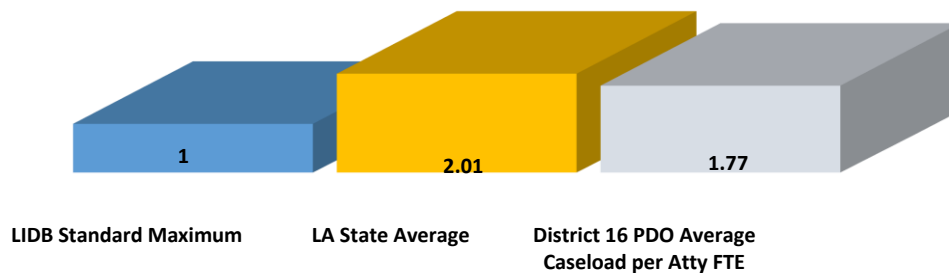
# 16TH JUDICIAL DISTRICT : IBERIA, ST. MARTIN, ST. MARY PARISHES

Cecelia Bonin  
District Defender  
215 West St. Peter Street  
New Iberia, LA 70560  
337-365-4006



In the 16th Judicial District, public defense attorneys maintain caseloads almost two times the recommended caseload limit for each attorney. These caseload averages do not include the three felony cases received during CY16 which were still on the waitlist in January 2017.

## District 16 PDO Average Caseloads Compared to State Average & State Standard Maximums



## CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 16<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. Mary Parish, Franklin; Iberia Parish New Iberia; St. Martin Parish, St. Martinville.
<b>Population</b>	180,900
<b>District Defender</b>	Cecelia Bonin
<b>Years as District Defender</b>	2
<b>Years in Public Defense</b>	5
<b>Office Manager</b>	Natalie Lopez
<b>Primary Office Street Address</b>	215 West St. Peter Street
<b>City</b>	New Iberia
<b>ZIP</b>	70560
<b>Primary Phone</b>	337-365-4006
<b>Primary Mailing Address</b>	215 West St. Peter Street, New Iberia, LA 70560
<b>Primary Fax Number</b>	337-365-0410
<b>Primary Emergency Contact</b>	Cecelia Bonin
<b>Primary Emergency Phone</b>	337-278-3641
<b>Secondary Emergency Contact</b>	Natalie Lopez
<b>Secondary Emergency Phone</b>	337-277-4340
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Franklin - 107 Wilson St., Franklin, LA 70538, 337-828-3628; St. Martin - 106 W. Berard St., St. Martinville, LA 70582, 337-394-1446.
<b>Other District Office Contact Personnel (Primary Only)</b>	New Iberia - Natalie Robin; St. Martinville - Heather Latiolais; Franklin - Tina Johnson.
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	St. Mary Parish- Billy Landen and Charles Prevost; Iberia Parish-First United Methodist Church; St. Martin Parish – Estate of Kathleen Willis.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Monthly Rent for three offices - \$3,500; Monthly Utilities for three offices - \$1,300.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	No - Contracted with Boudreaux Henderson & Co LLP.
<b>Courts and Locations</b>	16th Judicial District Court (3 parishes-St. Mary Parish, Franklin, LA, Iberia Parish, New Iberia, LA, St. Martin Parish, St. Martinville, LA; Morgan City City Court, Franklin City Court, Jeanerette City Court, New Iberia City Court, Breaux Bridge City Court; Patterson Mayor Court, St. Martinville Mayor Court.

<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	8 Criminal Divisions of 16th Judicial District Court; 1 Division in each of the above listed city courts.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Attorneys are assigned to a specific section of court.
<b>Name of Adult Detention Facilities in This District</b>	St. Mary Parish Law Enforcement Center, Centerville, LA; Berwick City Jail, Berwick, LA; Morgan City City Jail, Morgan City, LA; Jeanerette City Jail, Jeanerette, LA; Patterson City Jail, Patterson, LA; Iberia Parish Jail, Iberia Parish, LA; New Iberia City Jail, New Iberia, LA; St. Martin Parish Jail, St. Martinville, LA.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Lafayette Parish Jail, St. Landry Parish Jail, Avoyelles Parish Jail, Caldwell Correctional Center, Claiborne Parish Detention Center, Lasalle Parish, Concordia Parish and Louisiana State Penitentiary
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Assumption, Terrebonne, Lafayette Detention Centers, Jeanerette City Jail.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes. Attorneys are having a hard time visiting their out-of-district clients.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	St. Martin Parish Jail has less days and hours available for visits and the wait is long.
<b>District Attorney</b>	Bo Duhe
<b>Chief Judge of Criminal District Court</b>	Anthony Thibodeaux
<b>Juvenile Court Judges (Specify District of City Court)</b>	There are no elected juvenile judges, however the following judges handle juvenile cases within the district: 16th JDC- Lewis Pitman, Vincent Borne, Keith Comeaux & Curtis Sigur; New Iberia City Court -Trey Haik; Franklin City Court - Jim Supple; Jeanerette City Court - Cameron Simmons; Morgan City City Court - Kim Stansbury; Breaux Bridge City Court - Randy Angelle.
<b>Drug Court Judges</b>	Keith Comeaux, Vincent Borne, Anthony Thibodeaux
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	DWI Court in St. Mary Parish
<b>Name of Specialty and Brief Description:</b>	Handles DWI 2nd, 3rd, & 4th Offenders
<b>Indigency Determined by Whom and How?</b>	First the judge then the intake specialist then defenderData Indigency Assessment.
<b>When is Assignment/Appointment of Counsel Made?</b>	Initial appearance and arraignment.

<b>What steps does your office take to ensure conflict – free representation</b>	The office has developed a conflict free procedure to determine if a case is a conflict. The office has secured contracts with outside attorneys to handle these cases throughout the district.
<b>Brief Explanation of Intake Process</b>	Incarcerated clients - within 72 hours of appointment, intake specialist/investigator will go to the jail to conduct the initial client intake. Clients that are appointed but not incarcerated - are given an appointment letter at the arraignment to meet with the attorney at a later date in which the initial client intake is conducted.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	6,367
<b>How Many Application Fees Were Waived?</b>	0
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2016</b>	39,0629.25
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Breaux Bridge City Court, La. Dept. of Probation and Parole
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	742,240
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Minute entries from the clerk of court and documentation sent by respective collection agency. Defendants are sometimes required to provide work stubs
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Respective agency sends invoice along with the monthly check.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	When the sheriff's office sends us a check they attach a receipt of all fees collected and disbursed.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	

<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Felony and Misdemeanor judges will evaluate a defendant's ability to pay reduced rate when applicable.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Minute entries provided by the clerk of each respective court.
<b>Who Collects the Assessed Partial Payments?</b>	Probation.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Documentation with client's name.
<b>Who Remits the Partial Payments Collected?</b>	Probation.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Probation office provides documentation with the client's name.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	43,921
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Attorneys are not allowed to have a private practice within the section of court they are assigned.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes, see attachments.
<b>Primary Immediate Needs</b>	Conflict free counsel and more attorneys to share the excessive caseload. Also, in need of mitigation investigators and fact investigators.
<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	N/A
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Necessity of full time attorneys and stable funding. Also, more conflict free attorneys and help with Miller/Montgomery Cases
<b>Long-Term Critical Issue Areas</b>	Providing adequate attorney coverage in all sections of court and reducing excessive caseload of attorneys.
<b>2016 Media Coverage and/or Major Accomplishments</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Office provided a gratuitous 5.25 hours of CLE and provides group trial strategy sessions for any attorney who is preparing for trial. Also, the office now has a part time supervising attorney for mentoring, we provide several free seminars and strategy sessions each year.

<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	David Greene (CINC-, Charlotte Bordenave, Robert Duffy, S. Marie Johnson
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chief District Defender supervises attorneys and Office Manager/Paralegal supervises all non attorney staff.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Yes. Tracks the state board regulations for restriction of services.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Health (high deductible-, dental, and vision plan - pays 100% of employee premium; A low deductible option is available for the health plan in which the employee must pay the difference in the premium from the high deductible option. The employee is responsible for any dependent premiums for the health, dental, and vision plans.
<b>Regular Meetings for Any Staff, Please Describe</b>	Quarterly.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Filed in 2016</b>	5
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	None transferred.
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	No formal procedures to date but would have juvenile attorney work with felony attorney or take the case if qualified.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	3
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	3
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	1
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Representative Mike Huval, Representative Taylor Barras, Representative Blake Miguez, Representative Terry Landry, Representative Sam Jones, Representative Joe Harrison, Senator Fred Mills, Senator Bret Allain, Senator Rick Ward, III, Senator Elbert L. Guillory.

<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	The court calendar is extremely unwieldy with numerous courts in three parishes. There are often conflicting schedules. Not enough full time attorneys. St. Mary Parish houses clients in several different jails.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Numerous clerical procedures, improved conflict procedure, created Sanity Commission procedure, acquired additional young passionate attorneys.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Cecelia Bonin	337-278-3641
Maggie Anne Simon	337-519-0791
<b><u>Part-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Alicia Butler	337-380-8824
Dewanna Stewart	337-828-3628
Edward Jones	985-397-0271
Ferdinand Valteau	337-828-9545
Gary LeGros	337-519-4621
Heather Duhon	337-365-4006
Ian Alpha	337-394-1446
Laura Randall	337-365-4006
Margaret Simon	337-359-8701
Michael Caffery	337-828-3628
Robert Duffy	985-397-3779
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Lynden Burton	337-367-1779
Suzanne deMahy	337-321-6535
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Alex Hurd	337-365-4006
Amber Olivier	337-365-4006
Carl Schwab	985-870-8010
Charlotte Bordenave	337-849-2556
Christina Lopez	337-828-9545
Collette Voorhies	337-365-4006
Cyndil Bernard	337-394-1446
Garron Johnson	504-296-6159
Harold Register	337-981-6644
Heather Latiolais	337-394-1446
India Francis	337-828-3628
Jaraya White	337-365-4006
John Allen	985-209-7444
Joseph Burke	337-365-6628
Kristen Noel	337-365-4006

Laderical Wagner	337-380-3950
Natalie Robin	337-365-4006
Randal McCann	337-232-1255
Shawanna Johnson	337-256-3055
Stephen Haedicke	504-525-1328
Susan Jones	225-647-9673
Tammy Wiese	337-828-3628
Thomas Doucet	337-365-4006
Tina Johnson	985-412-6093
Xavier Alexander	337-374-1202



## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Natalie Lopez - Office Manager
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	\$5068.00 per year
Other (please list)	Accurint \$150.00 per month
Number of Legal Research Licenses	
Total Cost of Legal Research Software:	
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	x
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	

Intuit	
Other (list here):	Mas 90
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	18 + 2 servers
Laptops	10 - 2 are inoperable
Video Cameras	
Digital Cameras	2
Video Conferencing Systems	
B&W Laser Printers	7
Color Printers	2
Wireless Cards	
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	1
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	Cox
No Internet Connection	
Connection Speed:	50-50x10 Mbps
Provider Name:	Cox
Email Provider:	tekhead.biz
Please list any software or computer equipment in which you need training:	

### 16th District Defender Office CY 2016 Caseloads & Outcomes

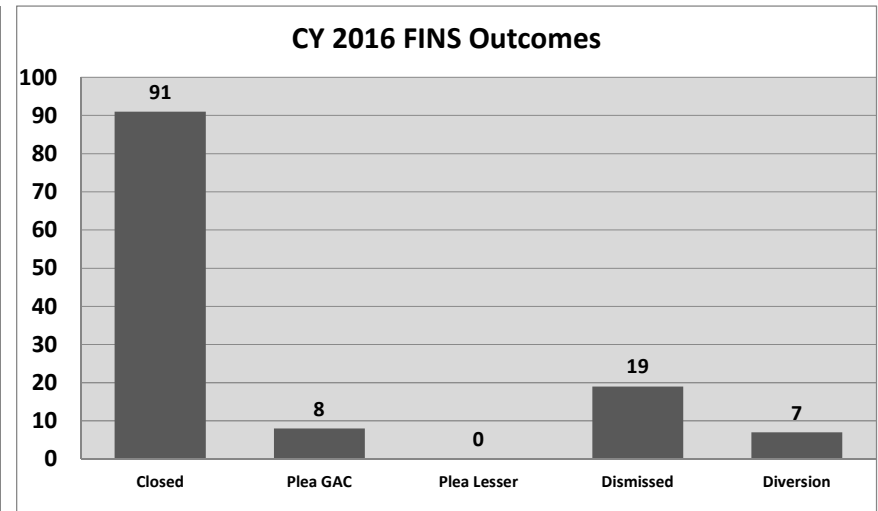
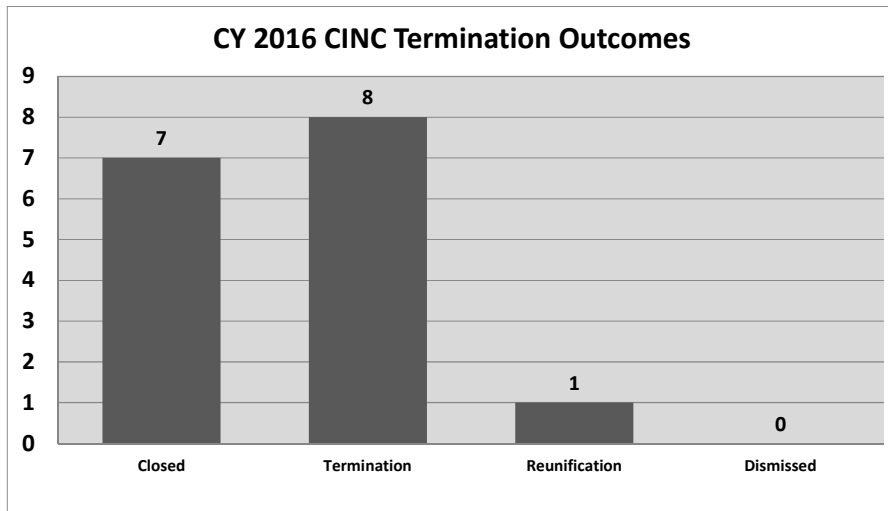
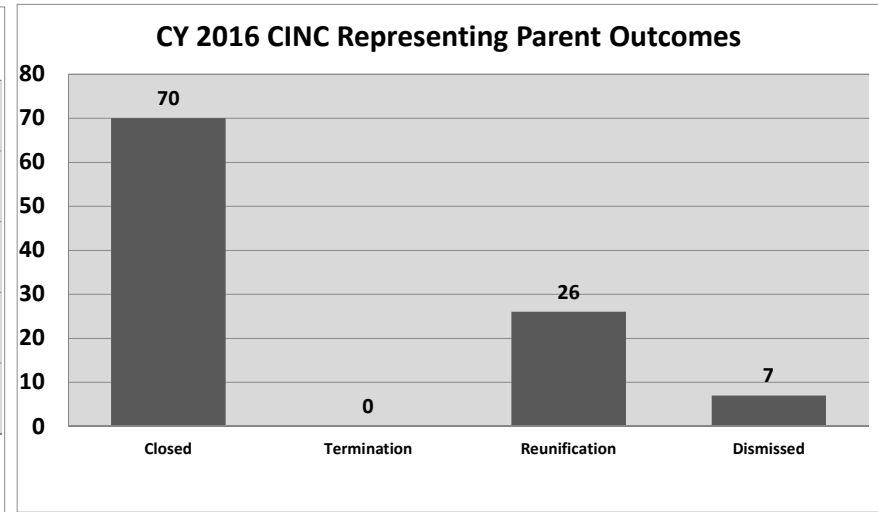
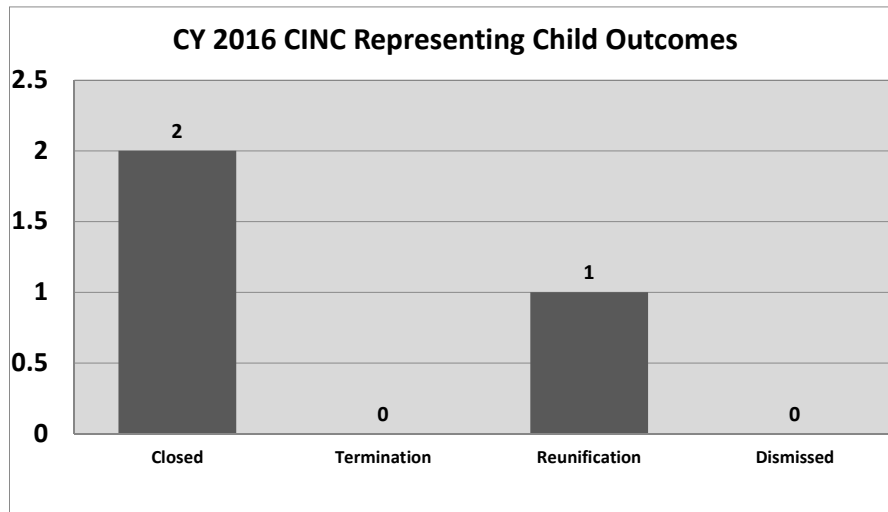
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	1	0	0	1	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	2	2	2	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	124	70	102	226	0	26	N/A	N/A	7	N/A	N/A	N/A	N/A	N/A	0
Termination	9	7	2	11	8	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	160	91	27	187	N/A	N/A	8	0	19	7	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	409	331	54	463	N/A	N/A	160	9	130	84	N/A	N/A	7	5	12
Delinquency Felony	125	108	29	154	N/A	N/A	104	20	87	8	N/A	N/A	0	0	0
Delinquency-Life	0	1	1	1	N/A	N/A	0	0	0	0	N/A	N/A	0	1	1
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	2785	2586	877	3662	N/A	N/A	2030	142	1820	0	0	3	24	27	54
Adult Felony Non-LWOP**	2125	1811	1391	3516	N/A	N/A	814	375	1958	2	0	1	1	4	6
Adult LWOP	6	6	23	29	N/A	N/A	2	1	0	0	0	0	0	0	0
Capital***	2	1	2	4	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	195	221	39	234	N/A	N/A	2	0	1	0	N/A	N/A	N/A	N/A	0
PCR	0	4	3	3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	1	2
SOAP	4	1	3	7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

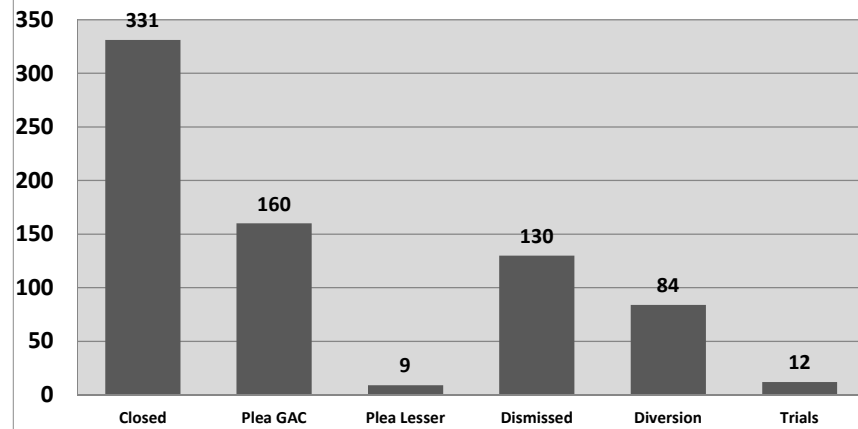
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

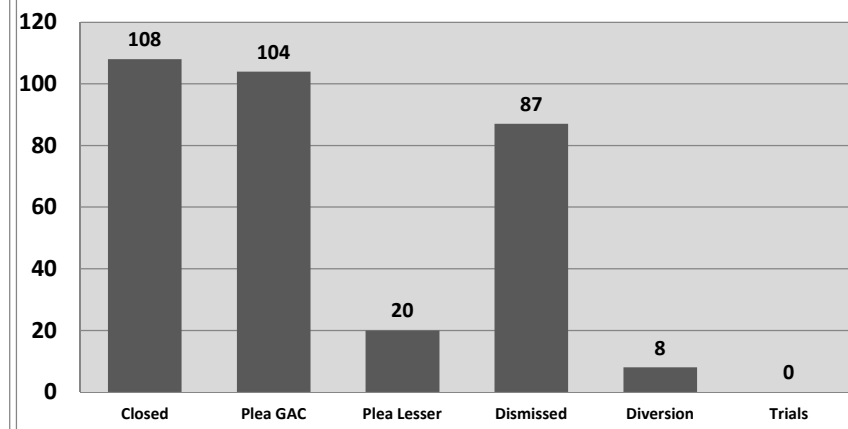
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



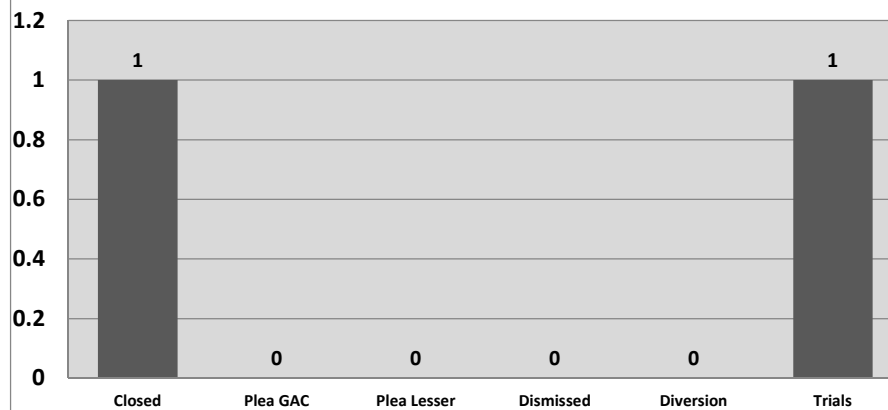
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

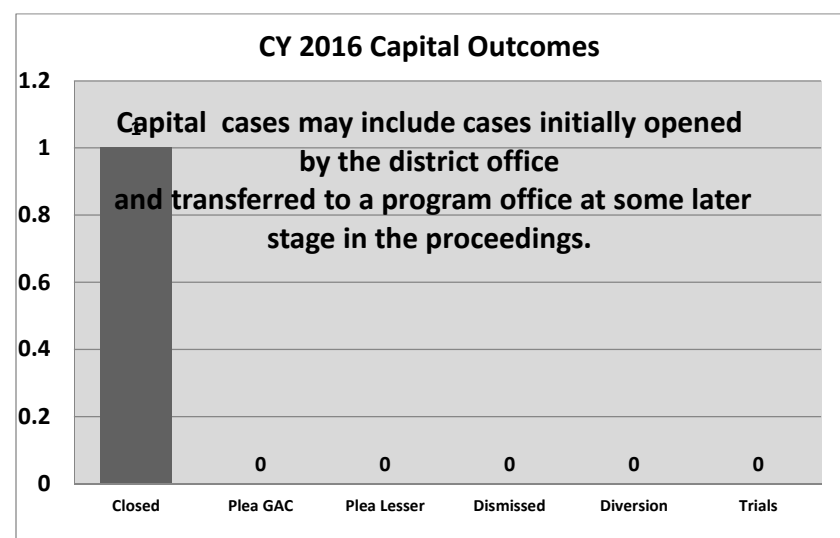
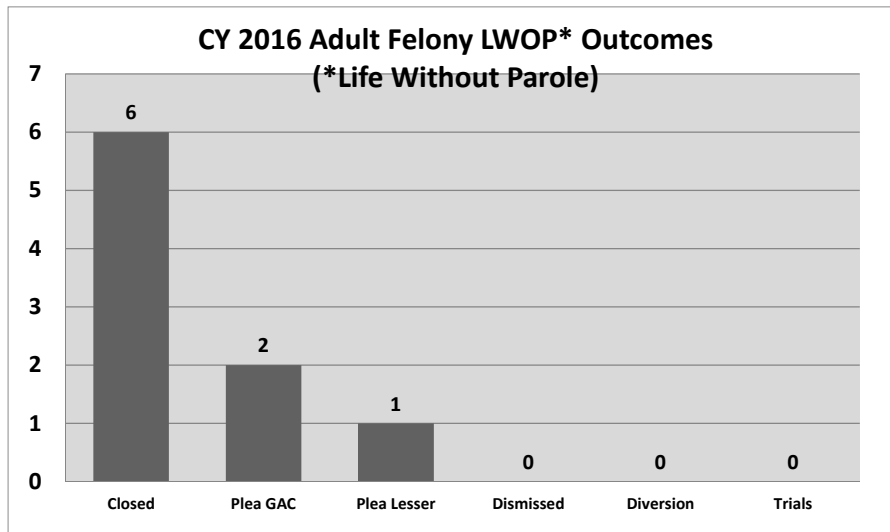
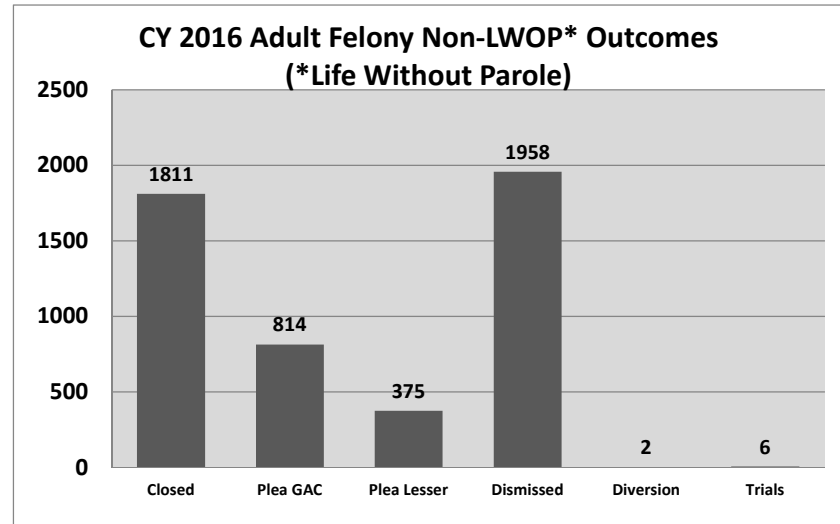
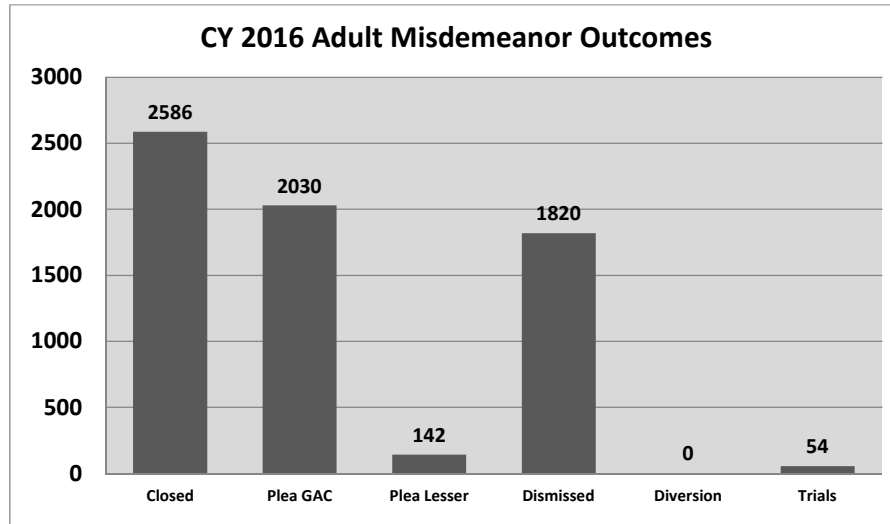


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**





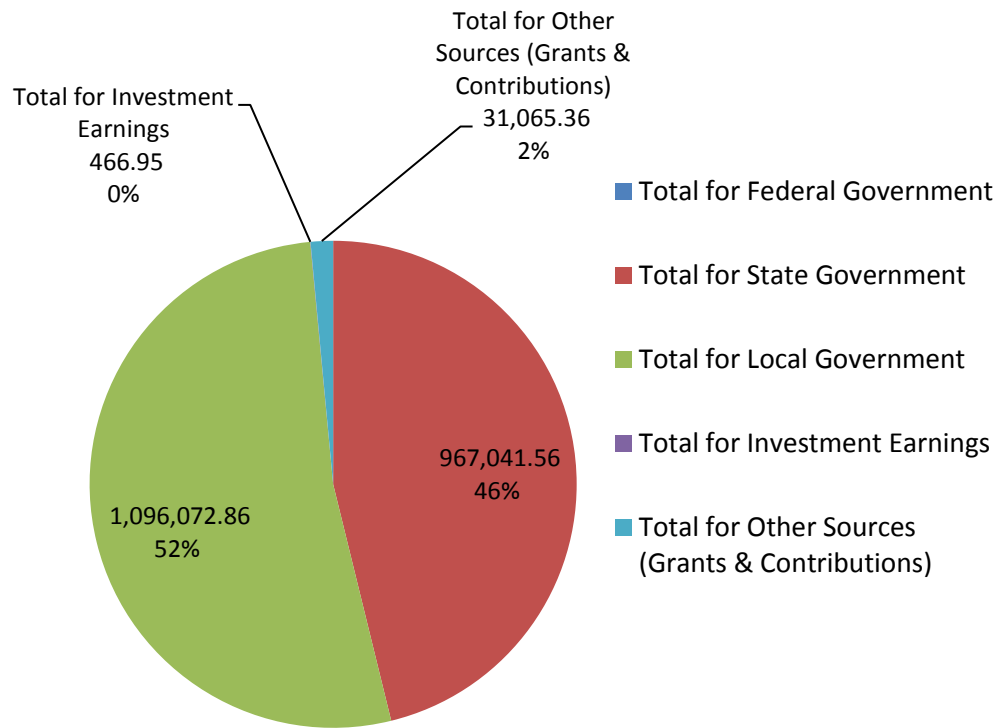
District 16 CY2016	Total CY2016
District Defender: Cecelia Bonin	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	16,726.00
District Assistance Fund (DAF)	914,019.00
Supplemental/Emergency Funds	18,183.00
Grants	-
Other State Income -List source(s)	18,113.56
Total for State Government	967,041.56
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	16,142.04
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	129,849.22
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	49,741.22
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	248,489.00
Judicial District Courts	490,429.08
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	66,162.00
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	805,080.08
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	42,429.25
Partial Attorney Fees	-
Reimbursements [as per 15:176]	48,873.65
Other Reimbursements	-
Other Local Income -List source(s)	3,957.40
Total for Charges For Services	95,260.30
Total for Local Government	1,096,072.86
Investment Earnings	
Interest Income	466.95
Other Investment Income - List source(s)	-
Total for Investment Earnings	466.95
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	20,000.00
Corporate	-
Other - List source(s)	11,065.36
Total for Other Sources (Grants & Contributions)	31,065.36
Total for REVENUE	2,094,646.73

District 16 CY2016	Total CY2016
District Defender: Cecelia Bonin	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	1,077,609.74
Accrued Leave	-
Payroll Taxes	88,183.54
Hospitalization and Disability Insurance	99,154.35
Retirement	18,283.23
Other	41.00
Total for Personnel Services and Benefits	1,283,271.86
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	6,552.74
Total for Travel/Training	6,552.74
Operating Services	
Advertisements	390.88
Workers' Compensation	4,752.00
Insurance - Malpractice	12,128.00
Insurance - Auto/Physical Liability	600.00
Insurance - Other	675.00
Lease - Office	22,300.61
Lease - Auto/Equipment	6,240.67
Lease - Other	17,331.00
Office Repair and Maintenance	8,789.56
Office - Telephone/Utilities/Postage/Internet	30,894.01
Dues and Seminars	6,575.00
Law Library/Journals/Subscriptions	13,249.04
Office Supplies	19,212.59
Total for Operating Services	143,138.36
Professional Services	
Audit/Accounting Expense	16,409.42
Contract Clerical	1,380.00
Expert Witness	20,615.05
Investigators	4,988.51
Interpreters	312.50
Social Workers	-
Capital Representation	24,507.16
Conflict	144,000.59
Contract - Juvenile Attorneys or CINC	39,592.37
Misdemeanor Attorney Contracts	23,593.56
Contract Attorneys - all other	54,699.36
IT/Technical Support	15,317.06
Total for Professional Services	345,415.58
Capital Outlay	
Major Acquisitions	1,450.00
Total for Capital Outlay	1,450.00
Other Charges	
Other Operating Expenses	1,336.33
Total for Other Charges	1,336.33
Total for EXPENDITURES	1,781,164.87

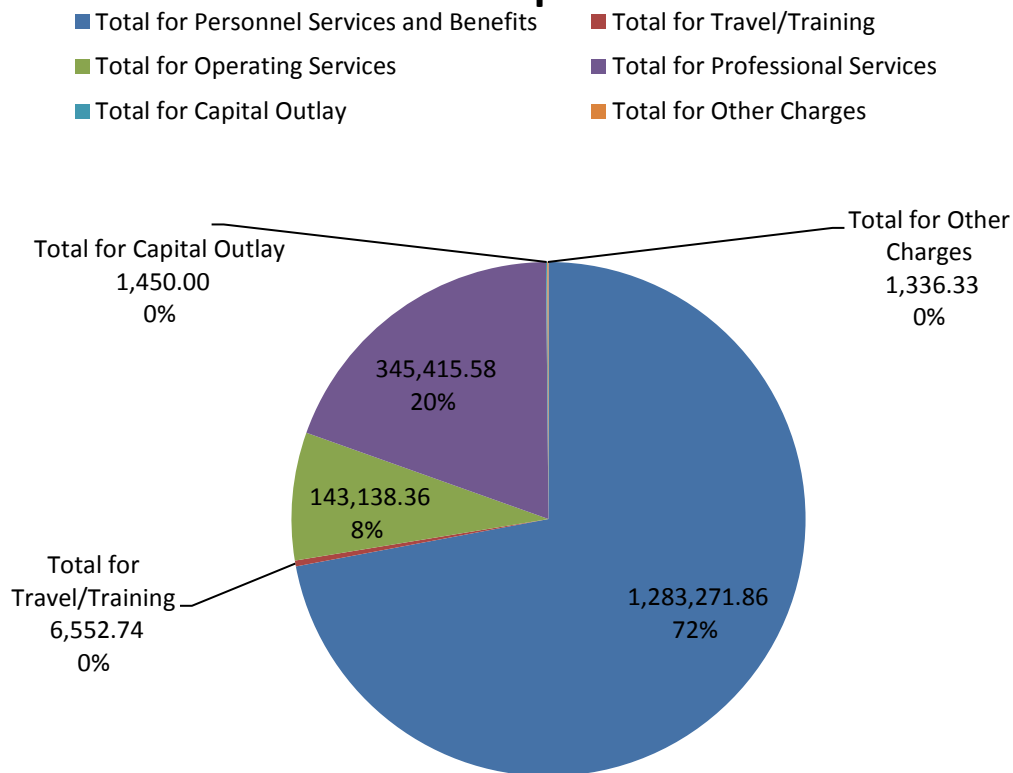
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.



## Total CY16 Revenues



## CY16 Expenditures





THE 17<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
LAFOURCHE (THIBODAUX)

DISTRICT DEFENDER: MARK D. PLAISANCE  
204 GREEN STREET  
THIBODAUX, LA 70301  
(985) 446-8808

17TH JUDICIAL DISTRICT :  
LAFOURCHE PARISH

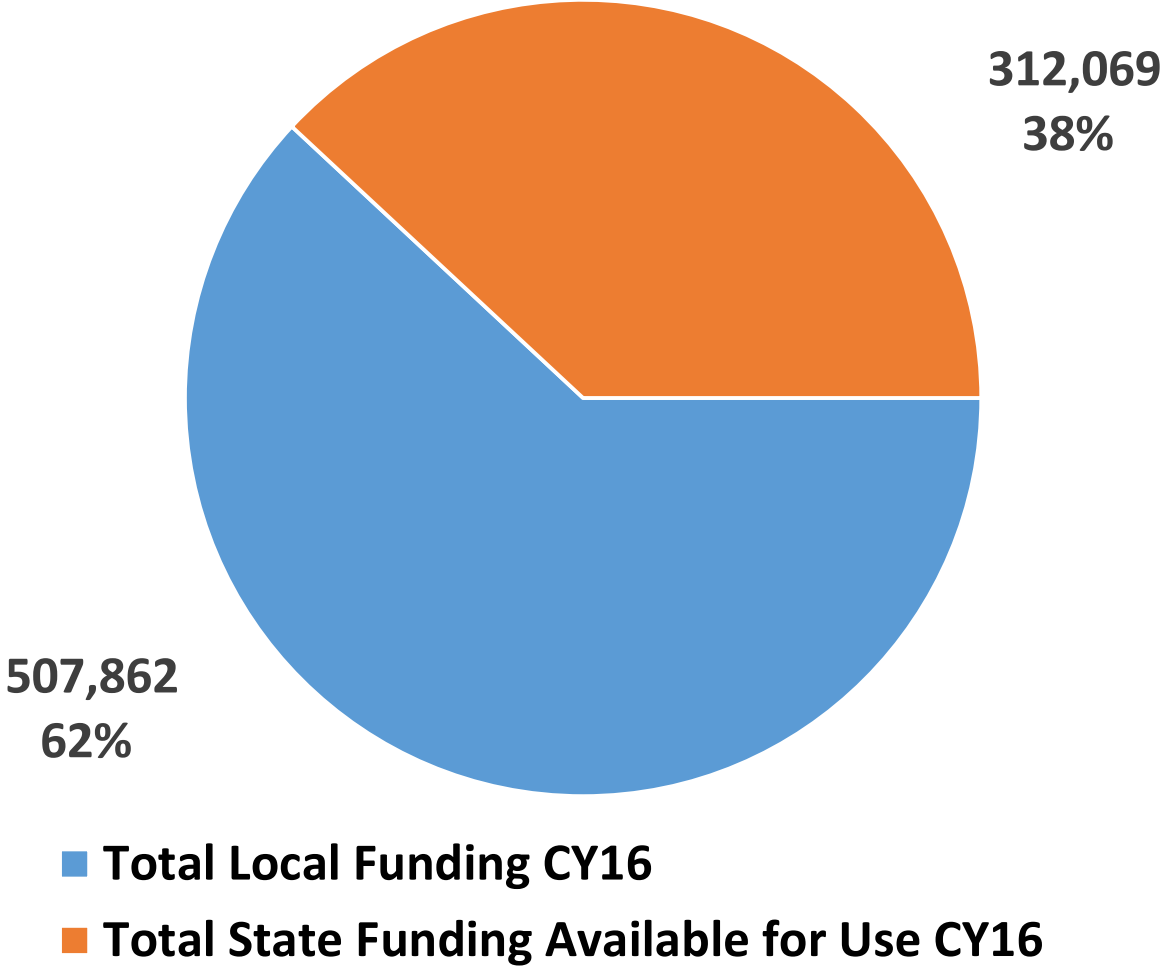
Mark D. Plaisance  
District Defender  
204 Green Street  
Thibodaux, LA 70301  
985-446-8808

During Calendar Year 2016, the 17th Judicial District Public Defenders Office handled 5,114 cases. The office received \$819,930 in total revenues to handle these cases, approximately 62% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

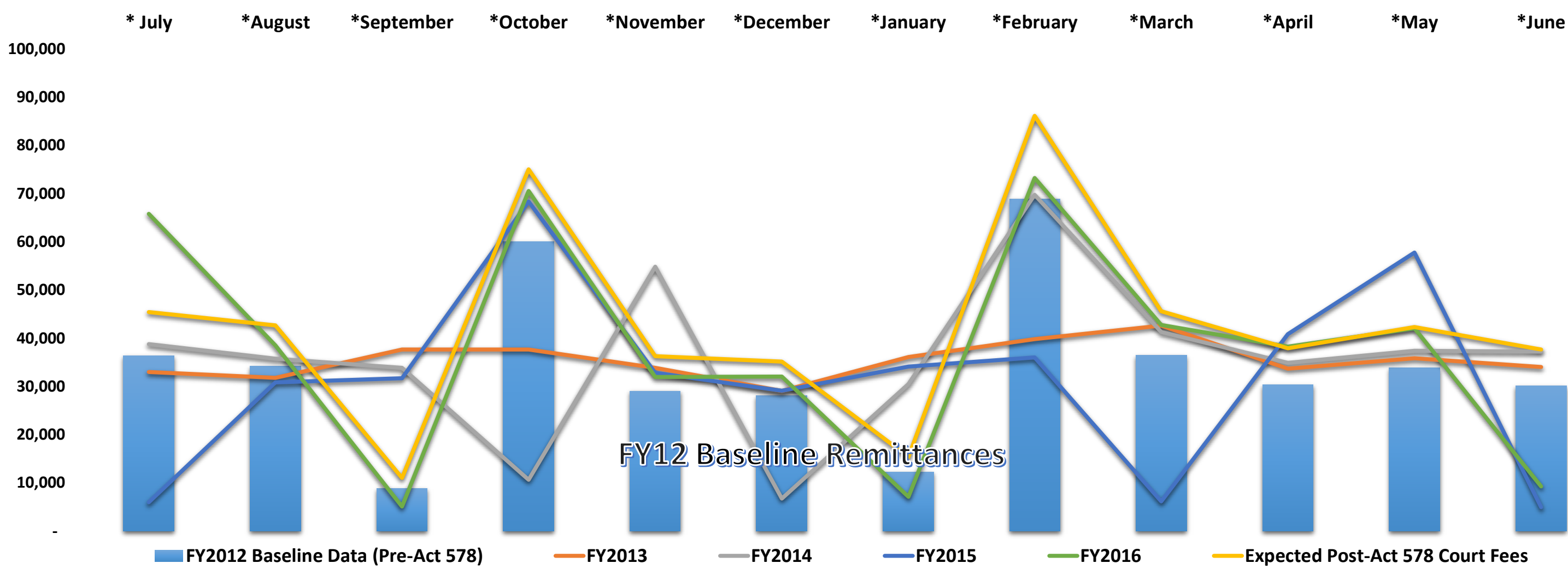
With very few exceptions, the 17th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated with Act 578 (2012).

Since CY14, the 17th Judicial District office’s revenues have slightly surpassed or been equal to the office's expenditures. As a result, the fund balance is growing modestly.

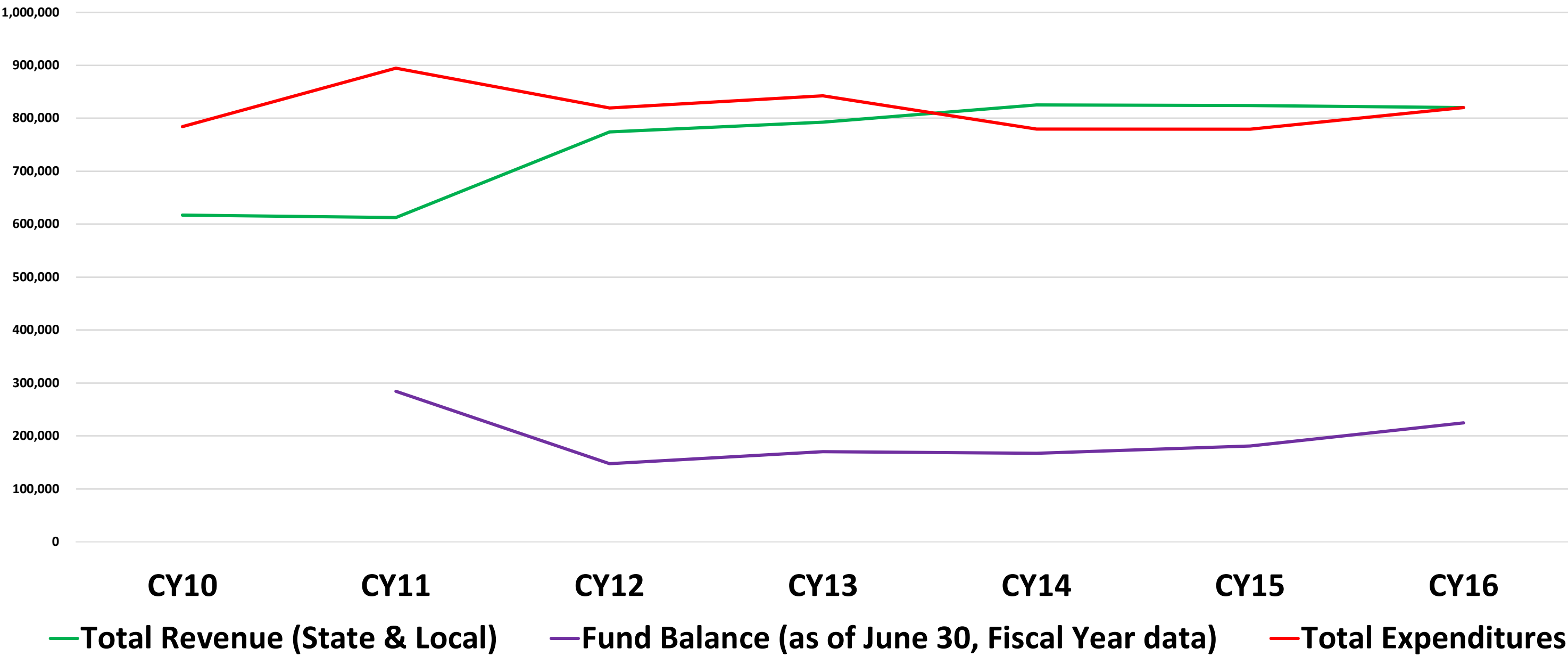
District 17 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 17 PDO

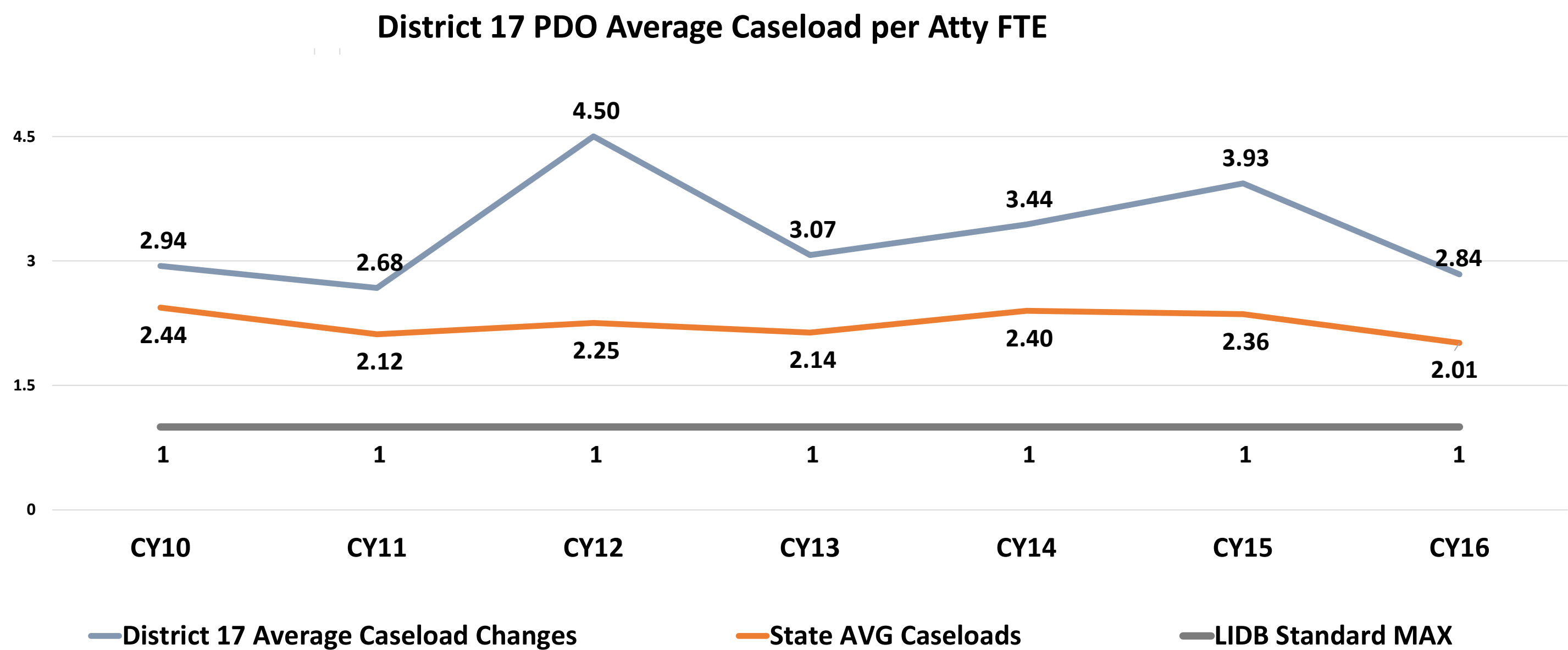


District 17 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



17TH JUDICIAL DISTRICT :  
LAFOURCHE PARISH

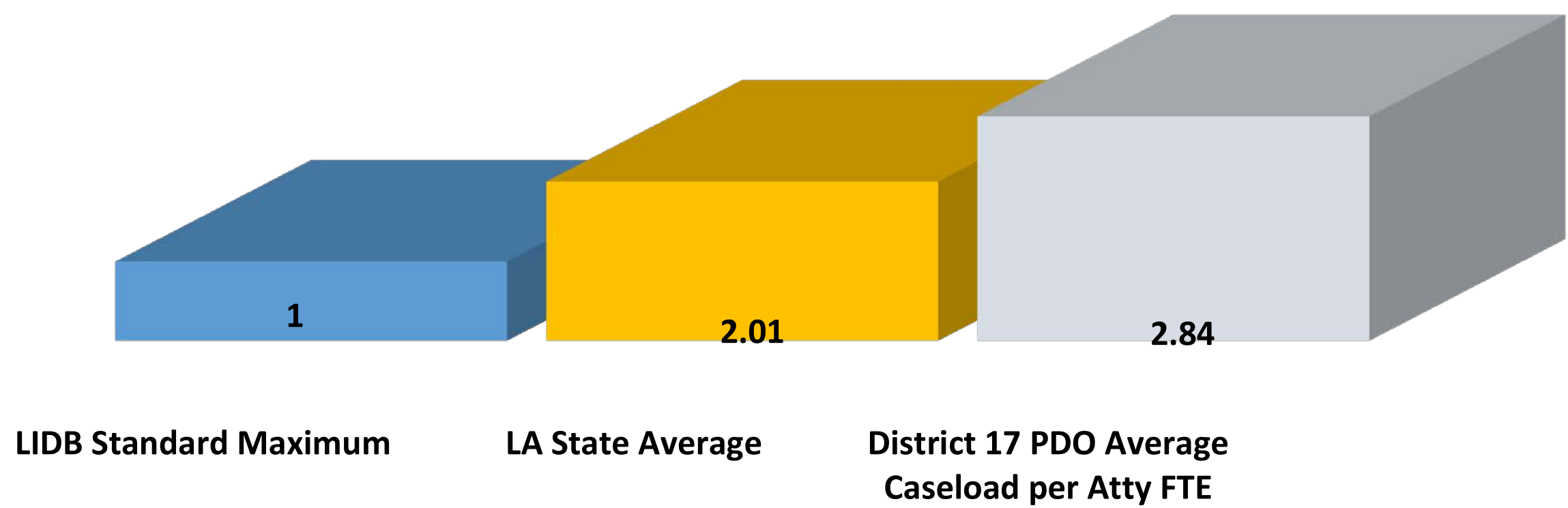
Mark D. Plaisance  
District Defender  
204 Green Street  
Thibodaux, LA 70301  
985-446-8808



In the 17th Judicial District, public defense attorneys maintain caseloads almost three times the recommended caseload limit for each attorney.

Reliance on insufficient revenues has resulted in caseloads that by far exceed established caseload limits. Excessive cases limit each defender’s ability to provide effective assistance of counsel to their clients.

District 17 PDO Average Caseloads Compared to State Average & State Standard...



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 17<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Lafourche-Thibodaux, LA
<b>Population</b>	97,891
<b>District Defender</b>	Mark D. Plaisance
<b>Years as District Defender</b>	2
<b>Years in Public Defense</b>	8
<b>Office Manager</b>	Christie Boudreaux
<b>Primary Office Street Address</b>	204 Green Street
<b>City</b>	Thibodaux
<b>ZIP</b>	70301
<b>Primary Phone</b>	985-446-8808
<b>Primary Mailing Address</b>	204 Green Street, Thibodaux, LA 70301
<b>Primary Fax Number</b>	985-446-8818
<b>Primary Emergency Contact</b>	Mark D. Plaisance
<b>Primary Emergency Phone</b>	985-227-4588
<b>Secondary Emergency Contact</b>	Christie Boudreaux
<b>Secondary Emergency Phone</b>	985-713-6606
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	204 Green Street, Thibodaux, LA 70301 phone: 985-446-8808 fax: 985-446-8818
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Amy B. Roth
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	2,550
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	In-House
<b>Courts and Locations</b>	17th Judicial District Court, Lafourche Parish, Div. A-E, 201 Green St. & 303 West 3rd Street, Thibodaux, 70301; Thibodaux City Court, 1309 Canal Blvd. Thibodaux, 70301
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	A, B, C, D, & E only (1) division in City Court
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Each section of court is assigned an attorney. A duty attorney handles magistrate. The defendant is then appointed the division attorney at arraignment.
<b>Name of Adult Detention Facilities in This District</b>	Lafourche Parish Detention Center

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	East Carroll; St. Charles; Riverbend; Avoyelles Markville & Simmesport
<b>Name of Juvenile Detention Facilities In This District</b>	Lafourche Parish Juvenile Justice Facility
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Camille A. Morvant, II
<b>Chief Judge of Criminal District Court</b>	John E. Leblanc
<b>Juvenile Court Judges (Specify District of City Court)</b>	Mark Chiasson, City Court; John E. Leblanc, F.Hugh Larose; Steve Miller; Christopher J. Boudreaux; Walter Lanier,III.
<b>Drug Court Judges</b>	Walter I. Lanier,III
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	None
<b>Indigency Determined by Whom and How?</b>	A public defender is appointed. Some defendants are ordered to apply.
<b>When is Assignment/Appointment of Counsel Made?</b>	At magistrate.
<b>What steps does your office take to ensure conflict – free representation</b>	Appointed Defendant names are cross referenced through the database.
<b>Brief Explanation of Intake Process</b>	At detention center within 72 hours or if they are not in jail a registered letter is sent immediately for them to come to our office.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes, when possible
<b>How Many Applications for Services Were Received?</b>	296
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	11,855
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	436,295

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	City court provides a printout.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff for District Court/City Clerk for City
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	0
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Court orders additional payment if and when requested by counsel, or on courts own motion
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	Our office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	None
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	No restriction on private practice. Duties of indigent defense take priority over private practice.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Additional funding for additional staff attorneys and investigators.

<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No investigator; less 1 girl in the office.
<b>Immediate Critical Issue Areas</b>	Funding for adequate salary and Hospitalization.
<b>Long-Term Critical Issue Areas</b>	Remove the cost of capital cases from this office.
<b>2016 Media Coverage and/or Major Accomplishments</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Trained by District Defender
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District Defender for attorneys, Office Manager for non attorney staff.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	When necessary called for by District Defender.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Filed in 2016</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	0



<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	4
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	1
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senators -- Troy Brown, Gary Smith, Norby Chabert, Bret Allain Beryl Amedee; Representatives -- Jerome Zeringue Tanner Magee, Jerry Gisclair, Jerome Richard.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Inadequate jail facilities delay contact with inmates.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Attorneys have attended CLE and training.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Andrew Wise	985-446-8808
Annie Chiasson	985-446-8808
George Ledet	985-446-8808
Julie Erny	985-446-8808
Maria E. Dugas	985-446-8808
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Andrea Stentz	985-446-8808
Benjamin Comeaux	985-446-8808
L. Charles Caillouet	985-446-8808
Carlton J. Cheramie	985-446-8808
Wilbert Billiot	985-446-8808
Teresa King	985-446-8808
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Christie Boudreaux	985-446-8808
Lisa Washington	985-446-8808
Charity Taylor	985-446-8808
Mark D. Plaisance	985-446-8808

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Mark D. Plaisance
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	x
Westlaw	
Other (please list)	
Number of Legal Research Licenses	7
Total Cost of Legal Research Software:	7,428
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	x

Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	1
DVD	
VCR	1
Desktop PCs	9
Laptops	2
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	5
Color Printers	1
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	6
Provider Name:	Charter Business
Email Provider:	Charter Business
Please list any software or computer equipment in which you need training:	

### 17th District Defender Office CY 2016 Caseloads & Outcomes

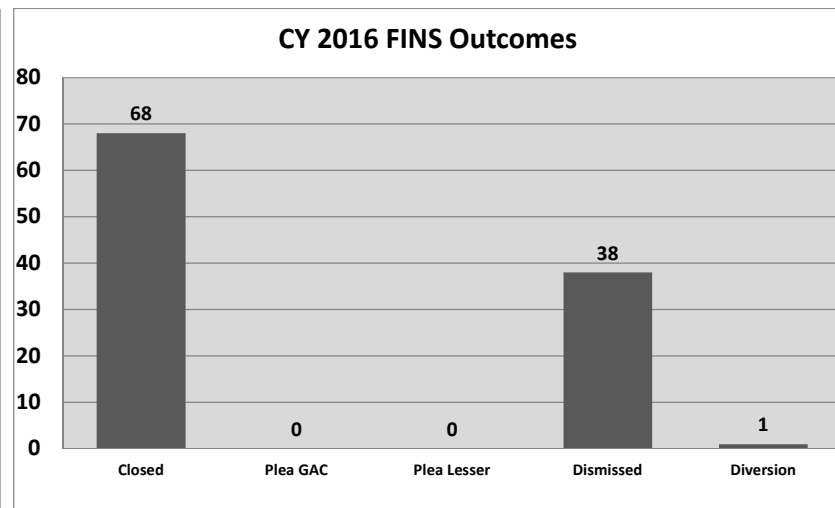
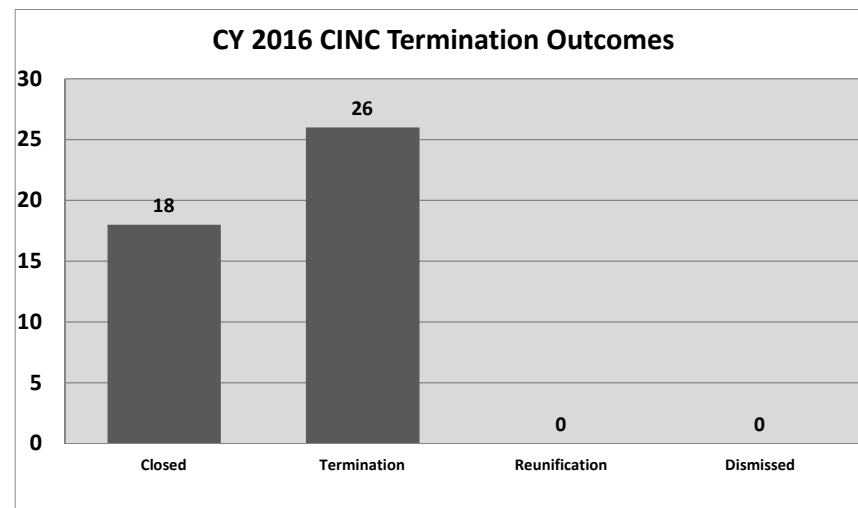
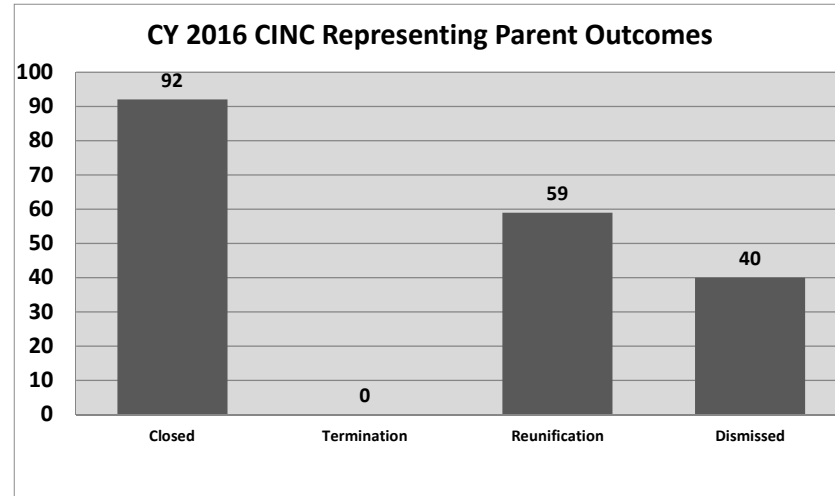
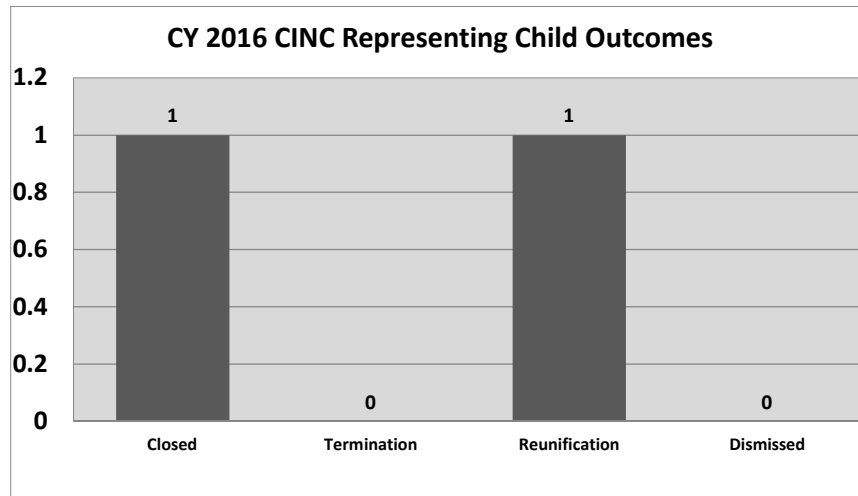
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	1	5	5	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	93	92	123	216	0	59	N/A	N/A	40	N/A	N/A	N/A	N/A	N/A	0
Termination	19	18	3	22	26	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	60	68	18	78	N/A	N/A	0	0	38	1	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	230	244	55	285	N/A	N/A	259	3	135	0	N/A	N/A	1	3	4
Delinquency Felony	33	41	23	56	N/A	N/A	38	4	75	0	N/A	N/A	0	1	1
Delinquency-Life	1	0	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	33	57	0	33	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	2006	1927	578	2584	N/A	N/A	1911	64	669	0	0	1	3	9	13
Adult Felony Non-LWOP**	1207	1155	538	1745	N/A	N/A	809	289	435	0	0	7	0	8	15
Adult LWOP	19	29	20	39	N/A	N/A	13	10	7	0	0	3	0	1	4
Capital***	1	1	1	2	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	24	144	20	44	N/A	N/A	1	0	4	0	N/A	N/A	N/A	N/A	0
PCR	2	2	2	4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

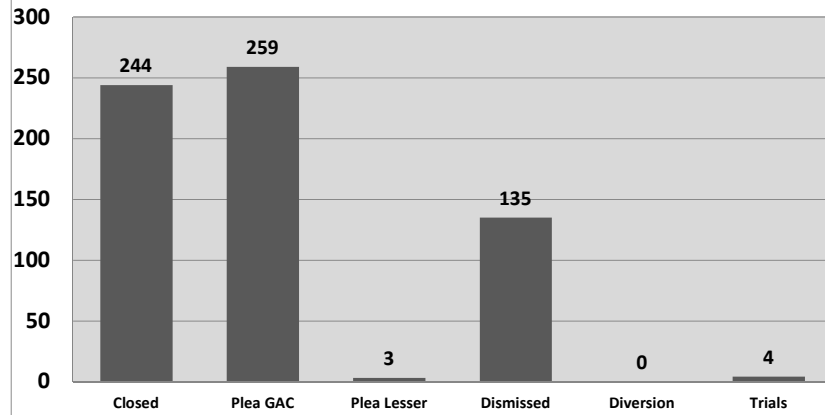
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

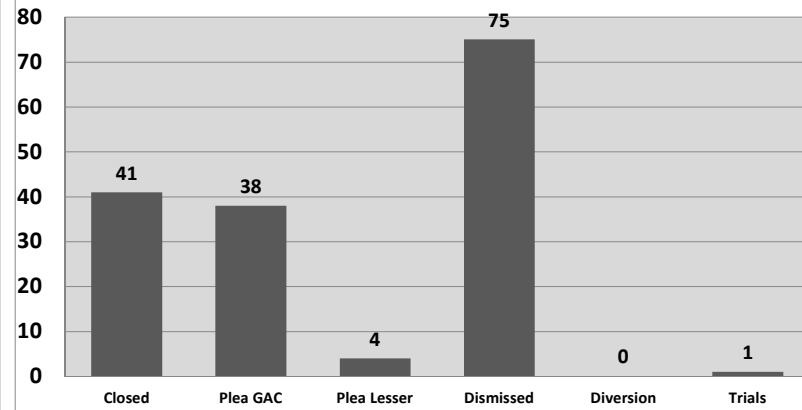
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



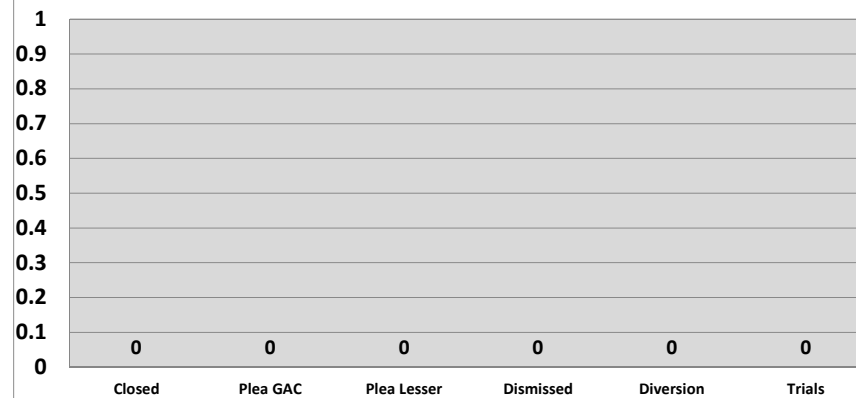
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

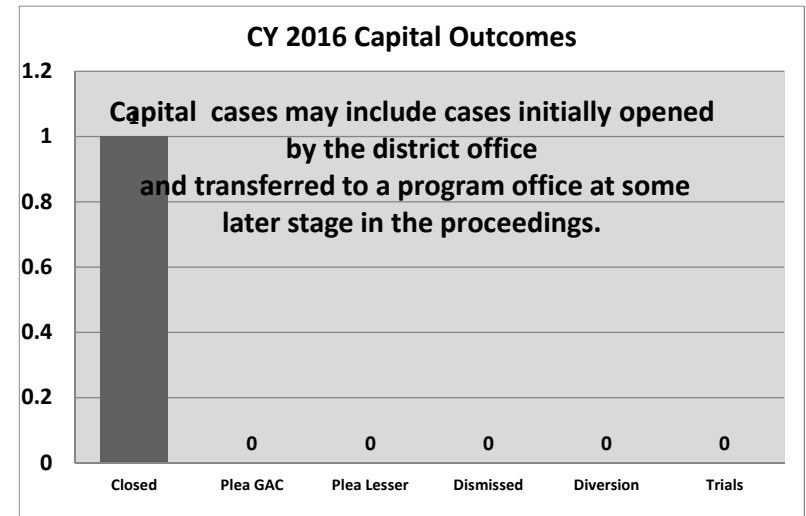
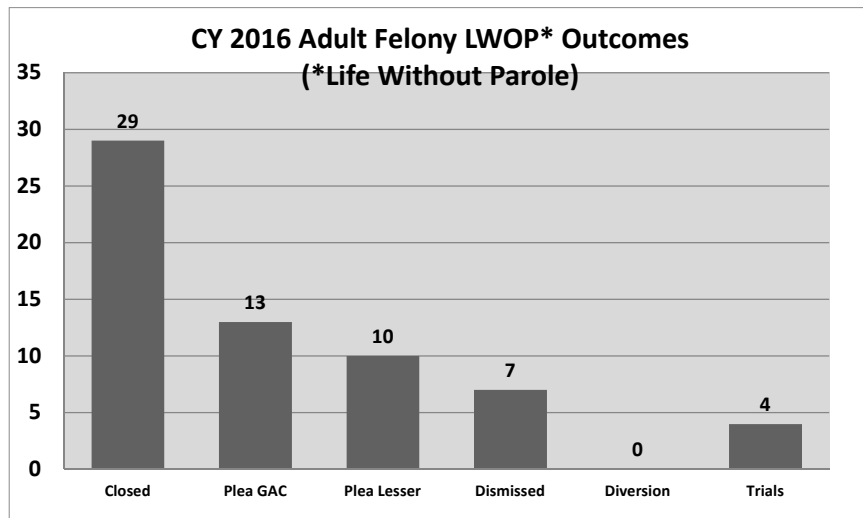
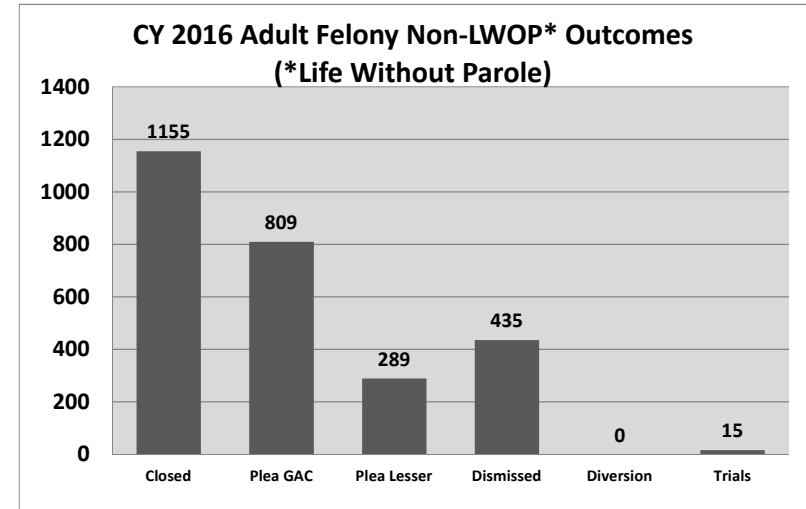
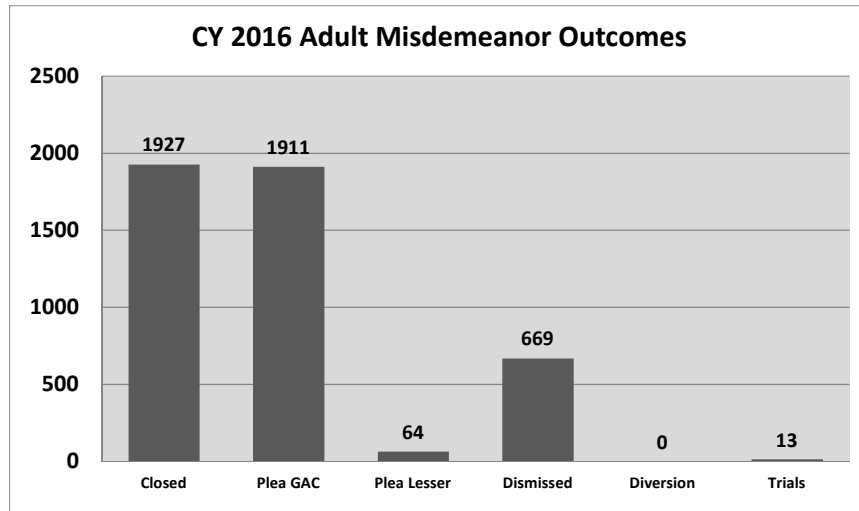


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**





District 17 CY2016	Total CY2016
District Defender: Mark Plaisance	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	23,178.00
District Assistance Fund (DAF)	229,509.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	252,687.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, &	-
Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	42,077.58
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	2,025.48
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	332,830.25
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	103,465.00
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	436,295.25
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	11,875.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	13,806.78
Other Local Income -List source(s)	1,781.70
Total for Charges For Services	27,463.48
Total for Local Government	507,861.79
Investment Earnings	
Interest Income	126.14
Other Investment Income - List source(s)	-
Total for Investment Earnings	126.14
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	2,702.00
Total for Other Sources (Grants & Contributions)	2,702.00
Total for REVENUE	763,376.93

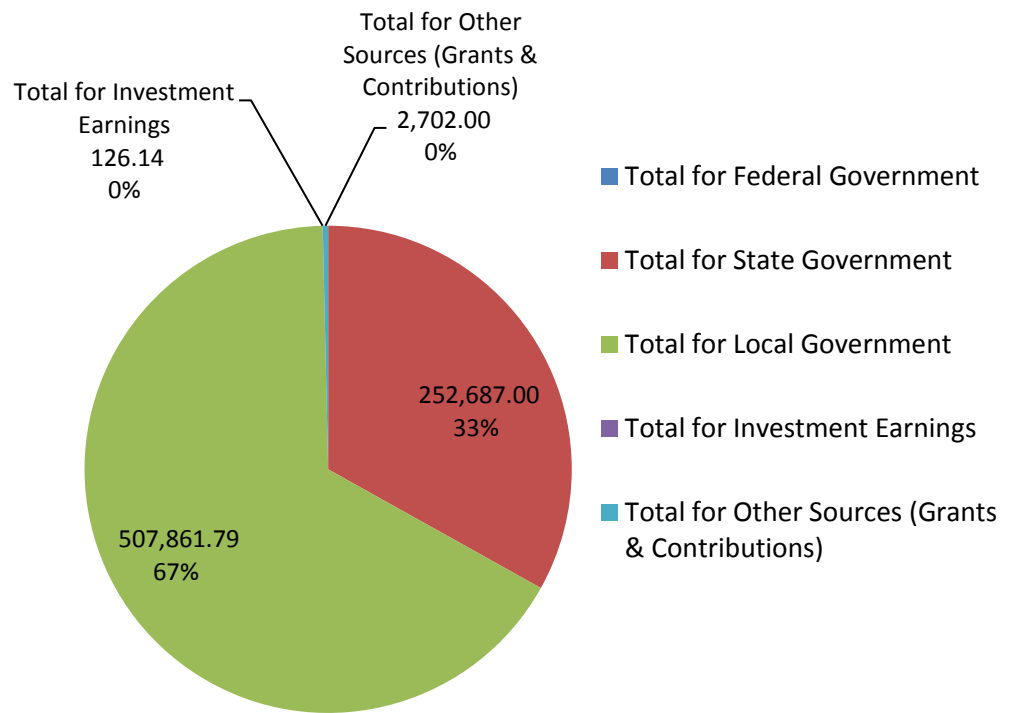


District 17 CY2016	Total CY2016
District Defender: Mark Plaisance	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	424,128.89
Accrued Leave	6,546.15
Payroll Taxes	33,863.55
Hospitalization and Disability Insurance	-
Retirement	44,753.93
Other	2,128.26
Total for Personnel Services and Benefits	511,420.78
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	1,433.12
Total for Travel/Training	1,433.12
Operating Services	
Advertisements	1,226.12
Workers' Compensation	2,621.00
Insurance - Malpractice	5,706.75
Insurance - Auto/Physical Liability	-
Insurance - Other	2,010.93
Lease - Office	25,800.00
Lease - Auto/Equipment	-
Lease - Other	1,787.98
Office Repair and Maintenance	351.72
Office - Telephone/Utilities/Postage/Internet	10,656.49
Dues and Seminars	1,404.33
Law Library/Journals/Subscriptions	10,557.39
Office Supplies	6,838.25
Total for Operating Services	68,960.96
Professional Services	
Audit/Accounting Expense	3,950.00
Contract Clerical	-
Expert Witness	-
Investigators	410.64
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	83,155.73
Contract - Juvenile Attorneys or CINC	43,425.00
Misdemeanor Attorney Contracts	42,457.02
Contract Attorneys - all other	60,997.47
IT/Technical Support	1,994.98
Total for Professional Services	236,390.84
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	1,760.84
Total for Other Charges	1,760.84
Total for EXPENDITURES	819,966.54

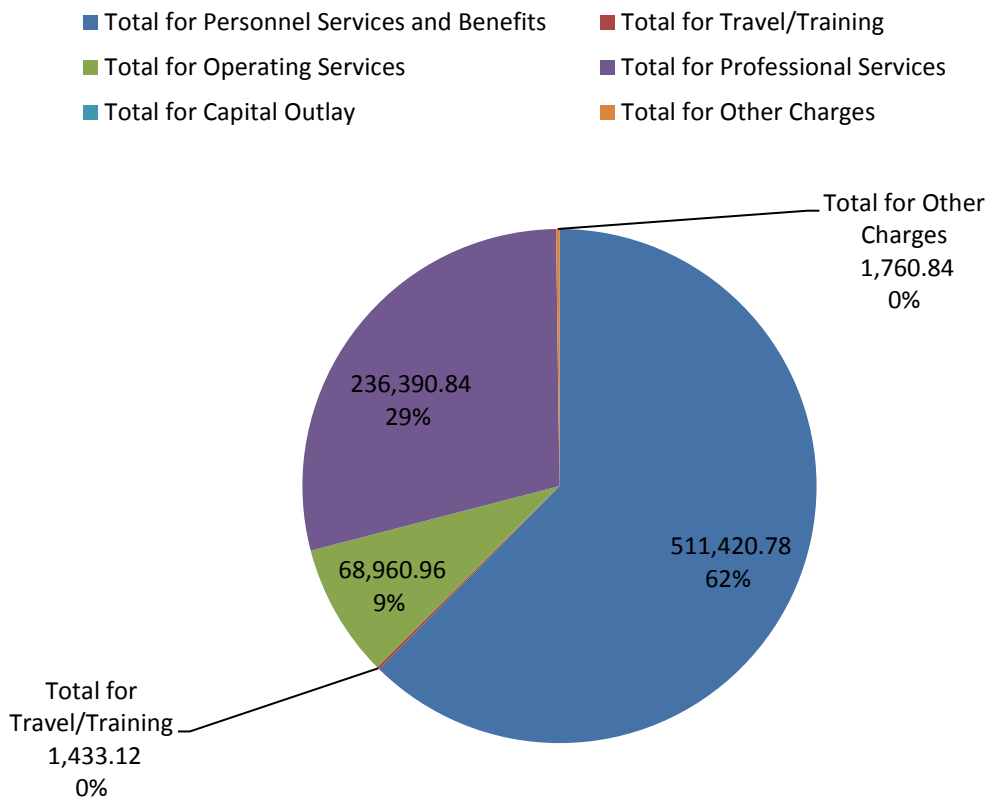
Note that there is a slight discrepancy with Expenditures/Personnel Services & Benefits/Other because this district is in transition from accrual basis reporting of this item to cash basis reporting of this item.

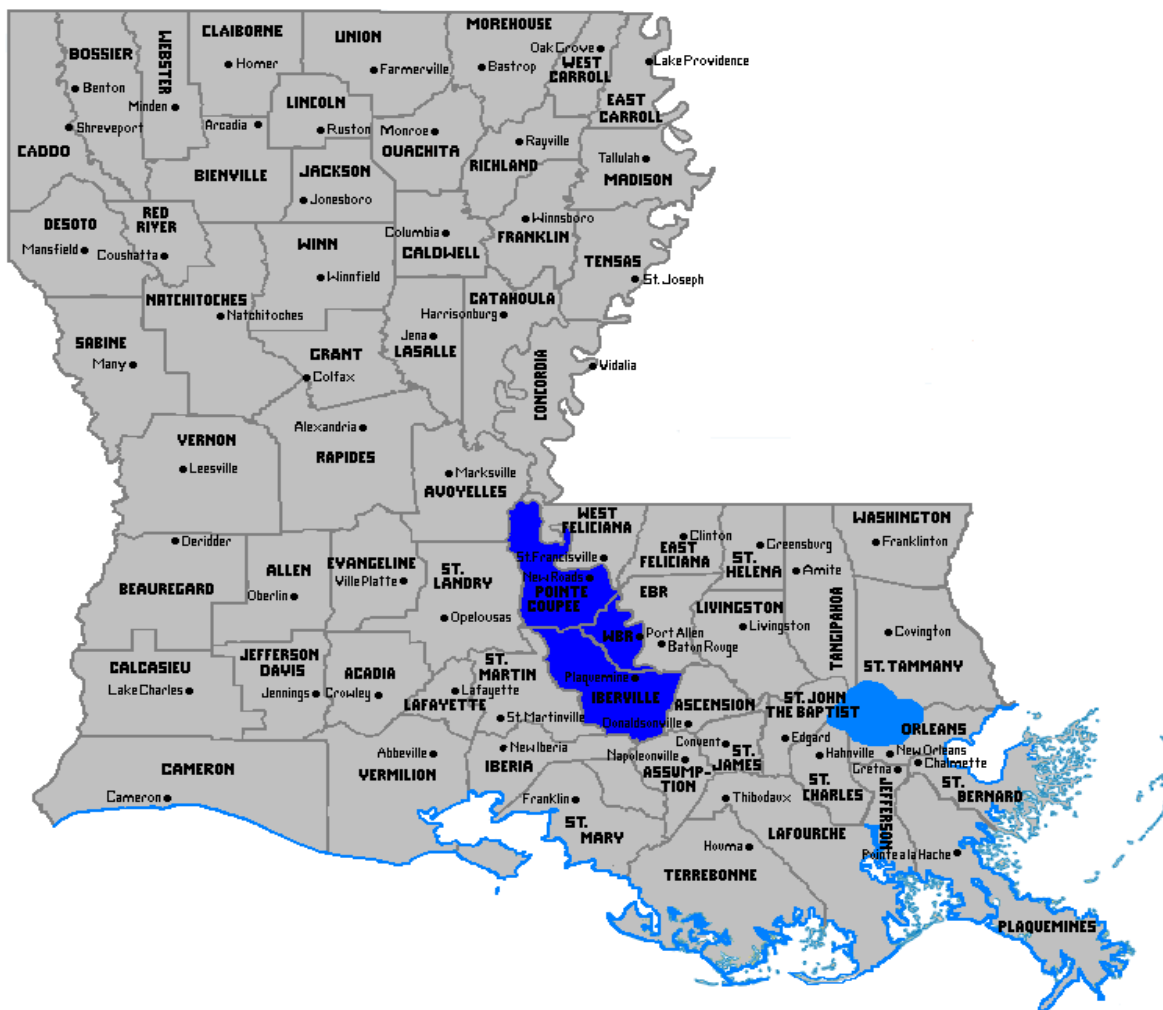
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





## THE 18<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

IBERVILLE (PLAQUEMINE) - POINTE COUPEE (NEW ROADS) - WEST BATON  
ROUGE (PORT ALLEN)

DISTRICT DEFENDER: C. JEROME D'AQUILA  
308 E. MAIN STREET  
NEW ROADS, LA 70760  
(225) 683-9083

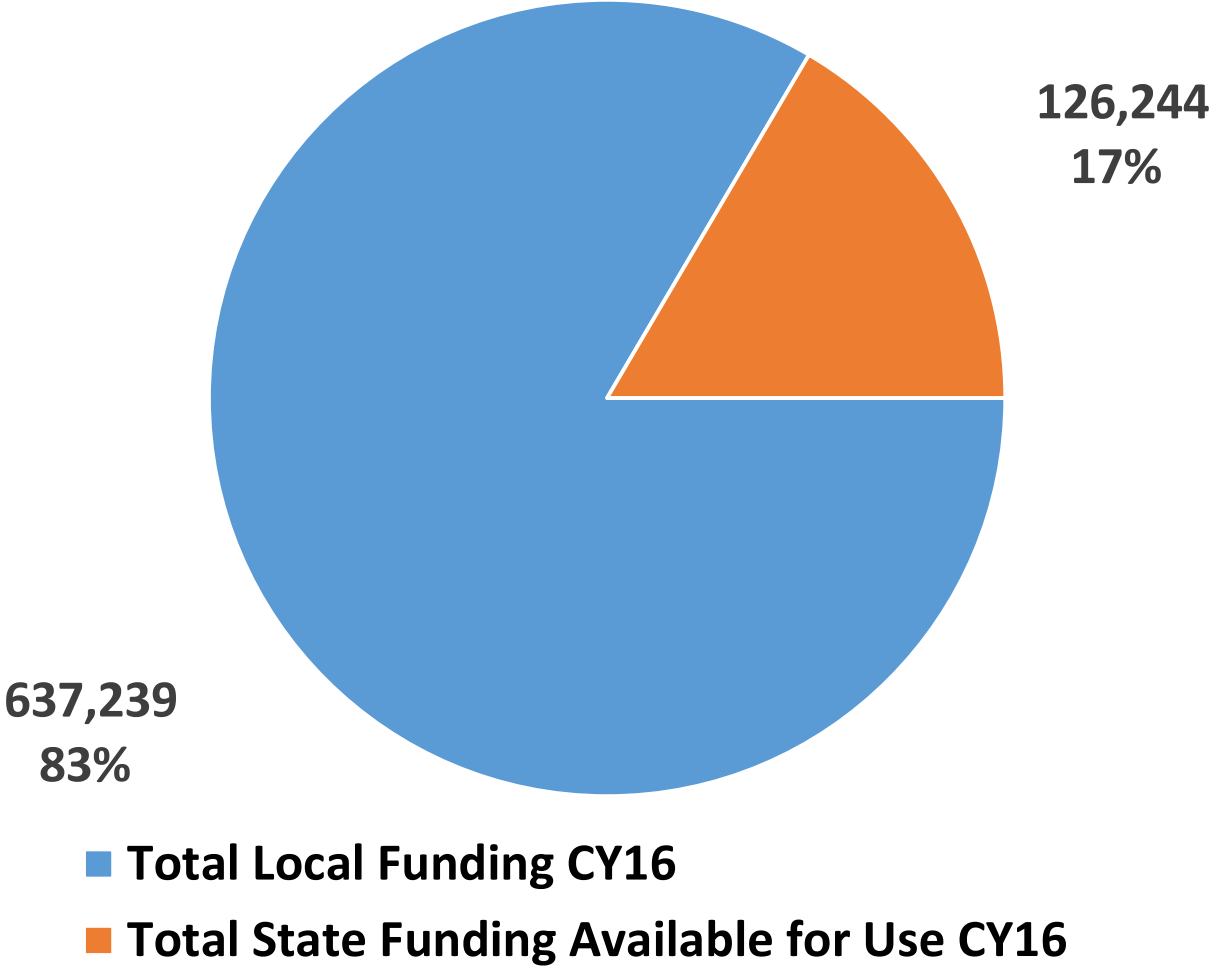
18TH JUDICIAL DISTRICT :  
IBERVILLE, POINTE COUPEE, AND WEST BATON  
ROUGE PARISHES

C. Jerome D'Aquila  
District Defender  
308 E. Main St.  
New Roads, LA 70760  
225-683-9083

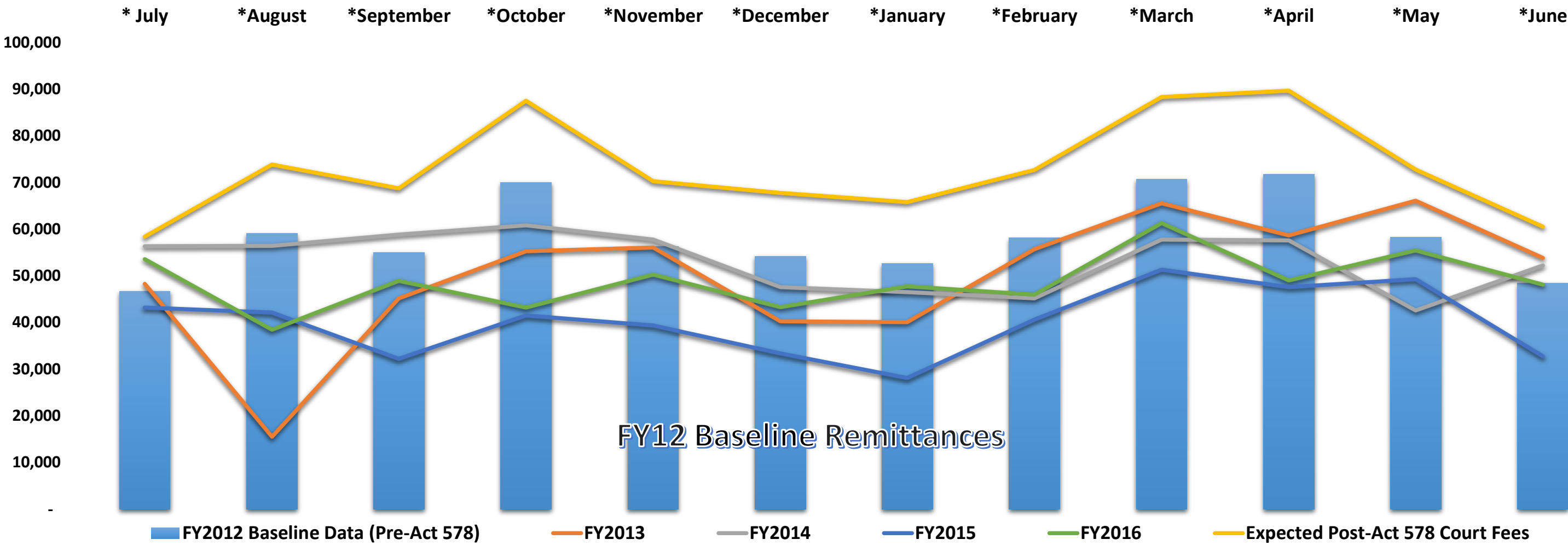
During Calendar Year 2016, the 18th Judicial District Public Defenders Office handled 2,277 cases. The office has traditionally been self-reliant as 100% of its revenues were derived from local funding which came primarily from traffic tickets and special court costs. Between FY11 and FY14, local revenues have decreased to the extent that in FY14, for the first time, the State began providing financial assistance to help cover the gap between the district's revenues and expenditures. During FY16, 83% of the district's revenues were derived from local funding.

Since the passage of the \$10 increase in special court costs associated with Act 578 (2012), the expected 25% increase in local revenues (solid gold line, below) has never materialized in the 18th Judicial District office. As shown in the graph below, during August 2012, almost immediately following the passage of Act 578, local revenues plummeted to their lowest levels in four years (orange line).

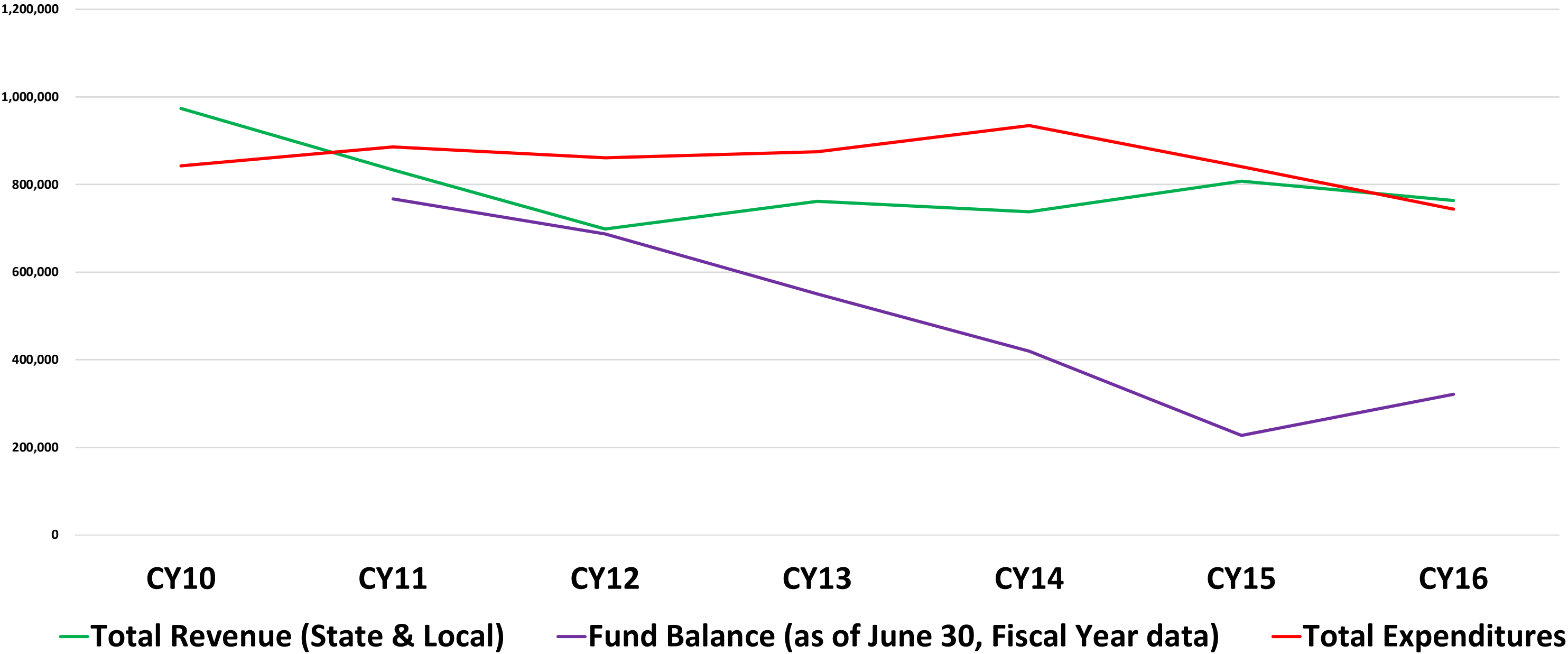
District 18 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 18 PDO

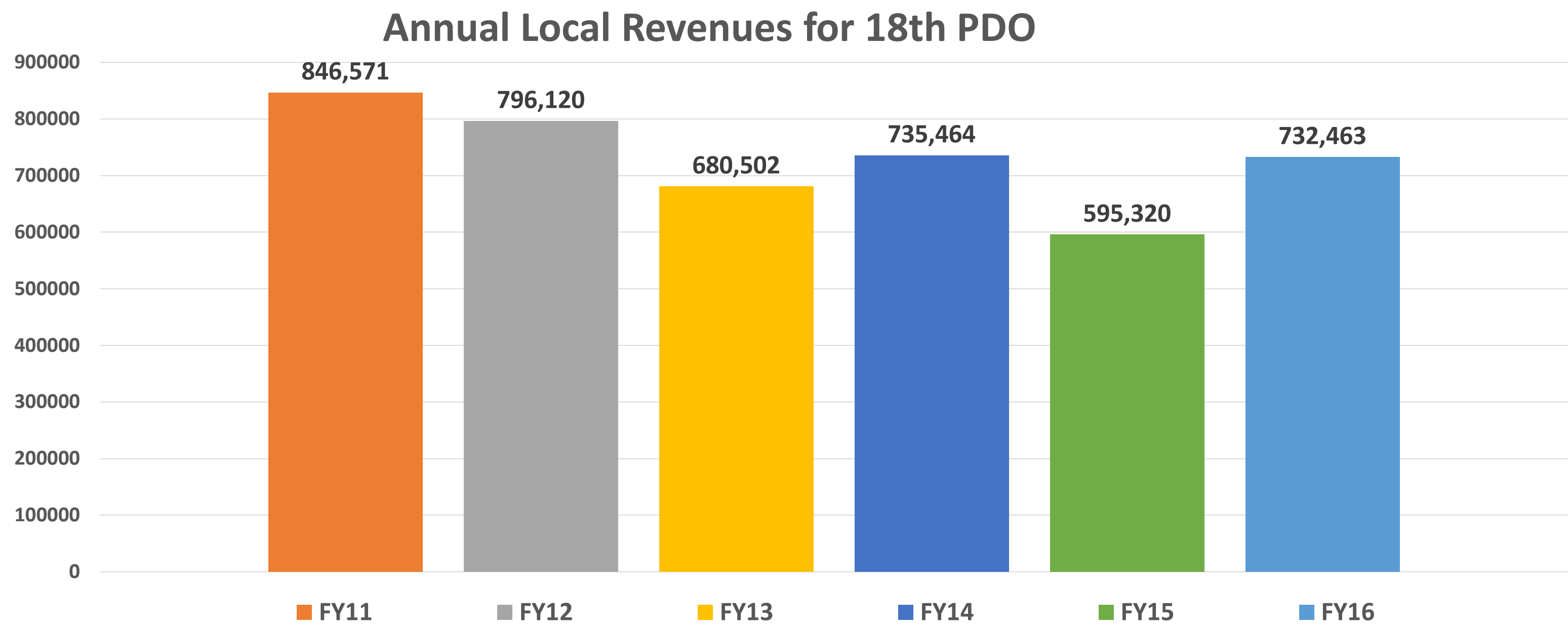


District 18 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



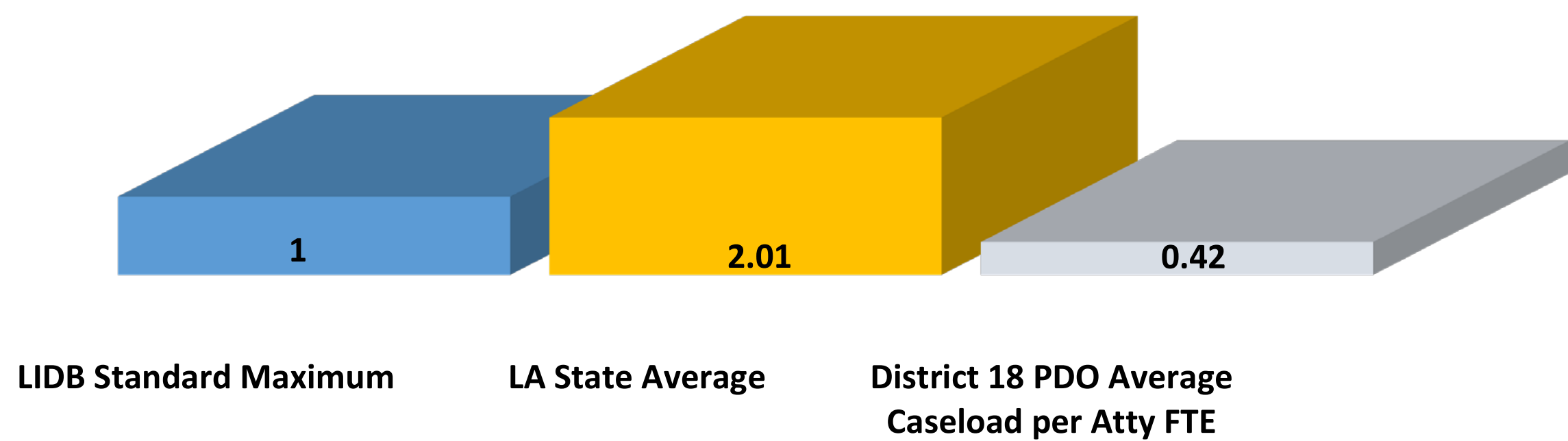
18TH JUDICIAL DISTRICT :  
IBERVILLE, POINTE COUPEE, AND WEST BATON  
ROUGE PARISHES

C. Jerome D'Aquila  
District Defender  
308 E. Main St.  
New Roads, LA 70760  
225-683-9083



In the 18th Judicial District, public defense attorneys maintain caseloads less than half the recommended caseload limit for each attorney.

District 18 PDO Average Caseloads Compared to State Average & State Standard...



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 18<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Iberville - Plaquemine; Pointe Coupee - New Roads; West Baton Rouge - Port Allen
<b>Population</b>	80,836 using 7/1/2015 estimates from US Census Quick Facts
<b>District Defender</b>	C. Jerome D'Aquila
<b>Years as District Defender</b>	45
<b>Years in Public Defense</b>	47
<b>Office Manager</b>	None
<b>Primary Office Street Address</b>	308 E. Main St.
<b>City</b>	New Roads
<b>ZIP</b>	70760
<b>Primary Phone</b>	225-683-9083
<b>Primary Mailing Address</b>	P. O. Box 866, New Roads LA 70760
<b>Primary Fax Number</b>	225-638-7227
<b>Primary Emergency Contact</b>	C. Jerome D'Aquila
<b>Primary Emergency Phone</b>	225-638-9083 (O) 225-931-6956 (Cell)
<b>Secondary Emergency Contact</b>	Thomas Nelson
<b>Secondary Emergency Phone</b>	225-638-9083 (O) 225-718-2708 (Cell)
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Iberville Parish - 58050 Meriam St., Courthouse Bldg., 3rd Floor; Plaquemine 70765, 225-687-5215; Pointe Coupee Parish - 308 E. Main St., New Roads 70764, 225-638-9083; West Baton Rouge Parish - 850 8th St., Courthouse Bldg. Room #27, 2nd Floor, Port Allen 70767, 225-387-6209.
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Iberville Parish(Iberville Courthouse) no rent paid WBR Parish(WBR Courthouse) no rent paid C Jerome D'Aquila (Pointe Coupee office) no rent paid.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	No rent and/or utilities are paid at any location.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Not handled in-house, accounting contracted with Accountant Chris Guerin.
<b>Courts and Locations</b>	18th Judicial District Court, Iberville, Pointe Coupee, West Baton Rouge Parishes; Port Allen City Court.

<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	18th JDC four(4) divisions; Port Allen City Court(1) division.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Contract felony attorneys are assigned to a particular division and contract misdemeanor attorneys are appointed to share juvenile and misdemeanor cases. The contract attorneys decide amongst themselves how to allocate the cases.
<b>Name of Adult Detention Facilities in This District</b>	WBR Detention Center - Port Allen Pointe Coupee Detention Center - New Roads Iberville Parish Jail - Plaquemine
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	N/A
<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	St James Parish Youth Center closed, now using Assumption Juvenile Detention Center in Napoleonville LA
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Affects office budget by putting strain on travel budget.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Richard "Ricky" Ward
<b>Chief Judge of Criminal District Court</b>	Division B
<b>Juvenile Court Judges (Specify District of City Court)</b>	James J. Best Pointe Coupee Parish, Alvin Batiste & Elizabeth Engolio Iberville Parish.
<b>Drug Court Judges</b>	Alvin Batiste Iberville Parish James J. Best Pointe Coupee Parish West Baton Rouge Parish (no drug court)
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	William T. Kleinpeter
<b>Name of Specialty and Brief Description:</b>	City Court of Port Allen Hearing Officer for Non-Support Court
<b>Indigency Determined by Whom and How?</b>	Interrogation by the Court
<b>When is Assignment/Appointment of Counsel Made?</b>	At the 72 hour hearing or arraignment date.
<b>What steps does your office take to ensure conflict – free representation</b>	All PD's maintain their own law offices, all PD's are independent contractors & if necessary outside attorneys are contracted.
<b>Brief Explanation of Intake Process</b>	If client is in jail, intake is conducted by investigator at the 72 hour hearing. If client is bonded, intake is conducted by support staff and then interviewed by an attorney on appointment date. Only attorneys gather facts about the case.
<b>\$40 Application Fees (per R.S. 14:175)</b>	

Does the Office Collect the \$40 Application Fee?	Yes
How Many Applications for Services Were Received?	545
How Many Application Fees Were Waived?	None
How Many Application Fees Were Reduced?	None
Total Application Fee Dollars Collected in 2016	21,790
Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
Total Revenue from \$45/\$35 Special Costs Received in 2016	521,747
Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.	Court Fees are assessed based on Appointed Cases not on Case Convictions.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?	See attached documents.
Who Collects the Assessed Court Fees?	Sheriff's Office in respective Parishes
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	See attached documents.
Who Remits the Court Fees Collected?	Sheriff's Office in respective Parishes
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	See attached documents.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?	No
From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?	No
How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?	No
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment	N/A
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?	N/A
Who Collects the Assessed Partial Payments?	N/A
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	N/A
Who Remits the Partial Payments Collected?	N/A



<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	N/A
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private practice permitted. Duties as Public Defender take priority. Criminal practice/representation permitted if retained prior to appointment as Public Defender.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes, contract attached.
<b>Primary Immediate Needs</b>	Increased funding to bring PD staff & related compensation back to pre-ROS levels.
<b>Was your office in ROS at any time during 2016</b>	Yes
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	N/A
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	One(1) PD contract was not renewed @ 7/1/2016
<b>Immediate Critical Issue Areas</b>	Increased funding to bring PD staff & related compensation back to pre-ROS levels.
<b>Long-Term Critical Issue Areas</b>	Increased funding to bring PD staff & related compensation back to pre-ROS levels.
<b>2016 Media Coverage and/or Major Accomplishments</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Newly contracted attorneys are initially assisted/helped by an experienced contract attorney.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Kevin Kimball
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Since the attorneys are independent contractors very little hands-on supervision is required, only exception is supervisory requirements imposed by the LPDB.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes. One(1) contract attorney receives \$250 monthly to offset healthcare costs.
<b>Regular Meetings for Any Staff, Please Describe</b>	No regular staff meetings are held.

<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	All cases transferred to LAP.
<b>Number of Writs Your District Filed in 2016</b>	2
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Due to funding 18th JDC has one Public Defender handling all Juvenile cases and transfers.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	2
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Major Thibaut, Edward Price, Edward Brown, Edmond Jordan Representatives; Rick Ward, Troy Brown Senators;
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
C Jerome D'Aquila	225-638-9083
Thomas Nelson	225-638-9083
John Aydell	225-336-3000
Kevin Kimball	225-344-0220
Lagretta Lazard	225-344-7000
Michael Parks	225-638-3516
Tonya Lurry	225-387-6209
Tommy Thompson	225-389-1234
David Marquette	225-928-0310

<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Larry Jones	225-387-6209
Dana Kirkland	225-638-9083
Bridgette Berndt	225-387-6209
Cheryle Stewart	225-687-5215
Chris Guerin	225-505-4093
Casey Scalise	225-387-6209

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Chris Guerin
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	No
Westlaw	Yes
Other (please list)	No
Number of Legal Research Licenses	9
Total Cost of Legal Research Software:	\$11,808 (net of a \$9,000 credit memo issued by Westlaw)
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	

Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	x
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	x
Microsoft Edge	x
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	3
DVD	3
VCR	
Desktop PCs	4
Laptops	11
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	
Color Printers	3
Wireless Cards	11
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	3
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	Cox Communications
Email Provider:	Various
Please list any software or computer equipment in which you need training:	

## 18th District Defender Office CY 2016 Caseloads & Outcomes

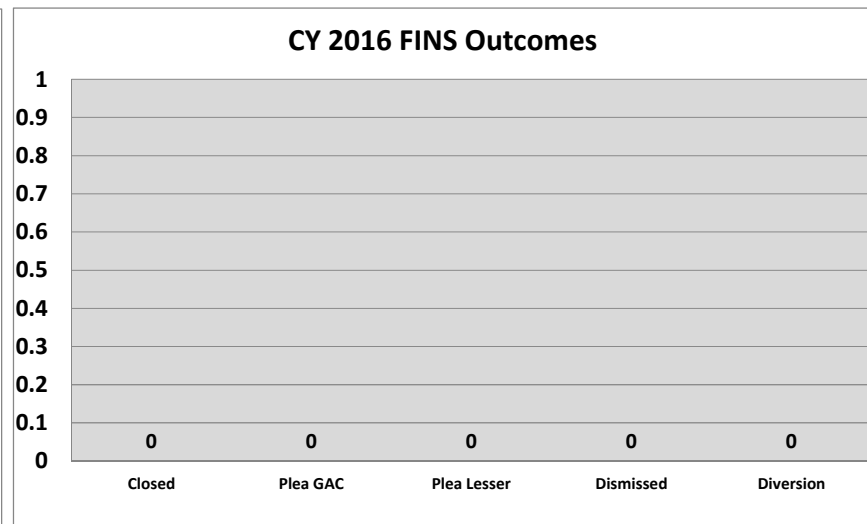
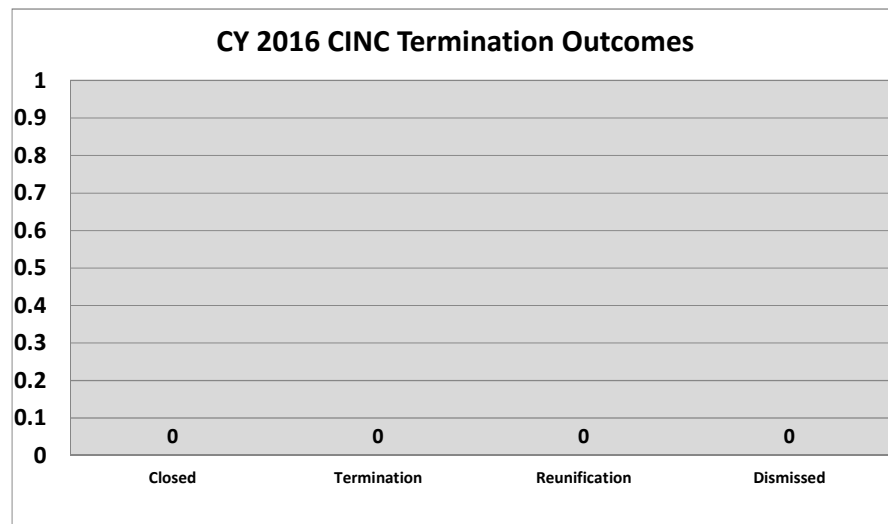
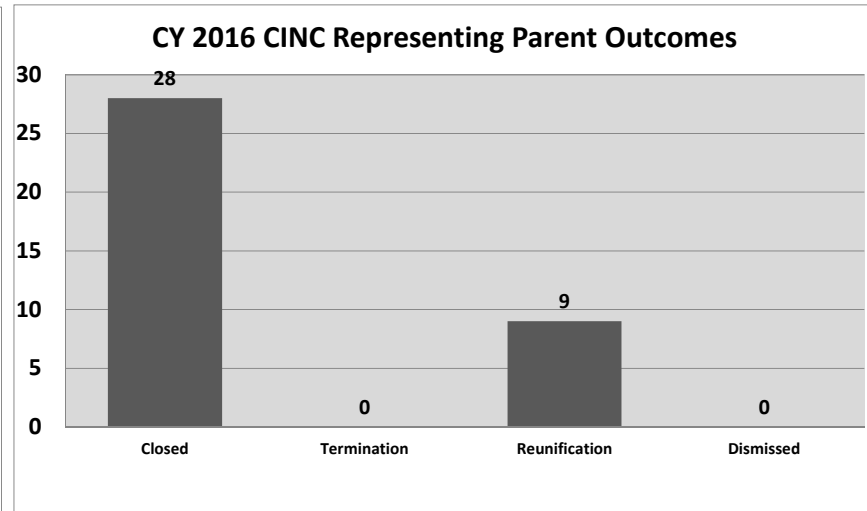
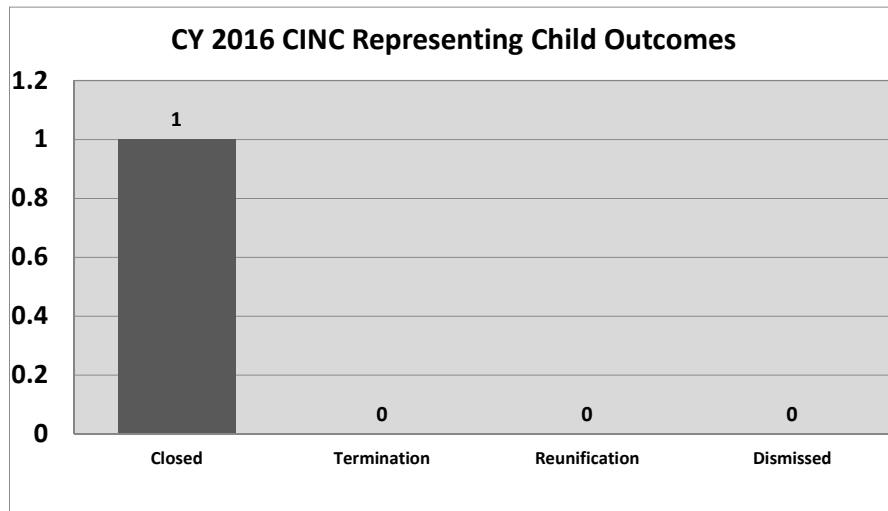
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	5	36	99	104	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	1	4	4	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	21	28	50	71	0	9	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	154	151	32	186	N/A	N/A	50	4	37	88	N/A	N/A	0	0	0
Delinquency Felony	43	33	10	53	N/A	N/A	21	10	34	1	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	409	467	208	617	N/A	N/A	304	23	337	0	0	0	5	13	18
Adult Felony Non-LWOP**	829	760	403	1232	N/A	N/A	397	254	257	0	1	4	0	2	7
Adult LWOP	2	4	8	10	N/A	N/A	0	4	0	0	0	1	0	0	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

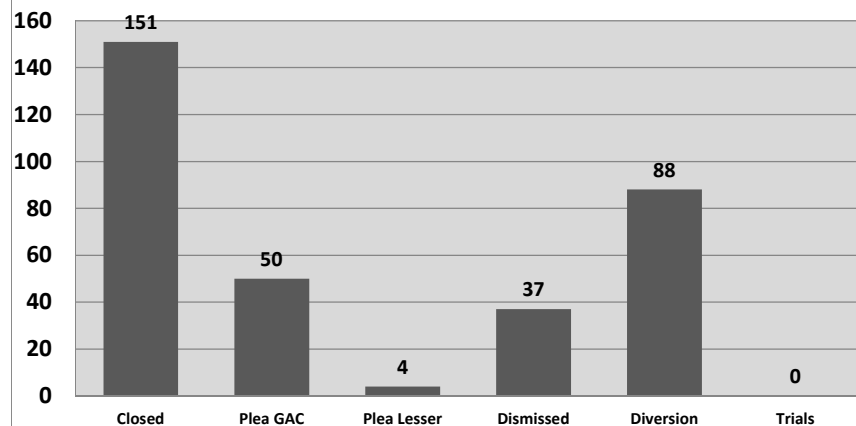
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

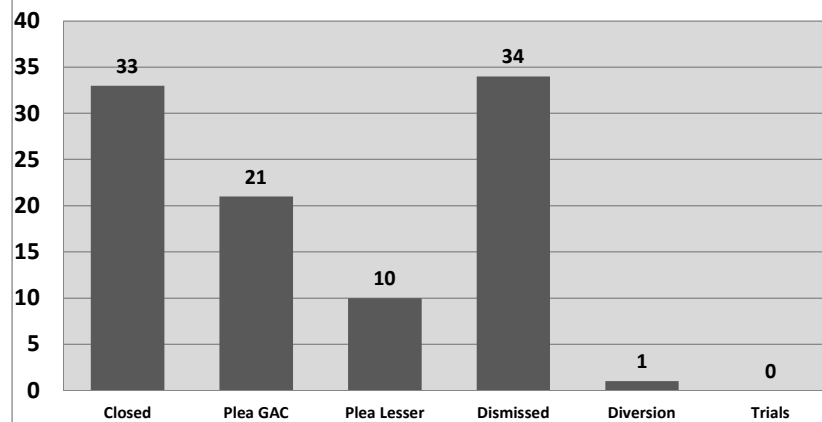
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



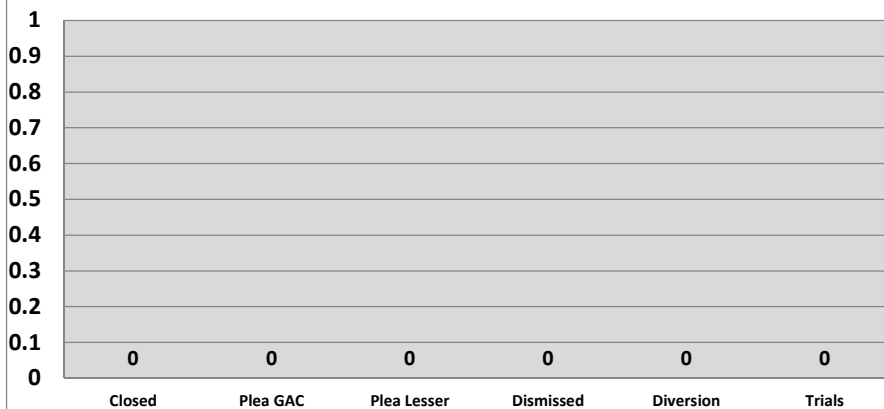
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



**CY 2016 Delinquency Felony-Grade Outcomes**

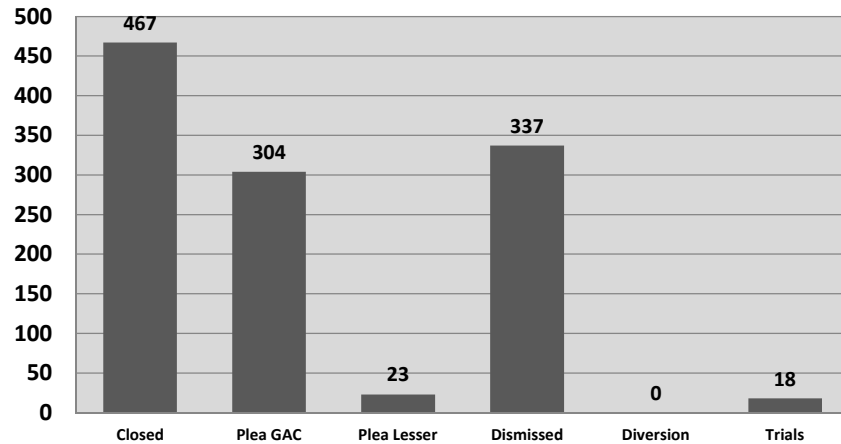


**CY 2016 Delinquency Life Outcomes**

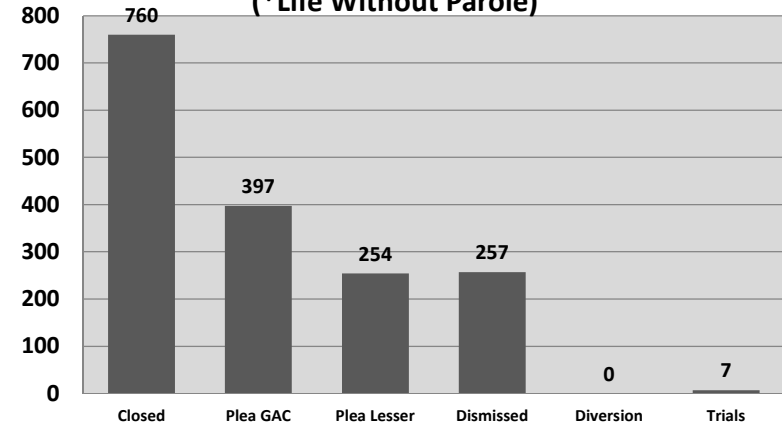




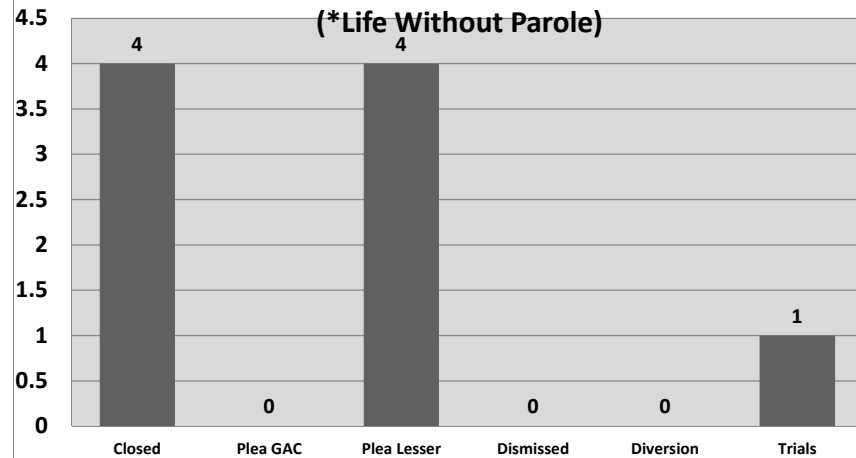
**CY 2016 Adult Misdemeanor Outcomes**



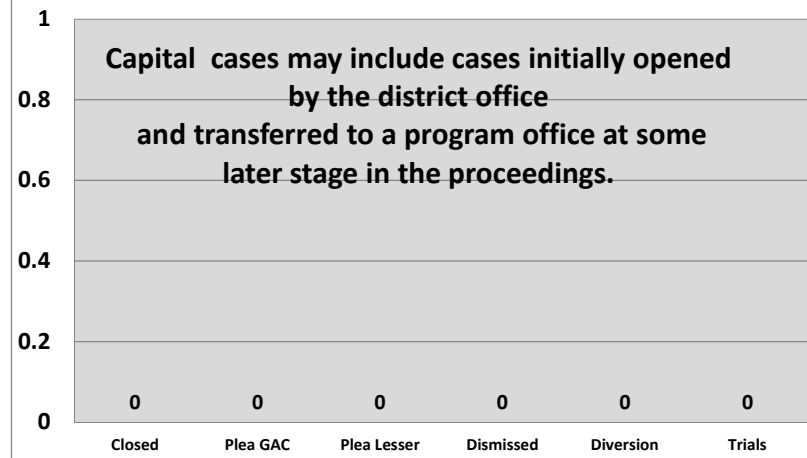
**CY 2016 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Capital Outcomes**

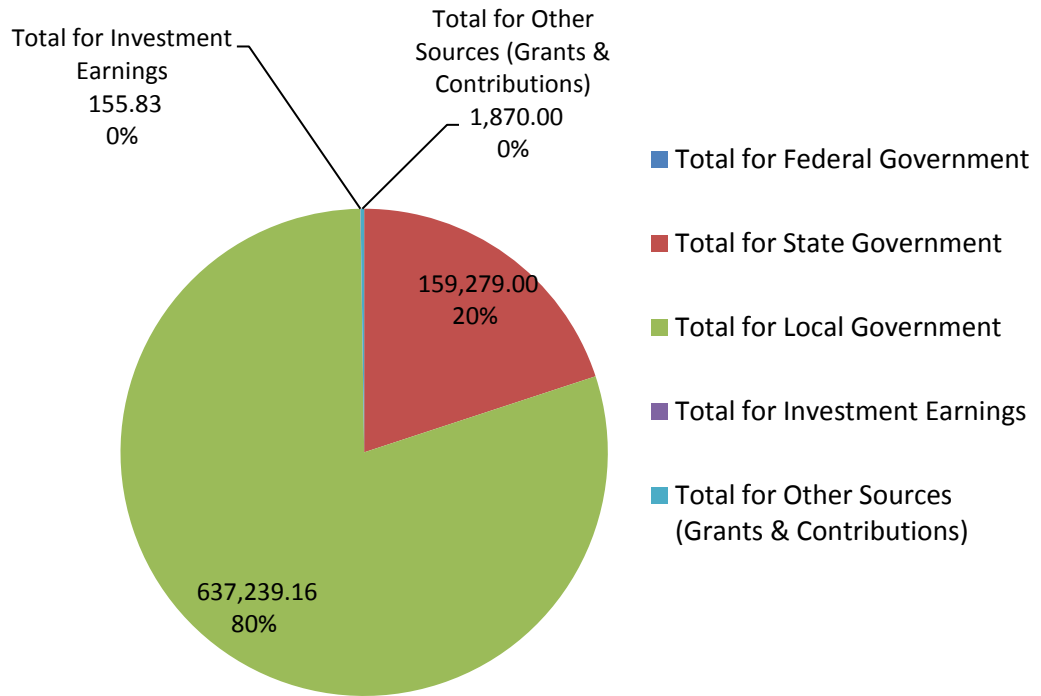


District 18 CY2016	Total CY2016
District Defender: Jerome D'Aquila	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	12,903.00
District Assistance Fund (DAF)	146,376.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	159,279.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	71,352.81
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	199,814.00
Judicial District Courts	321,932.64
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	521,746.64
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	21,870.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	21,069.71
Other Reimbursements	-
Other Local Income -List source(s)	1,200.00
Total for Charges For Services	44,139.71
Total for Local Government	637,239.16
Investment Earnings	
Interest Income	155.83
Other Investment Income - List source(s)	-
Total for Investment Earnings	155.83
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	1,870.00
Total for Other Sources (Grants & Contributions)	1,870.00
Total for REVENUE	798,543.99

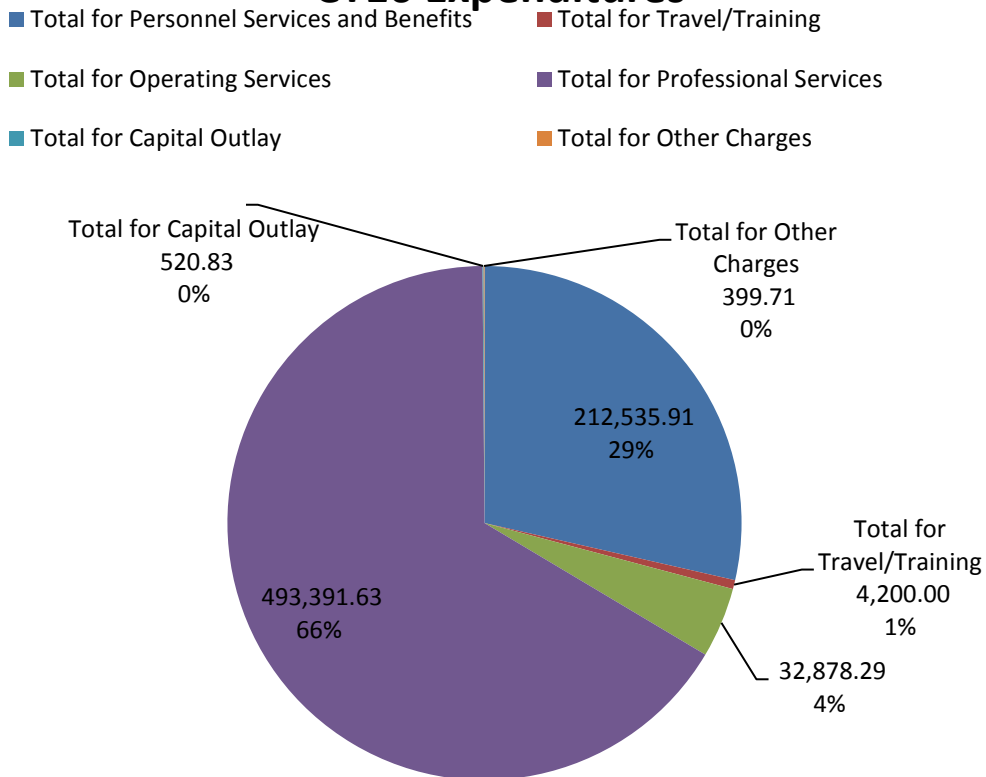
District 18 CY2016	Total CY2016
District Defender: Jerome D'Aquila	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	189,957.54
Accrued Leave	-
Payroll Taxes	18,880.55
Hospitalization and Disability Insurance	3,697.82
Retirement	-
Other	-
Total for Personnel Services and Benefits	212,535.91
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	4,200.00
Total for Travel/Training	4,200.00
Operating Services	
Advertisements	705.68
Workers' Compensation	3,008.00
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	100.00
Lease - Office	330.00
Lease - Auto/Equipment	-
Lease - Other	3,630.00
Office Repair and Maintenance	1,293.00
Office - Telephone/Utilities/Postage/Internet	6,590.35
Dues and Seminars	-
Law Library/Journals/Subscriptions	13,889.09
Office Supplies	3,332.17
Total for Operating Services	32,878.29
Professional Services	
Audit/Accounting Expense	14,744.67
Contract Clerical	-
Expert Witness	-
Investigators	52,673.52
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	59,024.40
Misdemeanor Attorney Contracts	18,000.00
Contract Attorneys - all other	347,214.06
IT/Technical Support	1,734.98
Total for Professional Services	493,391.63
Capital Outlay	
Major Acquisitions	520.83
Total for Capital Outlay	520.83
Other Charges	
Other Operating Expenses	399.71
Total for Other Charges	399.71
Total for EXPENDITURES	743,926.37

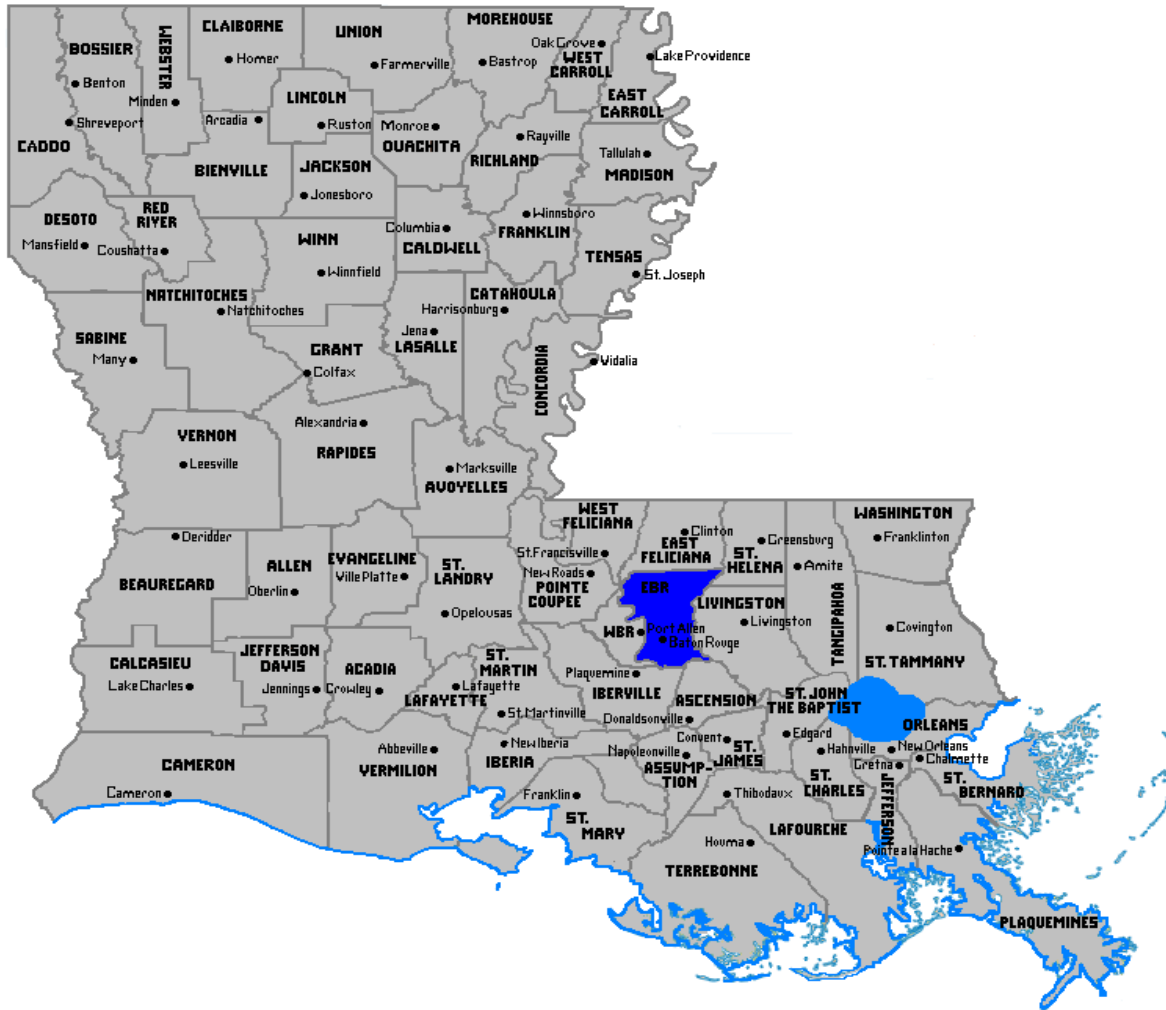
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





# THE 19<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE EAST BATON ROUGE (BATON ROUGE)

DISTRICT DEFENDER: MICHAEL A. MITCHELL  
222 ST. LOUIS AVE., 7TH FL., CITY HALL BLDG.  
BATON ROUGE, LA 70802  
(225) 389-3150

19TH JUDICIAL DISTRICT :  
EAST BATON ROUGE PARISH

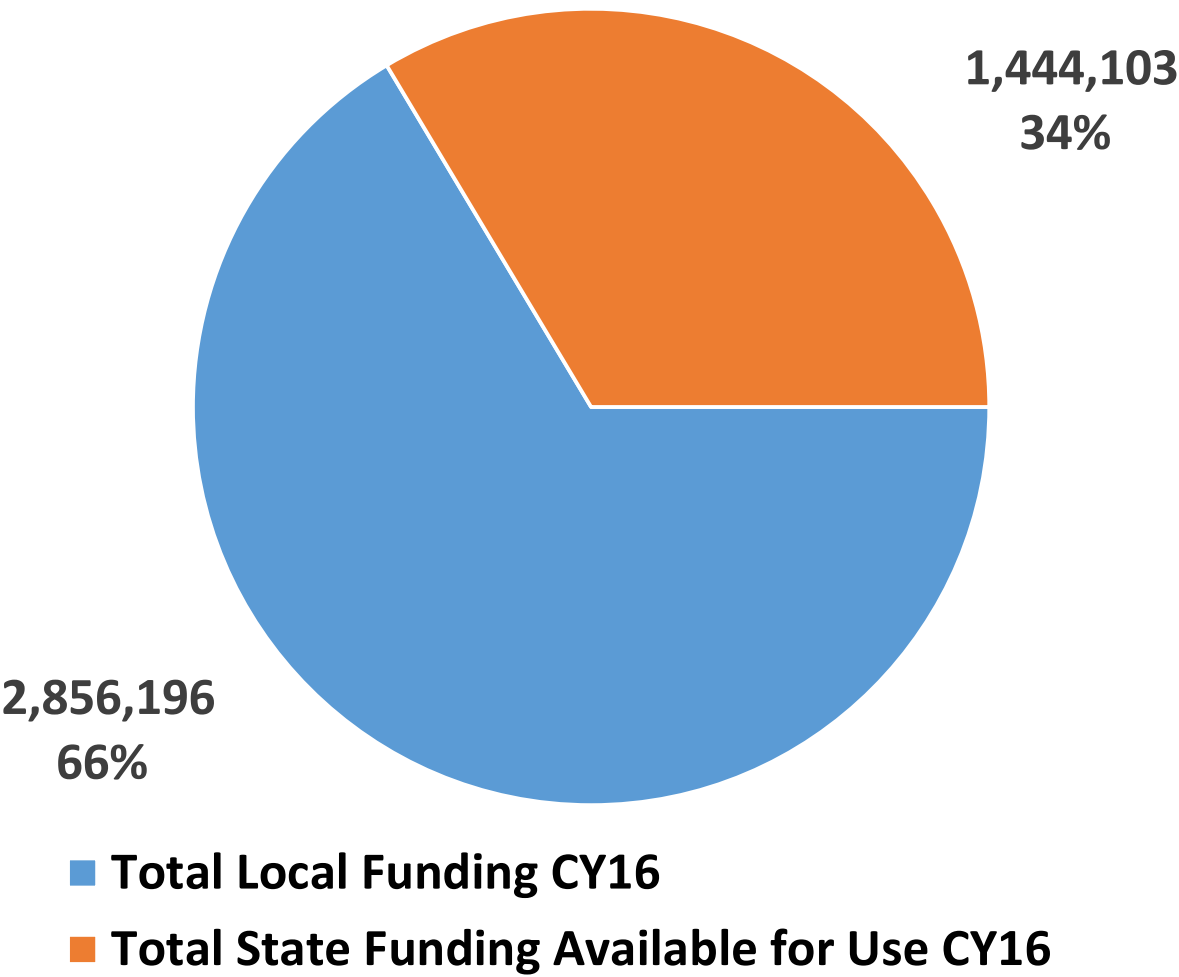
Michael A. Mitchell  
District Defender  
222 St. Louis Ave., 7th Fl., City Hall Bldg.  
Baton Rouge, LA 70802  
225-389-3150

During Calendar Year 2016, the 19th Judicial District Public Defenders Office handled 14,747 cases. The office received \$4,300,299 in total revenues to handle these cases, approximately 66% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

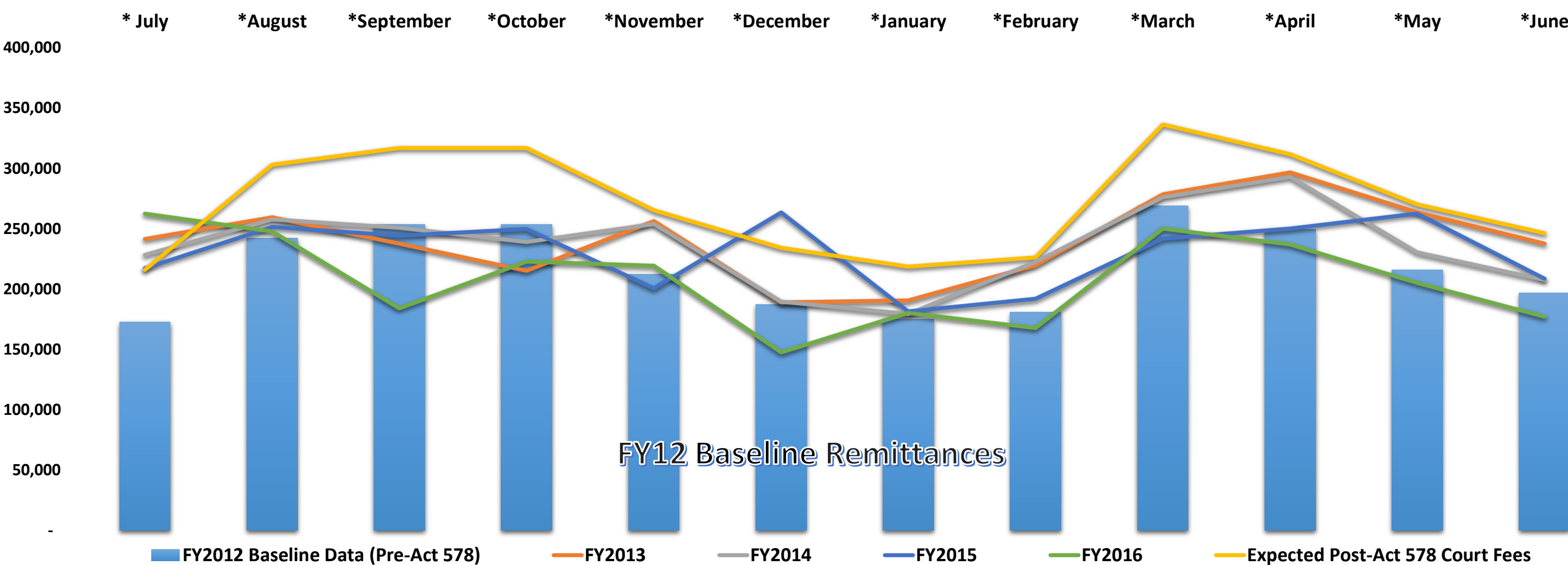
The 19th Judicial District has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated with Act 578 (2012). Office revenues have only met or exceeded projections five times in four years.

The 19th Judicial District office nearly exhausted its fund balance and was forced to begin restricting services on March 1, 2015.

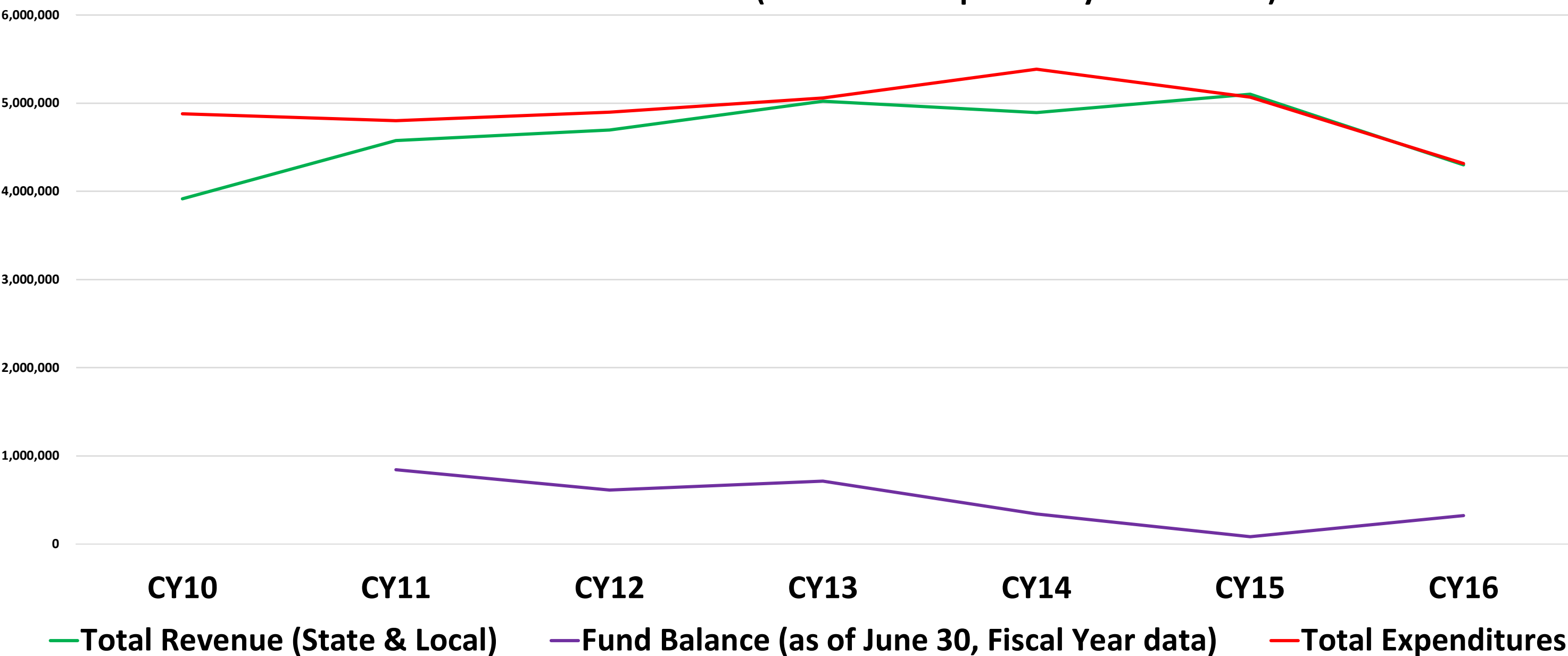
District 19 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 19 PDO

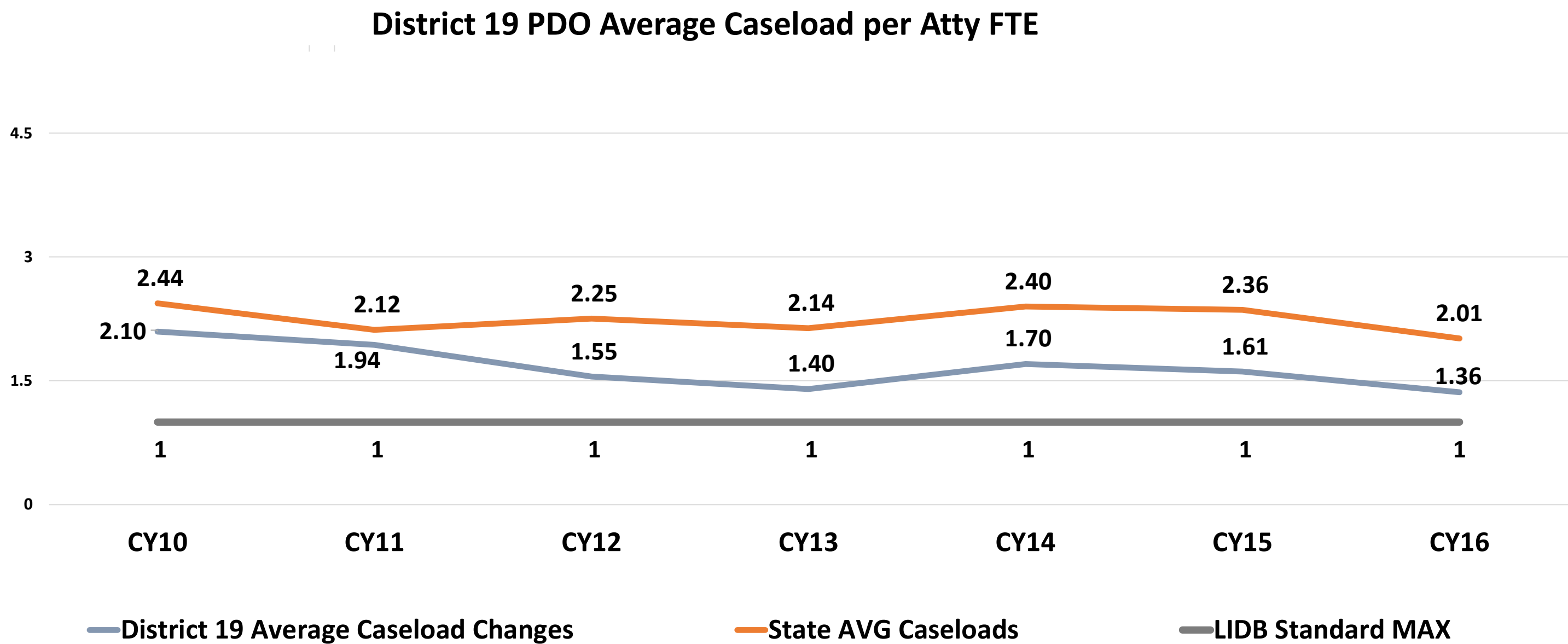


District 19 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



19TH JUDICIAL DISTRICT :  
EAST BATON ROUGE PARISH

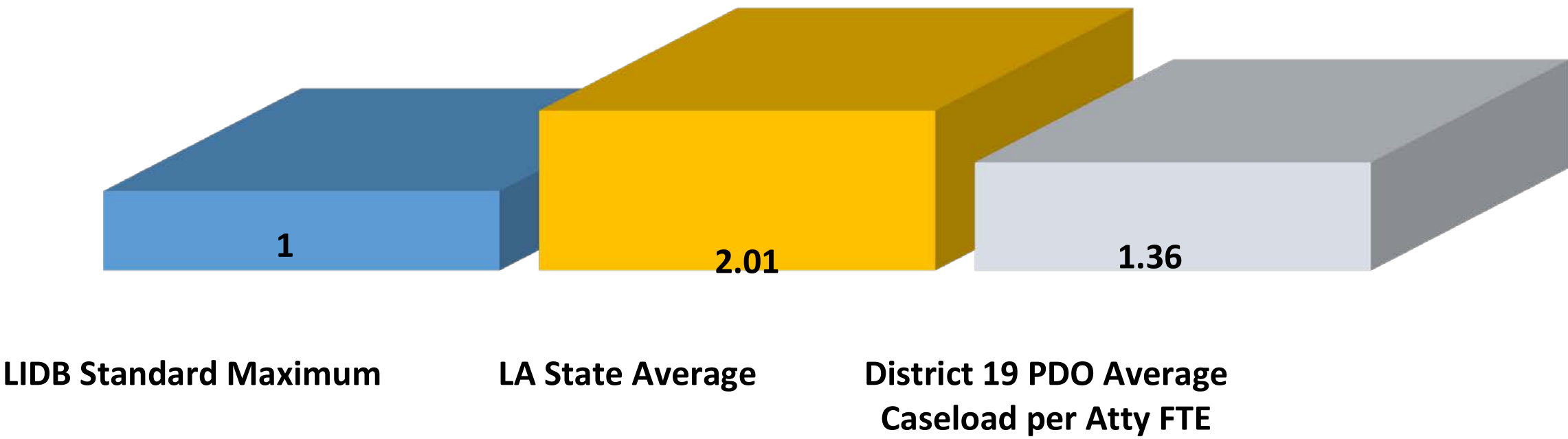
Michael A. Mitchell  
District Defender  
222 St. Louis Ave., 7th Fl., City Hall Bldg.  
Baton Rouge, LA 70802  
225-389-3150



In the 19th Judicial District, public defense attorneys maintain caseloads in excess of recommended caseload limits for each attorney. A twenty-eight percent reduction in cases handled by the office from CY15 to CY16 may account for the office's reduction in average caseload per attorneys although attorney positions were eliminated as part of the office's restriction of services plan.

The 19th district public defender's office had one felony-life without parole case and 31 other felony cases received during CY16 which were still on the waitlist in January 2017.

District 19 PDO Average Caseloads Compared to State Average & State Standard Maximums



CAPITAL REPRESENTATION

This PDO has limited capacity to accept capital cases as it does not have two certified counsel or otherwise does not have capacity to provide core team members as required by the Capital Performance Standards. Further, the Board passed a Resolution in 2015 to prohibit districts in restriction of services from accepting new capital appointments. As a result, all capital cases in this high-volume capital prosecution districts fall to the state to supply capital representation because the district is facing a Restriction of Services.





## THE 19<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	East Baton Rouge - Baton Rouge
<b>Population</b>	446,753
<b>District Defender</b>	Michael A. Mitchell
<b>Years as District Defender</b>	23
<b>Years in Public Defense</b>	31
<b>Office Manager</b>	Beulah Decuir/ Dawn D. George
<b>Primary Office Street Address</b>	222 St. Louis Ave., 7th Fl., City Hall Bldg., Baton Rouge, LA 70802
<b>City</b>	Baton Rouge
<b>ZIP</b>	70802
<b>Primary Phone</b>	225-389-3150 (w)
<b>Primary Mailing Address</b>	Post Office Box 3356 Baton Rouge, LA 70821-3356
<b>Primary Fax Number</b>	225-389-5418
<b>Primary Emergency Contact</b>	Michael A. Mitchell
<b>Primary Emergency Phone</b>	225-937-7990 cell
<b>Secondary Emergency Contact</b>	D. Delisle George
<b>Secondary Emergency Phone</b>	225-241-2402 (c)
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	East Baton Rouge City Parish building.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$158,456 Rent Annually + \$28,370 Utilities Annually = \$15,569 Monthly.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Handled In-House utilizing Paychex Online, QuickBooks, with Monthly Review by John McKowen, CPA.
<b>Courts and Locations</b>	19th Judicial District Court (Criminal), East Baton Rouge Parish, Baton Rouge; Baton Rouge City Court; Baker City Court; Zachary City Court; Juvenile Court of Baton Rouge (2); Child Support Court (4).
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	District Court-8 Criminal Divisions; Baton Rouge City Court- 5 Divisions; Baker and Zachary City Court-1 Division each ; Juvenile Court-2 Divisions; Child Support Court-4 Divisions.



<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Attorneys are assigned cases based on their experience, caseload and interest. Currently 32 Staff attorneys, District Court positions ; 1 Staff attorneys (unfunded); 5 (vacant - unfunded) Serious Case positions; 7 Staff attorneys Baton Rouge City Court positions, 3 (unfunded-unfilled) ; 1 Staff attorney Baker City Court position; 1 Contract attorney Zachary City Court position; 1 Child Support attorney positions, ; 5 Staff Attorney Juvenile Court positions, (1 unfilled); 2 CINC Attorney Contract positions; 6 Contract Conflict Attorneys – District Court; 2 Conflict Contract Attorney positions - Baton Rouge City Court.
<b>Name of Adult Detention Facilities in This District</b>	East Baton Rouge Parish Prison
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Catahoula Correctional Center, Concordia; Dequincy; East Carroll; LaSalle Correctional; Pine Prairie, West Baton Rouge Parish Prison.
<b>Name of Juvenile Detention Facilities In This District</b>	East Baton Rouge Juvenile Detention Center.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	N/A
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes. It is inefficient. Investigators and attorneys travel long distances to meet with clients who are housed in facilities out of parish; on occasions the client will have been transferred to another facility. The monetary cost (mileage etc.) time and inefficiency is substantial. Travel time limits the number of clients who may be seen on any given visit, thus requiring repeat trips.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes, Shackling is placed at the ankles, not the hands.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No; except for the time limitation associated with travel.
<b>District Attorney</b>	Hillar Moore, III
<b>Chief Judge of Criminal District Court</b>	William Morvant, Judge 19th JDC
<b>Juvenile Court Judges (Specify District of City Court)</b>	Adam Haney, Judge ; Pamela Taylor Johnson, Judge.
<b>Drug Court Judges</b>	Anthony Marabella, Judge 19th JDC.
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Determined by the District Public Defender after review of the client's application for services, interview and verification.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest; Time Charges are filed. Depends: at 48 hour hearing or arraignment or any point in the interim at client's request.

<b>What steps does your office take to ensure conflict – free representation</b>	Check in the state database for conflict of interest regarding witnesses, co-defendants, relatives and other cases you are representing. This can be preformed using Name search with as much information you have available in the lookup area, next, selecting related people and utilizing the duplicate function. If conflict exist transfer the case to Contract Conflict Attorneys Panel. The office provided Conflict Attorneys and Staff Attorneys are restricted from viewing the others work product in the State's DefenderData Database.
<b>Brief Explanation of Intake Process</b>	Please see response above. Question: Initial Client Intake
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	14,748
<b>How Many Application Fees Were Waived?</b>	0
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2016</b>	102,537
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Yes. The EBR Sheriff's desk on the 2nd floor of the 19th JDC now accepts fee payments. However, most are still collected in office by OPDBR.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	2,058,429
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Itemized list is provided by the EBRP Accounting Department for District Court. Baton Rouge City Court Accounting Department provide itemized reports for City Court. Itemized list is provided by EBRP Juvenile Courts: Itemize list are provided by Baker and Zachary City Courts.
<b>Who Collects the Assessed Court Fees?</b>	EBRP Public Defender Office, Baker City Court, Zachary City Court, EBR City & District Courts, also EBRP Juvenile Courts.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Baker City court, East Baton Rouge City Court and District Courts, EBRP Juvenile court, and Zachary City Court each provide a list of collections associated with received OPD funds. EBR Parish Finance Department generates a monthly report for each day's deposited funds for the EBRP City Court and EBRP Sheriff Office which are forwarded by them to the Public Defender Office. Non-Support court received funds report is handled in the Public Defender Office.
<b>Who Remits the Court Fees Collected?</b>	Baker City Court Finance Dept., Zachary City Court Finance Dept., EBRP Juvenile Accounting Dept., and City Parish Finance Department handles EBRP City Court and District Court.

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Baker City Court, EBRP Juvenile Court, and Zachary City Courts, each provide a list of collections associated with received OPD funds. C/P Finance generates a monthly report for each day's transactions for EBRP City Court and EBRP Sheriff Office for received OPD funds. EBRP City Court and EBRP Clerk of Court (District Court) provide a list of collections associated with received OPD funds. Non-Support court report is handled in the Public Defender Office.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Determination and amount is made by the Judge presiding over the case.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Attorney's court minutes and notes; also Clerk of Court Minutes and Records.
<b>Who Collects the Assessed Partial Payments?</b>	Partial Indigency payments are collected, generally, by the District Defender Office. However, the Court may order that the client pay through the collector for that Court, i.e., Sheriff, B.R. City Court Clerk, etc...
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	EBRP Sheriff, Baker City Court, EBR City Court Accounting Department, EBRP Juvenile Court, and Zachary City Court provides itemized list of funds collected.
<b>Who Remits the Partial Payments Collected?</b>	Baker City Court Finance Dept., Zachary City Court Finance Dept., EBRP Juvenile Accounting Dept., and City Parish Finance Department handles EBRP City Court and District Court.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Partial Indigency payments are collected, generally, by the District Defender Office. However, the Court may order that the client pay through the collector for that Court, i.e., Sheriff, B.R. City Court Clerk, etc.. The EBRP Clerk of Court Information group provides detail information on all Partial payment collected by EBR District Court. EBR City Court information is available by utilizing their Sustain Justice System.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	124,364

<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Attorneys may be allowed to have a very limited (non-criminal within the District) private practice. The attorney must demonstrate an ability to handle his/her caseload responsibly. The policy is under constant review. The practice is monitored and the general rule is that the private practice is acceptable so far as it does not interfere with the attorneys public defender duties.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Increase in attorneys as well as funding for full time investigators. Funding for Montgomery/Miller case mitigation specialist as required by guidelines. Funding for Miller/Montgomery associate counsel and expert witnesses as required by guidelines. Funding for training both on and off site.
<b>Was your office in ROS at any time during 2016</b>	Yes
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	We will remain in ROS however if continued local revenues decline, we will progress further into ROS.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Yes, we laid off our entire investigative staff excluding our chief investigator and 1st assistant investigator. 8 attorney positions were not filled covering district and city court. Only four of those positions have been filled to date. Conflict contracts were suspended until FY 2017 began to remain solvent.
<b>Immediate Critical Issue Areas</b>	Funding from court costs and traffic tickets has declined by more than 20% in the last 6 months and by 22% from last FY to now. Funding from DAF emergency reserve will be necessary if local revenues do not increase by more 26% for each month for the next 6 months. At the current rate of decline, OPDBR could find itself in the final phase of ROS before the end of FY 17.
<b>Long-Term Critical Issue Areas</b>	See above
<b>2016 Media Coverage and/or Major Accomplishments</b>	In the first half of CY 16, significant local media coverage re: ROS. Very proud to note that the office prepared, argued, and won Montgomery v. Louisiana at the United States Supreme Court. Implemented a student investigator intake program which has allowed the office to continue to interview, respond to, and investigate client cases with limited full time investigative staff. Office has fully moved into the City Hall building which provides education, meeting, and practice space for all staff and attorneys with OPDBR.

<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	We sent 2 new attorneys to Gideon's Promise this year. We are also launching a track based training for our office to begin in February. We will start with track 1 which includes all new hires from the last 6 months, and will build on concepts as attorneys with increasing levels of experience are brought in on higher tracks. We need additional funding to send our more experienced/specialized attorneys to NCDC, TLC, and possibly GP's Train the Trainer component.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Shawn Bray, Herman "Pete" Holmes, Jack Harrison
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	There are 8 sections of District Court - Each section has a Chief who is responsible for the supervision of the attorneys in the section and is the direct contact with the court; Section Chief -Juvenile Court; Chief of Baton Rouge City Court; Office Manager/Executive Assistant supervises other support staff. District Defender is responsible for overall supervision including all contract attorneys. We have filled the position of Deputy Chief District Defender, Lindsay Blouin.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No. Supervisors may carry a reduced felony caseloads depending on section needs.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	We offer 2 health plans through BCBS. OPDBR pays 50% of the deductible for the premier plan and 78.6% of the deductible for the Blue POS plan. We intend to offer a high deductible health care plan next year. Blue POS is our closest version of an HDHP available this year. We also added FSA options for both plans. We offer dental and vision plans as well. For dental/vision OPDBR pays 65%.
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes. All Staff have regular meetings. Section Meetings daily or weekly, Full Attorney Staff Meetings bi-weekly.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	12
<b>Number of Writs Your District Filed in 2016</b>	3
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	4
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	18

<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	The Juvenile Attorney will co-counsel with or at minimum act as consultant to the Attorney assigned to handle the Juvenile matter transferred to the District Court
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	12
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	23
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	7
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senators: Regina Barrow; Dan Claitor; Yvonne Colomb; Dale Erdey; Rick Ward III; Mack "Bodi" White -- Representatives: Barbara Carpenter; Stephen Carter; Paula Davis; Rick Edmonds; Franklin Foil; Kenneth Havard; Valarie Hodges; Barry Ivey; Edward James II; Edmond Jordan; C Denise Marcelle; Patricia Smith
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Limited access to clients housed in the Parish Prison or transported without our knowledge to other parishes. Cancellation of the current medical services contract at the parish prison has also negatively impacted the medication and treatment our MH clients formerly received in EBRPP. As a result, their care/condition in court is impacted.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Development of the student investigator program, sending attorneys to Gideon's Promise, coordination with SULC and LSU for increased internship staff
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Alaina Boothe	225-960-4853
Arvind Viswahathan	225-960-4746
Barbara LeBlanc	225-960-4832
Beulah Decuir	225-963-6452
Cody Brown	225-960-4457
Darleen Reiff	225-960-4068
Darryl Robertson	225-960-4959
Dawn George	225-380-0908
Fannie Dorsey	225-963-6465
Florence Roberson	225-960-4980
Fred Kroenke	225-424-6284
Hafiz Folami	225-412-0293
Harry Landry	225-960-4099
Jacie Saunders	225-960-4427
Jackie Culotta	225-960-4989
James Murray	225-239-4902

Jason Hessicks	225-960-4131
Jodi LeJeune	225-500-1101
John Obebe	225-963-6358
Joshua Newville	225-960-4675
Kinaslyumki Kimble	225-963-6375
Lacie Dauzat	225-395-8685
Lindsay Blouin	225-412-0426
Lori Trosclair	225-960-4058
Lyn Legier	225-960-4938
Margaret Lagatutta	225-380-0175
Melanie Davis	225-424-6279
Michael Mitchell	225-424-6181
Michael Mitchell	225-963-6417
Mildred Ewing	225-963-6481
Monica Dickerson	225-960-4082
Monique Fields	225-960-4527
Nelvil Hollingsworth	225-960-4908
Pam Hart	225-424-6273
Quincy Richard	225-960-4436
Robert Ray	225-960-4493
Ronnie Robillard	225-960-4831
Rosa Seller	225-960-4310
Russell Rice	225-960-4108
Scott Collier	225-960-4211
Shalyn Lewis	225-960-4148
Shanaquoa Wright	225-960-4792
Shawn Bray	225-960-4379
Sonya Hall	225-960-4078
Stephanie Dangerfield	225-960-4741
Stephen Standford	225-304-4343
Stephen Sterling	225-960-4146
Susan Hebert	225-372-8623
Teresa Broussard	225-960-4385
Vernon Thomas	225-960-4926
Wre'nell Gipson	225-960-4244
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Audrey Lamb	225-387-0576
Gail Horne Ray	225-356-5252
Francis Rougeau	225-761-7890
David Rozas	225-343-0010
Greg Rozas	225-343-0010
Robert Tucker	225-346-4000
Kenneth Womack	601-542-3556
Jane Thomas	225-767-6225
Carson Marcantel	225-709-9000
Ludwig, Karl	205-767-5886

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Michael A. Mitchell
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	None
Westlaw	Discontinued online research contract for 2016.
Other (please list)	None
Number of Legal Research Licenses	N/A
Total Cost of Legal Research Software:	Discontinued Westlaw online legal research contract for 2016.
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	x
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	x
Corel Word Perfect	x
Other	Gsuite - google docs, sheets, presentations, etc.
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	



Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	x
Internet Explorer 7	x
Internet Explorer 8	x
Internet Explorer 9	x
Internet Explorer 10	x
Internet Explorer 11	x
Microsoft Edge	x
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	1
DVD	1
VCR	1
Desktop PCs	*Due to office move, new computers for new quadrants of the office are being procured. The total number of new and continuing computers will change at the end of January 2017. For end of CY 16, office had 21 computers.
Laptops	12 laptops still in service
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	*Due to office move, new printers for new quadrants of the office are being procured. The total number of new and continuing computers will change at the end of January 2017. For end of CY 16, office had 23 printer.
Color Printers	*Due to office move, new printers for new quadrants of the office are being procured. The total number of new and continuing computers will change at the end of January 2017. For end of CY 16, office had 23 printer.
Wireless Cards	9
Smartphones (Funded by Office)	0
iPad/Tablets (Funded by Office)	0
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	6 MB Down / 420 KB UP

Provider Name:	ATT
Email Provider:	Google - opdbr.org
Please list any software or computer equipment in which you need training:	DefenderData, Windows Server 2008

## 19th District Defender Office CY 2016 Caseloads & Outcomes

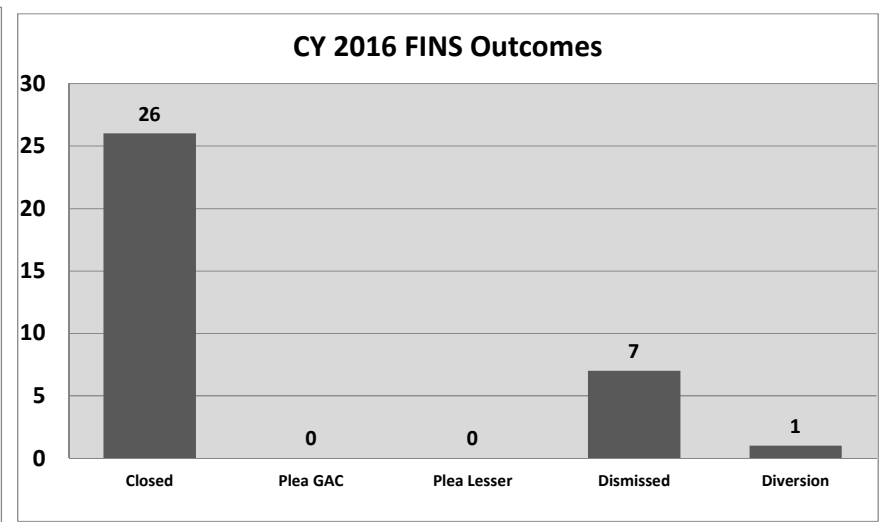
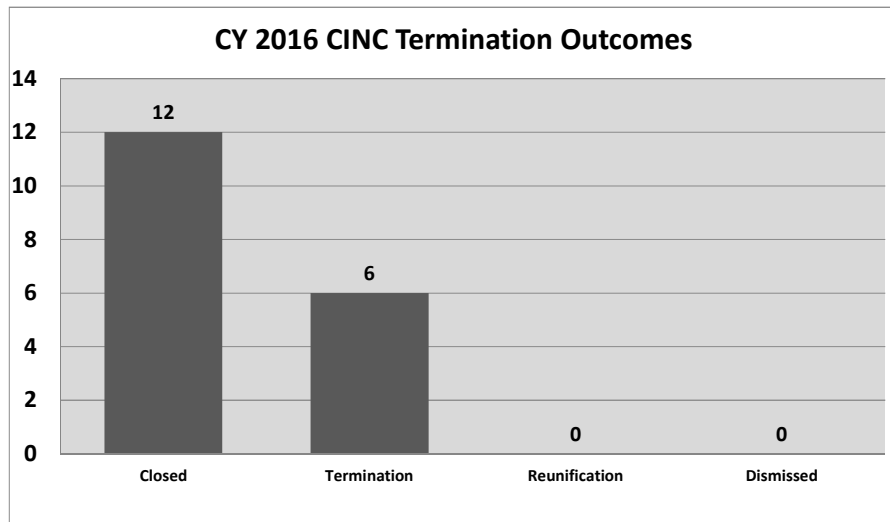
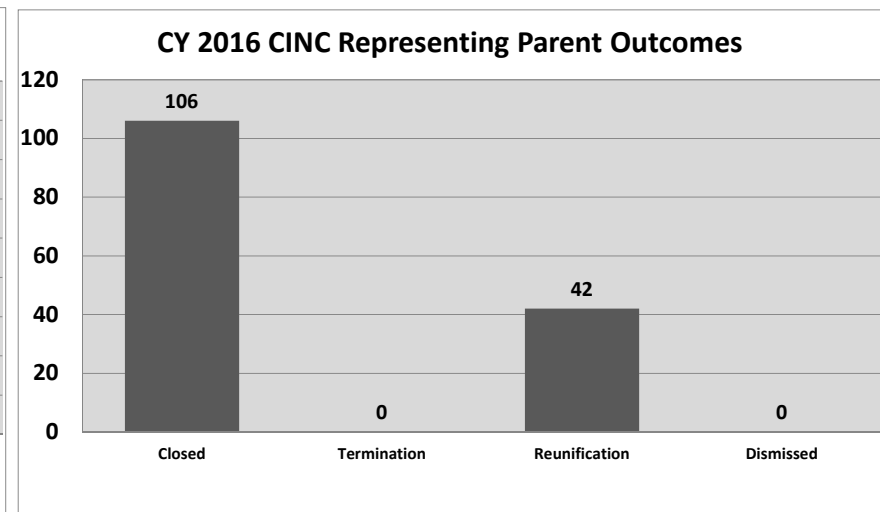
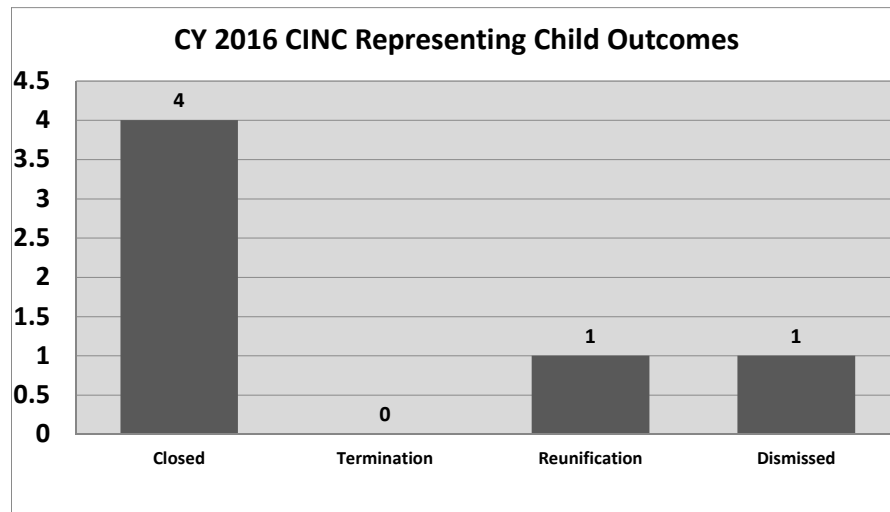
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	12	148	379	391	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	2	4	3	5	0	1	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	179	106	103	282	0	42	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	10	12	5	15	6	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	53	26	8	61	N/A	N/A	0	0	7	1	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	286	197	93	379	N/A	N/A	2	0	108	4	N/A	N/A	0	0	0
Delinquency Felony	397	215	98	495	N/A	N/A	1	8	128	8	N/A	N/A	0	0	0
Delinquency-Life	1	1	0	1	N/A	N/A	0	0	1	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	4124	3983	2605	6729	N/A	N/A	1534	787	3037	0	0	4	5	7	16
Adult Felony Non-LWOP**	2897	2801	2963	5860	N/A	N/A	917	921	1539	1	1	13	4	4	22
Adult LWOP	27	22	49	76	N/A	N/A	0	5	3	0	0	1	0	1	2
Capital***	1	1	1	2	N/A	N/A	0	0	2	0	0	0	0	0	0
Revocations	291	200	159	450	N/A	N/A	6	3	2	0	N/A	N/A	N/A	N/A	0
PCR	1	1	0	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	1	1
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

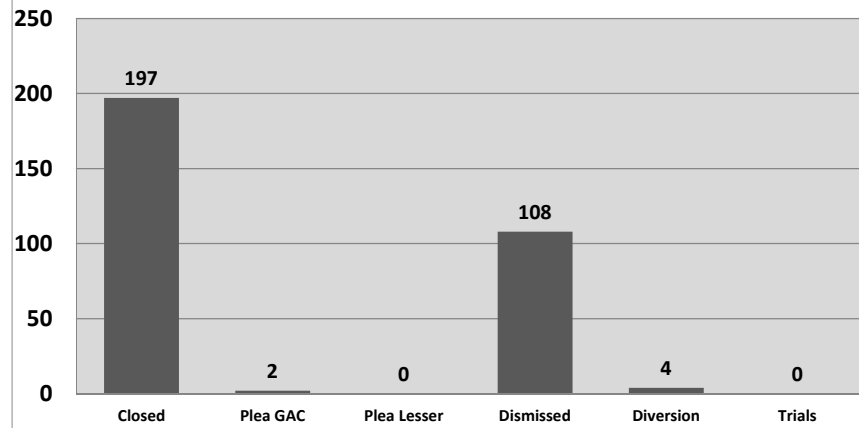
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

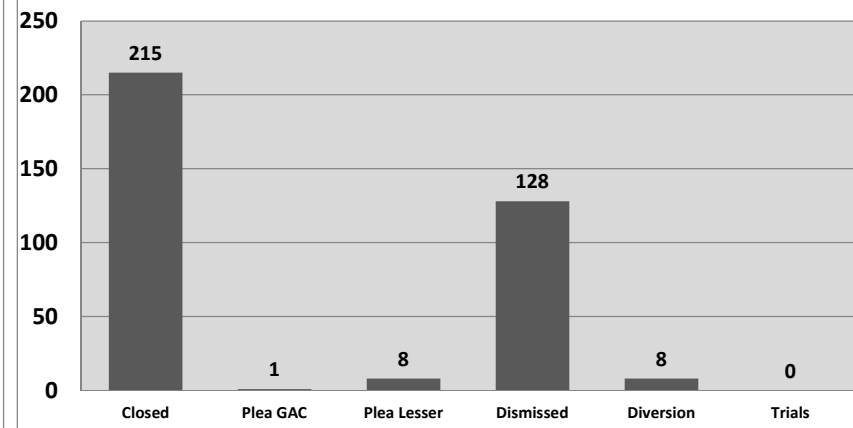
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



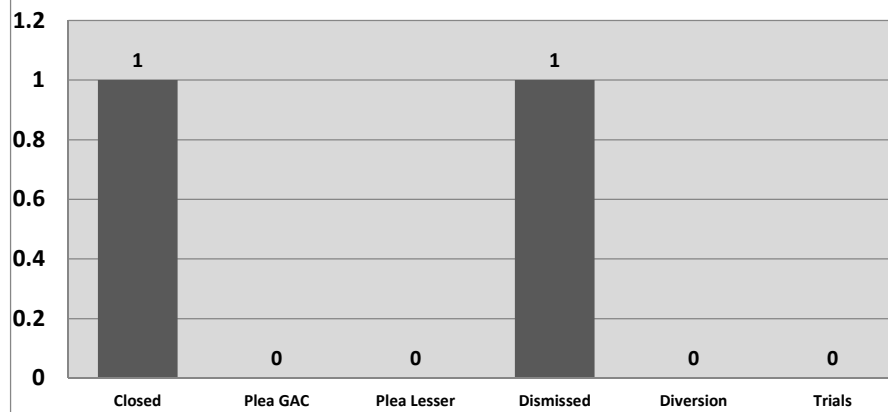
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



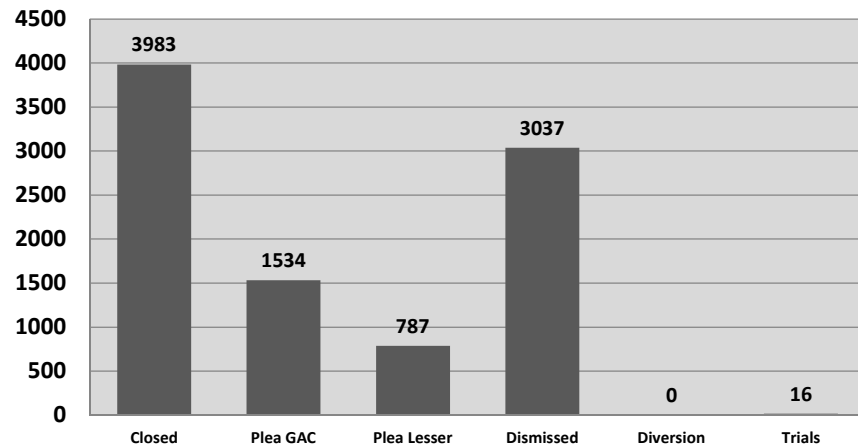
**CY 2016 Delinquency Felony-Grade Outcomes**



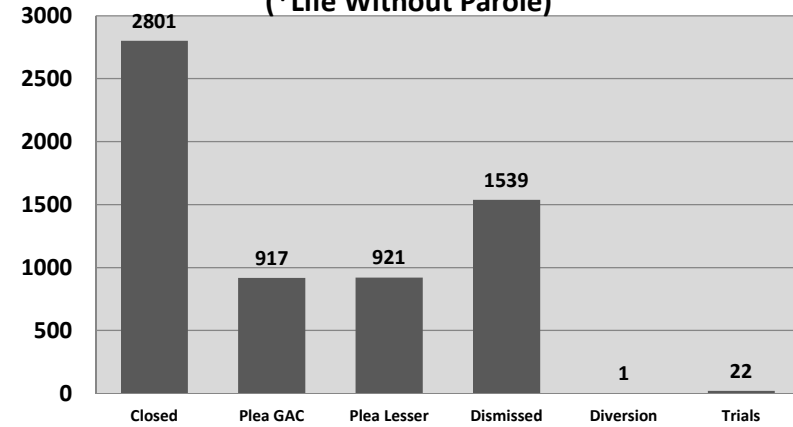
**CY 2016 Delinquency Life Outcomes**



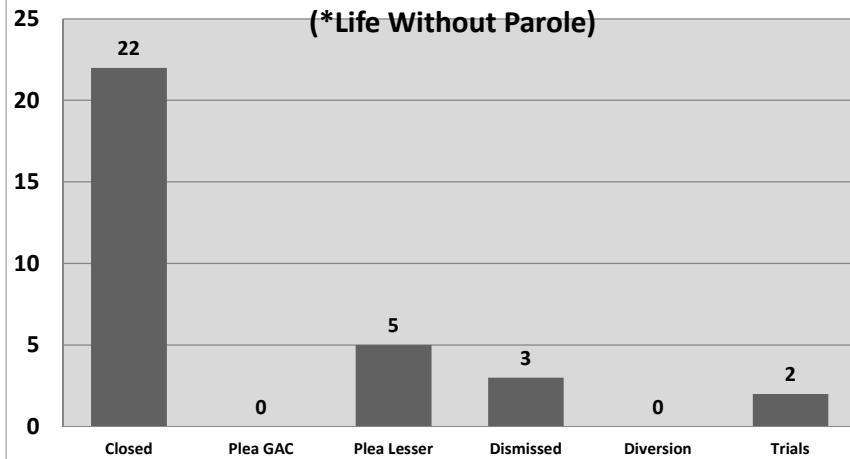
**CY 2016 Adult Misdemeanor Outcomes**



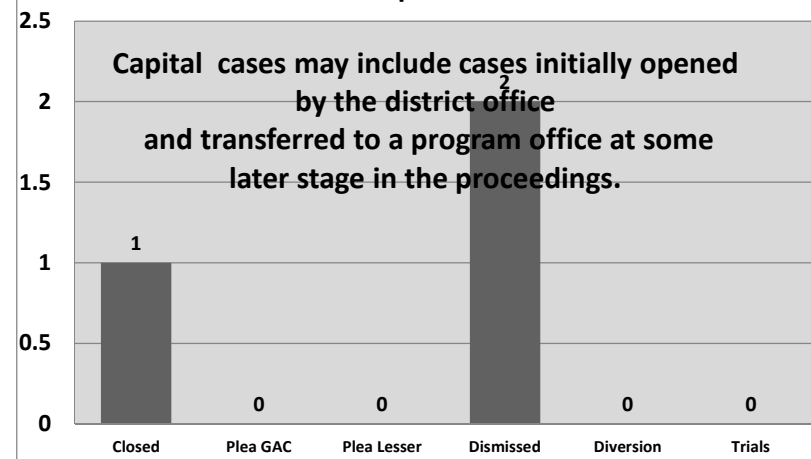
**CY 2016 Adult Felony Non-LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2016 Adult Felony LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2016 Capital Outcomes**



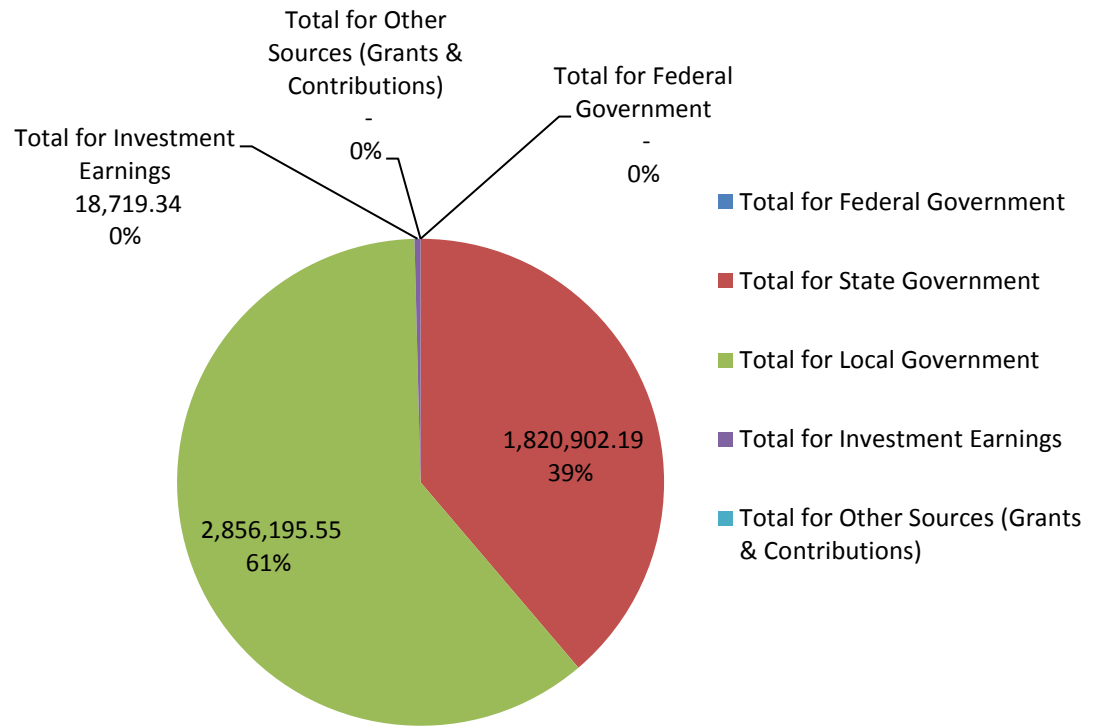
District 19 CY2016	Total CY2016
District Defender: Michael Mitchell	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	3,097.19
Child in Need of Care (CINC)	31,541.00
District Assistance Fund (DAF)	1,694,255.00
Supplemental/Emergency Funds	92,009.00
Grants	-
Other State Income -List source(s)	-
Total for State Government	1,820,902.19
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	453,487.93
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	1,215.81
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	913,474.69
Juvenile Court	17,726.00
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	1,226,282.86
Parish Courts	-
Traffic Court	3,041.00
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	2,160,524.55
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	104,302.07
Partial Attorney Fees	-
Reimbursements [as per 15:176]	128,998.10
Other Reimbursements	7,667.09
Other Local Income -List source(s)	-
Total for Charges For Services	240,967.26
Total for Local Government	2,856,195.55
Investment Earnings	
Interest Income	18,719.34
Other Investment Income - List source(s)	-
Total for Investment Earnings	18,719.34
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	-
Total for REVENUE	4,695,817.08

District 19 CY2016	Total CY2016
District Defender: Michael Mitchell	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	2,622,900.16
Accrued Leave	-
Payroll Taxes	34,605.18
Hospitalization and Disability Insurance	338,720.38
Retirement	191,820.57
Other	-
<b>Total for Personnel Services and Benefits</b>	<b>3,188,046.29</b>
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	15,473.17
<b>Total for Travel/Training</b>	<b>15,473.17</b>
Operating Services	
Advertisements	-
Workers' Compensation	25,910.90
Insurance - Malpractice	21,356.90
Insurance - Auto/Physical Liability	-
Insurance - Other	2,290.65
Lease - Office	172,867.38
Lease - Auto/Equipment	14,566.78
Lease - Other	8,146.00
Office Repair and Maintenance	23,926.51
Office - Telephone/Utilities/Postage/Internet	22,581.71
Dues and Seminars	15,028.00
Law Library/Journals/Subscriptions	32,204.14
Office Supplies	19,773.61
<b>Total for Operating Services</b>	<b>358,652.58</b>
Professional Services	
Audit/Accounting Expense	8,250.00
Contract Clerical	12,691.25
Expert Witness	20,689.59
Investigators	57,657.01
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	127,550.19
Misdemeanor Attorney Contracts	45,616.65
Contract Attorneys - all other	331,194.03
IT/Technical Support	47,402.12
<b>Total for Professional Services</b>	<b>651,050.84</b>
Capital Outlay	
Major Acquisitions	49,878.00
<b>Total for Capital Outlay</b>	<b>49,878.00</b>
Other Charges	
Other Operating Expenses	52,698.80
<b>Total for Other Charges</b>	<b>52,698.80</b>
<b>Total for EXPENDITURES</b>	<b>4,315,799.68</b>

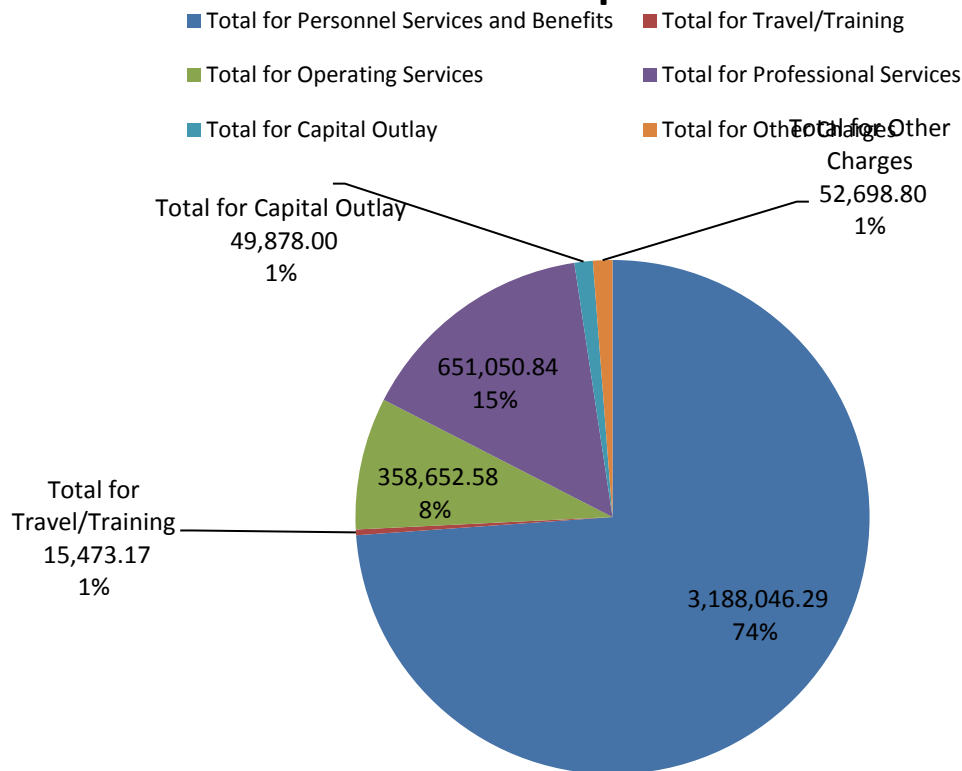
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.



## Total CY16 Revenues



## CY16 Expenditures





## THE 20<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

EAST FELICIANA (CLINTON) - WEST FELICIANA (SAINT FRANCISVILLE)

DISTRICT DEFENDER: RHONDA B. COVINGTON  
12213 JACKSON STREET  
CLINTON, LA 70722  
(225) 683-3620

20TH JUDICIAL DISTRICT :  
EAST FELICIANA AND WEST FELICIANA  
PARISHES

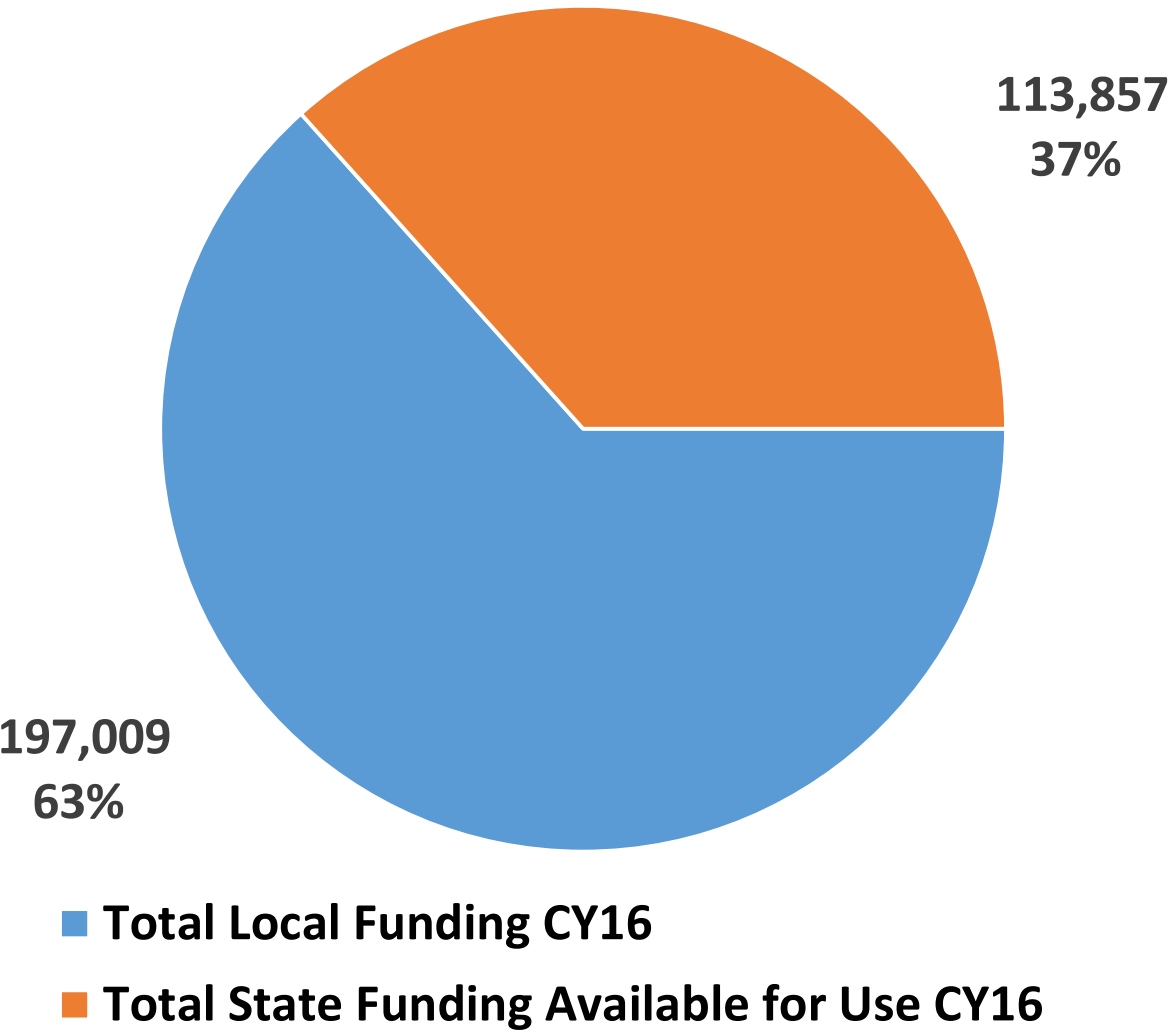
Rhonda B. Covington  
District Defender  
12213 Jackson St.  
Clinton, LA, LA 70722  
225-683-3620

During Calendar Year 2016, the 20th Judicial District Public Defenders Office handled 1,164 cases. The office received \$310,866 in total revenues to handle these cases, approximately 63% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

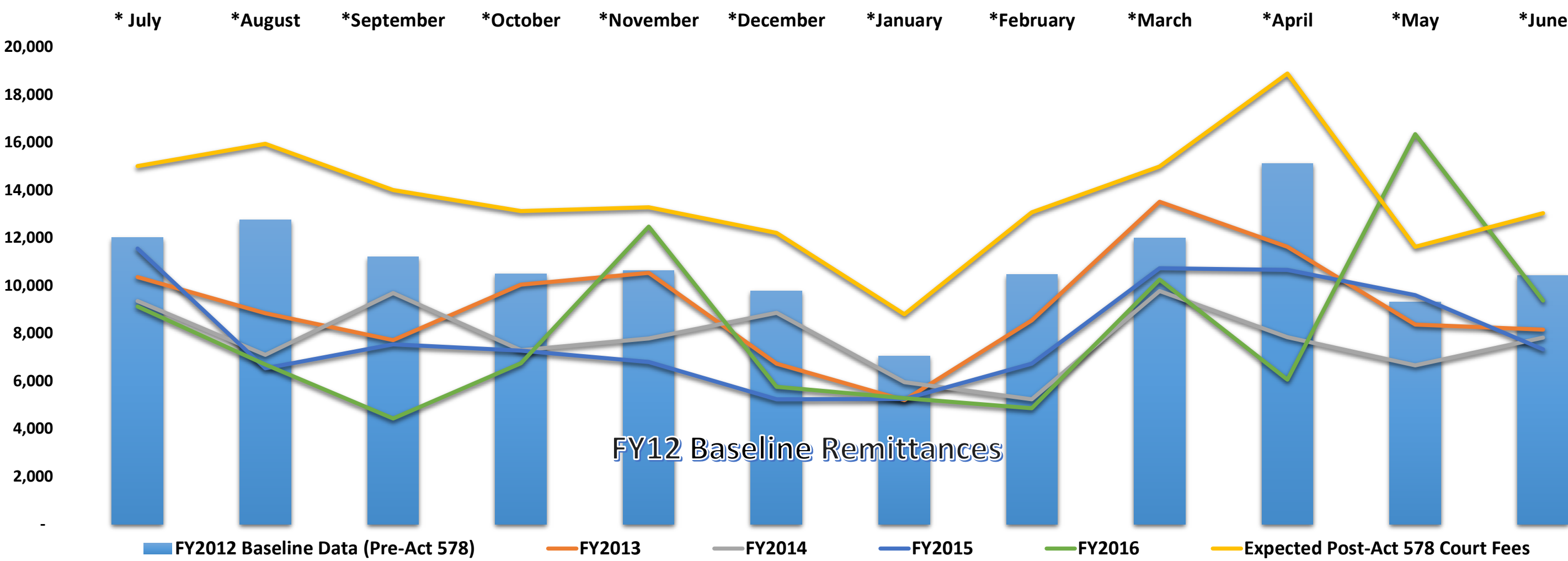
The 20th Judicial District has only realized the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated with Act 578 (2012) on one occasion. In fact, revenues have been generally lower than 2012 levels almost every month since passage of the legislation.

The 20th Judicial District office nearly exhausted its fund balance which had been in steep decline since CY10 forcing the office to enter service restriction on January 1, 2015. Expenditure reductions and increased revenues have allowed the district to begin accruing a fund balance. LPDB and the 20th district PDO will continue to monitor the office's revenues and expenditures to determine if the office can exit service restriction.

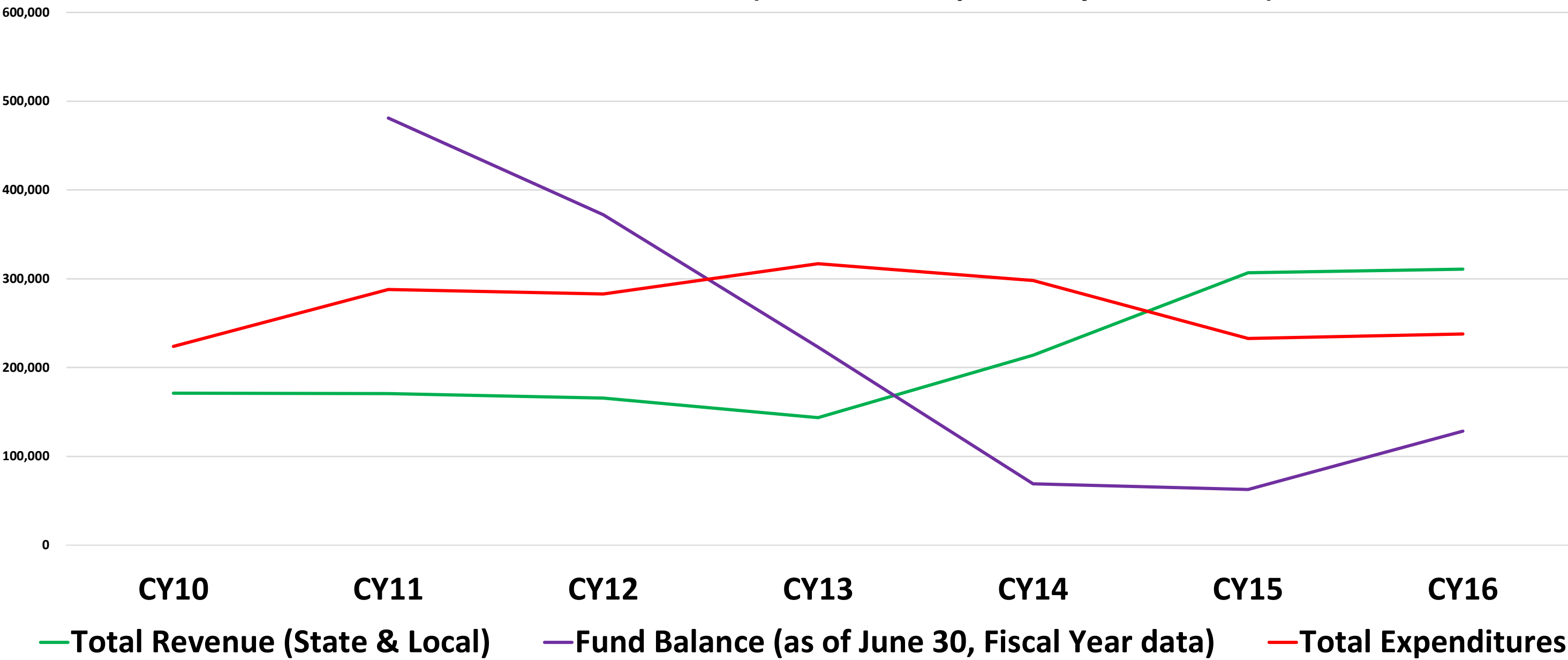
District 20 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 20 PDO

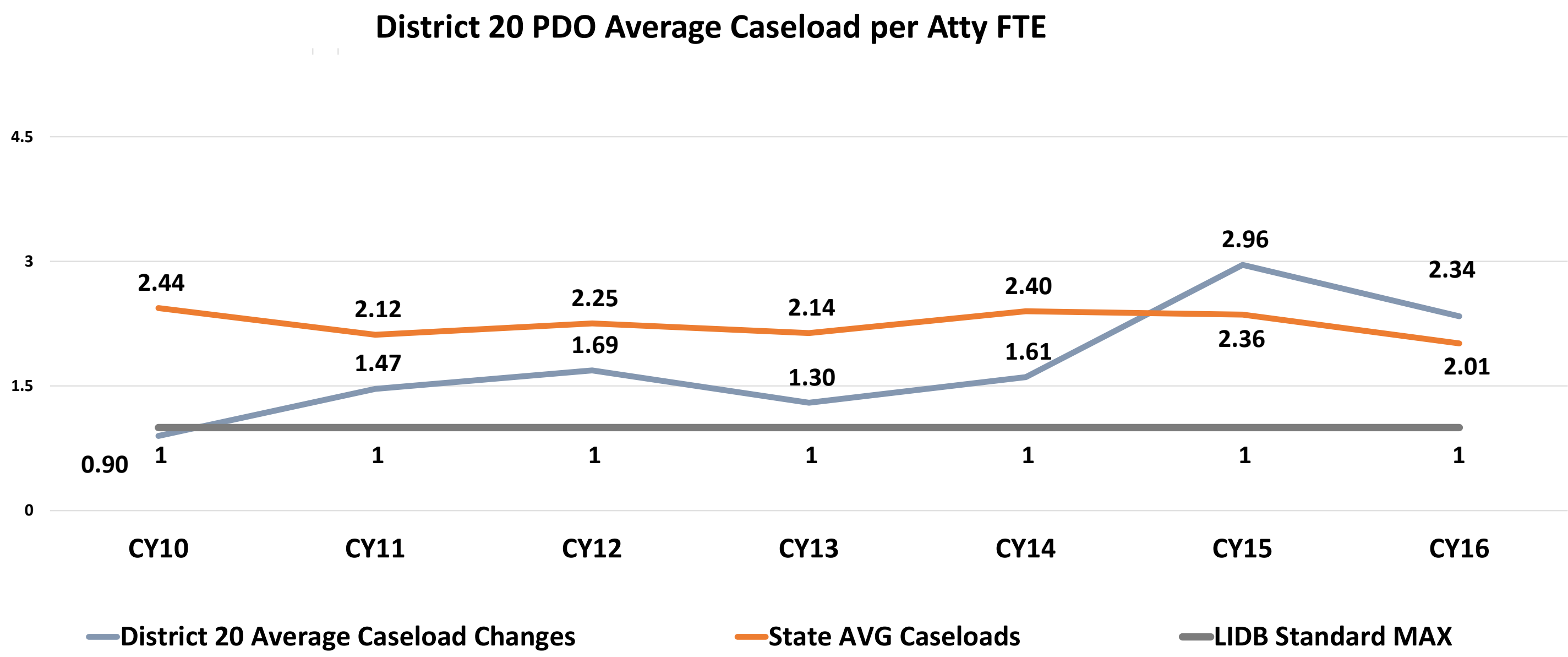


District 20 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



20TH JUDICIAL DISTRICT :  
EAST FELICIANA AND WEST FELICIANA  
PARISHES

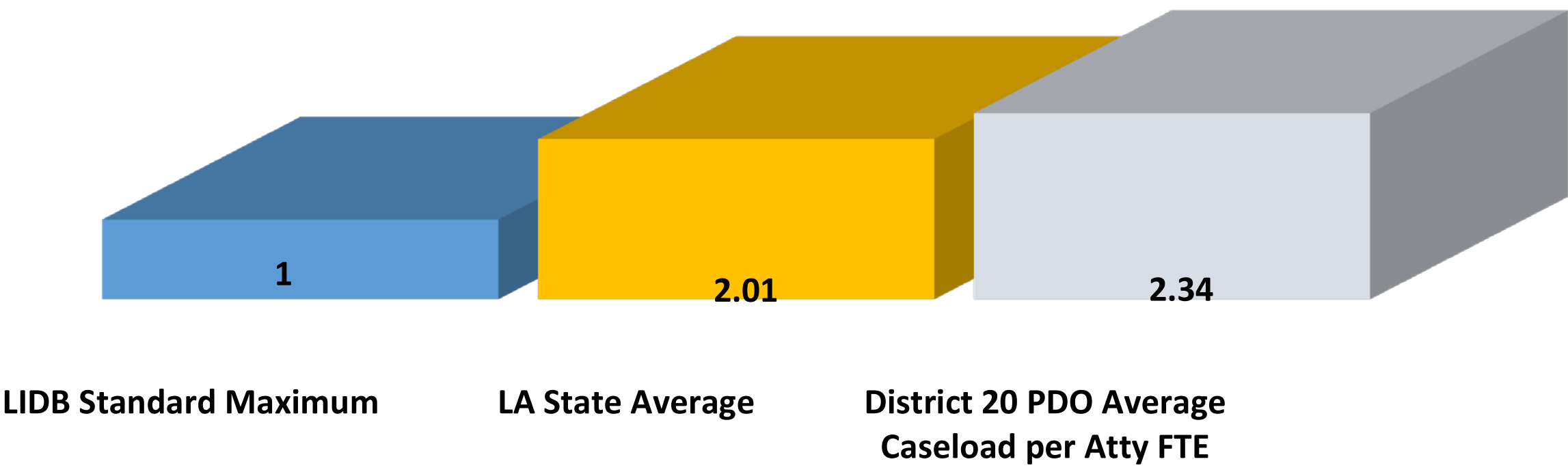
Rhonda B. Covington  
District Defender  
12213 Jackson St.  
Clinton, LA, LA 70722  
225-683-3620



In the 20th Judicial District, public defense attorneys maintain caseloads more than two times the recommended caseload limit for each attorney.

The 20th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.

District 20 PDO Average Caseloads Compared to State Average & State Standard...



CAPITAL REPRESENTATION

This PDO has no capittaly certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 20<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	East Feliciana – Clinton, LA; West Feliciana - St. Francisville, LA
<b>Population</b>	35,892
<b>District Defender</b>	Rhonda B. Covington
<b>Years as District Defender</b>	6.5
<b>Years in Public Defense</b>	15
<b>Office Manager</b>	None
<b>Primary Office Street Address</b>	12213 Jackson St.
<b>City</b>	Clinton, LA
<b>ZIP</b>	70722
<b>Primary Phone</b>	225-683-3620
<b>Primary Mailing Address</b>	P.O. Box 68, Clinton, LA 70722
<b>Primary Fax Number</b>	225-683-3669
<b>Primary Emergency Contact</b>	Rhonda B. Covington
<b>Primary Emergency Phone</b>	225-719-1249
<b>Secondary Emergency Contact</b>	Ashley Armand
<b>Secondary Emergency Phone</b>	225-718-0575
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	4789 Prosperity St., P.O. Box 575, St. Francisville, LA, 70775; 225-784-3730
<b>Other District Office Contact Personnel (Primary Only)</b>	Kelly Edwards
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Felician Builders, LLC & West Feliciana Parish Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,100
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	In-House
<b>Courts and Locations</b>	20th Judicial District Court – Clinton, La.; 20th Judicial District Court-St. Francisville, La.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	2 divisions
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	At 72 hour rule the jail Notifies the district defender and office manager by phone and fax. The district defender then assigns cases to individual contract attorneys on a rotating basis. All other clients are assigned by the district defender at arraignment.
<b>Name of Adult Detention Facilities in This District</b>	East Feliciana Parish Detention Center; West Feliciana Parish Detention Center.

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Cottonport, Marksville, Avoyelles Parish Correctional, Richland Parish, Livingston Parish and St. Helena Parish.
<b>Name of Juvenile Detention Facilities In This District</b>	No juvenile facilities.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Assumption Parish Juvenile Facility.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	It is difficult to contact clients who are housed in other parishes except by phone which limits the content of the conversation. We spend time traveling, I am now also paying mileage which increases our expenses.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No -- Juveniles are not shackled.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Sometimes in East Feliciana -- the jail is understaffed and they have no one to get the inmate for us and no one to remain outside the door when we talk to them.
<b>District Attorney</b>	Samuel C. D'Aquila
<b>Chief Judge of Criminal District Court</b>	William G. Carmichael
<b>Juvenile Court Judges (Specify District of City Court)</b>	William G. Carmichael, 20th J.D. and Kathryn Betsy Jones, 20th J.D.
<b>Drug Court Judges</b>	No Drug court
<b>Mental Health Court Judges</b>	No Mental Health Court
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	None
<b>Indigency Determined by Whom and How?</b>	After judge makes the initial determination, they fill out an application and we review their financial information to determine whether or not they qualify.
<b>When is Assignment/Appointment of Counsel Made?</b>	72 hour rule and arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	Our attorneys are contract and maintain files in their own private offices.
<b>Brief Explanation of Intake Process</b>	In addition, client & Judge are Notified when they do not qualify
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes - collection began in August 2010.
<b>How Many Applications for Services Were Received?</b>	916
<b>How Many Application Fees Were Waived?</b>	0
<b>How Many Application Fees Were Reduced?</b>	1
<b>Total Application Fee Dollars Collected in 2016</b>	4,716
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Probation and Parole will collect some of these fees
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	

<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	99,493.14
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	No - People who are sentenced to prison without any probation time or suspension in sentence are Not assessed court cost or any other fees.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	East and West Feliciana Parish Sheriff's Office sends a check with the report each month.
<b>Who Collects the Assessed Court Fees?</b>	East and West Feliciana Sheriff's Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Both parishes send a report with the check which outlines the fees collected.
<b>Who Remits the Court Fees Collected?</b>	East and West Feliciana Parish Sheriff's Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	East Feliciana will not provide the sheet created by the state.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	Not yet. I haven't had time to visit the mayors and talk to them about this. I can't be the main attorney, the DOC attorney, bookkeeper, complete monthly reports, the maid, and District Defender. Hopefully, I can do this in 2017.
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	None yet
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	None yet
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	The Judge will charge the client a fee for legal services if the client is capable to pay.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	The Sheriff's Dept collects the fees ordered by the judge.
<b>Who Collects the Assessed Partial Payments?</b>	East Feliciana Parish Sheriff's Office and West Feliciana Sheriff's Office will collect fees and forward them to us. Also, the Office of Probation and Parole will collect the fees and pay them to the Sheriff's Office and they in turn will remit them to us.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	West Feliciana Sheriff's Office gives us the name and amount on the sheet provided by the state. East Feliciana provides us with a printout of names and fees collected and we must determine which fees are court cost, bond fees, and partial payments.
<b>Who Remits the Partial Payments Collected?</b>	The Sheriff's Office in East Feliciana and West Feliciana.



<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	West Feliciana submits the form provided by the state along with the check. East Feliciana provides a printout of names and amounts collected by the department. We must then determine what the fees were collected for.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	29,419
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	No -- all attorneys are contract attorneys
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Money, adequate staff, investigator, new copiers, scanners.
<b>Was your office in ROS at any time during 2016</b>	Yes
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Unknown at this time. Many factors to consider.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	If I downsize anymore, the offices will close completely. Now, they are only opened part-time.
<b>Immediate Critical Issue Areas</b>	Money, staff, and equipment.
<b>Long-Term Critical Issue Areas</b>	Money, staff, equipment (cameras, video, smartphones, ipads (for trial pad software), additional software for trial purposes.
<b>2016 Media Coverage and/or Major Accomplishments</b>	An article and video in The Guardian, a mention in The Atlantic and a mention in Esquire Magazine. Local television interview concerning a missing child and the FBI investigation.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	No new attorneys.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	None
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	We have no office manager, so I supervise everyone as well as all of my many other duties.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No policy -- tackle each situation as it emerges.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	Meetings are periodic when needed.



<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Filed in 2016</b>	None - No time for writs.
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	All attorneys handle juvenile matters as well as adult cases. They are assigned on a rotating basis.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	Started on one and met with the offender. However, hired private counsel and I did not know that until after several hours of work was put into the case.
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	0
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	0
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Robby Carter, Kenneth Havard, Major Thibeaut, Neil Riser, Rick Ward
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Judges and DA wanting to schedule jury trials on cases before I have an opportunity to prepare. Judge Jones is scheduling jury trials 4 months from arraignment and NO continuances. I don't have the staff to adequately defend these people that quickly.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	No new changes for 2016.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Rhonda B. Covington	225-719-1249
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Michelle Duncan	225-268-8350
Cy J. D'Aquila, Jr.	225-718-0506
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Ashley Armand	225-718-0575
Edwards, Kelly	225-205-4681
Johnstone, Tabitha	225-683-3620

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Rhonda B. Covington
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	No
Westlaw	Yes
Other (please list)	No
Number of Legal Research Licenses	1
Total Cost of Legal Research Software:	I don't pay for software -- the service for me is \$199.29 per month
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	x
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	

Intuit	QuickBooks is Intuit
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	x
Internet Explorer 10	x
Internet Explorer 11	x
Microsoft Edge	x
Firefox	
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	6
Television	
DVD	
VCR	
Desktop PCs	2
Laptops	4
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	3
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	1
	Projector
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	uverse
No Internet Connection	
Connection Speed:	18mb
Provider Name:	AT&T
Email Provider:	AT&T
Please list any software or computer equipment in which you need training:	

## 20th District Defender Office CY 2016 Caseloads & Outcomes

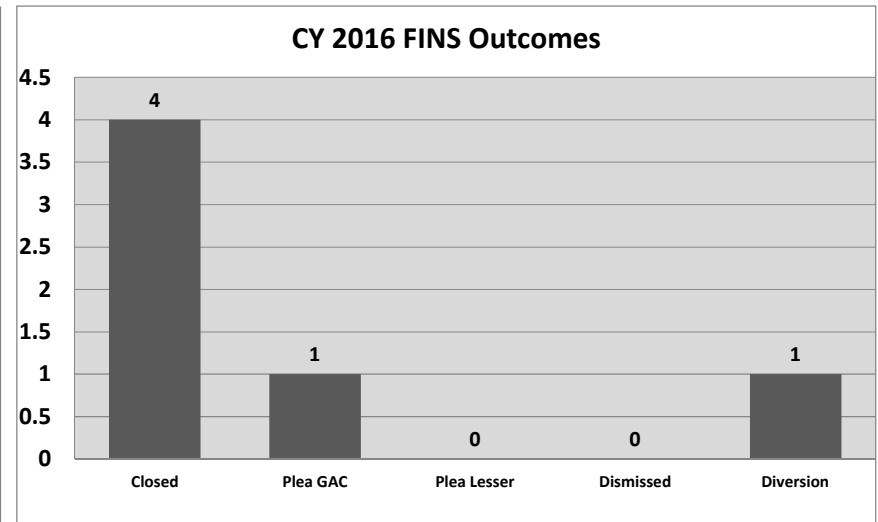
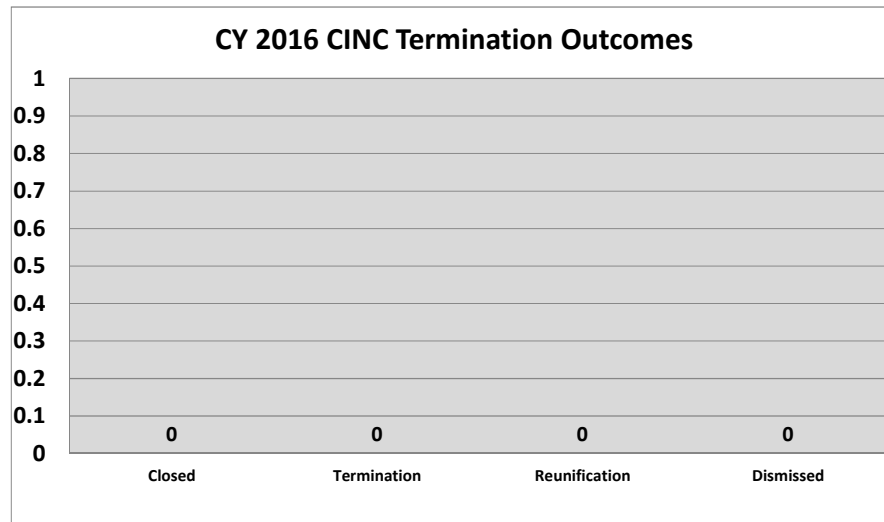
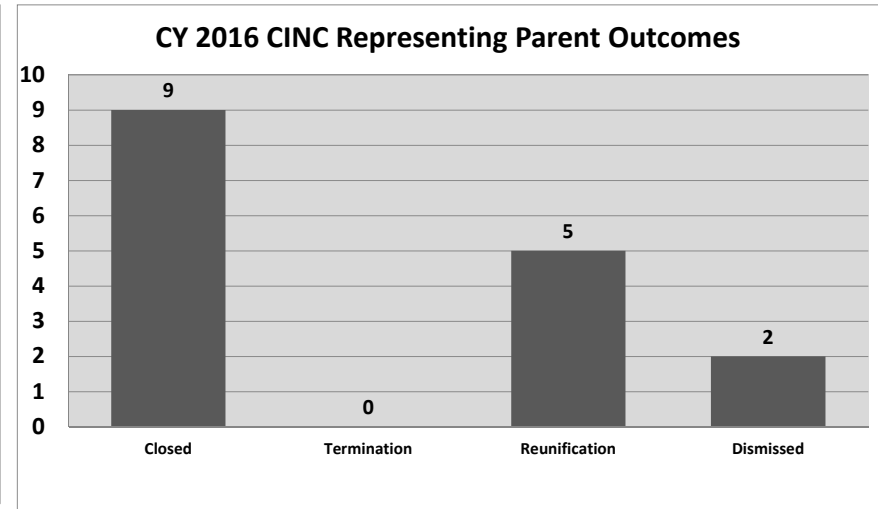
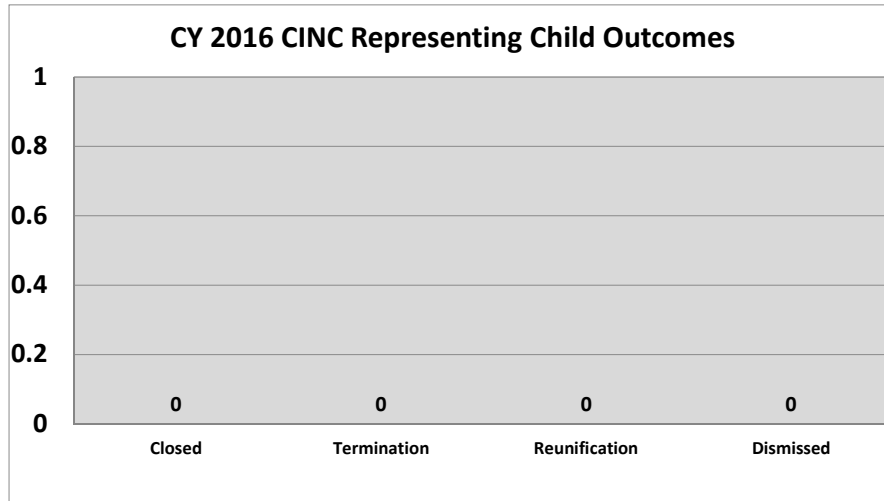
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	5	9	10	15	0	5	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	1	1	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	4	4	2	6	N/A	N/A	1	0	0	1	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	12	12	4	16	N/A	N/A	0	0	0	11	N/A	N/A	0	0	0
Delinquency Felony	16	13	9	25	N/A	N/A	7	0	3	6	N/A	N/A	0	0	0
Delinquency-Life	1	2	2	3	N/A	N/A	2	2	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	572	503	98	670	N/A	N/A	356	8	92	0	0	0	3	7	10
Adult Felony Non-LWOP**	274	247	135	409	N/A	N/A	153	63	11	1	1	0	4	1	6
Adult LWOP	6	4	5	11	N/A	N/A	2	2	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	7	6	0	7	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	1	0	0	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

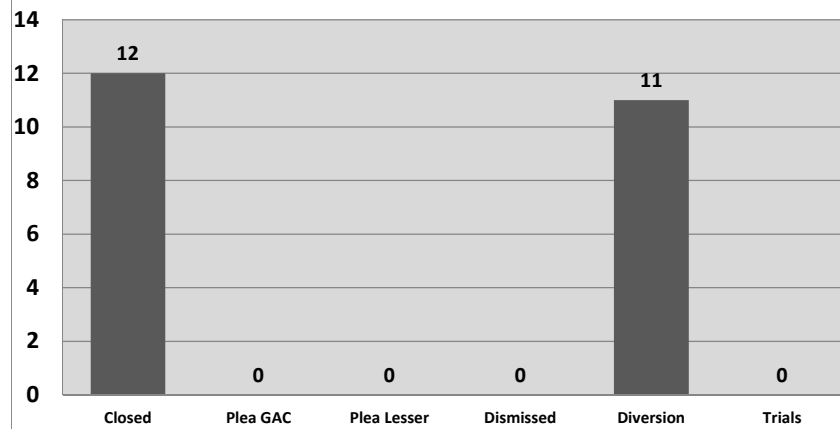
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

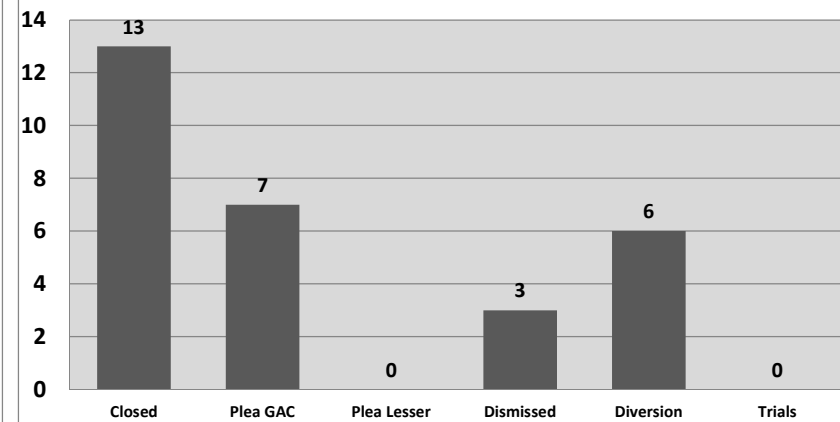
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



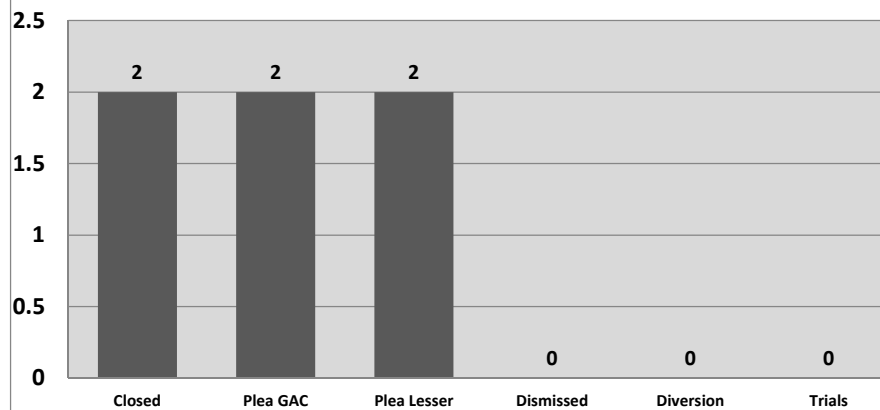
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

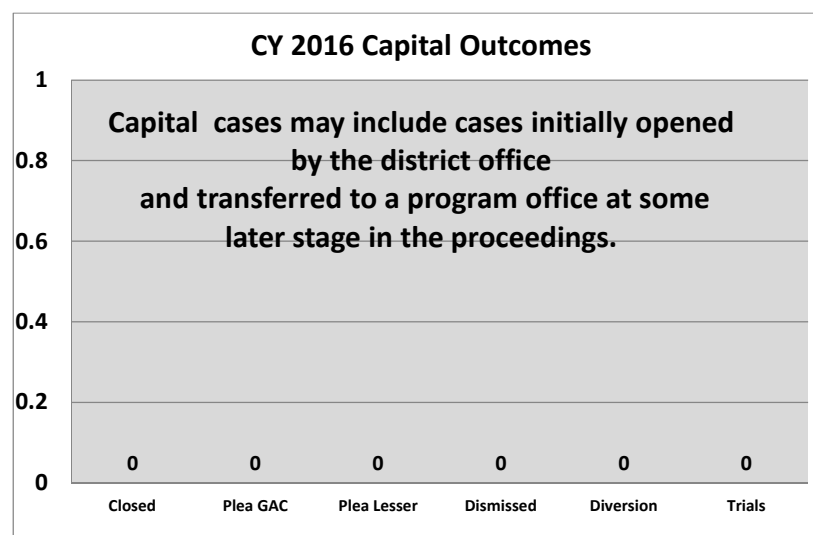
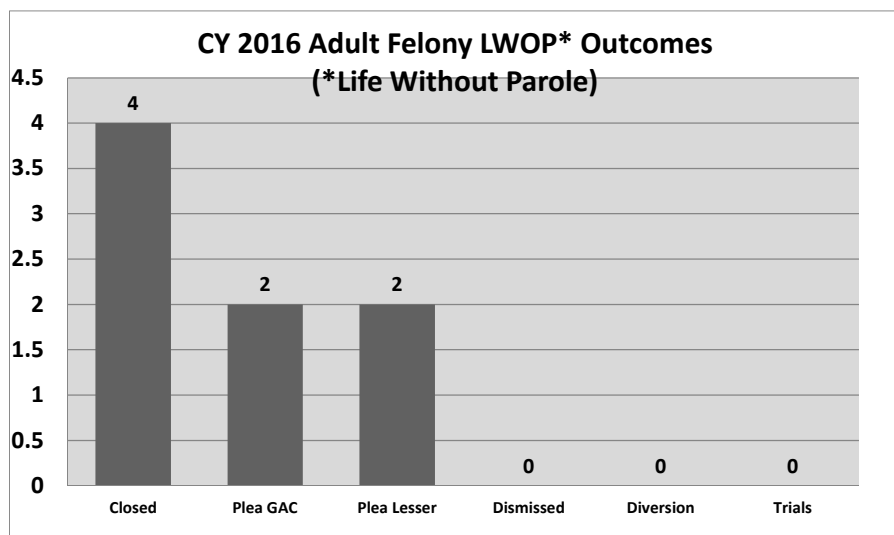
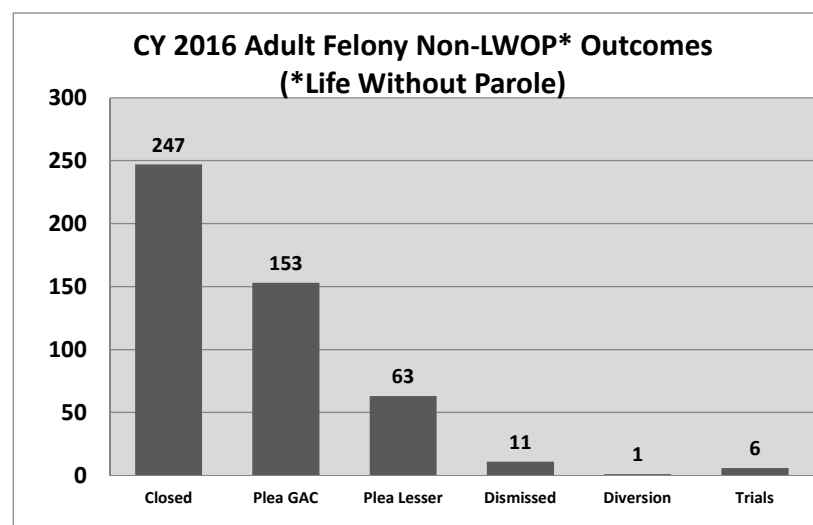
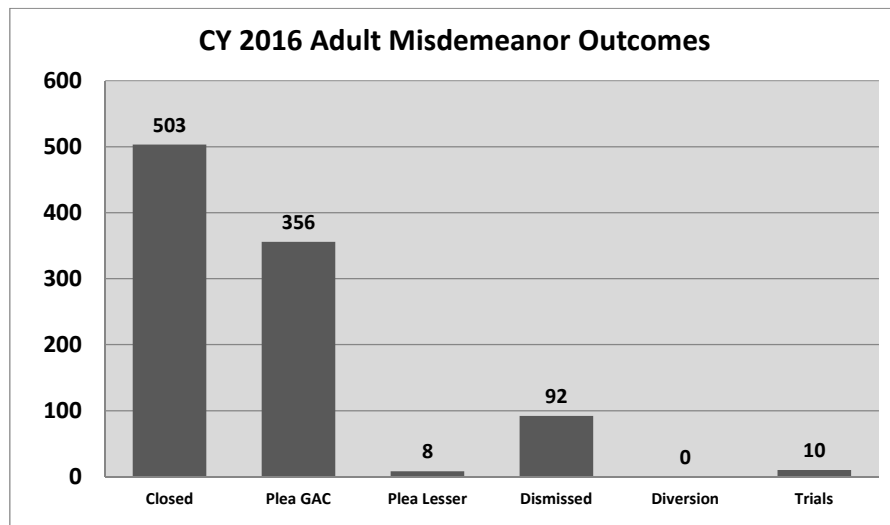


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**





District 20 CY2016	Total CY2016
District Defender: Rhonda Covington	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	9,000.00
Child in Need of Care (CINC)	2,389.00
District Assistance Fund (DAF)	110,805.00
Supplemental/Emergency Funds	10,000.00
Grants	-
Other State Income -List source(s)	-
Total for State Government	132,194.00
Local Government	
Appropriations - General	-
Appropriations - Special	45,000.00
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	18,270.75
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	99,493.14
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	99,493.14
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	4,715.67
Partial Attorney Fees	
Reimbursements [as per 15:176]	29,419.07
Other Reimbursements	110.00
Other Local Income -List source(s)	-
Total for Charges For Services	34,244.74
Total for Local Government	197,008.63
Investment Earnings	
Interest Income	147.03
Other Investment Income - List source(s)	-
Total for Investment Earnings	147.03
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	329,349.66

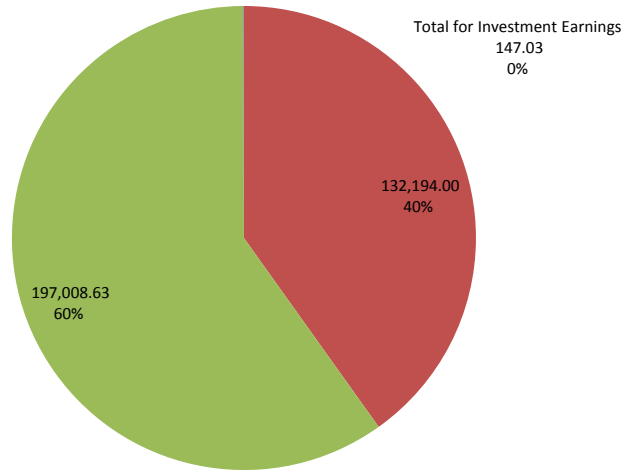


District 20 CY2016	Total CY2016
District Defender: Rhonda Covington	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	119,493.50
Accrued Leave	-
Payroll Taxes	9,510.16
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	129,003.66
Travel/Training	
Parking/Auto Tolls	15.00
Travel/Lodging/Per Diem/Mileage	2,950.95
Total for Travel/Training	2,965.95
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	504.57
Lease - Office	9,000.00
Lease - Auto/Equipment	-
Lease - Other	300.00
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	5,033.31
Dues and Seminars	1,067.45
Law Library/Journals/Subscriptions	3,238.33
Office Supplies	2,114.37
Total for Operating Services	21,258.03
Professional Services	
Audit/Accounting Expense	2,696.80
Contract Clerical	594.00
Expert Witness	600.00
Investigators	1,400.36
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	250.00
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	74,400.00
IT/Technical Support	113.99
Total for Professional Services	80,055.15
Capital Outlay	
Major Acquisitions	256.93
Total for Capital Outlay	256.93
Other Charges	
Other Operating Expenses	4,172.56
Total for Other Charges	4,172.56
Total for EXPENDITURES	237,712.28

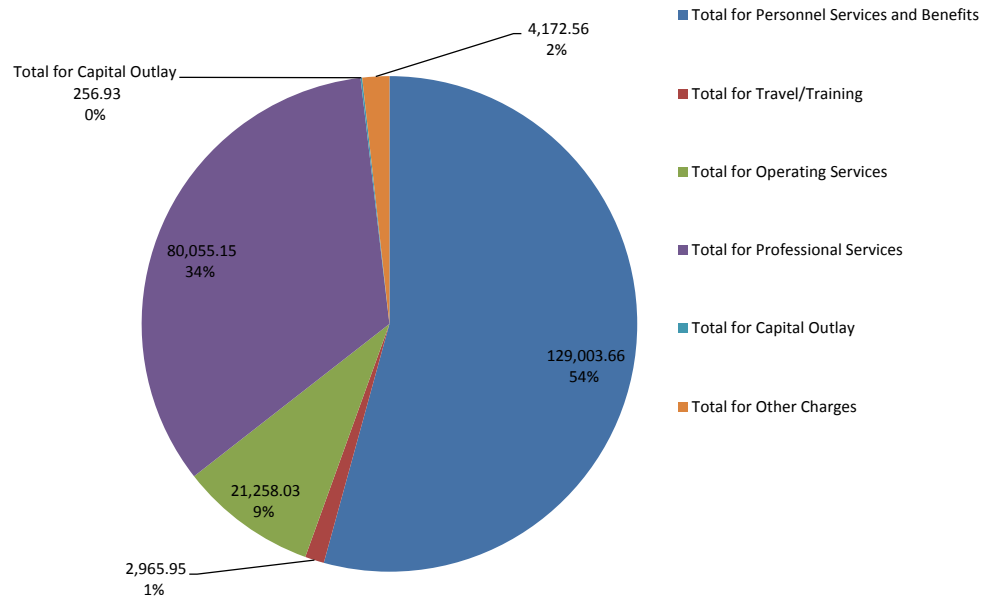
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues

- Total for Federal Government
- Total for Local Government
- Total for Other Sources (Grants & Contributions)
- Total for State Government
- Total for Investment Earnings



## CY16 Expenditures





## THE 21<sup>ST</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

LIVINGSTON (LIVINGSTON) - ST. HELENA (GREENSBURG) - TANGIPAHOA (AMITE)

DISTRICT DEFENDER: REGINALD MCINTYRE  
303 EAST OAK STREET  
AMITE, LA 70422  
(985) 748-4922

# 21ST JUDICIAL DISTRICT : LIVINGSTON, ST. HELENA, TANGIPAHOA PARISHES

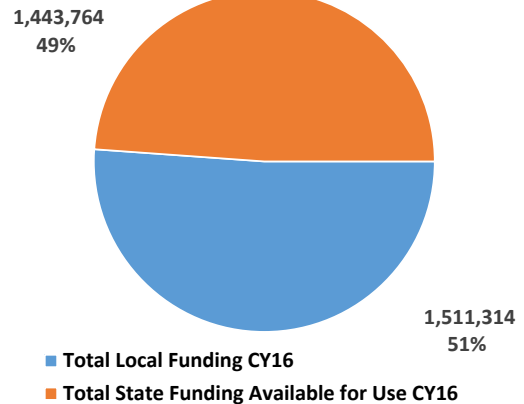
Reginald McIntyre  
District Defender  
303 East Oak Street  
Amite, LA 70422  
985-748-4922

During Calendar Year 2016, the 21st Judicial District Public Defenders Office handled 14,014 cases. The office received \$2,955,077 in total revenues to handle these cases, approximately 51% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

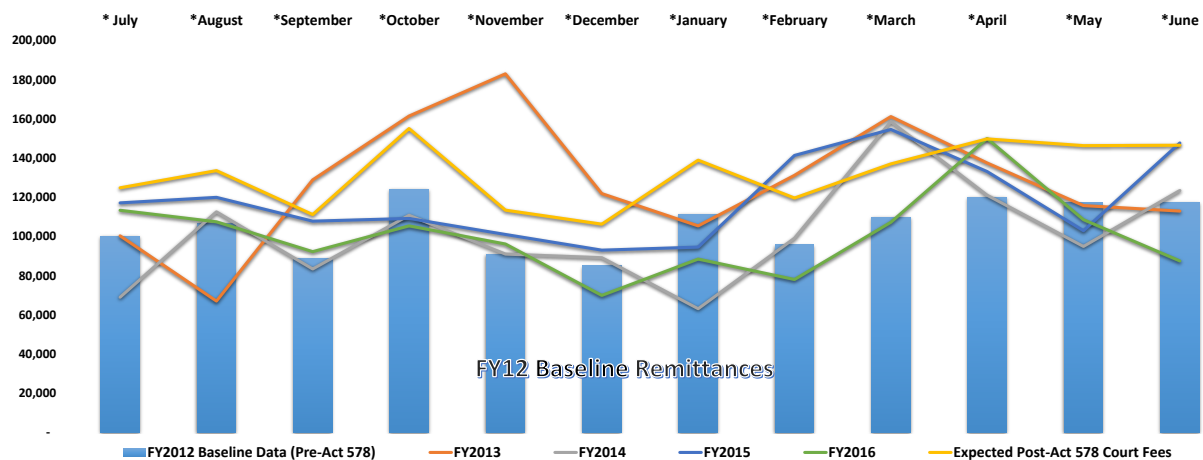
With the exception of a few anomalies, the 21st has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated Act 578 (2012).

During Calendar Year 2016, the 21st Judicial District office's expenditures exceeded the office's revenues.

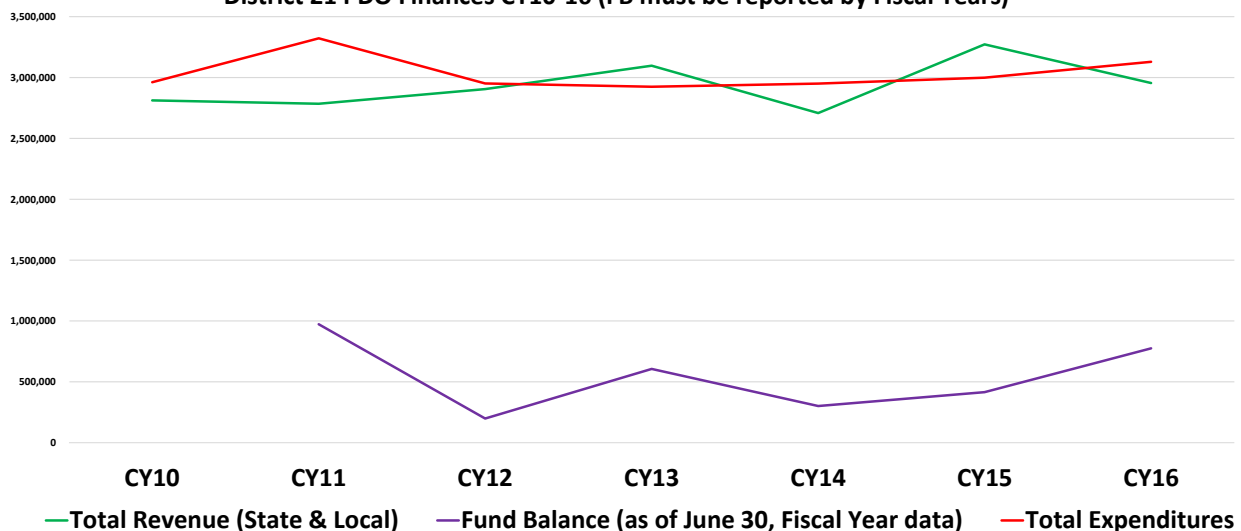
**District 21 PDO Revenue Sources CY16**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 21 PDO**



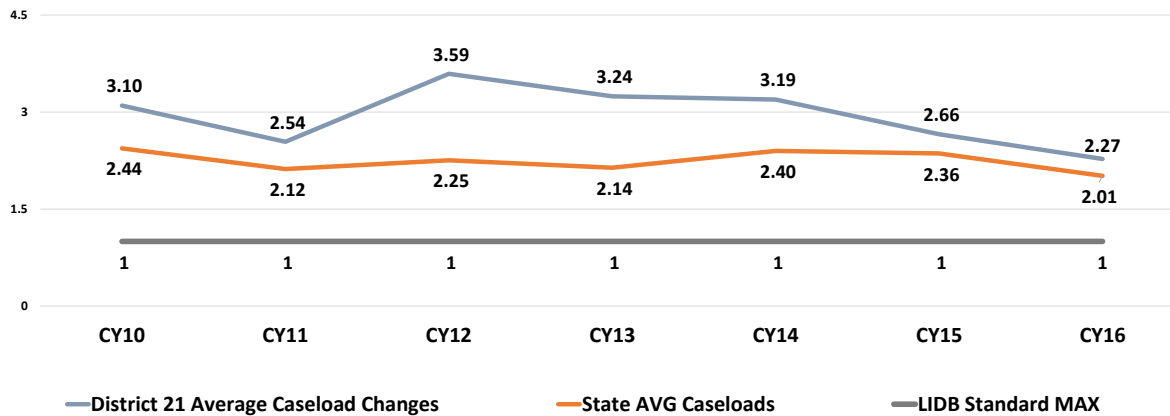
**District 21 PDO Finances CY10-16 (FB must be reported by Fiscal Years)**



# 21ST JUDICIAL DISTRICT : LIVINGSTON, ST. HELENA, TANGIPAHOA PARISHES

Reginald McIntyre  
District Defender  
303 East Oak Street  
Amite, LA 70422  
985-748-4922

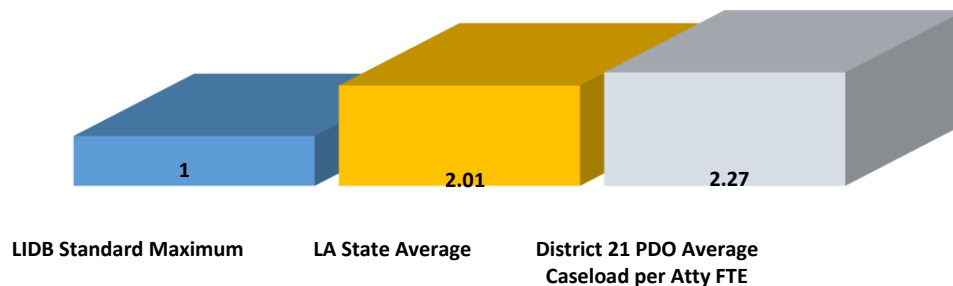
District 21 PDO Average Caseload per Atty FTE



In the 21st Judicial District, public defense attorneys maintain caseloads more than twice the recommended caseload limit for each attorney.

Although caseloads remain high due to insufficient revenues, through increased training and supervision, client outcomes in CINC cases have significantly improved over the last six years.

District 21 PDO Average Caseloads Compared to State Average & State Standard Maximums



## CAPITAL REPRESENTATION

This PDO has limited capacity to accept capital cases as it does not have two certified counsel or otherwise does not have capacity to provide core team members as required by the Capital Performance Standards.



## THE 21<sup>ST</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Livingston - Livingston; St. Helena - Greensburg; Tangipahoa - Amite
<b>Population</b>	277,110
<b>District Defender</b>	Reginald McIntyre
<b>Years as District Defender</b>	17.5
<b>Years in Public Defense</b>	27
<b>Office Manager</b>	Mary Hughes
<b>Primary Office Street Address</b>	303 East Oak Street
<b>City</b>	Amite
<b>ZIP</b>	70422
<b>Primary Phone</b>	985-748-4922
<b>Primary Mailing Address</b>	P.O. Box 1004, Amite, LA 70422
<b>Primary Fax Number</b>	985-748 - 2933
<b>Primary Emergency Contact</b>	Reginald McIntyre
<b>Primary Emergency Phone</b>	985-320-5373
<b>Secondary Emergency Contact</b>	Charles M. Reid
<b>Secondary Emergency Phone</b>	985-517-1576
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	28446 Charlie Watts Road, Livingston, LA 70754
<b>Other District Office Contact Personnel (Primary Only)</b>	Susan Andrews
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Amite Office - Parish Owned; Livingston Office - GSOP, LLC
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Livingston Office, \$2,471 a month rent; Amite Office - No rent, no utilities; Livingston and Amite combined telephone services - \$1529/month.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Sherri Oliver, CPA
<b>Courts and Locations</b>	Tangipahoa Parish - Amite; Livingston Parish - Livingston; St. Helena Parish - Greensburg; Hammond City Court, Hammond; Denham Springs City Court, Denham Springs; Ponchatoula Mayor's Court, Ponchatoula; Walker Mayor's Court, Walker.

<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	6 District Criminal Divisions; 2 District Family Court Divisions; 1 District Juvenile Court; Hammond City Court - Juvenile & Misd Adult; Denham Springs City Court - Juvenile & Misd Adult; Ponchatoula Mayor's Court - Misd Adult & Traffic; Walker Mayor's Court - Misd Adult & Traffic; 2 District Family Court Magistrates.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Attorneys are assigned specifically to Divisions, City & Municipal Courts, Juvenile, CINC Parent and Non-Support.
<b>Name of Adult Detention Facilities in This District</b>	Tangipahoa Parish Jail, Livingston Parish Jail, St. Helena Parish Jail, Hammond City Jail.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Riverbend Correctional Center, Caldwell Detention Center, Claiborne Detention Center, Richland Parish, Catahoula Parish.
<b>Name of Juvenile Detention Facilities In This District</b>	Florida Parishes Juvenile Detention Center.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None of which we are aware.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Not at this time.
<b>District Attorney</b>	Scott M. Perrilloux
<b>Chief Judge of Criminal District Court</b>	Robert H. Morrison, III
<b>Juvenile Court Judges (Specify District of City Court)</b>	District Court -Blair Edwards; City Court Hammond - Grace Gasaway; Denham Springs City Court - Charles Borde.
<b>Drug Court Judges</b>	Judge Bruce Bennett Retired: Judge Charlotte Foster elected and assumed Drug Court Judge Position
<b>Mental Health Court Judges</b>	All duty judges.
<b>Other Specialty Court</b>	Magistrate Erica Sledge and Magistrate Carolyn Ott
<b>Name of Specialty and Brief Description:</b>	Non-Support; Paternity; Protective Orders.
<b>Indigency Determined by Whom and How?</b>	Judge at time of 72 hearing and arraignment by oral examination of client.
<b>When is Assignment/Appointment of Counsel Made?</b>	Within 72 hours from time charges are filed or at arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	Interview is conducted by Attorney. Conflict is presented to Supervisor & District Defender. If conflict counsel request is approved, case is forwarded to Conflict Panel.
<b>Brief Explanation of Intake Process</b>	If in jail, investigator goes immediately to fill out form for intake with a primary attorney assigned upon allotment. If not in jail & appointed at arraignment, client is given letter & card of representing attorney & is advised to contact office to make appointment.

<b>\$40 Application Fees (per R.S. 14:175)</b>	
Does the Office Collect the \$40 Application Fee?	Yes
How Many Applications for Services Were Received?	7,480
How Many Application Fees Were Waived?	0
How Many Application Fees Were Reduced?	0
Total Application Fee Dollars Collected in 2016	62,160
Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
Total Revenue from \$45/\$35 Special Costs Received in 2016	1,023,679
Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.	Yes
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?	Fees assessed in open Court and are recorded by Public Defender Clerical Staff assisting in Court.
Who Collects the Assessed Court Fees?	Livingston Parish, St. Helena Parish and Tangipahoa Parish Sheriff's Offices; Hammond City Court, Denham Springs City Court, Walker Mayor' Court and Ponchatoula Mayor's Court Clerks of Court.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	Fee collection documentation is provided by Livingston Parish, St. Helena Parish and Tangipahoa Parish Sheriff's Offices; Hammond City Court, Denham Springs City Court, Walker Mayor' Court and Ponchatoula Mayor's Court Clerks of Court.
Who Remits the Court Fees Collected?	Livingston Parish, St. Helena Parish and Tangipahoa Parish Sheriff's Offices; Hammond City Court, Denham Springs City Court, Walker Mayor' Court and Ponchatoula Mayor's Court Clerks of Court.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	Fee collection documentation is provided by Livingston Parish, St. Helena Parish and Tangipahoa Parish Sheriff's Offices; Hammond City Court, Denham Springs City Court, Walker Mayor' Court and Ponchatoula Mayor's Court Clerks of Court.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?	No
From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?	None
How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	



<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	N/A
<b>Who Collects the Assessed Partial Payments?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	N/A
<b>Who Remits the Partial Payments Collected?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	N/A
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Primarily staff -Full-time may have civil practice but no criminal practice inside the district. Contract Attorneys not full-time staff, may have both criminal & civil practice.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Attached.
<b>Primary Immediate Needs</b>	Attorneys, support staff, equipment & additional space.
<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Additional funding needed.
<b>Long-Term Critical Issue Areas</b>	Additional funding needed.
<b>2016 Media Coverage and/or Major Accomplishments</b>	Many - but we keep it local.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. 5 Supervisors go to Court & assist with caseload through probation period. Monthly training meetings with 5 Supervisors covering legal issues; Trial Supervisors aid in Trial preparation.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Bridget Hebert; Angela Sibley; Barry Pike; Angelia Huzar; Leslie McAndrew; Kerry Carpenter

<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Administrator handles clerical staff; 2 Adult case Supervisors with 3 divisions each; 1 Juvenile/CINC Supervisor and 1 Trial Supervisor.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No new caseload policy has been done this year.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Full time employees - paid part by Office and part by Employee.
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes. Monthly
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Filed in 2016</b>	3
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	3
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Contract Attorneys handle both Juvenile and Felony Cases.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	None
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	None
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	SENATORS: Livingston Parish -Sen. Dale M. Erdy; Sen. "Jody" Amedee; Sen. Mack "Bodi" White; St. Helena Parish - Sen. Rick Ward, III; Sen. Mack "Bodi" White; Tangipahoa Parish - Sen. Mack "Bodi" White; Sen. Jack Donahue; Sen. Ben Nevers; Sen. Dale M. Erdy. REPRESENTATIVES: Livingston Parish: Rep. Valarie Hodges; Rep. Sherman Q. Mack; Rep. J. Rogers Pope; Rep. Clay Schexnayder; St. Helena Parish: Rep. Robby Carter; Tangipahoa Parish: Rep. Christopher Broadwater; Rep. John Bel Edwards; Rep. Stephen E. Pugh; Rep. Scott M. Simon.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	High incarceration rate due to bail policy; Philosophy of Judges.

<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Reginald McIntyre	985-748-4922
Charles Reid	985-748-4922
Allen Harvey	985-748-4922
Bridget Hebert	985-748-4922
Barry Augustine	985-748-4922
William Dykes	985-748-4922
Thomas Frierson	985-748-4922
Renee Molland	985-748-4922
Willis Ray	985-748-4922
Tammy Thompson	985-748-4922
Clay Waterman	985-748-4922
Erica Williams	985-748-4922
Kerry Carpenter	985-748-4922
Angelia Huszar	985-748-4922
Leslie McAndrew	985-748-4922
Angela Sibley	985-748-4922
Ryan Brown	985-748-4922
E. Taylor Glass	985-748-4922
Cory Blunk	985-748-4922
Tim Fondren	985-748-4922
Shaan Aucoin	225-686-2128
Jenny Fore	225-686-2128
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Vanessa Williams	985-748-4922
Patricia Hicks	985-748-4922
Kim Resetar	985-748-4922
Jasper Brock, IV	985-748-4922
Summer Duhe	985-748-4922
Nicky Muscarello	985-748-4922
Matthew Todd	985-748-4922
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Mary Hughes	985-748-4922
Ramona Correnti	985-748-4922
Susan Andrews	985-748-4922
Donelle Braud	985-748-4922
Melissa Dufreche	985-748-4922
Sandy Fitz	985-748-4922
Dawn Gray	985-748-4922
Laurie Hano	985-748-4922

Bridgette Hughes	985-748-4922
Samantha Kelly	985-748-4922
Kayanna Vernon	985-748-4922
Randy Pinion	985-748-4922
Ronald Stilley	985-748-4922
Lori Hammons	985-748-4922
Debbie Moore	225-686-2128
Brad Stewart	985-748-4922
Justin Simon	985-748-4922
<b><u>Capital Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Gary Jordan	985-748-4922
Mike Thiel	985-748-4922
Margaret Lagattutta	985-748-4922
Susan Jones	985-748-4922

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Ramona Correnti
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	Yes
Westlaw	No
Other (please list)	No
Number of Legal Research Licenses	2
Total Cost of Legal Research Software:	\$5,005 (for the year)
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	x
Microsoft Office 2013	x
Microsoft Office 2010	
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	

Other (list here):	Personalized Accounting Software utilized by Sherri Oliver, CPA
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	x
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b>HARDWARE:</b>	
Please enter the number of devices in your inventory.	
Television	3
DVD	4
VCR	2
Desktop PCs	25
Laptops	3
Video Cameras	
Digital Cameras	2
Video Conferencing Systems	
B&W Laser Printers	3
Color Printers	3
Wireless Cards	1
Smartphones (Funded by Office)	4
iPad/Tablets (Funded by Office)	1
Fax Machines	2
Copy Machines	2
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	60mbps
Provider Name:	Charter Spectrum
Email Provider:	Bellsouth/AT&T
Please list any software or computer equipment in which you need training:	

## 21st District Defender Office CY 2016 Caseloads & Outcomes

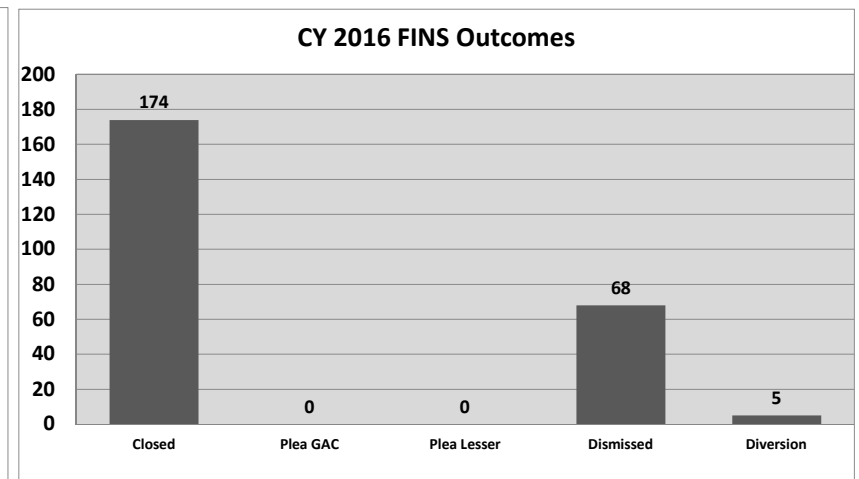
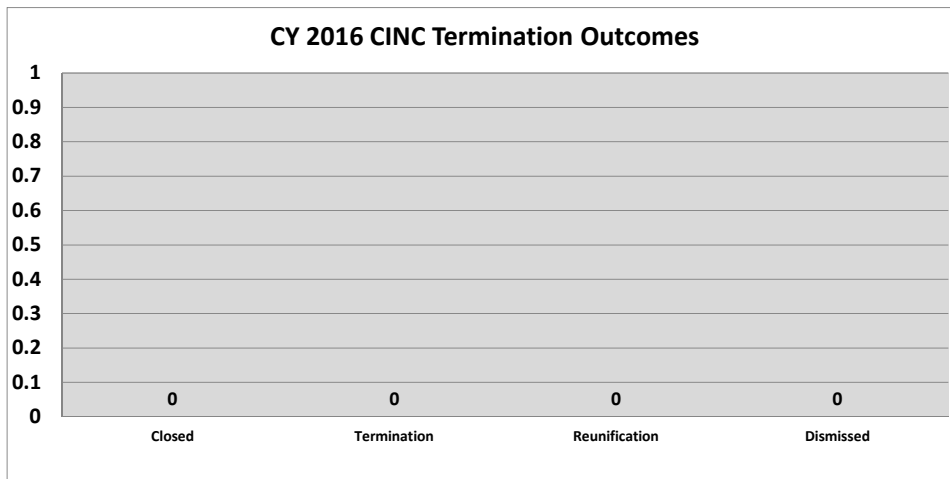
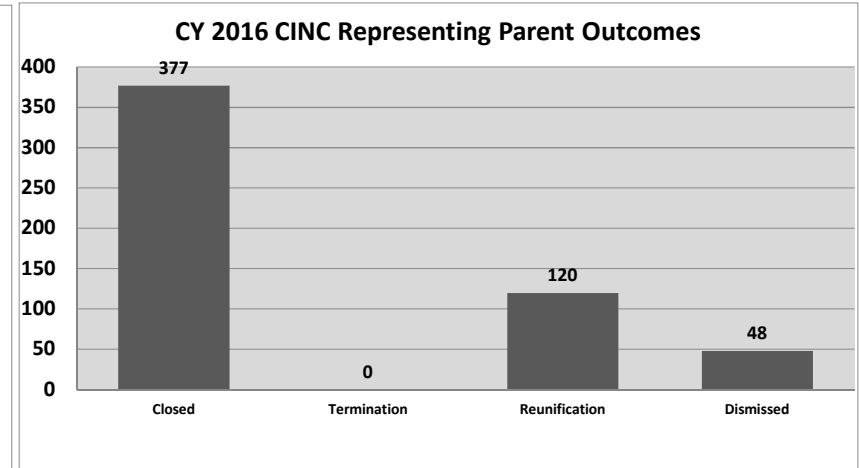
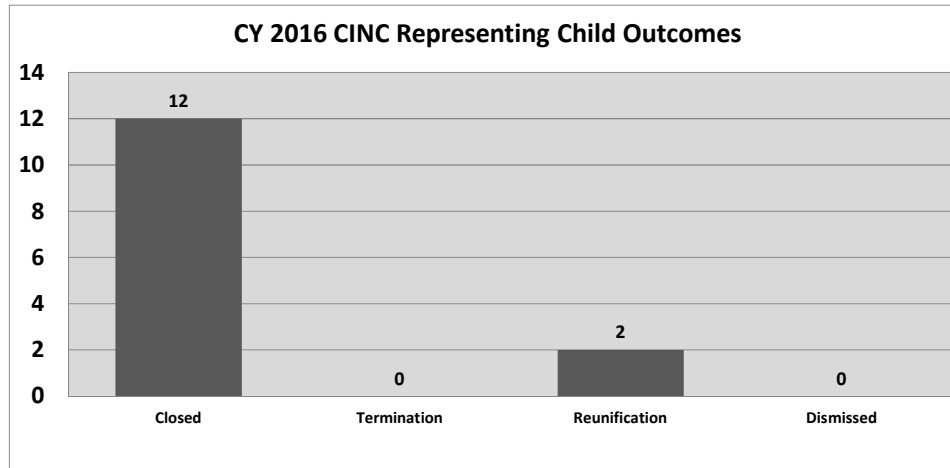
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	1657	0	35	477	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	12	12	12	0	2	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	401	377	393	794	0	120	N/A	N/A	48	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	228	174	71	299	N/A	N/A	0	0	68	5	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	463	456	261	724	N/A	N/A	206	5	390	20	N/A	N/A	6	13	19
Delinquency Felony	56	74	52	108	N/A	N/A	41	8	52	1	N/A	N/A	1	0	1
Delinquency-Life	4	3	1	5	N/A	N/A	0	0	1	2	N/A	N/A	0	0	0
Juvenile Revocations	0	1	1	1	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	6945	3222	1529	5059	N/A	N/A	1819	6	2583	0	0	1	4	10	15
Adult Felony Non-LWOP**	4061	3275	1687	5748	N/A	N/A	1905	66	1391	0	0	3	0	2	5
Adult LWOP	70	45	50	120	N/A	N/A	23	2	17	0	0	1	0	0	1
Capital***	1	1	1	2	N/A	N/A	0	0	4	0	0	0	0	0	0
Revocations	539	476	122	661	N/A	N/A	80	4	46	0	N/A	N/A	N/A	N/A	0
PCR	2	3	2	4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	3	3
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

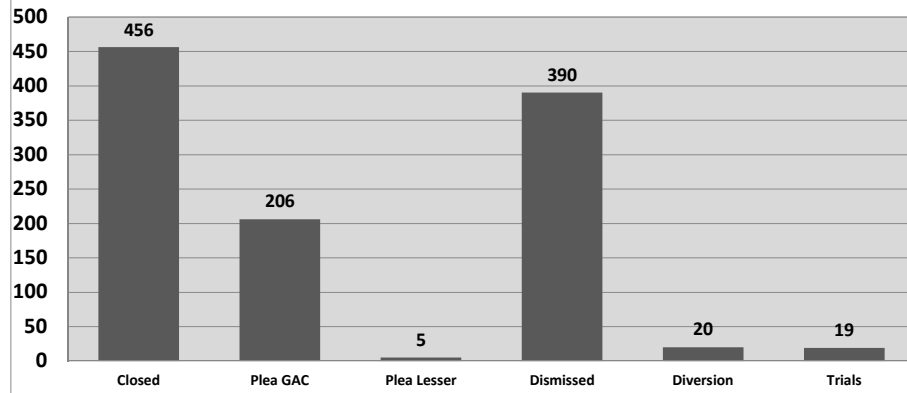
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

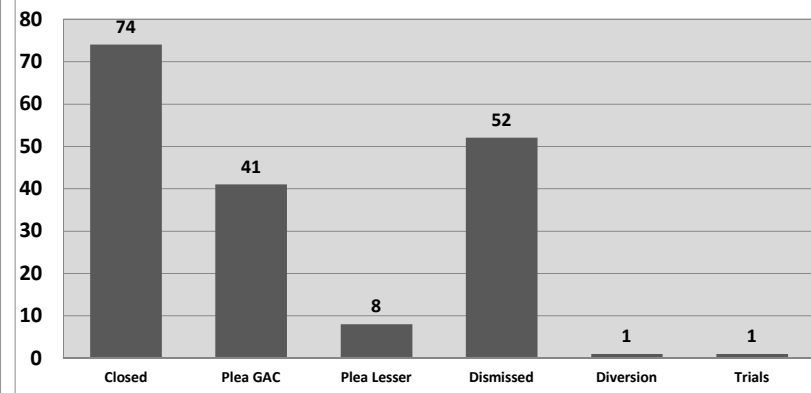




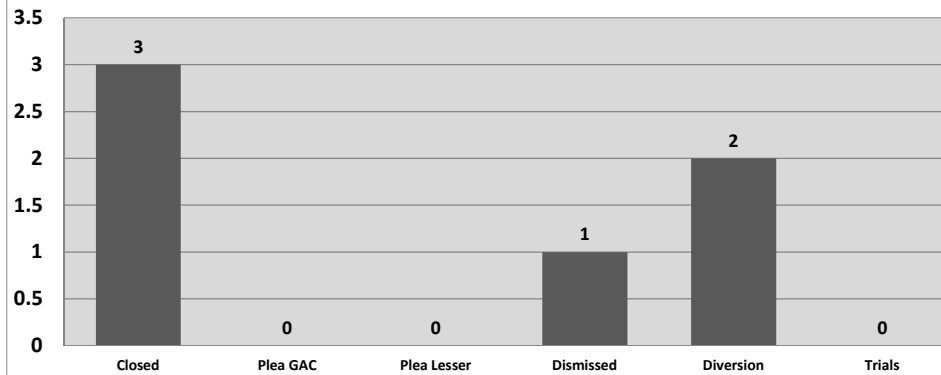
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



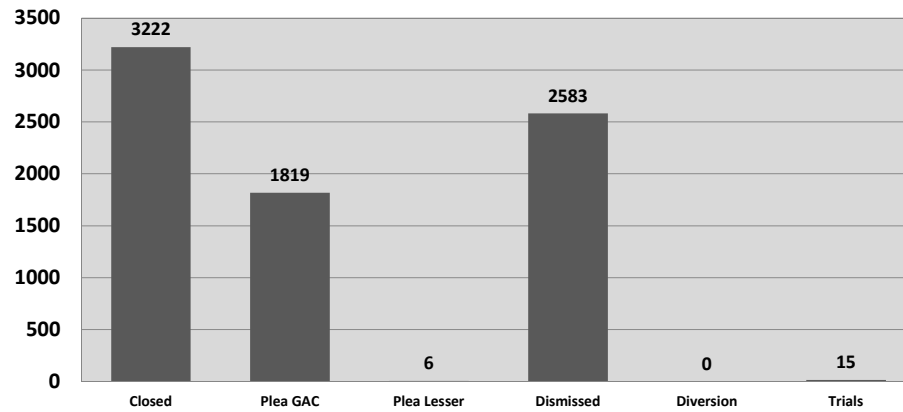
**CY 2016 Delinquency Felony-Grade Outcomes**



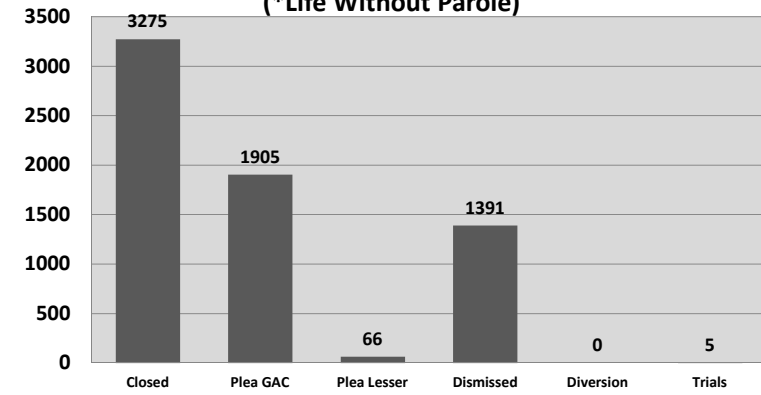
**CY 2016 Delinquency Life Outcomes**



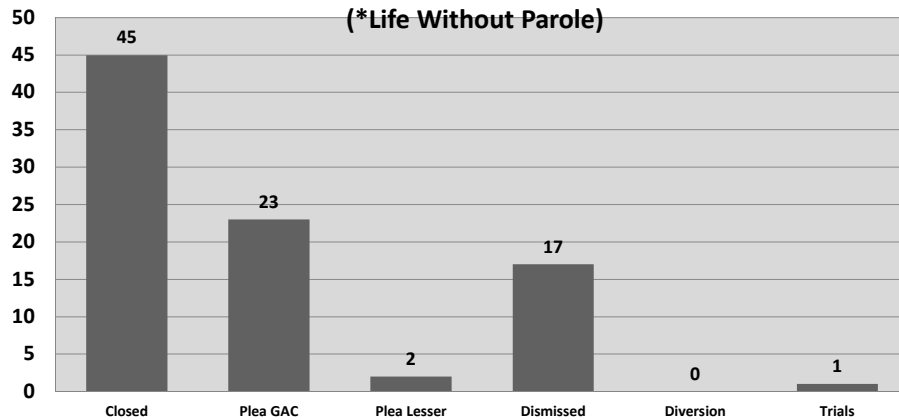
**CY 2016 Adult Misdemeanor Outcomes**



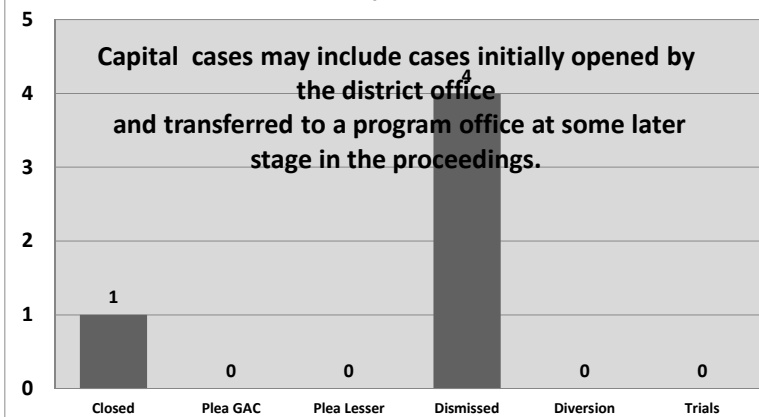
**CY 2016 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Capital Outcomes**



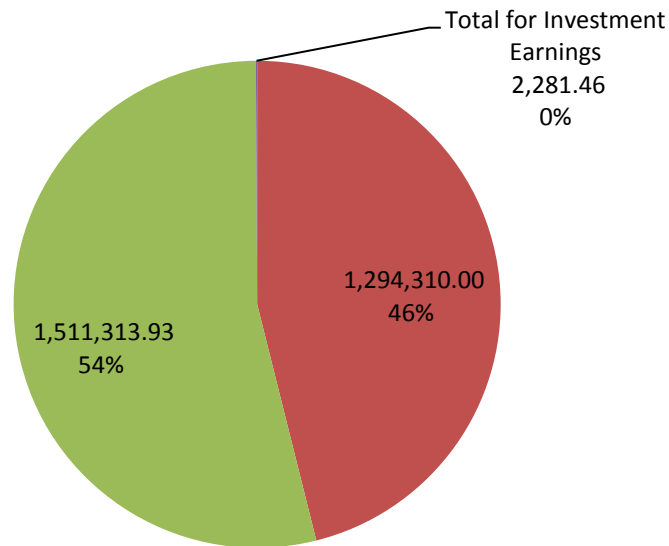
District 21 CY2016	Total CY2016
District Defender: Reginald McIntyre	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	108,721.00
District Assistance Fund (DAF)	1,185,589.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	1,294,310.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	183,023.86
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	202,874.47
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	25,000.00
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	168,401.50
Municipal Court	369,298.35
Parish Courts	-
Traffic Court	500,508.18
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	1,063,208.03
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	62,162.38
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	45.19
Other Local Income -List source(s)	-
Total for Charges For Services	62,207.57
Total for Local Government	1,511,313.93
Investment Earnings	
Interest Income	2,281.46
Other Investment Income - List source(s)	-
Total for Investment Earnings	2,281.46
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	2,807,905.39

District 21 CY2016	Total CY2016
District Defender: Reginald McIntyre	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	1,839,561.37
Accrued Leave	-
Payroll Taxes	27,399.79
Hospitalization and Disability Insurance	365,457.57
Retirement	241,487.26
Other	-
Total for Personnel Services and Benefits	2,473,905.99
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	21,066.11
Total for Travel/Training	21,066.11
Operating Services	
Advertisements	1,920.88
Workers' Compensation	1,761.50
Insurance - Malpractice	17,733.28
Insurance - Auto/Physical Liability	4,722.51
Insurance - Other	-
Lease - Office	28,862.00
Lease - Auto/Equipment	-
Lease - Other	2,260.82
Office Repair and Maintenance	4,345.63
Office - Telephone/Utilities/Postage/Internet	35,340.63
Dues and Seminars	8,778.86
Law Library/Journals/Subscriptions	8,508.81
Office Supplies	37,602.04
Total for Operating Services	151,836.96
Professional Services	
Audit/Accounting Expense	36,800.00
Contract Clerical	-
Expert Witness	3,500.00
Investigators	40,727.89
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	165,658.63
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	191,333.29
IT/Technical Support	-
Total for Professional Services	438,019.81
Capital Outlay	
Major Acquisitions	24,771.60
Total for Capital Outlay	24,771.60
Other Charges	
Other Operating Expenses	19,193.15
Total for Other Charges	19,193.15
Total for EXPENDITURES	3,128,793.62

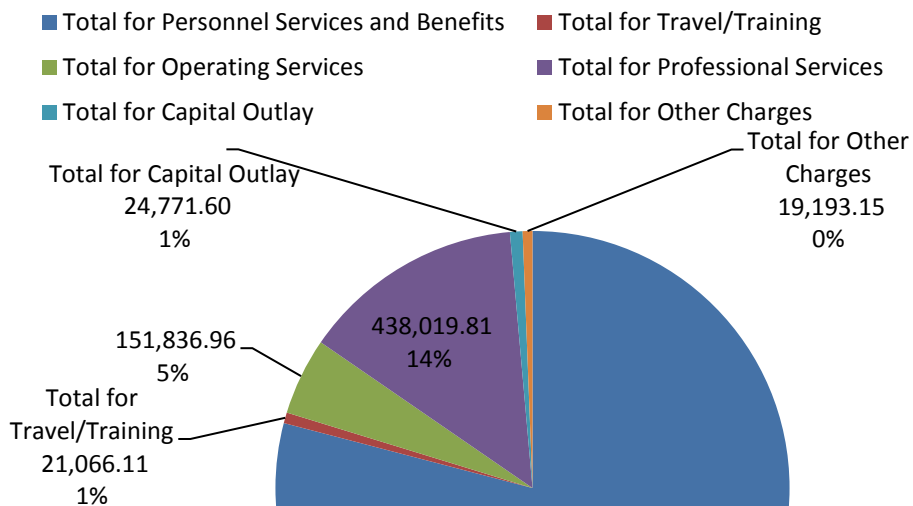
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

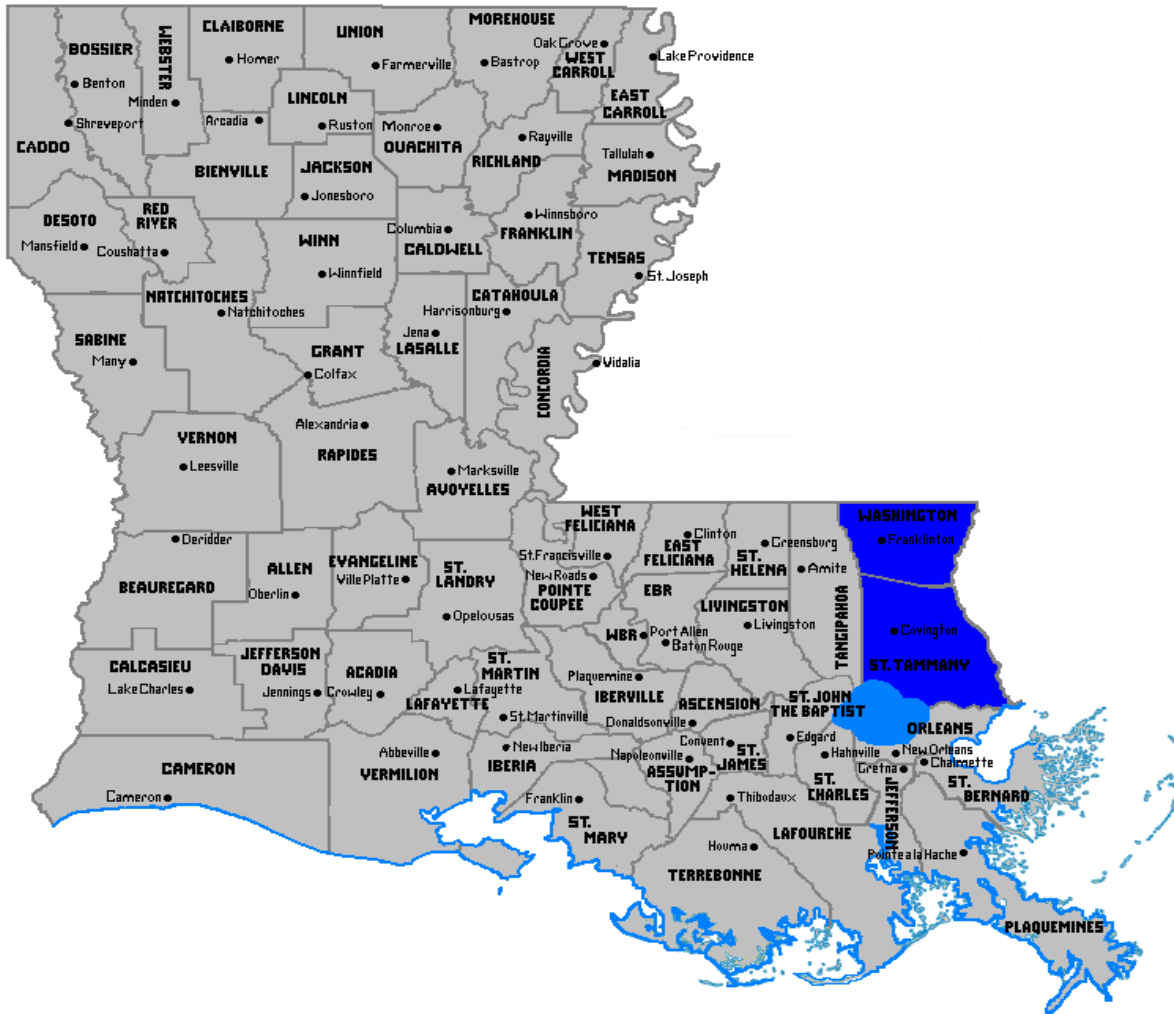
## Total CY16 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY16 Expenditures





## THE 22<sup>ND</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

ST. TAMMANY (COVINGTON) - WASHINGTON (FRANKLINTON)

DISTRICT DEFENDER: JOHN W. LINDNER, II  
402 NORTH JEFFERSON AVENUE  
COVINGTON, LA 70433  
(985) 892-5002

22ND JUDICIAL DISTRICT :  
ST. TAMMANY, WASHINGTON PARISHES

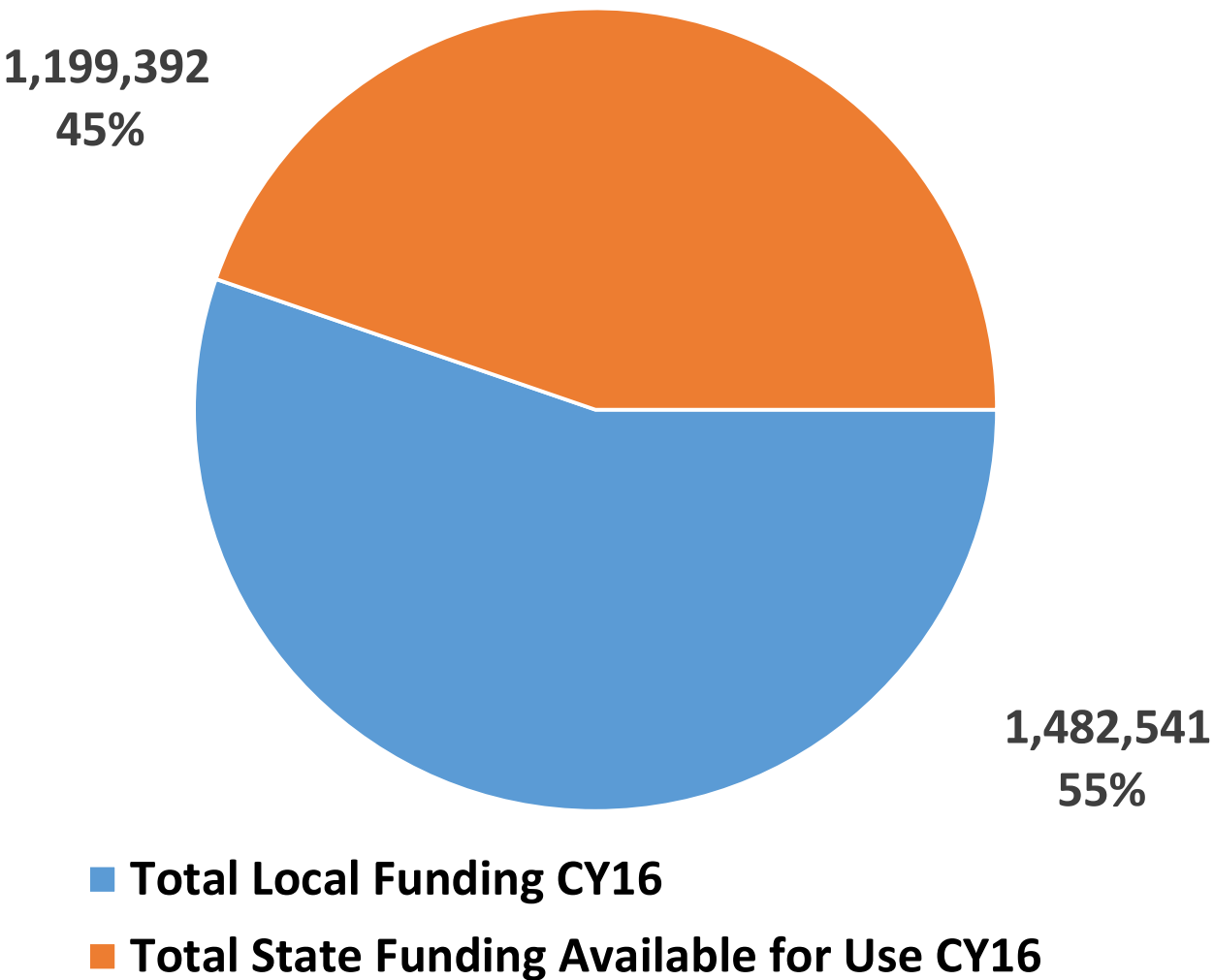
John W. Lindner, II  
District Defender  
402 North Jefferson Avenue  
Covington, LA 70433  
985-892-5002

During Calendar Year 2016, the 22nd Judicial District Public Defenders Office handled 15,148 cases. The office received \$2,681,933 in total revenues to handle these cases, approximately 55% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

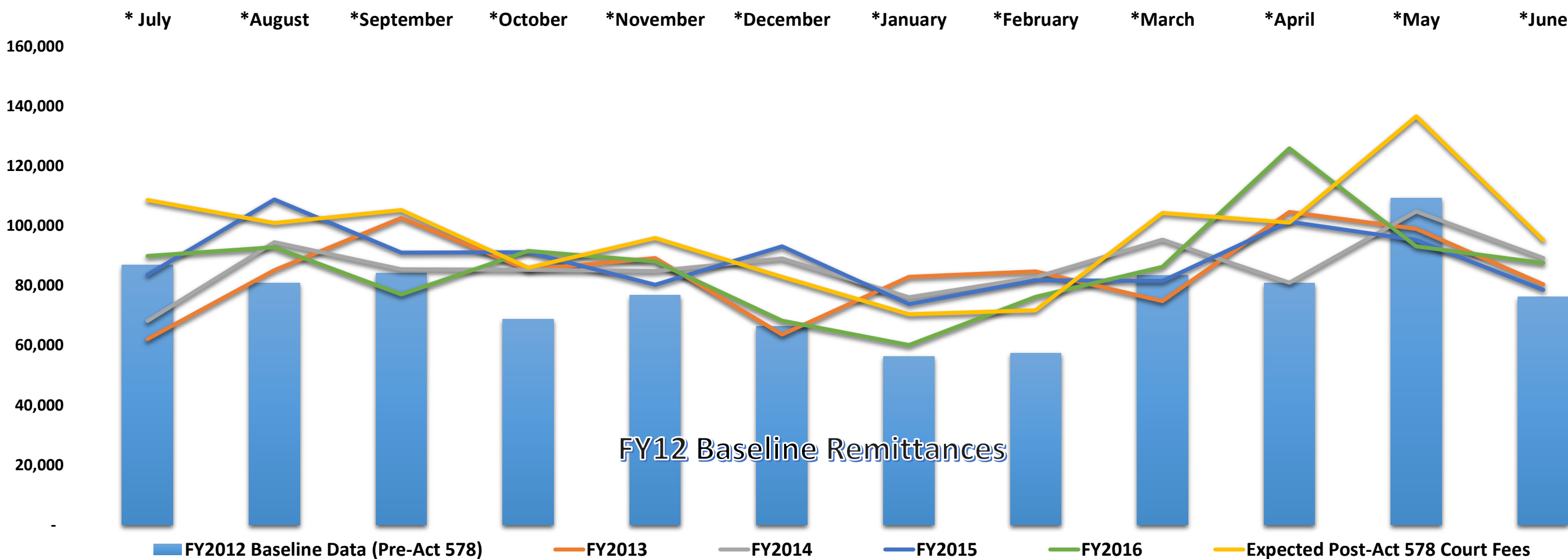
Since the special court costs associated with Act 578 (2012) were increased by \$10, local revenues have been higher than in past years, but remain below the 25% expected increase in all but a very few months.

The 22nd Judicial District office has nearly exhausted its fund balance as expenditures typically exceeded the office’s revenues. The office was expected to become insolvent towards the end of FY16, however revenues slightly exceeded expenditures during CY16 because of expenditure reductions made by the office.

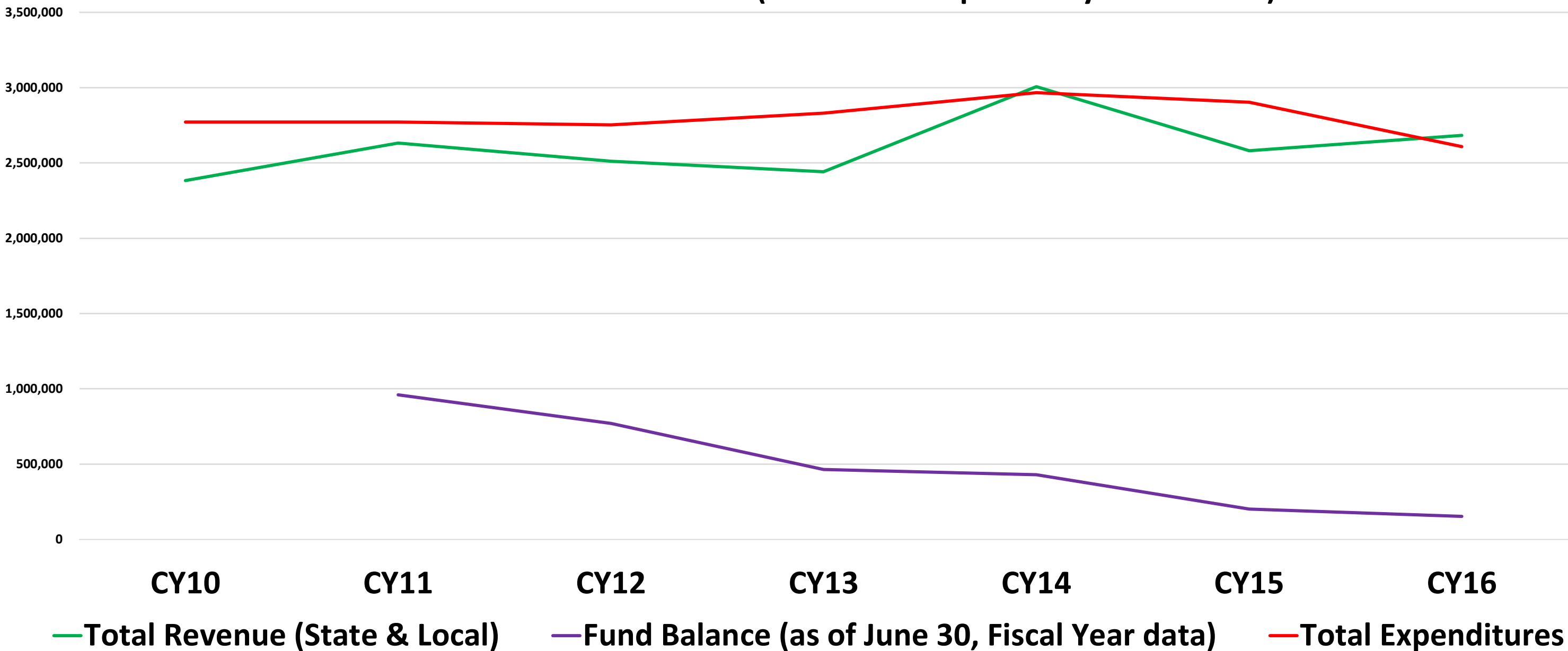
District 22 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 22 PDO

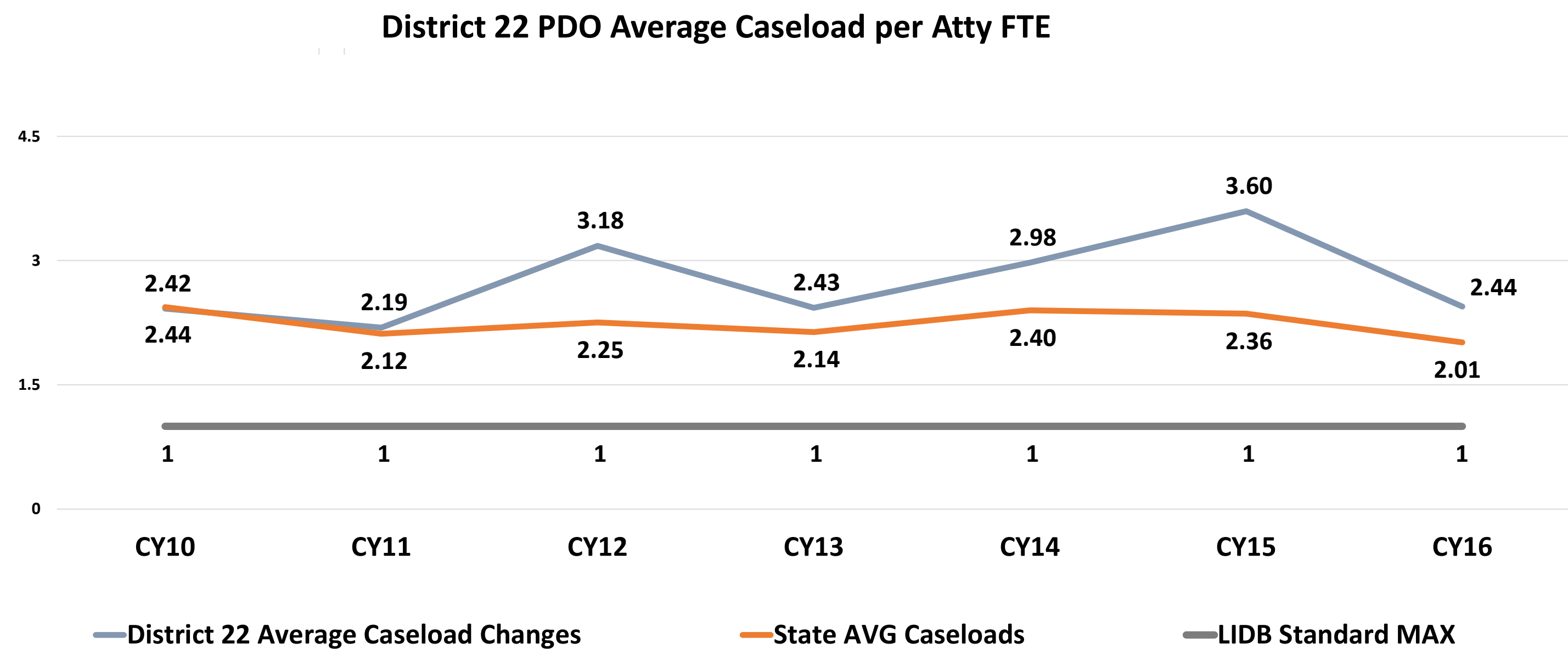


District 22 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



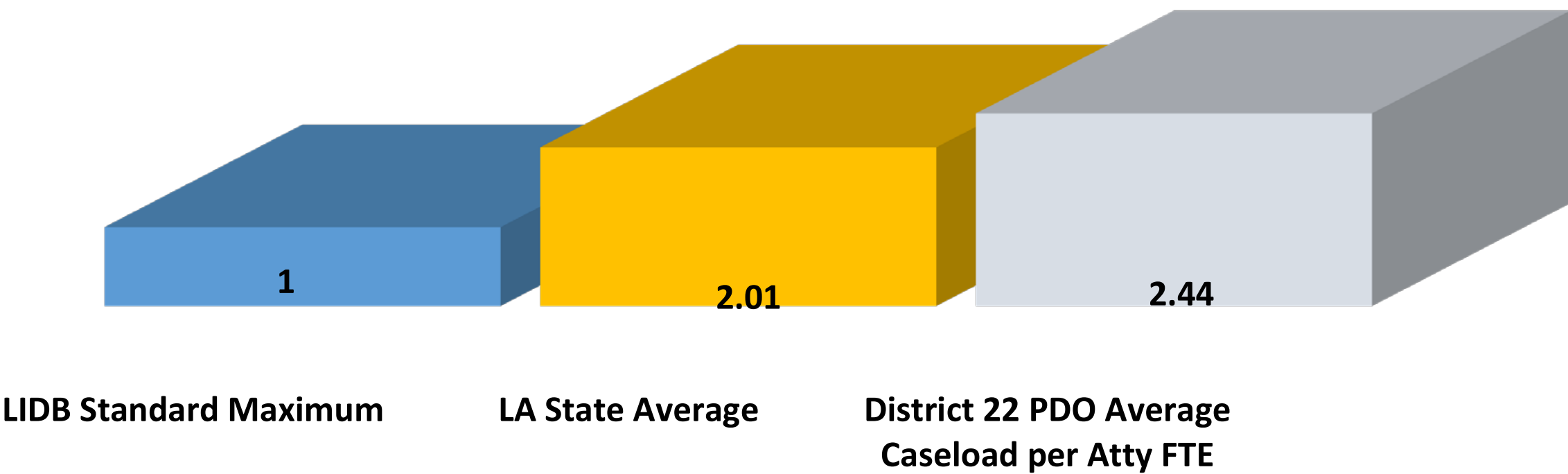
22ND JUDICIAL DISTRICT :  
ST. TAMMANY, WASHINGTON PARISHES

John W. Lindner, II  
District Defender  
402 North Jefferson Avenue  
Covington, LA 70433  
985-892-5002



In the 22nd Judicial District, public defense attorneys maintain caseloads more than two times the recommended caseload limit for each attorney.

District 22 PDO Average Caseloads Compared to State Average & State Standard...



CAPITAL REPRESENTATION

This PDO has capitally certified counsel on contract to handle the cases that arise in the district. The District Defender has transferred responsibility for staffing capital cases to the State.





## THE 22<sup>ND</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. Tammany Parish - Covington Washington Parish - Franklinton
<b>Population</b>	U.S. Census estimate for 2015: 250,088 (St. Tammany); 46,371 (Washington); Total 296,459.
<b>District Defender</b>	John W. Lindner, II
<b>Years as District Defender</b>	5
<b>Years in Public Defense</b>	17
<b>Office Manager</b>	Dawn Dares/Covington; Ashley Fitzmorris/Franklinton; Tracy Nettles/Slidell.
<b>Primary Office Street Address</b>	402 North Jefferson Avenue
<b>City</b>	Covington
<b>ZIP</b>	70433-2638
<b>Primary Phone</b>	985-892-5002
<b>Primary Mailing Address</b>	402 North Jefferson Avenue Covington, LA 70433
<b>Primary Fax Number</b>	985-898-0102
<b>Primary Emergency Contact</b>	John W. Lindner, II
<b>Primary Emergency Phone</b>	985-778-6205
<b>Secondary Emergency Contact</b>	Oliver Carriere
<b>Secondary Emergency Phone</b>	504-975-6403
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	Washington Parish District PDO Office and Bogalusa City Court Office, 919A Washington Street, Franklinton, LA 70438 (985) 839-2245 (Vox) (985) 839-5412 (Fax); Slidell City Court 520 Old Spanish Trail Ste. D2 Slidell, LA 70458 (985) 643-2747 (Vox) (985) 643-2746 (Fax).
<b>Other District Office Contact Personnel (Primary Only)</b>	St. Tammany District Court-Covington Dawn Dares; Washington Parish District Court-Franklinton Ashley Fitzmorris; Slidell & Bogalusa City Court Office-Slidell Tracy Nettles.
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Covington Office - St. Tammany Parish; Slidell Office - St. Tammany Parish; & Franklinton Office - Whitney/Hancock Bank.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Covington Office - No rent/est. utilities \$1,100 per month; Franklinton Office - \$900.00 monthly rental and no direct utilities; Slidell Office - No rent and no direct utilities. Area wide communications averages \$1,100 per month with some expansions & enhancements to the system.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	In-House with Legislative Audits performed by Laport CPAs and Business Advisors.
<b>Courts and Locations</b>	22nd Judicial District Court - Covington; 22nd Judicial District Court - Franklinton; Slidell City Court - Slidell; Bogalusa City Court - Bogalusa; Covington City Court - Covington.

<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	22nd JDC Covington: 8 adult criminal divisions; 1 juvenile; 1 non-support court; Franklinton: 2 adult criminal divisions, 1 juvenile; 1 non-support court; Bogalusa City Court: 1 adult misdemeanor, 1 juvenile; Slidell City Court: 1 adult misdemeanor, 1 juvenile; Covington City Court: 1 adult.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Felony cases - Divisions are assigned based upon the date of the incident at the 72-Hour hearing. Attorneys are assigned to clients once division has been allotted. Divisional attorneys are then assigned as counsel of record. The misdemeanor courts are processed with individual attorney's assigned to the applicable area of the courts.
<b>Name of Adult Detention Facilities in This District</b>	St. Tammany Parish Jail – Covington, LA; Washington Parish Jail – Franklinton, LA; Slidell Police Department Corrections Division – Slidell, LA; Bogalusa City Jail – Bogalusa, LA
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	N/A
<b>Name of Juvenile Detention Facilities In This District</b>	Florida Parish Juvenile Detention Center – Covington, LA
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	N/A
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes Minor travel costs and attorney travel time (opportunity cost).
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	The District Courts in St. Tammany and Washington Parishes have adopted a rule which requires that the juveniles be unshackled while in court.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	While access to incarcerated clients has improved, the office is working to make it better. In 2017, we will assign a team of two attorneys and the Client Advocate to monitor cases from the 72 hour hearing until arraignment.
<b>District Attorney</b>	Warren Montgomery 2015
<b>Chief Judge of Criminal District Court</b>	Judge Richard Swartz
<b>Juvenile Court Judges (Specify District or City Court)</b>	St. Tammany and Washington parishes: Judge William Burris; Slidell City Court: Judge James Lamz; Bogalusa City Court: Judge Robert Black.
<b>Drug Court Judges</b>	Washington Parish: Judge Martin Coady; St. Tammany Parish: Judge A.J. Hand and Judge Allison Penzato. The Juvenile Drug Court was discontinued due to a lack of referrals.
<b>Mental Health Court Judges</b>	Judge Peter Garcia
<b>Other Specialty Court</b>	Sobriety Court: Judge Richard Swartz; Re-Entry Court: Judge William Knight; Family Reunification Court: Judge William Burris.

<b>Name of Specialty and Brief Description:</b>	<p>Sobriety Court: specifically designed for clients with 3rd and 4th offense DWI. Re-Entry Court: designed for clients facing substantial sentences because of mandatory minimum sentences and/or multiple offender status. Client is sent to Angola for two years and assigned to mentor (LWOP inmate) Must complete training program and counseling. Upon release is monitored by court in a setting similar to Drug Court. Drug court offers an alternative to incarceration for nonviolent, less serious, substance abusing offenders. Drug court is designed to rehabilitate offenders through regular and intense judicial supervision, substance abuse treatment, mandatory drug testing, educational opportunities, and appropriate sanctions and incentives. The goals of drug court are successful rehabilitation of drug court clients and reduced recidivism. Court appointed case managers assist each client through the two year program. Family Re-unification Court assists families who are involved with the Department of Child and Family Services (DCFS). The Juvenile Drug Court serves clients currently in juvenile court. .</p> <p>The adult program serves St. Tammany and Washington Parishes while the juvenile program serves West St. Tammany Parish. Over 300 adults and 25 juveniles are served monthly by the drug court programs in the 22nd Judicial District. The 22nd Judicial District Behavioral Health Court, commenced July 1, 2013, is intended to provide an alternative sentencing option for offenders with mental health disorders or co-occurring disorders. We are performing services with monthly court funded contributions totaling \$50,000 per year per contractual arrangement. Through this specialty court, participation in which is a special condition of probation, offenders will be judicially supervised and will be provided community services, including mental health treatment, to prevent the recurrence of behaviors that lead to justice system involvement.</p>
<b>Indigency Determined by Whom and How?</b>	<p>Commissioner makes preliminary indigency determination at 72 hour hearing. Application is then reviewed in-house to determine if client meets eligibility criteria. If client posts bond prior to 72 hour hearing, judge makes initial determination of indigency, orders client to make application and application is reviewed in-house to determine eligibility.</p>
<b>When is Assignment/Appointment of Counsel Made?</b>	<p>Representation begins either at the 72-Hour hearing process and/or upon the divisional allotment procedure. Our felony staff is organized as a divisional basis and all other attorneys are assigned on a area of responsibility e.g. Misdemeanors, Non-Support, Juvenile, Fins, and CINC arenas.</p>
<b>What steps does your office take to ensure conflict – free representation</b>	<p>Conflict check is performed once file is received. Any conflicts are assigned to conflict panel as soon as possible.</p>

<b>Brief Explanation of Intake Process</b>	Jail clients are interviewed by Investigators and screened at the 72-hour processes by Investigators or Attorneys throughout the 22nd JDC system. The potential clients are referred to reporting to the respective office for application processing or accepted as incarcerated clients. Additionally walk-in clients are processed in each office by staff personnel. Information is reviewed as to qualifying for services and shared with the potential client. A financial qualification sheet is used and an intake form that is case specific on the legal matter for the client is used to set up records and provide background and contact information for their attorney assignment and interview correspondence notification.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	Estimated: 5,000
<b>How Many Application Fees Were Waived?</b>	3,000
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	65,157
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	1,046,311
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Working with new Sheriff in St. Tammany to develop a more accurate accounting, Continued problems with itemization in Slidell City Court. We will continue to work with Courts to insure proper documentation.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	St. Tammany Parish District Court as made payable through the Sheriff of St. Tammany provides only checks for traffic and court costs with a percentage breakdown for the participating agencies. Washington Parish District Court as made payable through the Washington Parish Sheriff provides raw data on spreadsheets for defendant collections and distributions. Covington and Mandeville City Court provides summary breakdowns annotating the number of traffic, misdemeanors, and city ordinances representative of the check amount. Bogalusa occasionally supply supporting documentation. Slidell City Court only provides totals from tickets and misdemeanors and bond forfeitures.
<b>Who Collects the Assessed Court Fees?</b>	District court assessments are collected by the sheriff's office. City Court assessments are collected by the clerks of court personnel.

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	St. Tammany Parish District Court as made payable through the Sheriff of St. Tammany provides only checks for traffic and court costs with a percentage breakdown for the participating agencies. Washington Parish District Court as made payable through the Washington Parish Sheriff provides raw data on spreadsheets for defendant collections and distributions. Covington and Mandeville City Court provides summary breakdowns annotating the number of traffic, misdemeanors, and city ordinances reprehensive of the checks total. Bogalusa and Slidell City courts provide checks for the fee with periodic documentation. All documentation data transmitted to LPDB monthly.
<b>Who Remits the Court Fees Collected?</b>	District Court assessments are issued by the respective parish sheriffs for St. Tammany and Washington Parishes. City courts draft their own instruments
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	St. Tammany Parish District Court as made payable through the Sheriff of St. Tammany provides only checks for traffic and court costs with a percentage breakdown for the participating agencies. Washington Parish District Court as made payable through the Washington Parish Sheriff provides raw data on spreadsheets for defendant collections and distributions. Covington and Mandeville City Court provides summary breakdowns annotating the number of traffic, misdemeanors, and city ordinances reprehensive of the checks total. Bogalusa and Slidell City courts provide checks for the fee with periodic documentation. All documentation data transmitted to LPDB monthly.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	None - negotiating with Courts to implement.
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	We continue to work with the Courts to institute a new policy.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	See above.
<b>Who Collects the Assessed Partial Payments?</b>	See above.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	All collected fees are channeled to our accounting office. At the points of collection, the monetary instrument is entered into the data base and a receipt book for each paying client. The fee accounts are performed within our QuickBooks program and deposited upon office processing.
<b>Who Remits the Partial Payments Collected?</b>	All deposits are handled by Rhonda Addison.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Applications, Defender Data Base Receipts, Hand Written Receipts, Credit/Debit Card Receipts, Copies of Money Orders/Cashiers Checks, QuickBooks Deposits Slips for each Client/Payor

<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	0
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	With the exception of Conflict Panel and Contract CINC attorneys, all attorneys are now full time. Private practice is discouraged and must be approved by District Defender.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Attached.
<b>Primary Immediate Needs</b>	Two additional investigators; additional misdemeanor attorney; improved office space for Franklinton office; stable funding.
<b>Was your office in ROS at any time during 2016</b>	ROS plan was submitted. However, office was able to avoid full implementation of ROS based on savings from expense cuts and increase in local revenues at end of FY2016.
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	We do not foresee the need for ROS in the coming year.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Office has been able to hire five new attorneys to replace those who resigned in FY2016. Office has also hired investigator and is seeking to hire another.
<b>Immediate Critical Issue Areas</b>	Stabilized funding; additional funds for expert witnesses; retirement plan for attorneys and staff; insuring courts are remitting all fees owed and forcing courts to provide itemized details of source of fees.
<b>Long-Term Critical Issue Areas</b>	Increased revenues to improve delivery of services; gaining access to Judicial Expense Fund to help offset funding shortages. Also working with Parish government to be included in Parish Budget.
<b>2016 Media Coverage and/or Major Accomplishments</b>	Continued involvement in community. Working with Criminal Justice Committee to implement judicial reforms. Committee is made up of judges, District Attorney, Sheriff, Probation and Parole, parish officials, and Clerk of Court. District Defender has been chosen to sit on Steering Committee for the La. Prison Re-Entry Initiative.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Attendance at Board sponsored training is mandatory. We offer approximately 13 hours of in-house CLE hours per year. Three new attorneys will begin Gideon Promise training this summer. All attorneys with less than five years experience are assigned a senior attorney as mentor.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Shannon Mese, d'Andrea Chatman, David Cheatam, James Norris Scott; Linda Stadler, Kristen Stanley-Wallace
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes

<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District Defender is overall supervisor. Oliver Carriere is Deputy Director in charge of felony trials. David Anderson and James Carrington act as Team Leaders for Felony division. Shannon Mese supervises Juvenile, CINC, and Misdemeanor. Dawn Dares supervises Support Staff in Covington office. Ashley Fitzmorris is Office Manager in Franklinton office. Rhonda Addison is CFO and handles financial duties. These individuals report directly to District Defender.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Scanners deployed to enhance Defender Data utility to cover client file data. Hard copy records still maintained as permanent record reference and destroyed by storage service after five years of completion of case.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Major Medical (HUMANA),; Dental (Blue Cross Blue Shield), Vision (Blue Cross Blue Shield), & Gap Insurance-for Major Medical (Assurant Employee Benefits.) are provided for full time-staff personnel. Professional Liability Insurance - Lloyds of London
<b>Regular Meetings for Any Staff, Please Describe</b>	Felony attorneys hold Team Meetings at least twice a month. All attorneys meet once a month with District Defender. Staff meetings once a month.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Filed in 2016</b>	5
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	When a juvenile is transferred to adult court, the juvenile attorney who handled the case prior to transfer is assigned to the felony case as co-counsel with the division attorney.
<b>Number of trial level Juvenile Life Without Parole (<u>Miller</u>) cases handled by your office in CY 2016</b>	1
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) cases pending in your office</b>	7
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) sentencing hearings conducted in your district in CY 2016</b>	0
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senators: Jack Donahue, Sharon Hewitt, Beth Mizell. Representatives: Gregory Croner, Reid Falconer, Paul Hollis, J. Kevin Pearson, John M. Schoder, Scott Simon, Malinda White
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None noted.

<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	The office has assigned two attorneys, an investigator, and the Client Advocate to handle pre-arraignment cases. This team attends 72 hour hearings and handles all Gwen's Law hearings. Team is responsible for pre-arraignment motions and hearings.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Agre, Clarke	985-892-5002
Anderson, David	985-892-5002
Brink, Melissa	985-892-5002
Carrington, James	985-892-5002
Chatman, d'Andrea	985-892-5002
Clark, Lieu Vo	985-892-5002
Craig, David	985-893-2245
Carriere, Oliver	985-892-5002
Flammang, James	985-892-5002
Guilbeau, Leighann	985-276-6367
Gumina, Max	985-892-5002
Hogue, John	985-892-5002
Jones, Theo	985-893-2245
Knight, David	985-893-2245
Linder, Kevin	985-892-5002
Lindner, John	985-892-5002
Masinter, Milton	985-892-5002
Mese, Shannon	985-892-5002
Paipi, Victor	985-893-2245
Smith, Chanel	985-892-5002
Wald, Stephanie	985-892-5002
Williams-Dyson, Latoia	985-892-5002
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>CINC-Adult Part-Time Contract:</u></b>	
David Cheatham	985-732-3600
Linda Stadler	985-727-6771
Brian Dragon	985-960-6397
Kristen Stanley-Wallace	985-892-5002
<b><u>Conflict Per-Case Contract:</u></b>	<b><u>Contact Information</u></b>
Barrow, Ernest	985-871-7374
Burke, James	985-807-7009
Capdebasqc, Michael	985-517-1213
Almerico, John	504-382-2067
Fontenot, Jerry	985-898-5038
Tran, Lam	985-892-2945
Meissner, Brian	985-590-4428
Sasonne, Amanda	985-893-8484



<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Addison, Rhonda	985-892-5002
Dares, Dawn	985-892-5002
Donnelly, Shannon	985-892-5002
Dryer, Kealy	985-892-5002
Fitzmorris, Ashley	985-893-2245
Hayes, Shelia	985-892-5002
Juan, Jennifer	985-892-5002
Nettles, Tracy	985-643-2747
Perkins, Pamela	985-892-5002
Riley, Melissa	985-893-2245
Ross, Rene	985-892-5002
Waggoner, Brittany	985-892-5002
Welch, Belinda	985-892-5002

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	John Lindner
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	Westlaw
Other (please list)	
Number of Legal Research Licenses	34
Total Cost of Legal Research Software:	22,908
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	x
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x May be moving away from physical server to cloud based file share/printing server environment 2015
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	
Other	Open Office
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	

<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	x
Internet Explorer 10	x
Internet Explorer 11	x
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b>HARDWARE:</b>	
Please enter the number of devices in your inventory.	
Television	1
DVD	
VCR	
Desktop PCs	38
Laptops	3
Video Cameras	1
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	3
Color Printers	1
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
	Video/Digital Projector (1)
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	N/A
No Internet Connection	Covington & Slidell use Spectrum Business; Franklinton has U-Verse
Connection Speed:	N/A
Provider Name:	Charter
Email Provider:	Gmail
	northshoredefenders.org
Please list any software or computer equipment in which you need training:	2 laptops; 18 tablets

## 22nd District Defender Office CY 2016 Caseloads & Outcomes

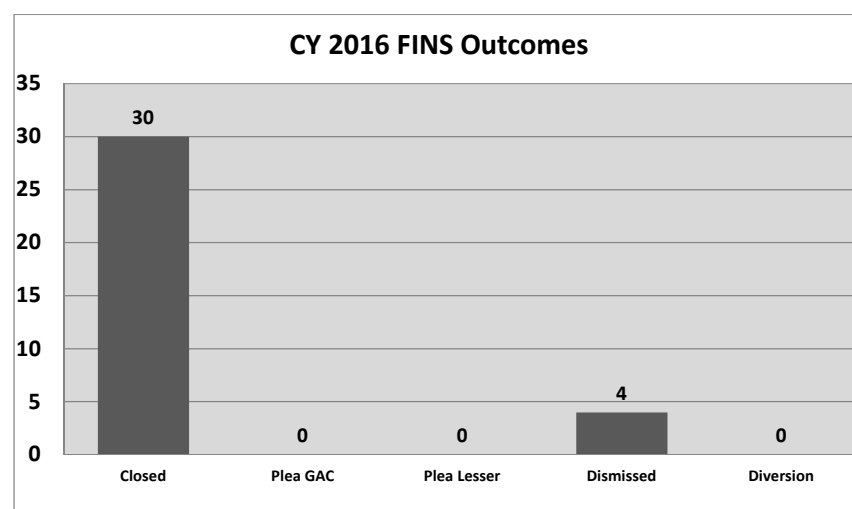
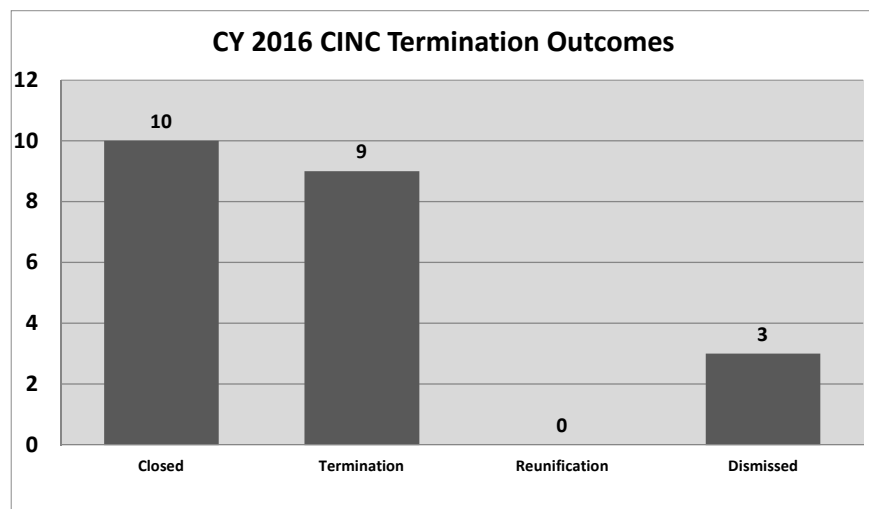
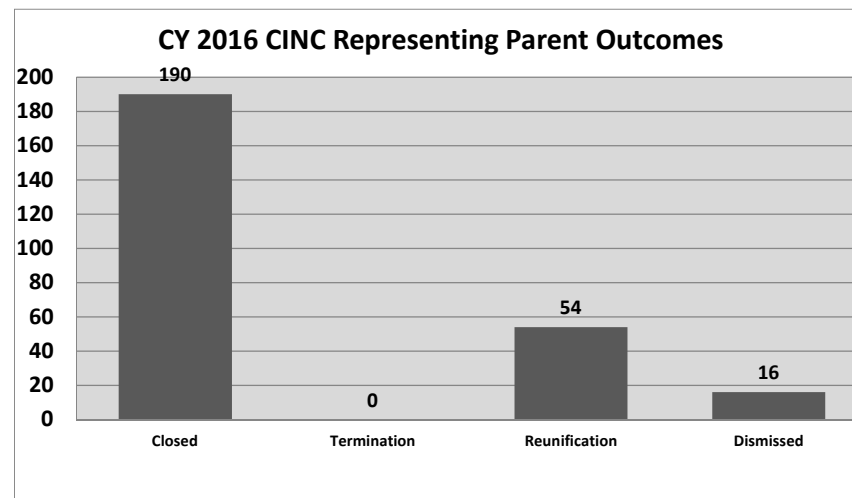
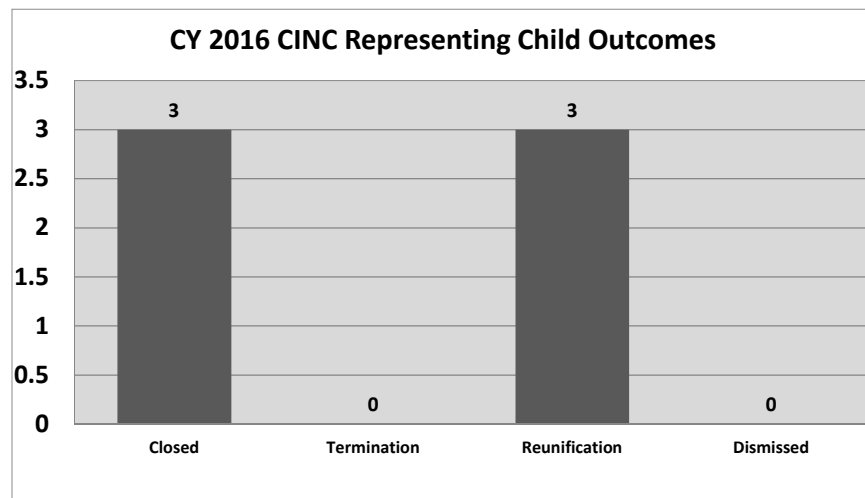
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	1526	1685	2484	4010	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	4	3	14	18	0	3	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	344	190	647	991	0	54	N/A	N/A	16	N/A	N/A	N/A	N/A	N/A	0
Termination	19	10	8	27	9	0	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	0
FINS	59	30	48	107	N/A	N/A	0	0	4	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	253	113	146	399	N/A	N/A	52	2	59	2	N/A	N/A	1	1	2
Delinquency Felony	124	50	73	197	N/A	N/A	32	7	35	0	N/A	N/A	0	1	1
Delinquency-Life	2	0	1	3	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	1	1	4	5	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	1970	1768	1997	3967	N/A	N/A	1145	80	856	1	0	3	5	8	16
Adult Felony Non-LWOP**	2657	2097	1499	4156	N/A	N/A	1657	152	417	4	3	16	1	5	25
Adult LWOP	14	8	22	36	N/A	N/A	5	2	0	0	0	2	0	1	3
Capital***	1	2	2	3	N/A	N/A	3	0	3	0	0	0	0	0	0
Revocations	888	677	341	1229	N/A	N/A	27	1	19	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

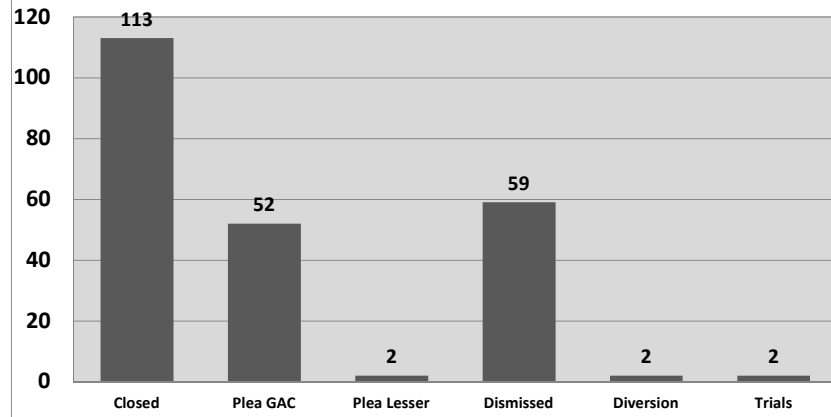
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

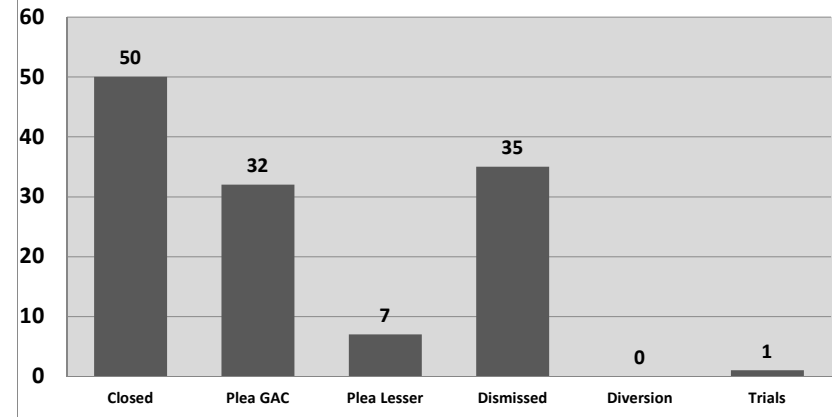
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



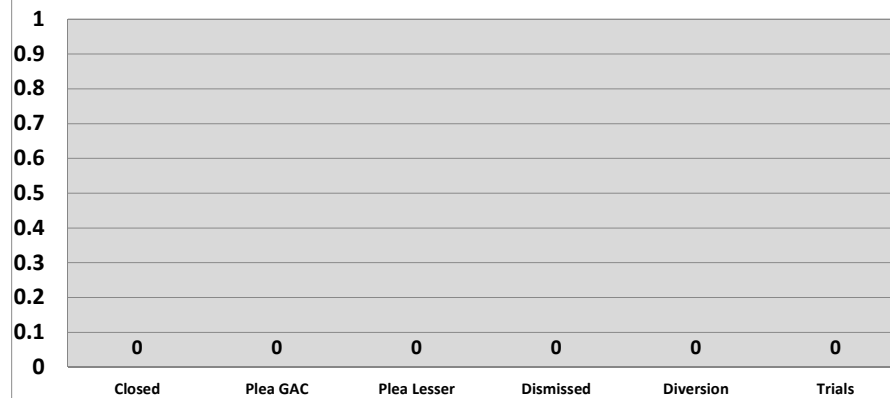
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



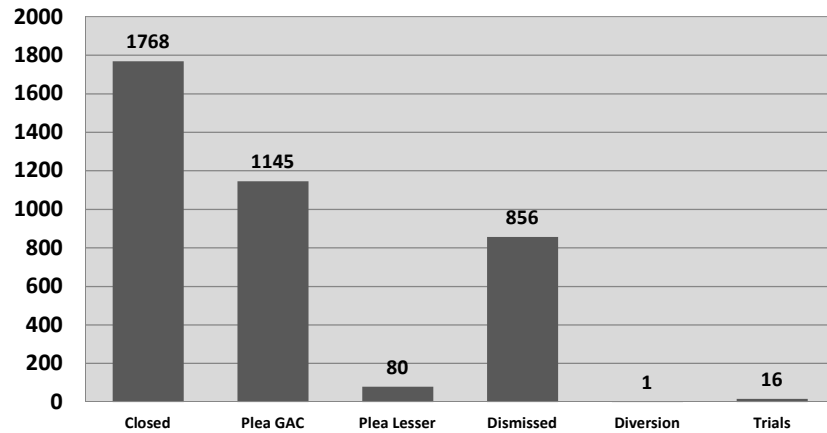
**CY 2016 Delinquency Felony-Grade Outcomes**



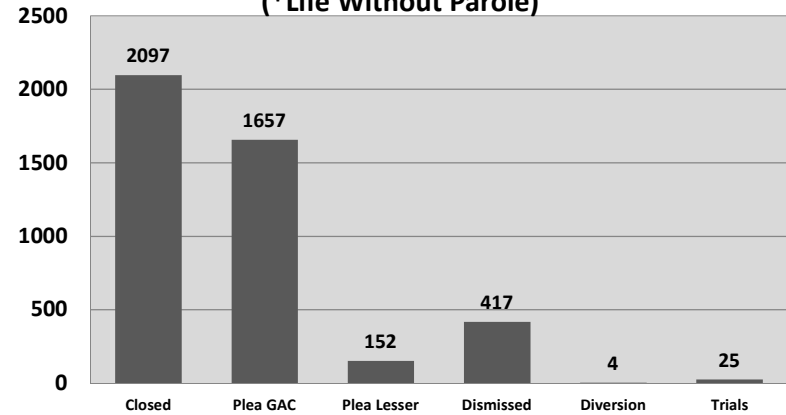
**CY 2016 Delinquency Life Outcomes**



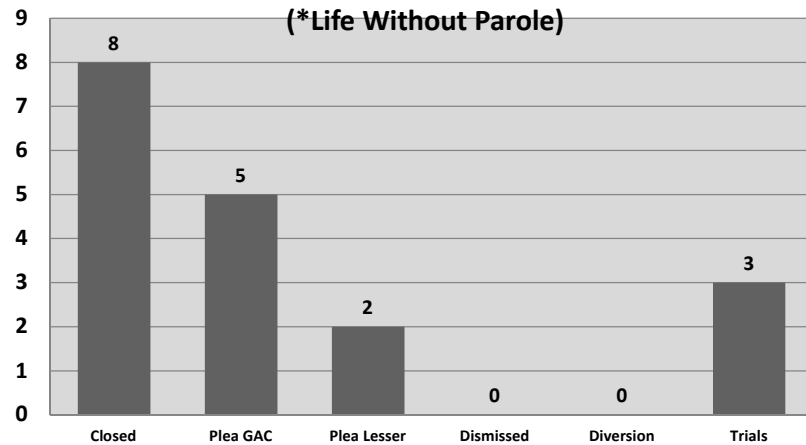
**CY 2016 Adult Misdemeanor Outcomes**



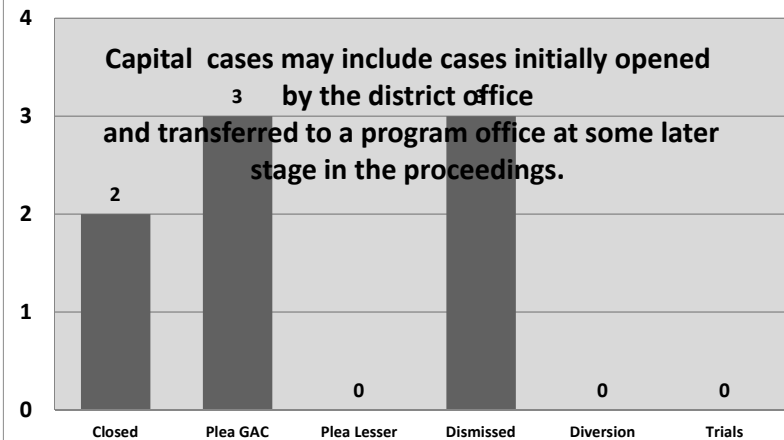
**CY 2016 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Capital Outcomes**



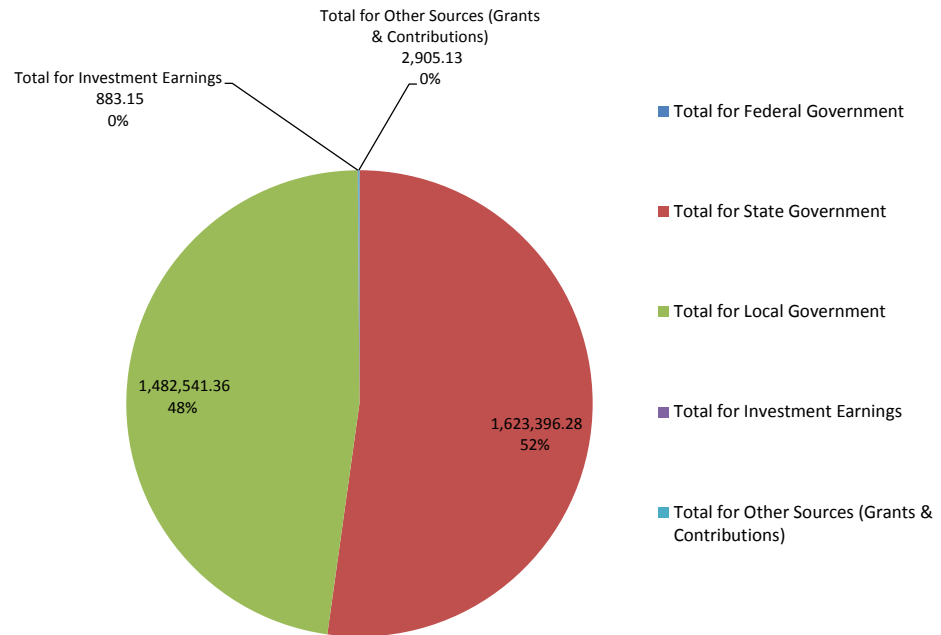
District 22 CY2016	Total CY2016
District Defender: John Lindner, II	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	126,642.00
District Assistance Fund (DAF)	1,448,692.00
Supplemental/Emergency Funds	9,979.00
Grants	-
Other State Income -List source(s)	38,083.28
Total for State Government	1,623,396.28
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	83,354.22
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	154,722.38
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	133,001.33
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	20,903.00
City & City-Ward Courts	-
Judicial District Courts	782.00
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	102,441.00
Magistrates' Courts	6,210.00
Municipal Court	47,285.00
Parish Courts	-
Traffic Court	46,974.25
Non-itemized, lump sum collected and remitted by all courts	117,468.50
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	704,247.47
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	1,046,311.22
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	65,152.21
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	65,152.21
Total for Local Government	1,482,541.36
Investment Earnings	
Interest Income	883.15
Other Investment Income - List source(s)	-
Total for Investment Earnings	883.15
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	2,905.13
Total for Other Sources (Grants & Contributions)	2,905.13
Total for REVENUE	3,109,725.92



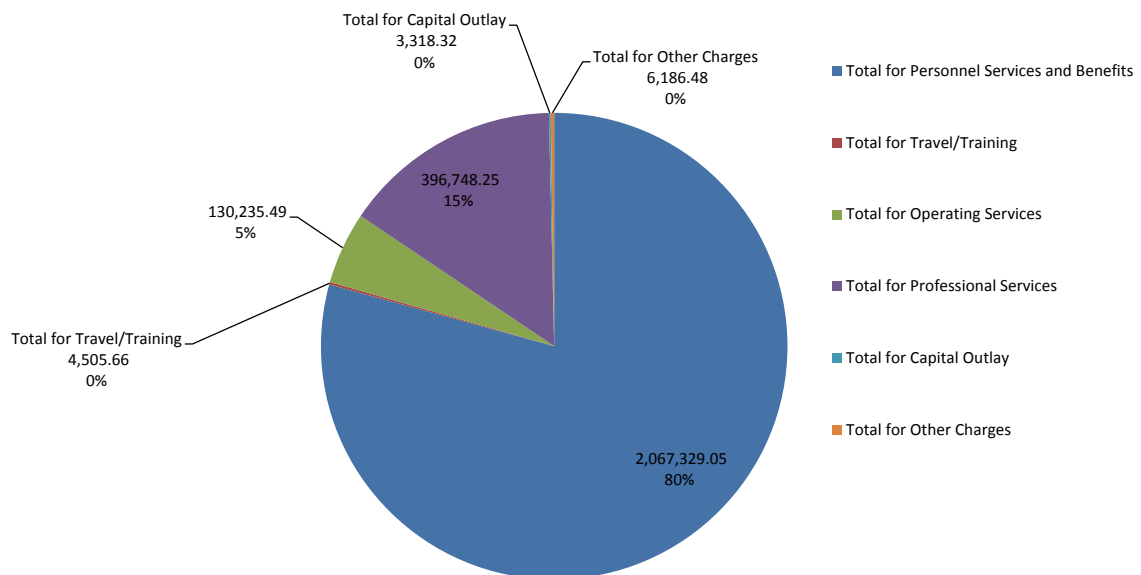
District 22 CY2016	Total CY2016
District Defender: John Lindner, II	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	1,748,679.12
Accrued Leave	5,730.99
Payroll Taxes	144,090.05
Hospitalization and Disability Insurance	168,828.89
Retirement	-
Other	-
Total for Personnel Services and Benefits	2,067,329.05
Travel/Training	
Parking/Auto Tolls	90.00
Travel/Lodging/Per Diem/Mileage	4,415.66
Total for Travel/Training	4,505.66
Operating Services	
Advertisements	894.76
Workers' Compensation	7,748.42
Insurance - Malpractice	22,761.82
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	10,800.00
Lease - Auto/Equipment	4,898.16
Lease - Other	-
Office Repair and Maintenance	286.00
Office - Telephone/Utilities/Postage/Internet	34,761.64
Dues and Seminars	4,462.83
Law Library/Journals/Subscriptions	28,294.67
Office Supplies	15,327.19
Total for Operating Services	130,235.49
Professional Services	
Audit/Accounting Expense	11,000.00
Contract Clerical	2,077.50
Expert Witness	21,488.55
Investigators	20,910.03
Interpreters	-
Social Workers	-
Capital Representation	74,630.00
Conflict	145,537.17
Contract - Juvenile Attorneys or CINC	118,540.00
Misdemeanor Attorney Contracts	300.00
Contract Attorneys - all other	1,400.00
IT/Technical Support	865.00
Total for Professional Services	396,748.25
Capital Outlay	
Major Acquisitions	3,318.32
Total for Capital Outlay	3,318.32
Other Charges	
Other Operating Expenses	6,186.48
Total for Other Charges	6,186.48
Total for EXPENDITURES	2,608,323.25

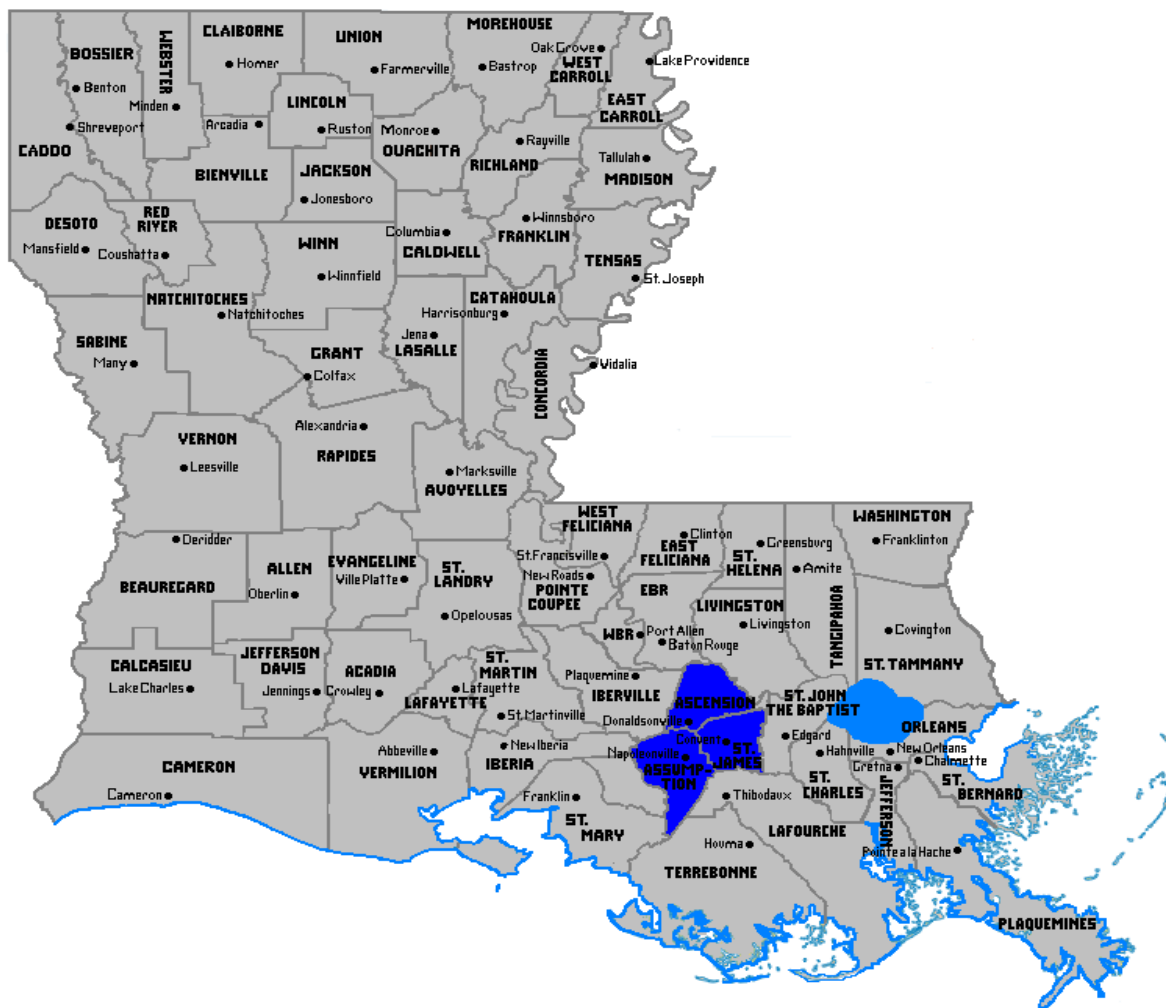
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





## THE 23<sup>RD</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

ASCENSION (DONALDSONVILLE) - ASSUMPTION (NAPOLEONVILLE) - ST. JAMES  
(CONVENT)

DISTRICT DEFENDER: ALAN J. ROBERT  
12320 LA HWY. 44, BLDG. 4, STE. B  
GONZALES, LA 70737  
(225) 647-9673

23RD JUDICIAL DISTRICT :  
ASCENSION, ASSUMPTION, ST. JAMES  
PARISHES

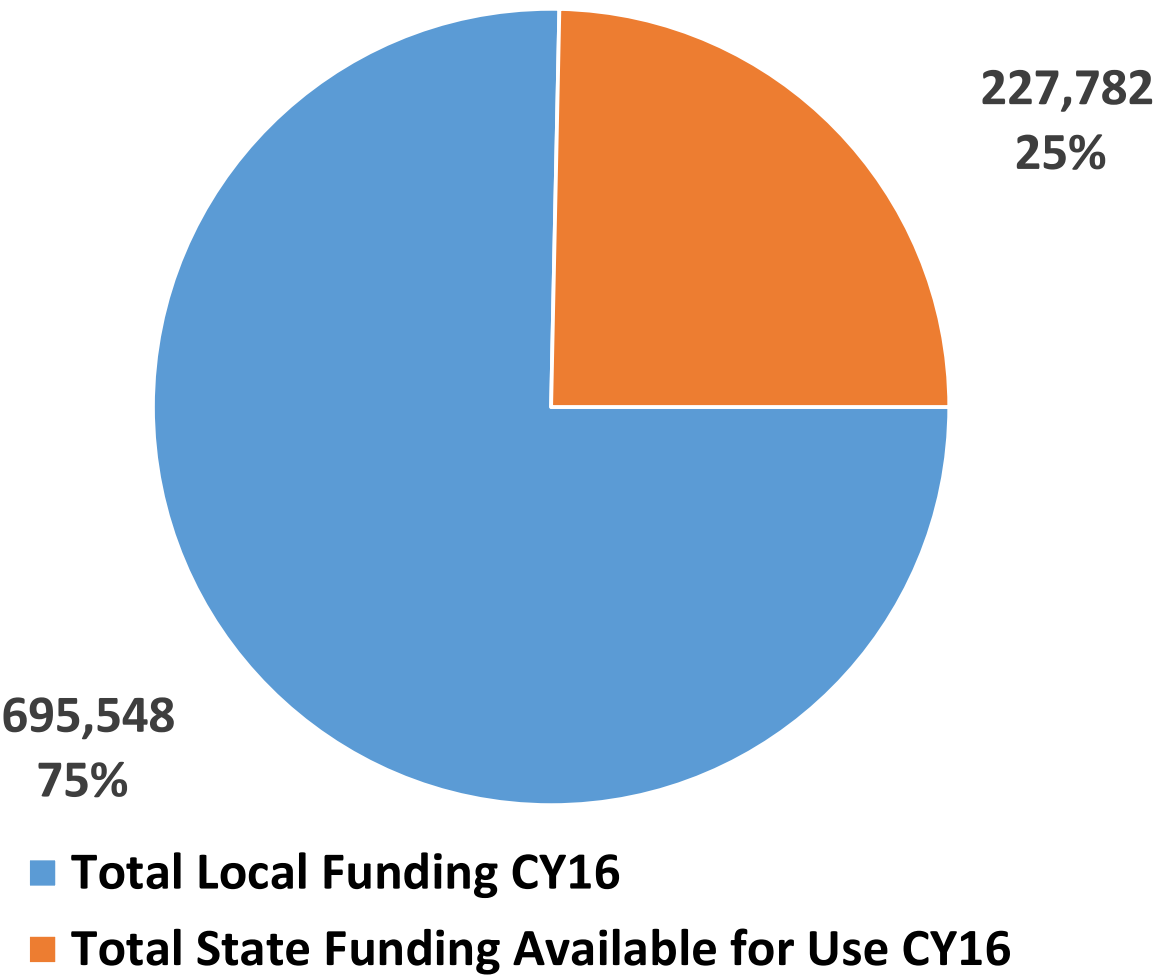
Alan J. Robert  
District Defender  
12320 LA Hwy. 44, Bldg. 4, Ste. B  
Gonzales, LA 70737  
225-647-9673

During Calendar Year 2016, the 23rd Judicial District Public Defenders Office handled 6,295 cases. The office received \$923,330 in total revenues to handle these cases, approximately 75% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

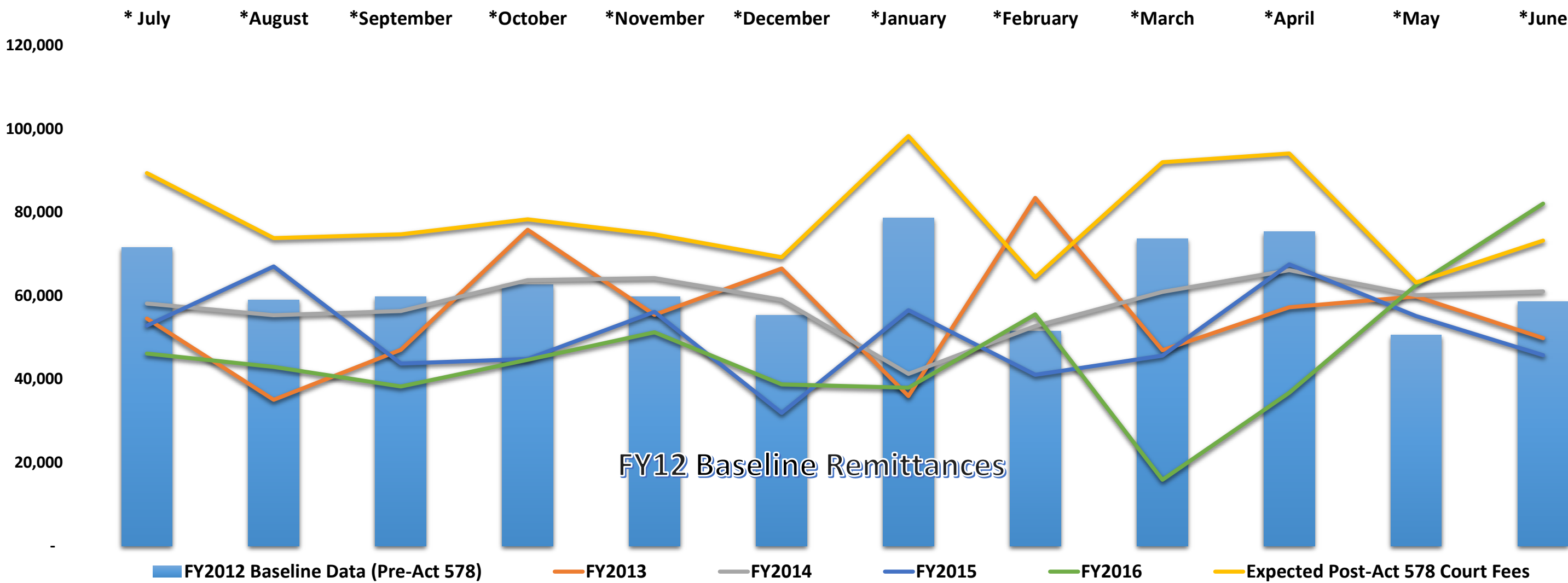
With the exception of two occasions, the 23rd has always failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated with Act 578 (2012).

The 23rd Judicial District office has nearly exhausted its fund balance as the office's expenditures exceed the office's revenues annually. Insufficient personnel and fiscal resources forced the 23rd Judicial District office to begin restricting services on December 1, 2015.

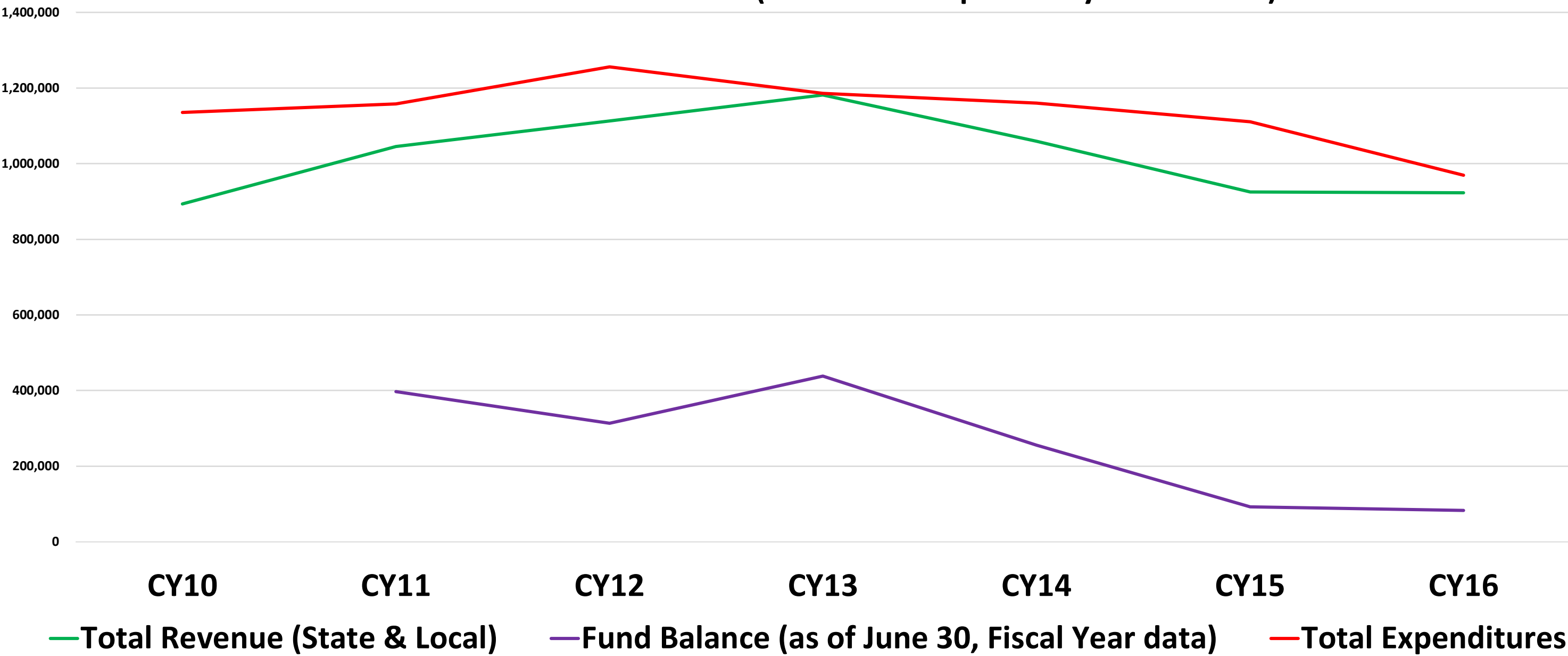
District 23 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 23 PDO

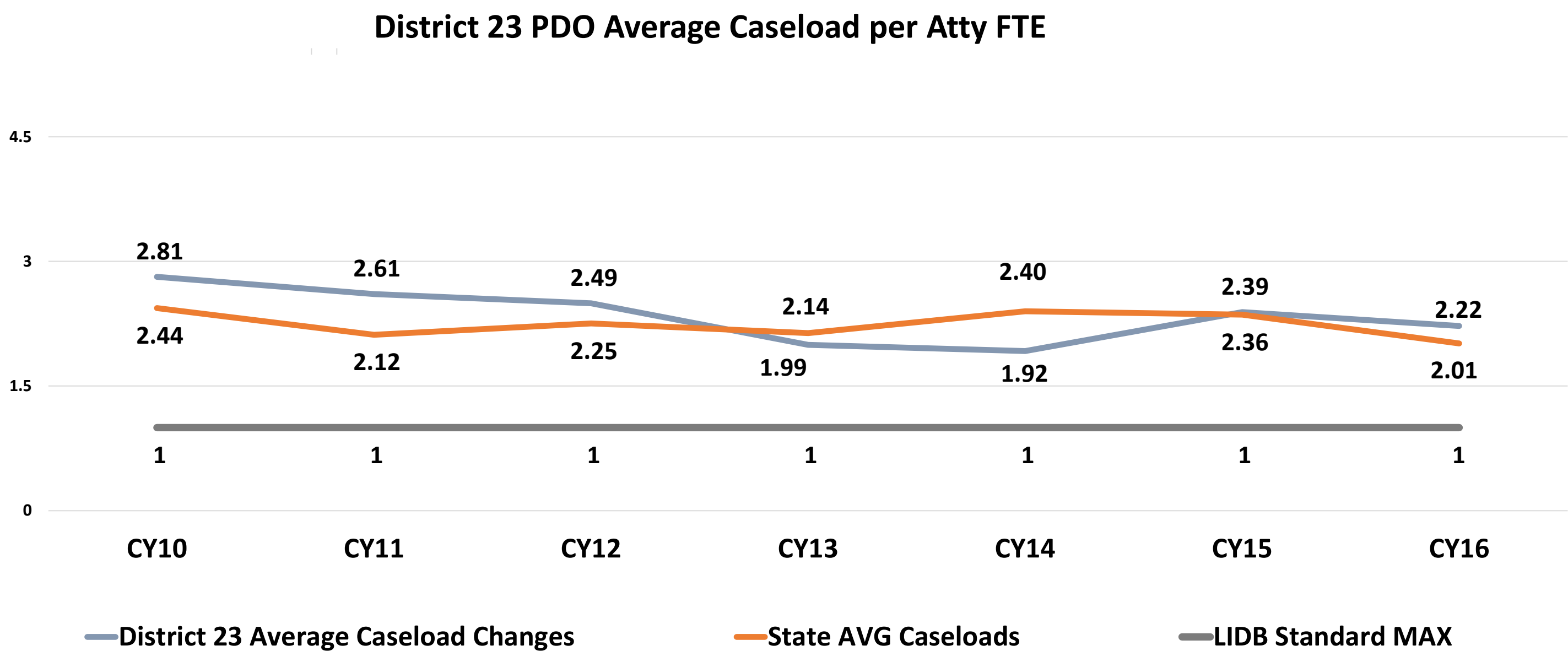


District 23 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



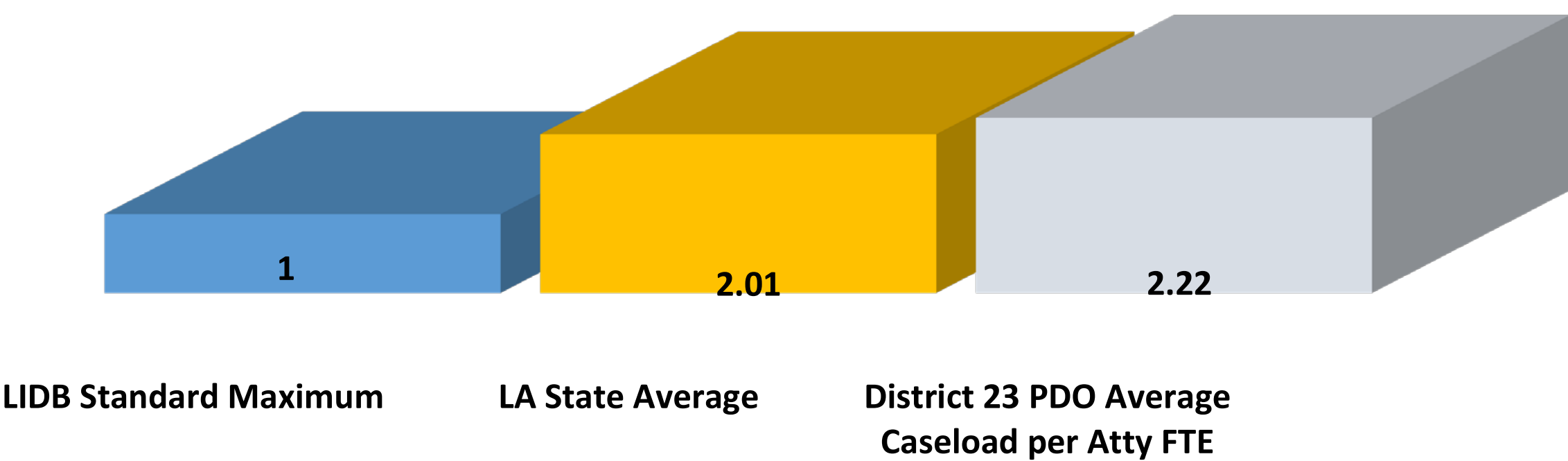
23RD JUDICIAL DISTRICT :  
ASCENSION, ASSUMPTION, ST. JAMES  
PARISHES

Alan J. Robert  
District Defender  
12320 LA Hwy. 44, Bldg. 4, Ste. B  
Gonzales, LA 70737  
225-647-9673



In the 23rd Judicial District, public defenders maintain caseloads more than two times the recommended caseload limit for each attorney. These caseload averages do not include nine felony cases received during CY16 which were still on the waitlist in January 2017.

District 23 PDO Average Caseloads Compared to State Average & State Standard...



CAPITAL REPRESENTATION

This PDO has limited capacity to accept capital cases as it does not have two certified counsel or otherwise does not have capacity to provide core team members as required by the Capital Performance Standards.



## THE 23<sup>RD</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Ascension - Donaldsonville; Assumption - Napoleonville; St. James - Convent.
<b>Population</b>	159,332
<b>District Defender</b>	Alan J. Robert
<b>Years as District Defender</b>	8
<b>Years in Public Defense</b>	12
<b>Office Manager</b>	Phyllis Glover
<b>Primary Office Street Address</b>	12320 LA Hwy. 44, Bldg. 4, Ste. B
<b>City</b>	Gonzales
<b>ZIP</b>	70737
<b>Primary Phone</b>	225-647-9673
<b>Primary Mailing Address</b>	12320 LA Hwy. 44, Bldg. 4, Ste. B, Gonzales, Louisiana, 70737.
<b>Primary Fax Number</b>	225-647-9683
<b>Primary Emergency Contact</b>	Alan J. Robert, 18421 Greenbriar Avenue, Prairieville, LA 70769.
<b>Primary Emergency Phone</b>	225-954-2555
<b>Secondary Emergency Contact</b>	Phyllis Glover
<b>Secondary Emergency Phone</b>	225-313-2258
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	Phyllis Glover-12320 La. Hwy 44 Bldg 4 Ste B, Gonzales, La. 70737
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Pujol & Pryor Attorneys At Law
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,650
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Mickey Latuso CPA, LLC
<b>Courts and Locations</b>	District Court (5 divisions) in Gonzales, Donaldsonville, Napoleonville, Convent; Parish court in Gonzales & Donaldsonville; Juvenile Court in Gonzales, Donaldsonville, Napoleonville, Convent; Non-Support Court in Gonzales, Donaldsonville, Napoleonville.

<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Section A through E (5 Divisions) of District Court and Juvenile Court meeting in Donaldsonville, Gonzales, Convent and Napoleonville, (1) Parish court for Ascension Parish meeting in Gonzales, and Donaldsonville.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Public Defenders are assigned to each division by this office. Cases are assigned preliminarily by the Judges to the defenders assigned to that division by our office.
<b>Name of Adult Detention Facilities in This District</b>	Ascension Parish Jail, Donaldsonville, Louisiana
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles Correction Center, holds some females.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	St. Bernard Parish juvenile facility.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes. It is a 2 hour drive each way to visit a juvenile client.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes. If they are considered dangerous by the transporting deputy.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	None
<b>District Attorney</b>	Ricky Babin
<b>Chief Judge of Criminal District Court</b>	Judge Jason Verdigets - 2016
<b>Juvenile Court Judges (Specify District of City Court)</b>	Judge Jason Verdigets- Div. "A"; Judge Thomas J. Kliebert, Jr. Div. "B"; Judge Tess Percy Stromberg Div."C" ; Judge Jessie LeBlanc Div"D"; Judge Alvin Turner, Jr. "E" ; Judge Marilyn Lambert- Parish Court does juvenile cases in Ascension Parish.
<b>Drug Court Judges</b>	Judge Tess Percy Stromberg has a drug section in Div. "C"
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	Judge Lambert- Parish Court (Misdemeanors in Ascension Parish).
<b>Name of Specialty and Brief Description:</b>	Non Support heard by a hearing officer Patricia Douglas.
<b>Indigency Determined by Whom and How?</b>	Judges make initial assessment at 72 hour hearing or 1st court appearance and defender assigned completes application and determination of indigence made by District Defender or his designee.
<b>When is Assignment/Appointment of Counsel Made?</b>	At defendants initial appearance before judicial officer where defendant learned of charge and defendant's liberty was subject to restriction.
<b>What steps does your office take to ensure conflict – free representation</b>	Whenever we are appointed to cases with multiple defendants we appoint different counsel for each defendant.

<b>Brief Explanation of Intake Process</b>	Upon appointment by a judge client is given an application and contact information on their attorney. they are advised to complete the application and return to our office with the application fee or to mail the same. Walk ins are provided with an application to complete and it is reviewed by the district defender or his designee for qualification. upon approval an attorney is assigned and contact information given to the client.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	678
<b>How Many Application Fees Were Waived?</b>	15
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2016</b>	25,551
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Fees paid to our office or attorney who forwards fee to our office per contract.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	559,323
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes. unless the defendant elects to serve 90 days in jail in lieu of court cost and fees.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Forms approved by the state Staff are attached to all receipts from the 3 Sheriffs and City Clerk.
<b>Who Collects the Assessed Court Fees?</b>	Three Sheriffs and one City Clerk.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Collecting Agencies provides detailed work sheets
<b>Who Remits the Court Fees Collected?</b>	(3) Sheriffs or City Clerks
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Forms approved by the state Staff are attached to all receipts from the 3 Sheriffs and One City Clerk.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	0
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	The District Defender sends recommended amounts to the judge's by written correspondence. Judge's enter amount into court minutes.



<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Court minutes.
<b>Who Collects the Assessed Partial Payments?</b>	Public Defender Office or Sheriff if part of a plea.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Public Defender Office keeps records of all fees collected by office, and Sheriff's office sends record of fees collected.
<b>Who Remits the Partial Payments Collected?</b>	The Sheriff's or City Clerks submit all fees collected.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Any money collected by an agency is accompanied by explanatory documentation.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	12,979
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Yes. Yes, private employment is addressed in the Attorney Contract with the Public Defender Office.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	See Attached Contract.
<b>Primary Immediate Needs</b>	Continuation of distribution of 65% DAF
<b>Was your office in ROS at any time during 2016</b>	Yes
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	We have developed a plan to exit ROS in 2017.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	We hired back several attorney as a result of 65% Distribution. Continuation of 65% DAF distribution.
<b>Immediate Critical Issue Areas</b>	Need assistance in capital defense or sufficient funds to handle in house.
<b>Long-Term Critical Issue Areas</b>	Money for benefits for full time defenders.
<b>2016 Media Coverage and/or Major Accomplishments</b>	Hired 4 attorneys previously let go, and reduced wait list to 56.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	We use training provided by the LPDB Staff, pay for seminars in areas of practice, we have hosted Juvenile seminars put on by the State Board.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Dale Petit, Richard Brazan, Aimee Kalayores, John Gutierrez and Tonya Clark
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	We provide a yearly copy of the Trial Court Performance Standards.

<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	All attorneys are independent contractors except the District Defender, and the Litigation Supervisor. They are required to follow the requirements and suggestions found in their written contract. The District Defender, and/or Litigation Supervisor monitors all trials, especially serious offenses, and consults with the defender on questions of law and strategy. The District Defender or the Litigation Supervisor visits each defender at least once per year in their office to formally evaluate each attorney's progress and maintains written reports.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Caseloads are monitored monthly and reassign as needed.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Medical benefits provided for all full time staff Personal (1), and the District Defender and Litigation Supervisor.
<b>Regular Meetings for Any Staff, Please Describe</b>	Staff consist of 1 full time and 1 part time employee. They meet daily with the District Defender or the Litigation Supervisor.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Filed in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Cases transferred are assigned a felony trial attorney who is assisted by the juvenile attorney originally assigned
<b>Number of trial level Juvenile Life Without Parole (<u>Miller</u>) cases handled by your office in CY 2016</b>	3
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) cases pending in your office</b>	0
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) sentencing hearings conducted in your district in CY 2016</b>	0
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator elect Eddie Lambert, Senator Troy Brown, Rep. Johnny Berthelot, Rep. Tony Bacala, Rep. Clay Schexnaydre, Rep., Ed. Price.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	The Flood of 2016, caused our revenue to fall due to delayed court dates, and inability of affected clients to pay. Expanded DA diversion further reduced \$45. fee assessment.

<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	WE have a full time Litigation Supervisor who is Capital certified. We monitor all attorneys caseloads and transfer cases where needed. WE have mandatory jail visits per month which are monitored by staff. We have hired and trained new juvenile defenders.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Robert, Alan J.	225-647-9673
Jones, Susan Kutcher	225-647-9673
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Ambeau, Jarrett P.	225-395-0794
Bridges, Christopher J.	225-644-7250
Hebert, Blaine M.	504-481-7434
Heggelund, Jeffrey M.	225-644-9295
Davis, Allen	225-612-7727
Valentine, Wesley Benjamin	225-644-6584
Gutierrez, John A.	225-744-3555
Petit, Dale J.	225-869-5997
Mayer, Brant	225-313-7856
Carter, Christopher	225-473-7868
Belanger, Ashley	225-252-2736
Messer, Rusty M.	225-644-1255
Myles-Crosby, Tiffany	225-590-3838
Clark, Tonya B.	985-513-3015
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Owens, Nakira	225-644-2968
Glover, Phyllis D.	225-647-9673
Alessi, Rick	225-644-7855
Kaloyares, Aimee	225-450-7700

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.

**Survey Completer's Name**

Alan J. Robert

**Legal Research Tools Used:**

Lexis Nexis

Westlaw

Westlaw

Other (please list)

Number of Legal Research Licenses

2

Total Cost of Legal Research Software:

3,120

**SOFTWARE:**

Mark an X in all that apply

**Operating Systems Used:**

Windows 10

Windows 8

Windows 7

x

Windows Vista

Windows Server 2000/2003/2008

Windows XP

Mac OSX

**Case Management System(s): Check all that apply**

defenderData (LPDB statewide system)

x

Other System (please name)

**Productivity Suites Used:**

Microsoft Office 2016 (Word, Excel, etc.)

Microsoft Office 2013

Microsoft Office 2010

x

Microsoft Office 2007

Microsoft Office 2003

Previous Microsoft Office version

Corel Word Perfect

Other

**Accounting Software**

QuickBooks

Quicken

Intuit	
Other (list here):	Mickey Latuso CPA, LLC
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	x
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	2
Laptops	2
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	2MB = upload of 256
Provider Name:	Eatel
Email Provider:	Eatel
Please list any software or computer equipment in which you need training:	None

## 23rd District Defender Office CY 2016 Caseloads & Outcomes

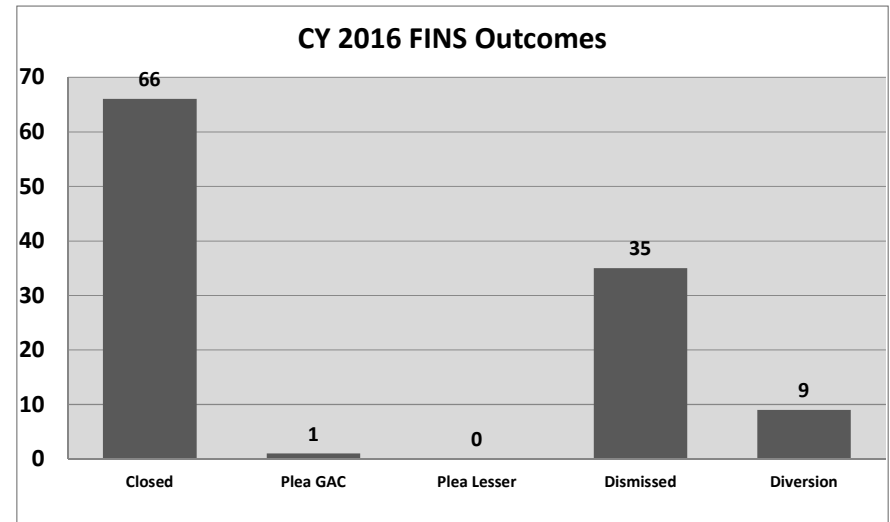
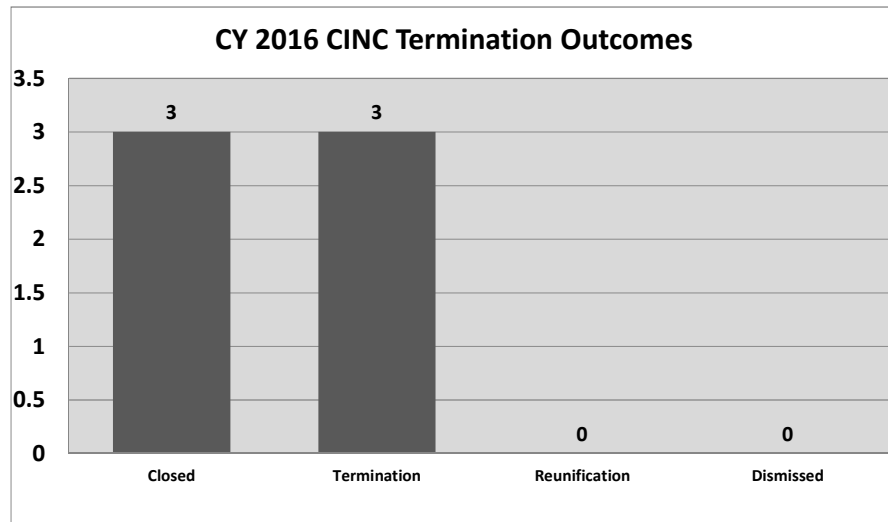
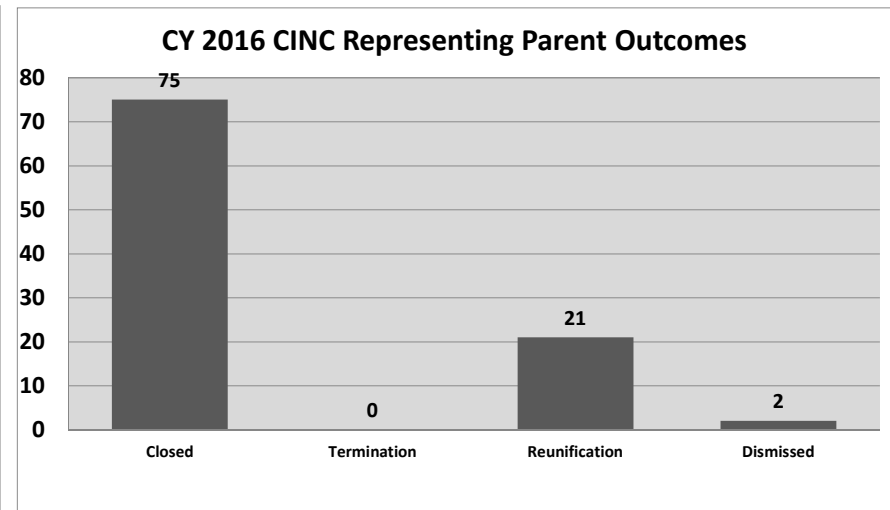
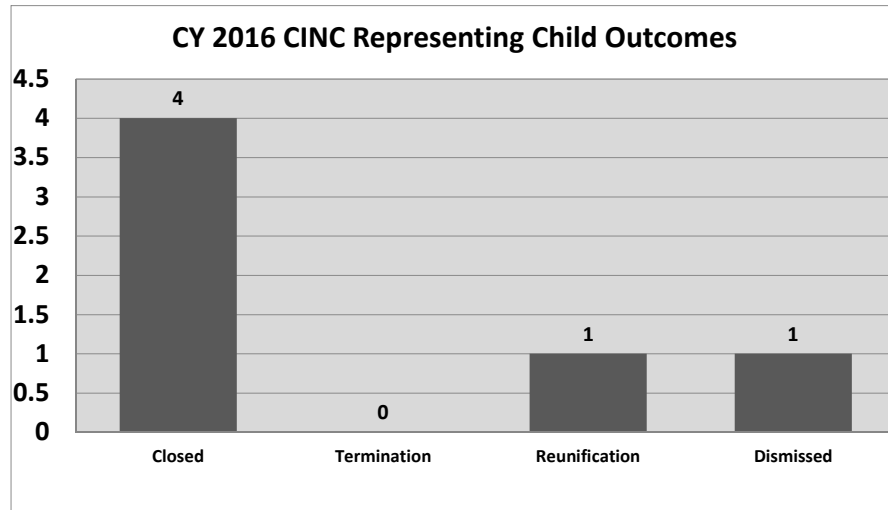
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016-12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	24	26	6	30	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	4	5	5	0	1	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	83	75	86	169	0	21	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	0
Termination	1	3	2	3	3	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	68	66	28	96	N/A	N/A	1	0	35	9	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	195	194	94	289	N/A	N/A	38	1	160	26	N/A	N/A	1	0	1
Delinquency Felony	88	92	43	131	N/A	N/A	23	0	93	11	N/A	N/A	0	1	1
Delinquency-Life	3	1	0	3	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	2	2	4	6	N/A	N/A	0	0	4	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	1346	1293	443	1789	N/A	N/A	390	10	418	4	0	0	3	8	11
Adult Felony Non-LWOP**	2075	1954	1518	3593	N/A	N/A	722	144	1038	14	0	3	1	0	4
Adult LWOP	17	21	39	56	N/A	N/A	4	2	16	0	0	0	0	0	0
Capital***	0	0	1	1	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	77	112	43	120	N/A	N/A	18	0	9	0	N/A	N/A	N/A	N/A	0
PCR	2	1	2	4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	1	1
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

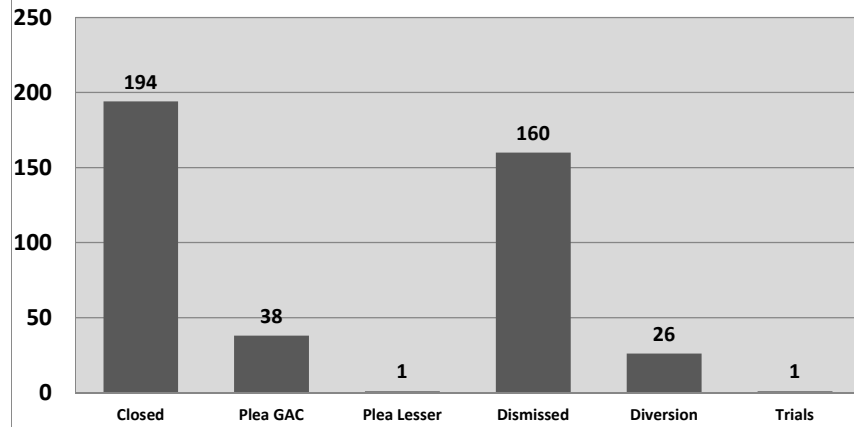
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

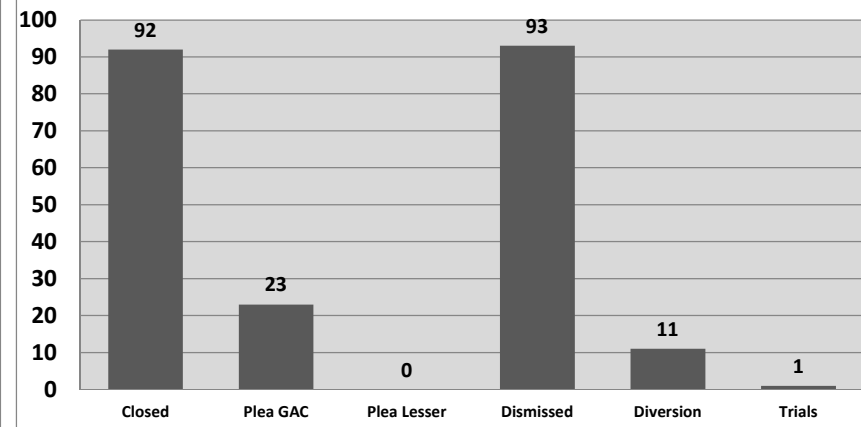
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



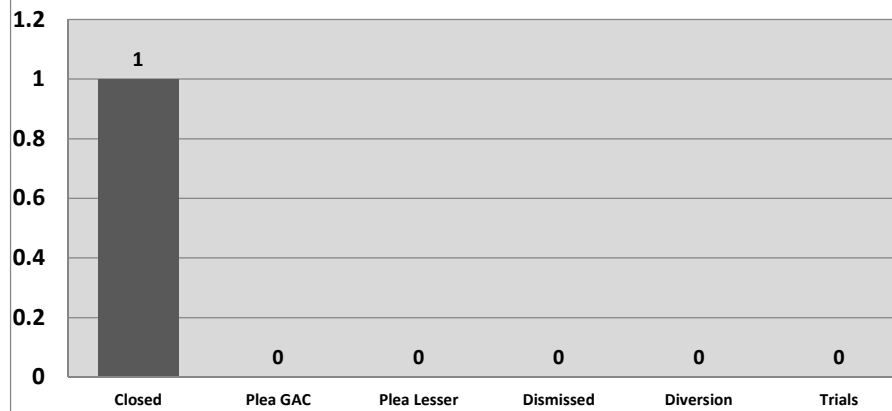
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



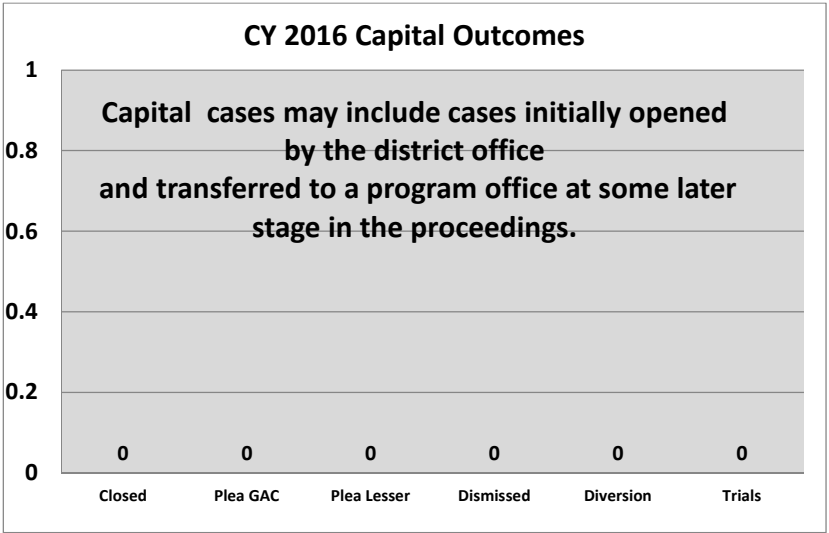
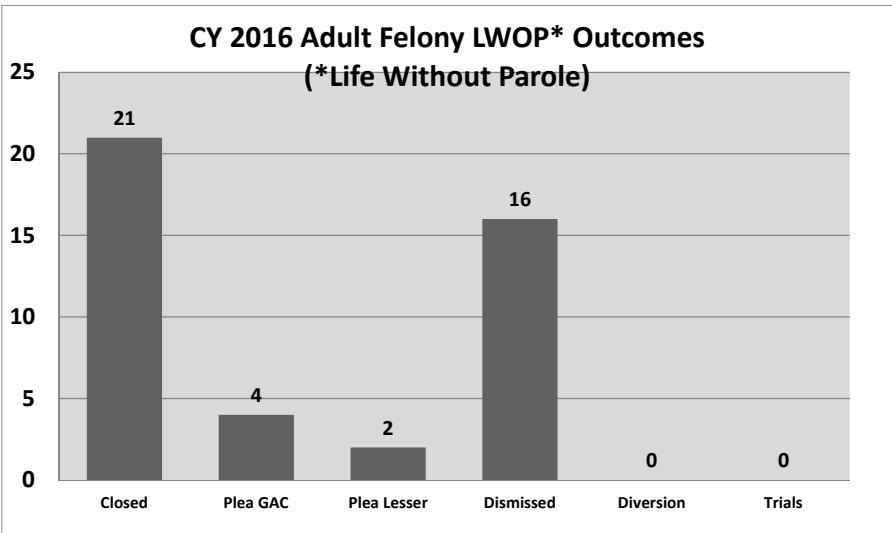
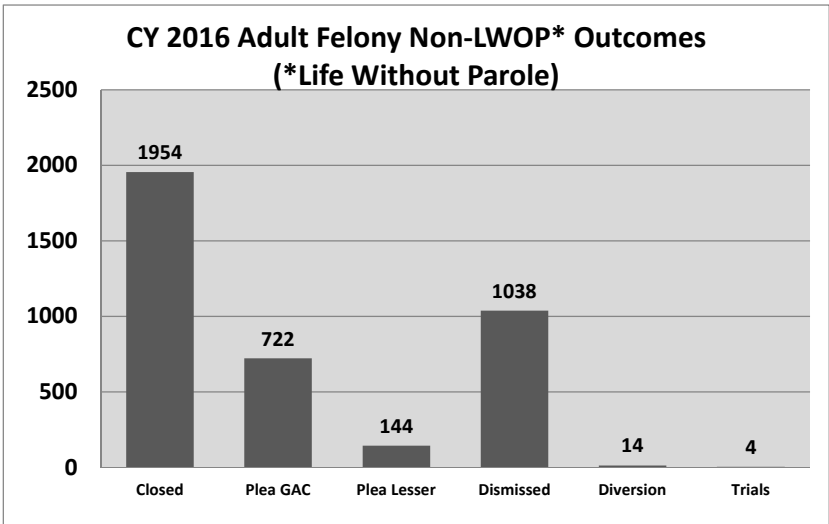
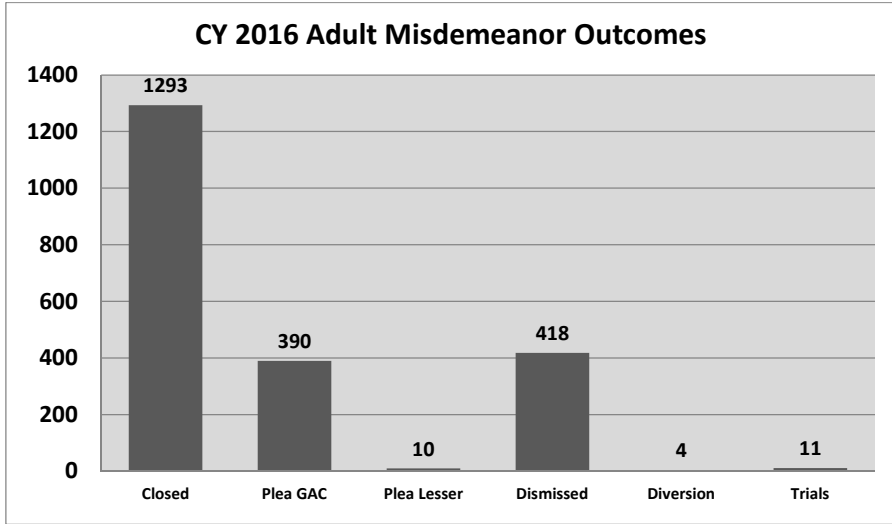
**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**







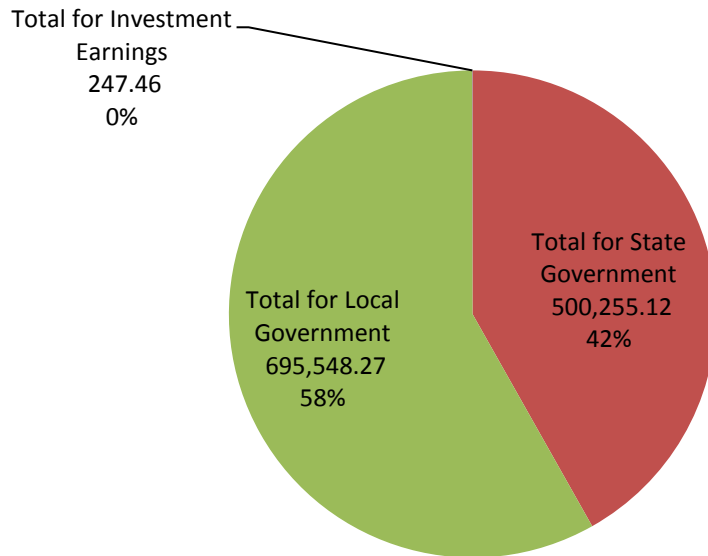
District 23 CY2016	Total CY2016
<b>District Defender: Alan Robert</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
<b>Total for Federal Government</b>	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	22,222.00
District Assistance Fund (DAF)	421,006.00
Supplemental/Emergency Funds	32,950.00
Grants	23,643.12
Other State Income -List source(s)	434.00
<b>Total for State Government</b>	<b>500,255.12</b>
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	107,925.23
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
<b>\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs</b>	
Criminal District Court	494,680.59
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	10,035.00
Parish Courts	54,607.50
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
<b>Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs</b>	<b>559,323.09</b>
<b>Charges For Services</b>	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	25,551.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	2,748.95
<b>Total for Charges For Services</b>	<b>28,299.95</b>
<b>Total for Local Government</b>	<b>695,548.27</b>
<b>Investment Earnings</b>	
Interest Income	247.46
Other Investment Income - List source(s)	-
<b>Total for Investment Earnings</b>	<b>247.46</b>
<b>Other Sources (Grants &amp; Contributions)</b>	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
<b>Total for Other Sources (Grants &amp; Contributions)</b>	
<b>Total for REVENUE</b>	<b>1,196,050.85</b>

District 23 CY2016	Total CY2016
<b>District Defender: Alan Robert</b>	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	226,578.92
Accrued Leave	-
Payroll Taxes	17,560.46
Hospitalization and Disability Insurance	49,724.96
Retirement	-
Other	-
<b>Total for Personnel Services and Benefits</b>	<b>293,864.34</b>
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	1,987.49
<b>Total for Travel/Training</b>	<b>1,987.49</b>
Operating Services	
Advertisements	-
Workers' Compensation	719.00
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	1,324.26
Lease - Office	15,000.00
Lease - Auto/Equipment	-
Lease - Other	3,000.00
Office Repair and Maintenance	1,570.95
Office - Telephone/Utilities/Postage/Internet	6,528.29
Dues and Seminars	190.00
Law Library/Journals/Subscriptions	1,324.74
Office Supplies	18,600.98
<b>Total for Operating Services</b>	<b>48,258.22</b>
Professional Services	
Audit/Accounting Expense	5,230.10
Contract Clerical	1,400.00
Expert Witness	13,669.33
Investigators	12,948.79
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	8,859.69
Contract - Juvenile Attorneys or CINC	36,166.63
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	547,005.79
IT/Technical Support	-
<b>Total for Professional Services</b>	<b>625,280.33</b>
Capital Outlay	
Major Acquisitions	-
<b>Total for Capital Outlay</b>	
Other Charges	
Other Operating Expenses	-
<b>Total for Other Charges</b>	
<b>Total for EXPENDITURES</b>	<b>969,390.38</b>

NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

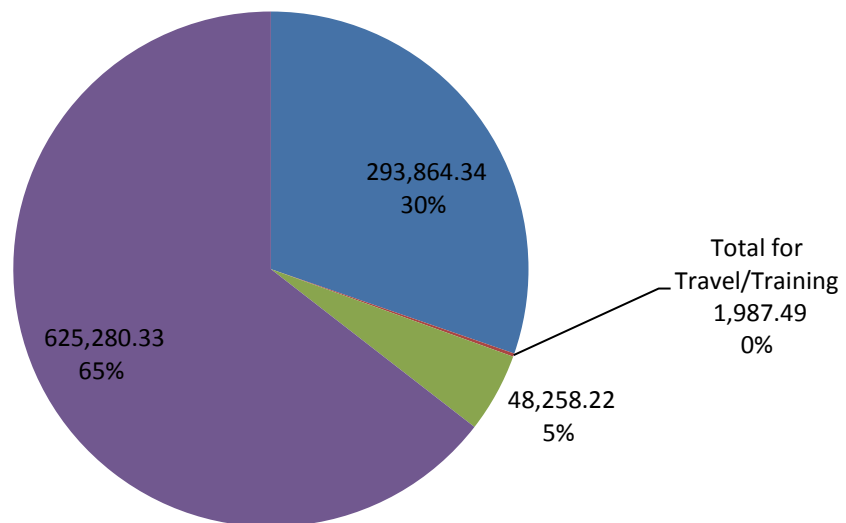
## Total CY16 Revenues

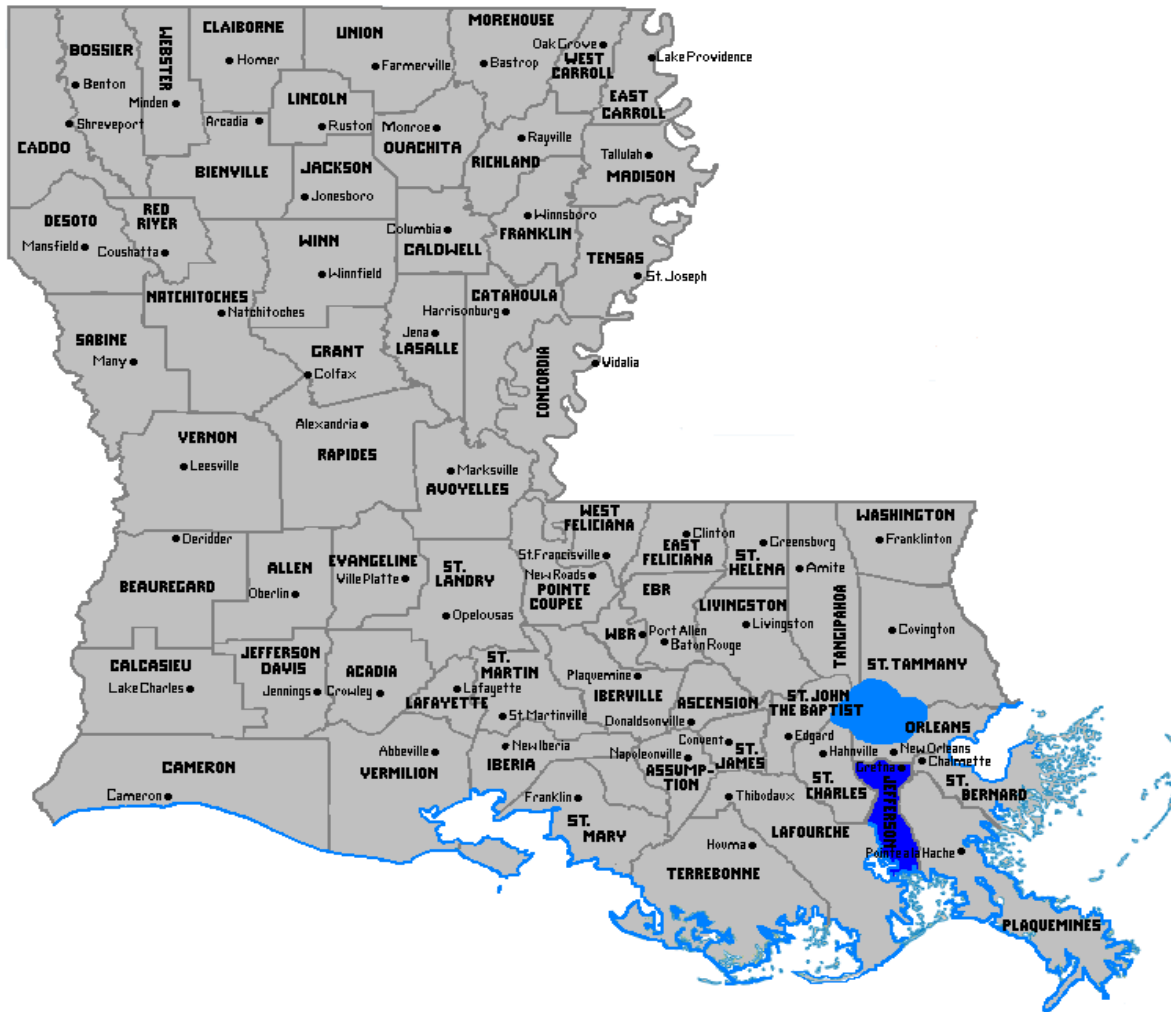
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY16 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





THE 24<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
JEFFERSON (GRETN)

DISTRICT DEFENDER: RICHARD M. TOMPSON  
848 2<sup>ND</sup> STREET, 3<sup>RD</sup> FLOOR  
GRETN, LA 70053  
(504) 364-2824

24th JUDICIAL DISTRICT :  
JEFFERSON PARISH

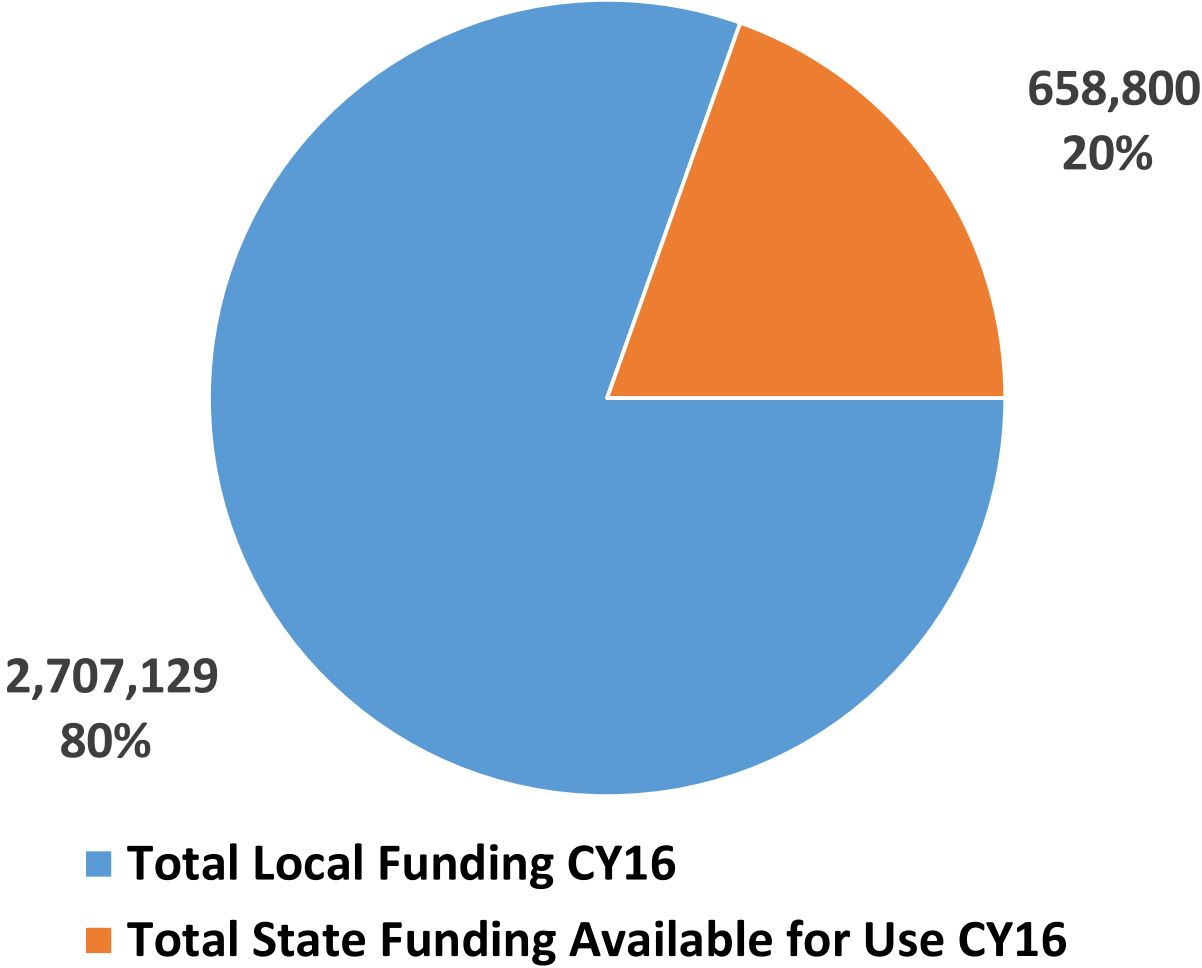
Richard M. Tompson  
District Defender  
848 2nd Street, 3rd Floor  
Gretna, LA 70053  
504-364-2824

During Calendar Year 2016, the 24th Judicial District Public Defenders Office handled 9,645 cases. The office received \$3,365,929 in total revenues to handle these cases, approximately 80% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

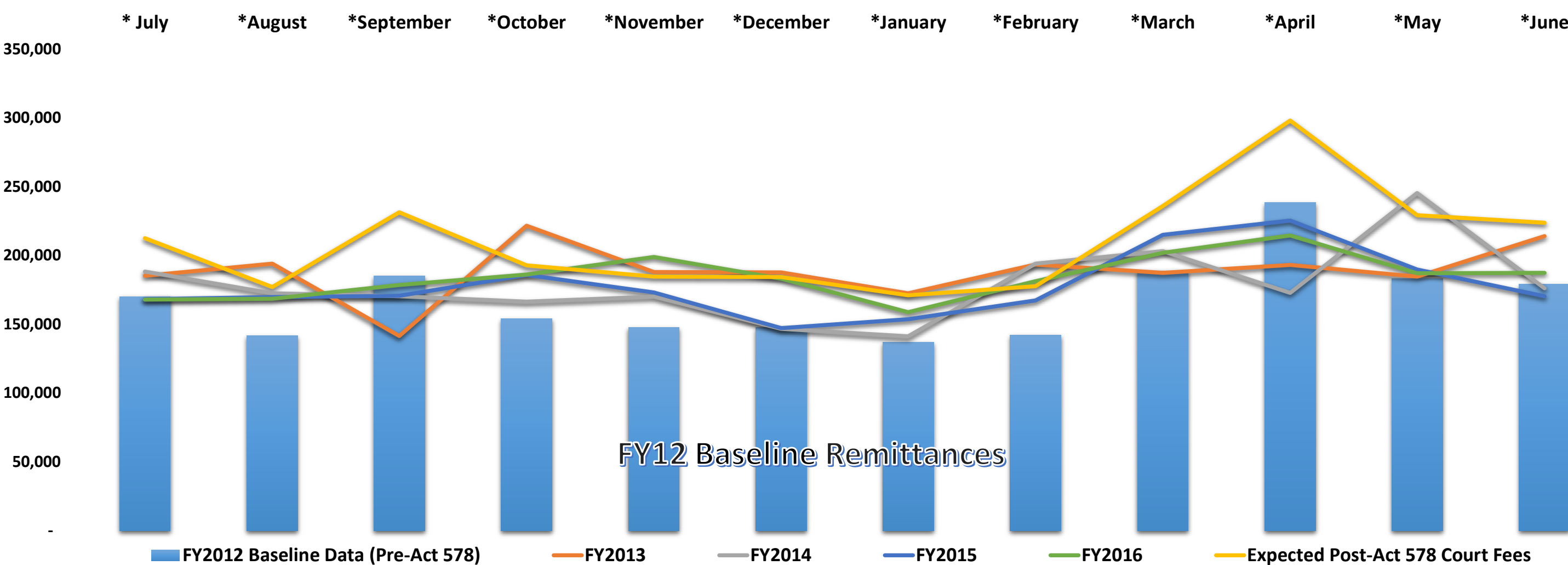
Since the passage of Act 578 (2012) , which increased special court costs by \$10 per filing, the 25% expected increase in local revenue have failed to materialize more than fifty percent of the time.

The 24th Judicial District Office reported receiving revenues in excess of expenditures for the first time in more than six years in Calendar Year 2015 and again in 2016. This has allowed the office to increase its fund balance each of the last two years.

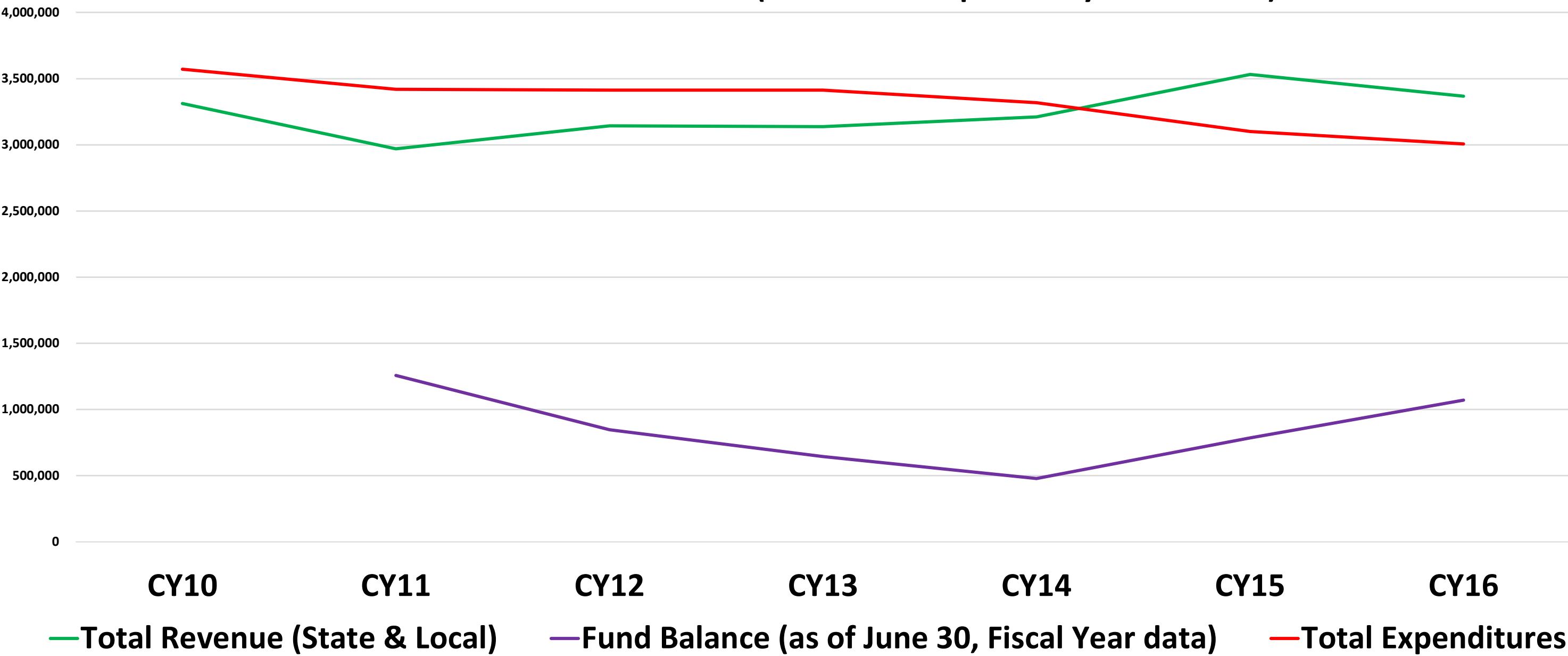
District 24 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 24 PDO

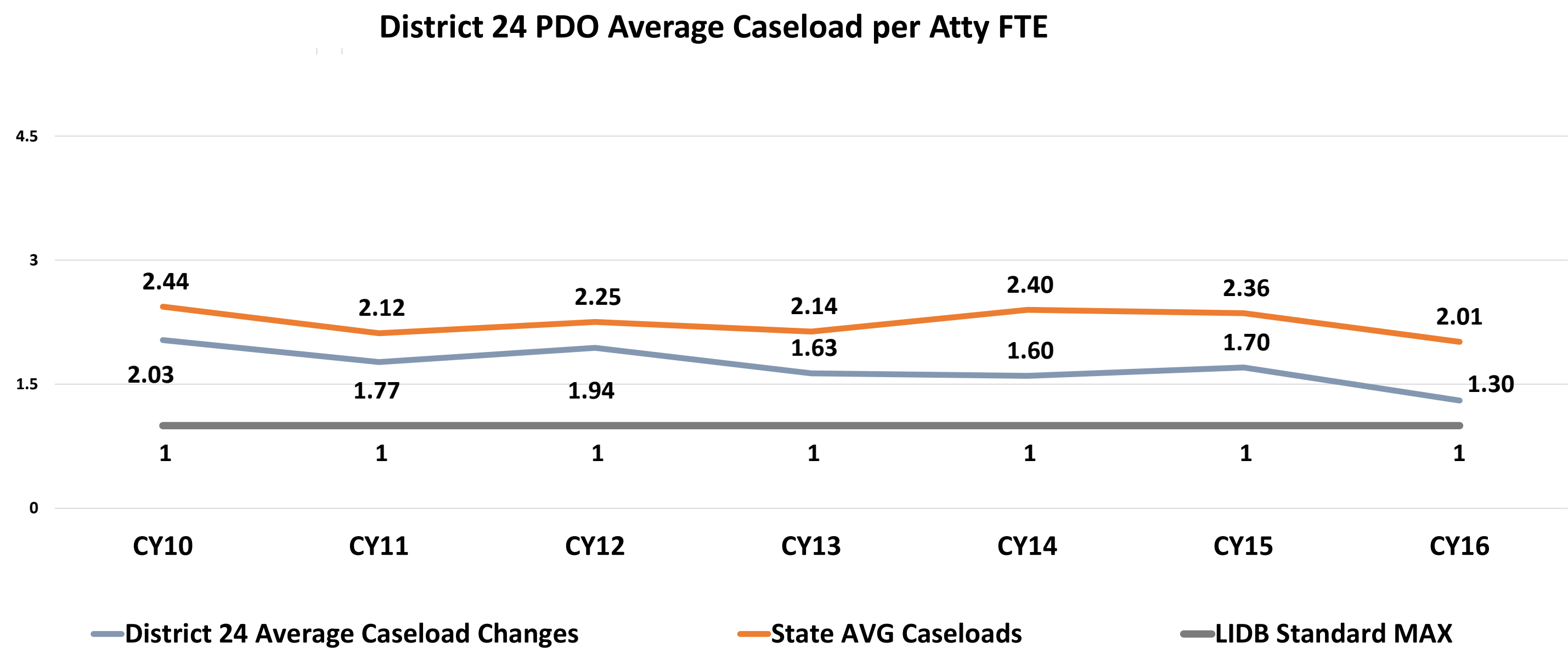


District 24 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



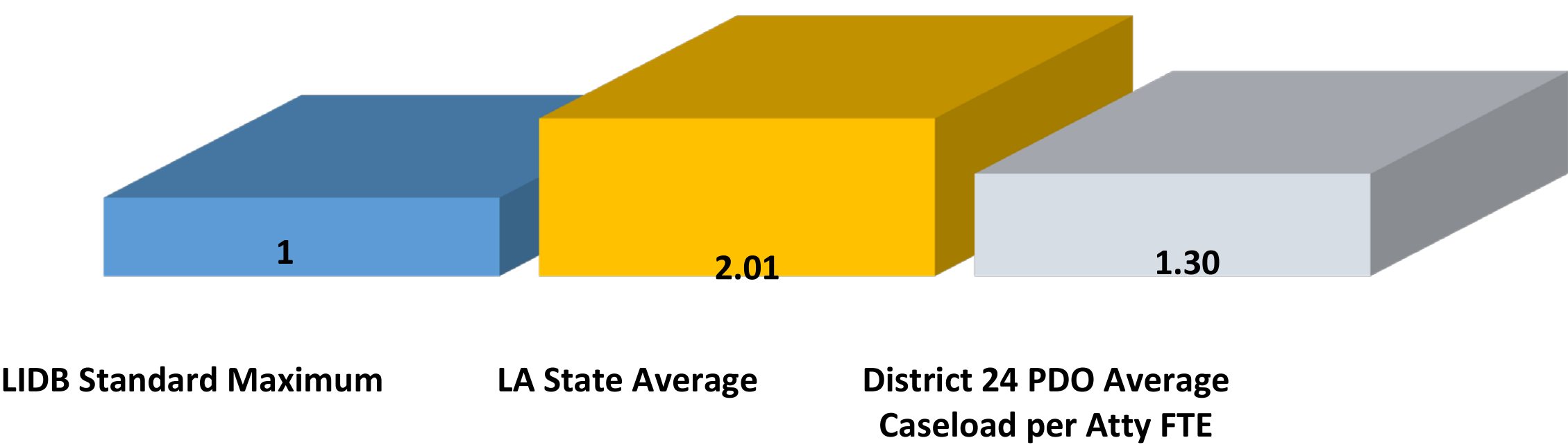
24th JUDICIAL DISTRICT :  
JEFFERSON PARISH

Richard M. Thompson  
District Defender  
848 2nd Street, 3rd Floor  
Gretna, LA 70053  
504-364-2824



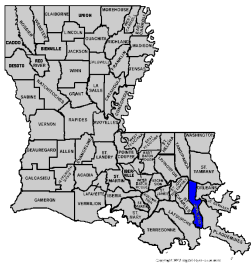
In the 24th Judicial District, public defense attorneys maintain caseloads in excess of the recommended caseload limit for each attorney yet below the state average.

District 24 PDO Average Caseloads Compared to State Average & State Standard...



CAPITAL REPRESENTATION

This PDO has capitally certified counsel on contract to handle the cases that arise in the district. While the District Defender has transferred responsibility for staffing capital cases to the State, due to the high number of capital arrest, the PDO has staffed several cases.



## THE 24<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Jefferson - Gretna
<b>Population</b>	436,275
<b>District Defender</b>	Richard M. Thompson
<b>Years as District Defender</b>	28
<b>Years in Public Defense</b>	34
<b>Office Manager</b>	Darla Noel
<b>Primary Office Street Address</b>	848 2nd Street, 3rd Floor
<b>City</b>	Gretna
<b>ZIP</b>	70053
<b>Primary Phone</b>	504-364-2824
<b>Primary Mailing Address</b>	848 2nd Street, 3rd Floor, Gretna, LA 70053
<b>Primary Fax Number</b>	504-364-2852
<b>Primary Emergency Contact</b>	Richard M. Thompson
<b>Primary Emergency Phone</b>	504-554-9723 Cell
<b>Secondary Emergency Contact</b>	Darla Noel
<b>Secondary Emergency Phone</b>	504-463-4527
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	First Parish Court, 924 David Dr., Metairie, LA 70003; 504-736-8980; Juvenile Court, 1546 Gretna Blvd., Harvey, LA 70058; 504 367-3500 Ext. 327.
<b>Other District Office Contact Personnel (Primary Only)</b>	Juvenile Court-Stacy Rando.
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Julie Greenberg
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$4,250 monthly rent.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	In house.
<b>Courts and Locations</b>	24th JDC, 200 Derbigny St., Gretna, LA 70053; 1st Parish Court, 924 David Dr., Metairie, LA 70003; 2nd Parish Court, 100 Huey P. Long Ave., Gretna, LA 70053; Juvenile Court, 1546 Gretna Blvd., Harvey, LA 70058; Kenner Court, 1801 Williams Blvd., Kenner.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	24th JDC-16 Commissioner Court-1 1st Parish-2 ; 2nd Parish-2 Juvenile Court-3 City Courts-1.



<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	The PD assigned to the Magistrate Court is appointed by the Magistrate Judge to all in-jail clients who are qualified. The MPD represents clients until Arraignment. At Arraignment the Commissioner Court orders PDO appointment and Office Staff makes appropriate appointment.
<b>Name of Adult Detention Facilities in This District</b>	Jefferson Parish Correctional Center
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Name of Juvenile Detention Facilities In This District</b>	Rivarde Detention Center
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	The Jefferson Parish Sheriff's Office stated that they are having severe staffing problems which has limited the number of prisoners kept at the local jail. This staffing problem also gives rise to other issues regarding visitation by private investigators. Therefore, they instituted a rule by which the investigators will not be allowed into the jail without the presence of the attorney who is assigned to that defendant. My first impulse was to attempt to institute some type of legal action, however I consider this a blessing in disguise in that it is requiring lawyers to visit the jail more frequently. Other than the usual delays, the attorneys themselves have no problems having access to their clients in jail.
<b>District Attorney</b>	Paul Connick, Jr.
<b>Chief Judge of Criminal District Court</b>	Judge Cornelius Regan
<b>Juvenile Court Judges (Specify District of City Court)</b>	Baron Burmaster, Ann Keller, Andrea Janzen
<b>Drug Court Judges</b>	June Darensburg and John Molaison, Jr.
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	Drug Court, DWI Court, Veterans Court and Re-Entry Court.
<b>Name of Specialty and Brief Description:</b>	These courts are basically treatment courts for defendants charged with drug offenses and DWI. Veterans Court provides special attention to defendants who are Veterans. Re-Entry Court provides an avenue and training for inmates to re-enter society after a minimum sentence is served.
<b>Indigency Determined by Whom and How?</b>	If incarcerated, by Magistrate Judge at 72 hour hearing. If on bond, at arraignment by Commissioner at Commissioner Court.

<b>When is Assignment/Appointment of Counsel Made?</b>	Magistrate orders appointment of Magistrate PD at 72 hour hearing, then Commissioner, at arraignment, orders PDO appointment for both in-jail and out-of-jail clients.
<b>What steps does your office take to ensure conflict – free representation</b>	Upon entering a client, our data system alerts us if a docket number already exists. At that time we are able to choose another attorney that is not affiliated with that case.
<b>Brief Explanation of Intake Process</b>	In-jail: Commissioner PD provides info on appointments from arraignment docket. Out-of-jail: Commissioner orders defendant to come to office and make application, after determining if defendant qualifies.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	7,226
<b>How Many Application Fees Were Waived?</b>	4,689
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2016</b>	47,150
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	2,178,740
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	We hope that the courts do assess a court cost in every case but realistically we "know" that Judges waive costs on certain cases. We presently lack the ability to quantify the cases in which fees are waived.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	None
<b>Who Collects the Assessed Court Fees?</b>	Jefferson Parish Sheriff's Office collects all court costs and fees and then they make distribution to the appropriate entities.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	1st and 2nd Parish and the City of Kenner.
<b>Who Remits the Court Fees Collected?</b>	Jefferson Parish Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	None

How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment	Judges order arbitrary amounts.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?	Reports from Sheriff does not segregate partial payments collected.
Who Collects the Assessed Partial Payments?	JPSO provides a report showing amount of court collected.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	JPSO
Who Remits the Partial Payments Collected?	All court cost fees are collected and remitted by JPSO.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	None other than general statement of fees collected.
Amount, If Any, of Partial Indigence Payments Received by the Office in CY16	Partial Indigence Payments not reported separately, therefore cannot give amounts. Estimate would be that amount would be small.
Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?	This is provided for in their contract.
For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract	Yes
Primary Immediate Needs	The attorney assigned to 1st Parish Court was elected to Bench and we now reassigned one of our bi-lingual attorneys to represent the clients in 1st Parish Court.
Was your office in ROS at any time during 2016	No
If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?	No
In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.	We have not downsized this past year.
Immediate Critical Issue Areas	We have no critical issues at this time.
Long-Term Critical Issue Areas	We are anticipating that the funding for our office in the coming year will not be sufficient to maintain the present level of services. One of the solutions would be a reduction in services program.
2016 Media Coverage and/or Major Accomplishments	None

<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	CLE and in-service training and mentoring.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Denise Larson, Nelson Bowman, Elizabeth Toca, Jennifer Womble, Sarah Molly Gilmore, and Lisa Harell.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	The new Deputy District Defender now assumes a supervisory role under the District Defender.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Medical benefits are no longer provided.
<b>Regular Meetings for Any Staff, Please Describe</b>	No
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Filed in 2016</b>	This activity is not tracked.
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	Not available.
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None. If a case is transferred from Juvenile Court, a district court attorney who handles felony cases is appointed to represent the juvenile.
<b>Number of trial level Juvenile Life Without Parole (<u>Miller</u>) cases handled by your office in CY 2016</b>	We do not track these cases.
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) cases pending in your office</b>	26
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) sentencing hearings conducted in your district in CY 2016</b>	1
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	State Representatives: Jerry Gisclair, Kirk Talbot, Julie Stokes, and Polly Thomas. Senators: Troy Carter, John A. Alario, Conrad Appel, Daniel "Danny" Martiny.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Fully operational e-filing system for the filing of Pre-trial motions.

<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Jesse Beasley	504-312-8464
Juan Bernal	504-446-1065
Marcy Bleich	504-400-4845
Christian Bonin	504-952-3320
Graham Bosworth	504-507-0831
Renee Bourg	504-495-5891
Nelson Bowman	504-858-4082
Lydia Casiano	504-521-7952
Sarah Chervinsky	504-444-3024
Cynthia Cimino	504-302-8386
Letita Davis	504-267-7937
Andrew Duffy	504-343-3181
Paul Fleming	504-821-9955
Anna Friedberg	504-444-8557
Molly Gilmore	504-345-9646
Raul Guerra	504-443-2000
Lisa Harell	504-309-7251
Jerry Harrell	504-908-7292
Aubrey Harris	504-233-8118
Alex Lambert	504-581-3301
Denise Larson	504-367-3500
Annie Jane Laurence	504-736-8980
Orrin Marino	985-764-1515
Powell Miller	504-920-4897
Marquita Naquin	504-256-7020
Donna Orjuela	504-234-9489
Joseph Perez	504-367-9999
Dan Schilling	504-302-8282
Brad Scott	504-528-9500
Michael Somoza	504-265-9880
Vanessa Spinazola	504-208-0584
Miles Swanson	504-383-4335
Elizabeth Toca	504-439-8151
Richard Thompson	504-554-9723
Autummn Town	504-507-0832
Cesar Vazquez	504-465-0908
George Vedros	504-473-8328
Frazilia Wiggins	504-460-9936
Jennifer Womble	504-780-1630
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Darla Noel	504-364-2824

Nancy Blanda	504-364-2820
Lisa Leblanc	504-415-9036
Rhonda Wise	504-736-8980
Stacy Rando	504-367-3500

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.

**Survey Completer's Name**

Darla Noel

**Legal Research Tools Used:**

Lexis Nexis

No

Westlaw

No

Other (please list)

Fast Case

Number of Legal Research Licenses

0

Total Cost of Legal Research Software:

0

**SOFTWARE:**

Mark an X in all that apply

**Operating Systems Used:**

Windows 10

Windows 8

Windows 7

x

Windows Vista

Windows Server 2000/2003/2008

Windows XP

Mac OSX

**Case Management System(s): Check all that apply**

defenderData (LPDB statewide system)

x

Other System (please name)

**Productivity Suites Used:**

Microsoft Office 2016 (Word, Excel, etc.)

Microsoft Office 2013

x

Microsoft Office 2010

Microsoft Office 2007

x

Microsoft Office 2003

Previous Microsoft Office version

Corel Word Perfect

x

Other

**Accounting Software**

QuickBooks

x

Quicken

Intuit	x
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	3
DVD	1
VCR	
Desktop PCs	11
Laptops	39
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	9
Color Printers	1
Wireless Cards	1
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	10 Mbps x 2 Mbps
Provider Name:	Cox
Email Provider:	Cox
Please list any software or computer equipment in which you need training:	



## 24th District Defender Office CY 2016 Caseloads & Outcomes

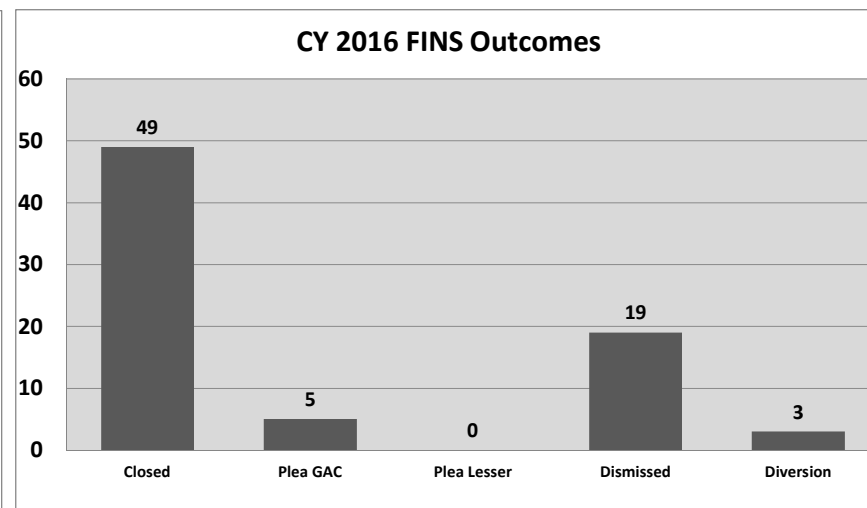
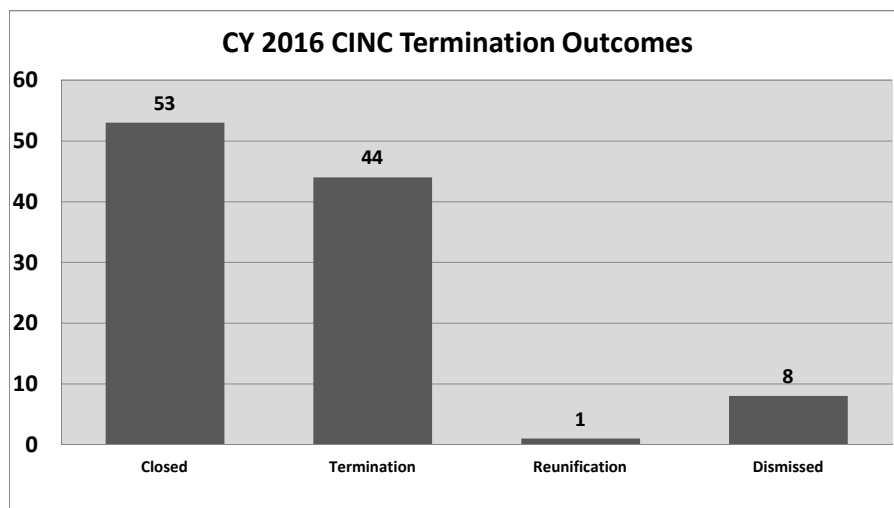
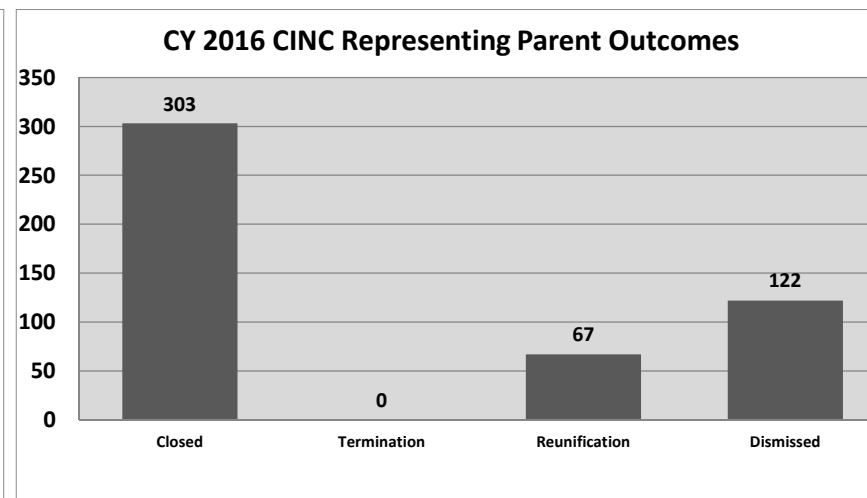
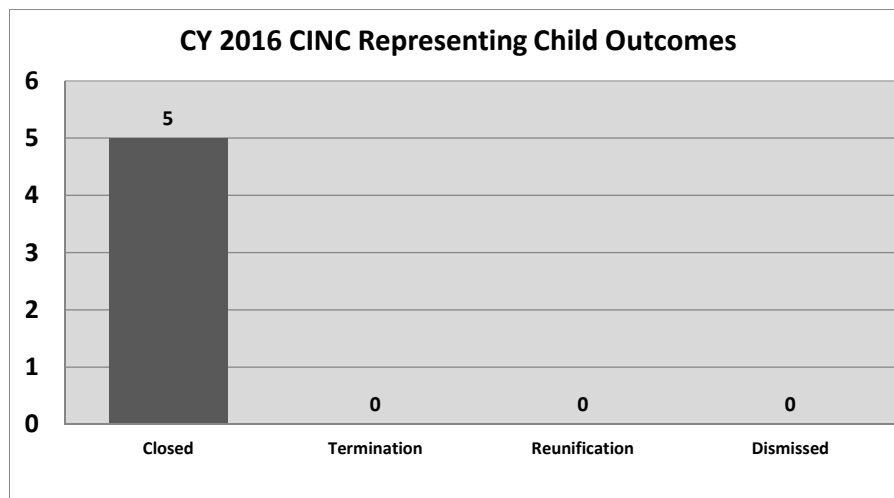
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	5	1	1	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	254	303	198	452	0	67	N/A	N/A	122	N/A	N/A	N/A	N/A	N/A	0
Termination	53	53	12	65	44	1	N/A	N/A	8	N/A	N/A	N/A	N/A	N/A	0
FINS	44	49	25	69	N/A	N/A	5	0	19	3	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	332	262	93	425	N/A	N/A	77	21	180	101	N/A	N/A	3	13	16
Delinquency Felony	231	186	90	321	N/A	N/A	75	27	189	41	N/A	N/A	2	12	14
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	3397	2671	1143	4540	N/A	N/A	2362	182	967	64	0	5	10	23	38
Adult Felony Non-LWOP**	2708	2395	846	3554	N/A	N/A	2371	389	500	0	4	13	6	6	29
Adult LWOP	43	20	32	75	N/A	N/A	17	8	0	0	0	2	0	0	2
Capital***	9	4	2	11	N/A	N/A	2	0	0	0	0	0	0	0	0
Revocations	99	359	19	118	N/A	N/A	0	0	13	0	N/A	N/A	N/A	N/A	0
PCR	6	3	7	13	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	2	2
SOAP	1	0	0	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

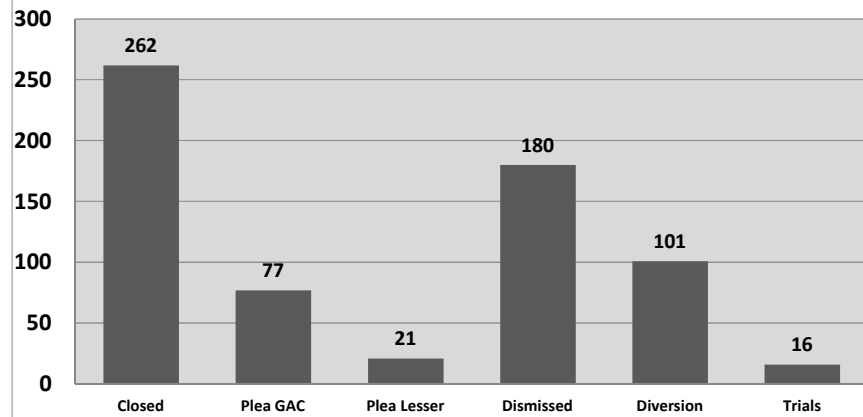
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

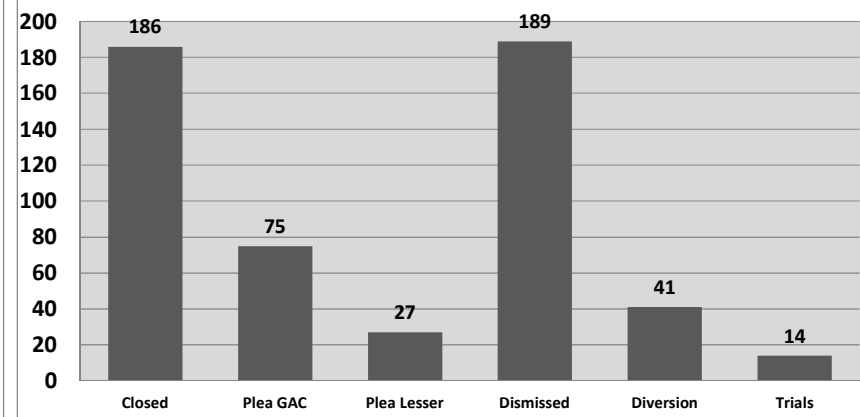
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



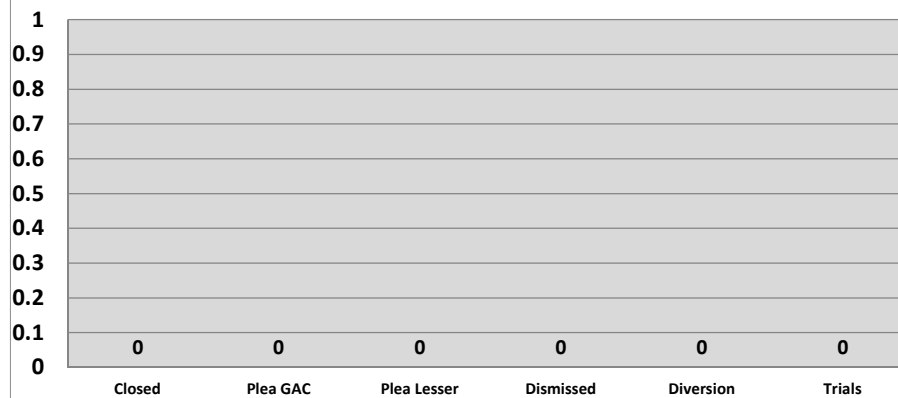
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

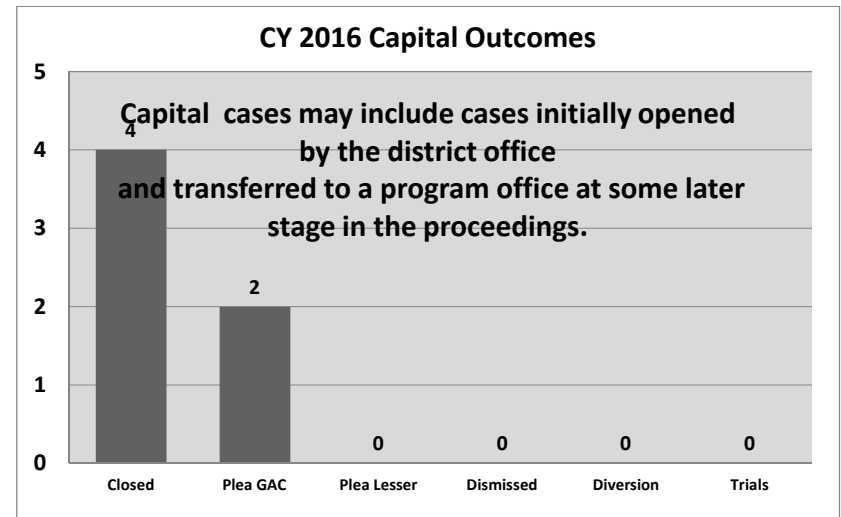
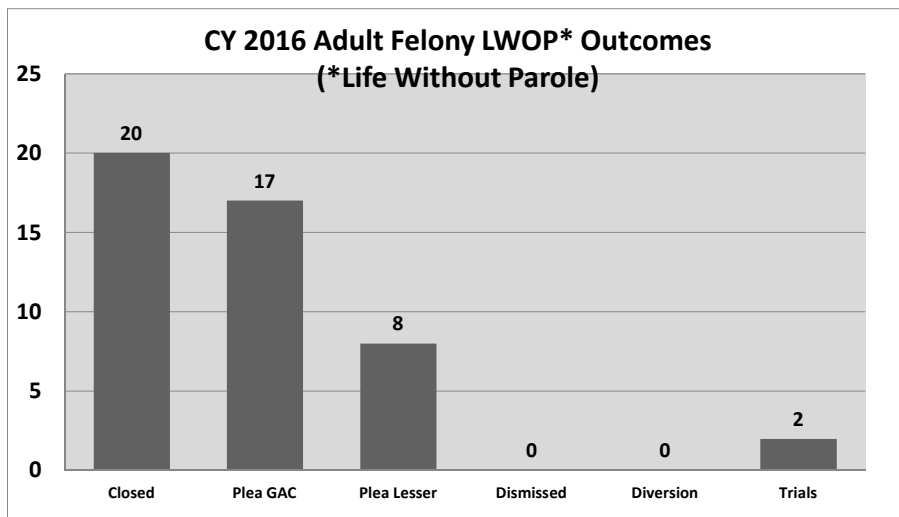
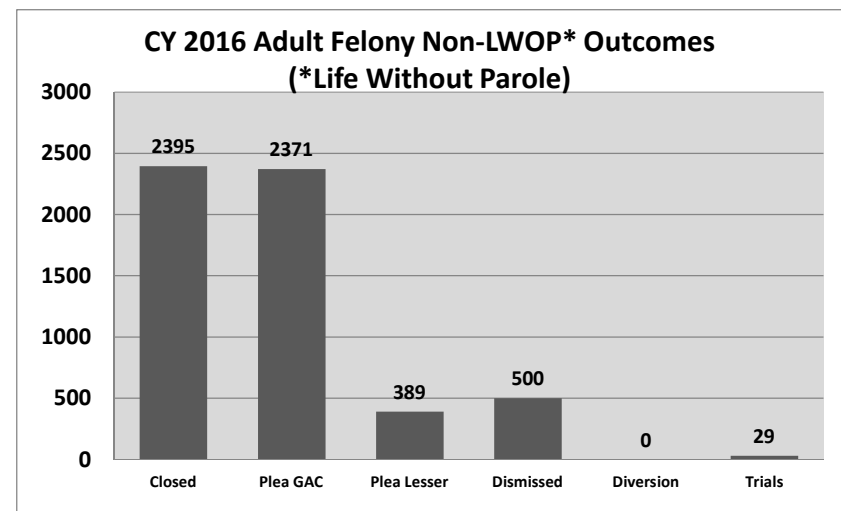
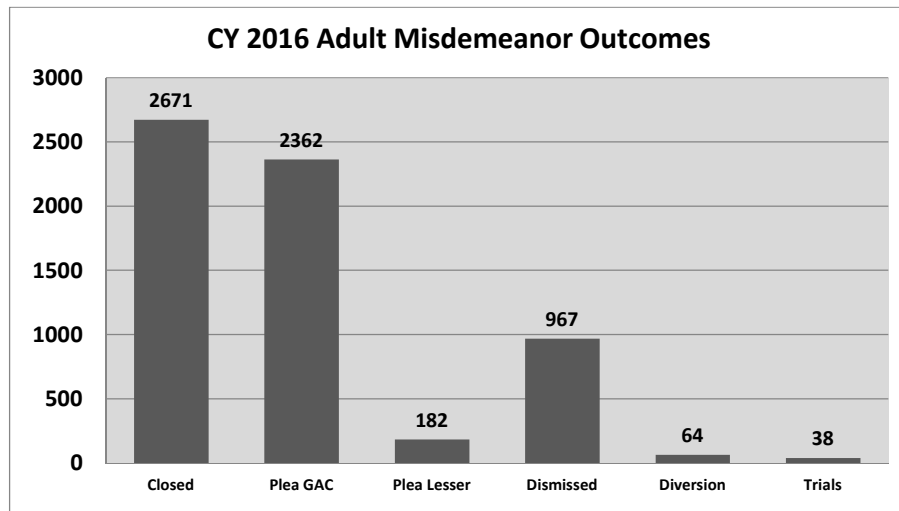


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**



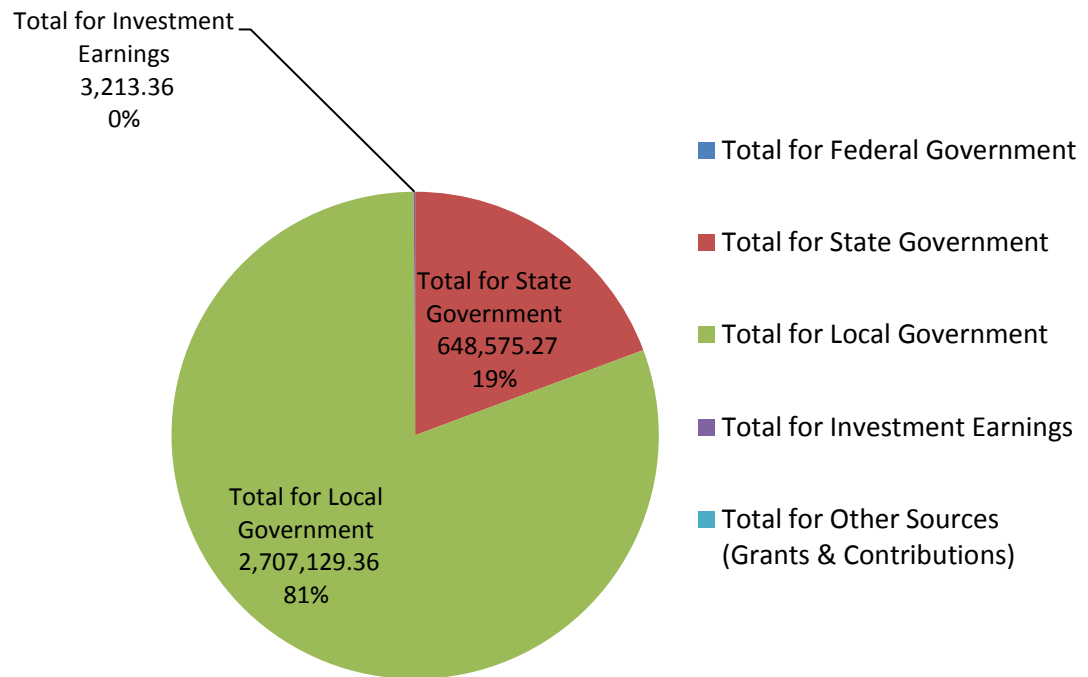


District 24 CY2016	Total CY2016
District Defender: Richard Tompson	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	76,941.00
District Assistance Fund (DAF)	561,272.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	10,362.27
Total for State Government	648,575.27
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	433,475.92
Traffic Camera	-
Grants	45,000.00
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	612,126.05
Judicial District Courts	174,337.46
Juvenile Court	25,288.76
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	1,366,987.68
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	2,178,739.95
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	47,150.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	2,553.31
Other Local Income -List source(s)	210.18
Total for Charges For Services	49,913.49
Total for Local Government	2,707,129.36
Investment Earnings	
Interest Income	1,494.68
Other Investment Income - List source(s)	1,718.68
Total for Investment Earnings	3,213.36
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	3,358,917.99

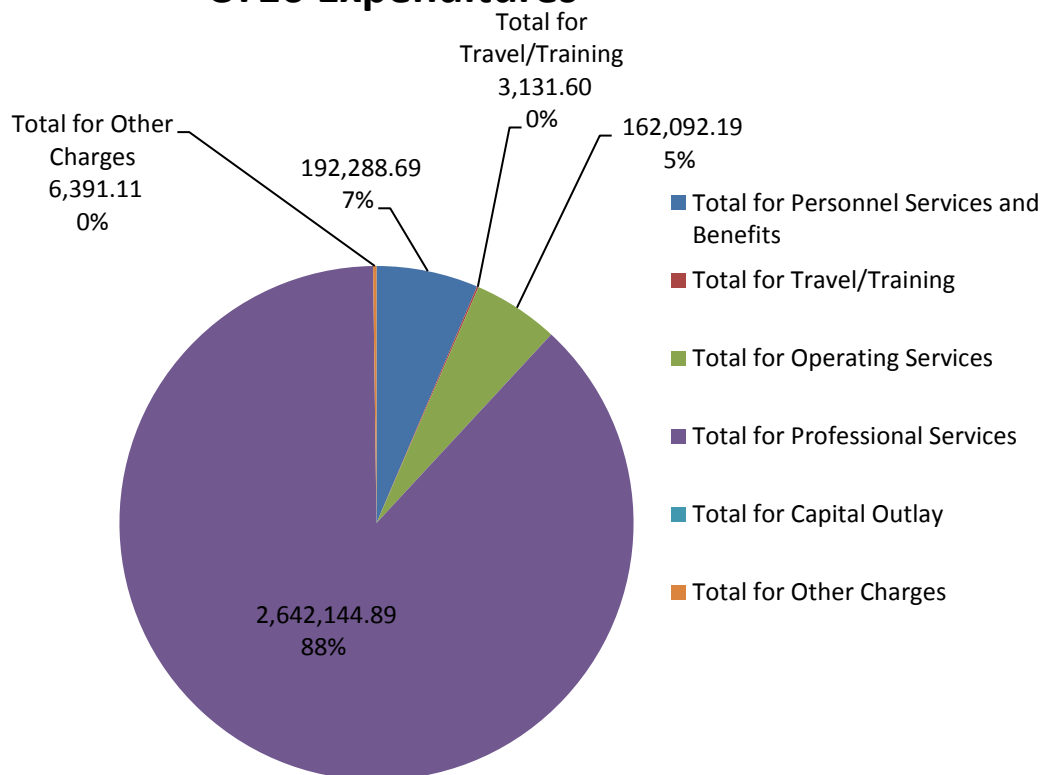
District 24 CY2016	Total CY2016
District Defender: Richard Tompson	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	171,816.98
Accrued Leave	-
Payroll Taxes	3,055.35
Hospitalization and Disability Insurance	-
Retirement	17,416.36
Other	-
Total for Personnel Services and Benefits	192,288.69
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	3,131.60
Total for Travel/Training	3,131.60
Operating Services	
Advertisements	3,022.82
Workers' Compensation	804.00
Insurance - Malpractice	30,400.20
Insurance - Auto/Physical Liability	-
Insurance - Other	3,091.39
Lease - Office	53,100.00
Lease - Auto/Equipment	7,979.11
Lease - Other	-
Office Repair and Maintenance	5,850.00
Office - Telephone/Utilities/Postage/Internet	22,989.70
Dues and Seminars	7,880.00
Law Library/Journals/Subscriptions	10,438.40
Office Supplies	16,536.57
Total for Operating Services	162,092.19
Professional Services	
Audit/Accounting Expense	45,200.00
Contract Clerical	3,286.95
Expert Witness	16,049.32
Investigators	72,789.94
Interpreters	3,905.00
Social Workers	-
Capital Representation	145,411.20
Conflict	6,000.00
Contract - Juvenile Attorneys or CINC	385,736.40
Misdemeanor Attorney Contracts	131,415.20
Contract Attorneys - all other	1,829,029.14
IT/Technical Support	3,321.74
Total for Professional Services	2,642,144.89
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	6,391.11
Total for Other Charges	6,391.11
Total for EXPENDITURES	3,006,048.48

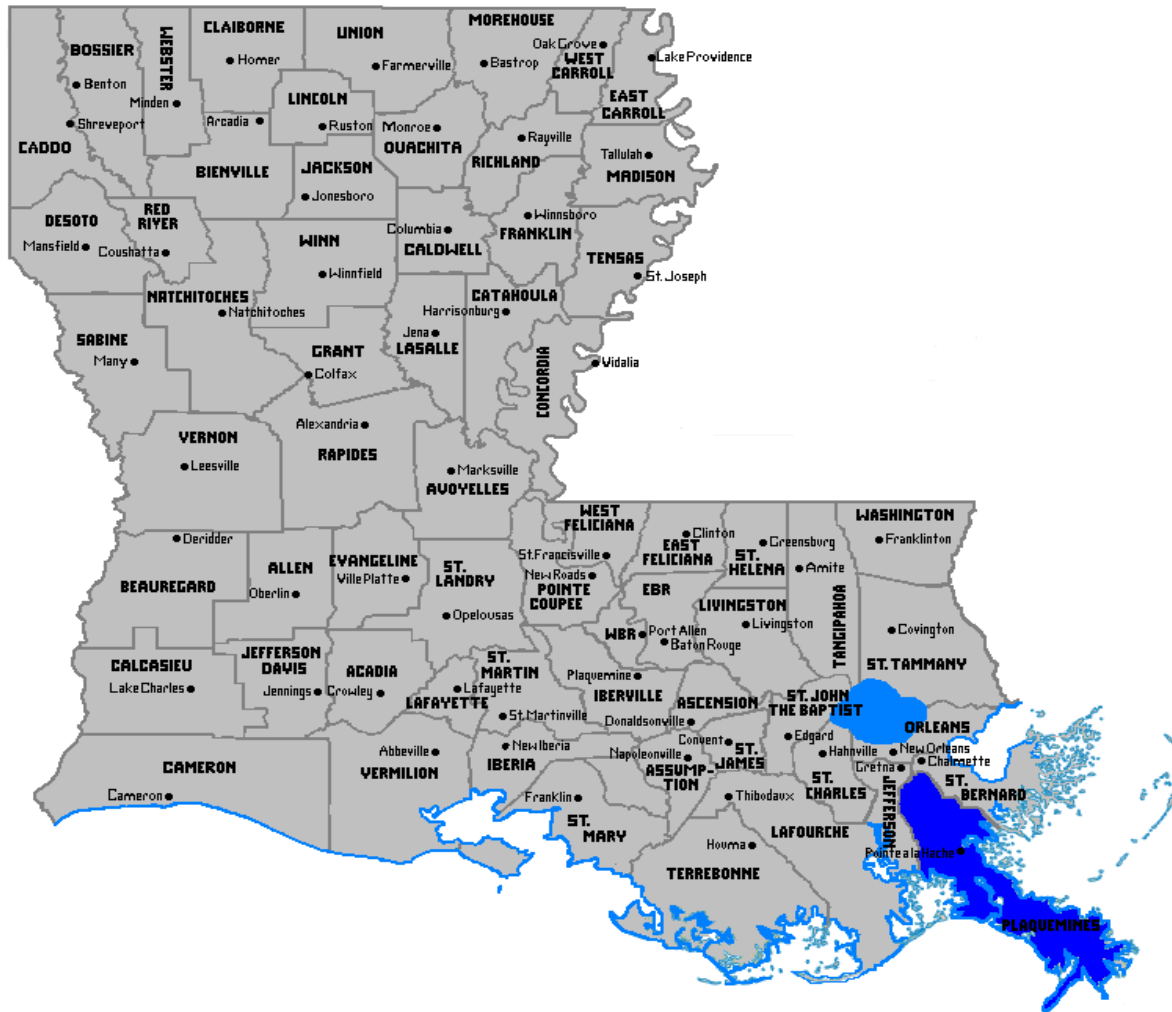
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





THE 25<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
PLAQUEMINES (POINT-A-LA-HACHE)

DISTRICT DEFENDER: CLARKE BELJEAN  
208 AVENUE G.  
BELLE CHASSE, LA 70037  
(504) 297-5236



25TH JUDICIAL DISTRICT :  
PLAQUEMINES PARISHES

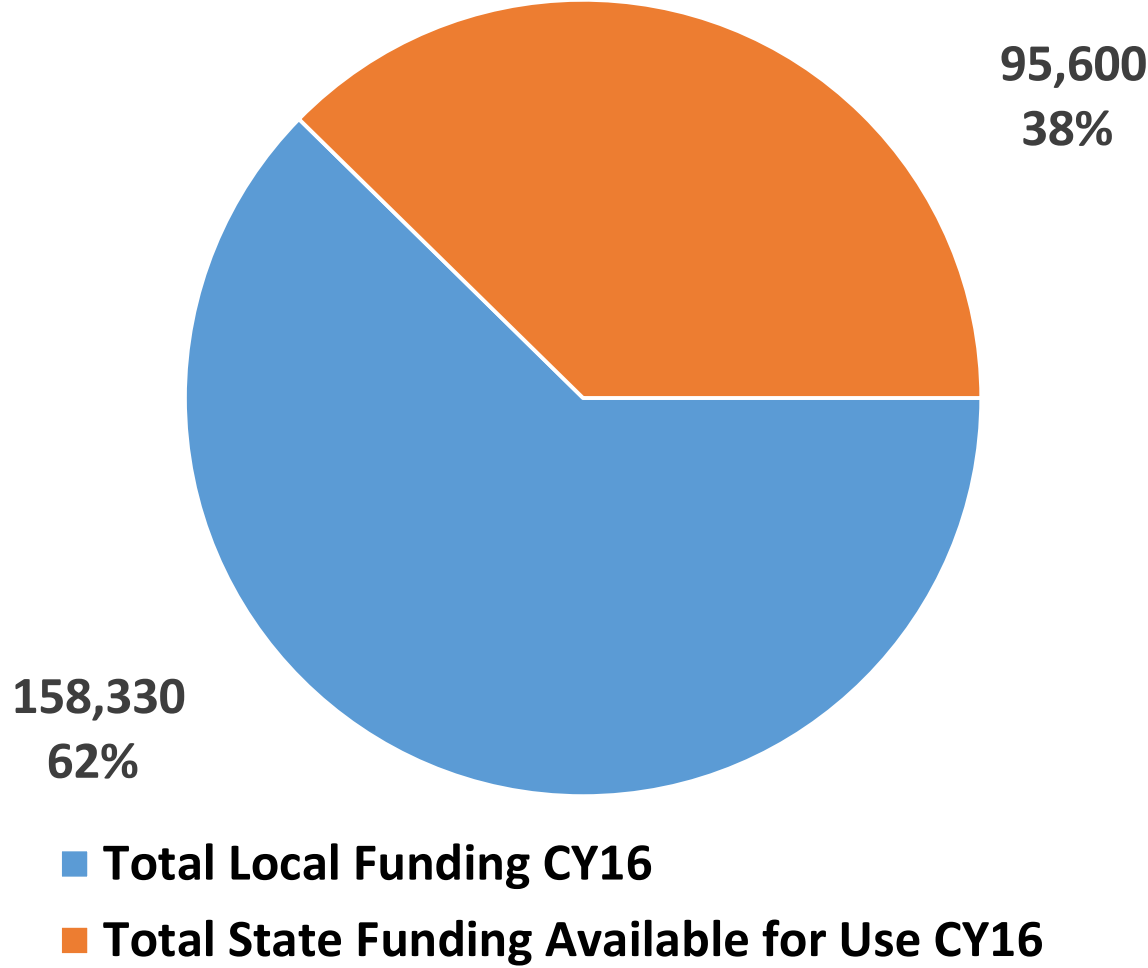
Clarke Beljean  
District Defender  
208 Avenue G  
Belle Chasse, LA 70037  
504-297-5236

During Calendar Year 2016, the 25th Judicial District Public Defenders Office handled 978 cases. The office received \$253,930 in total revenues to handle these cases, approximately 62% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

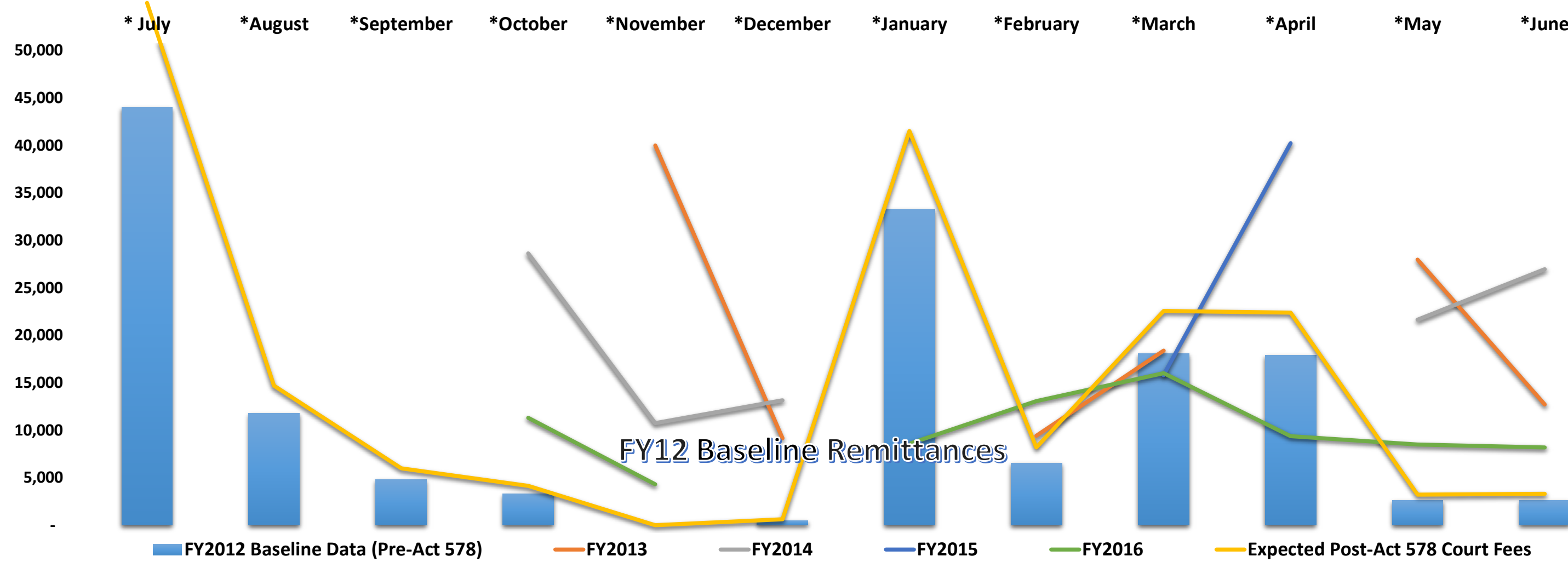
Since the inception of Act 578 (2012), local revenues associated with court costs have been unstable and erratic apparently due to irregular remittance schedules as shown in the graph below.

The 25th Judicial District office exhausted its fund balance as the office's expenditures exceed the office's revenues. Insufficient personnel and fiscal resources forced the 25th Judicial District office to begin restricting services September 2015. Although the office implemented several procedures to reduce expenditures and attempt to increase revenues, the office faced a fiscal crisis and was briefly forced to close it's doors in February of 2016. The office reopened after receiving emergency bail out funds from the state office.

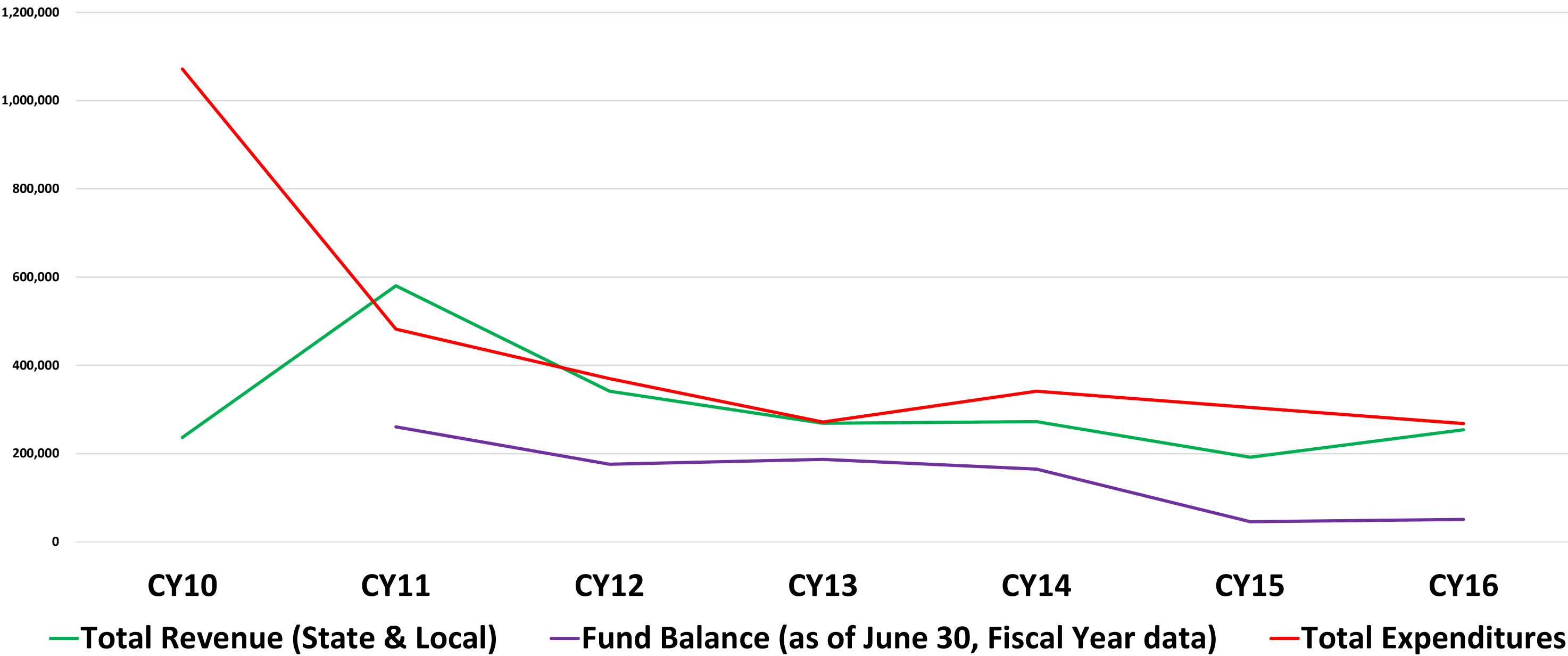
District 25 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 25 PDO

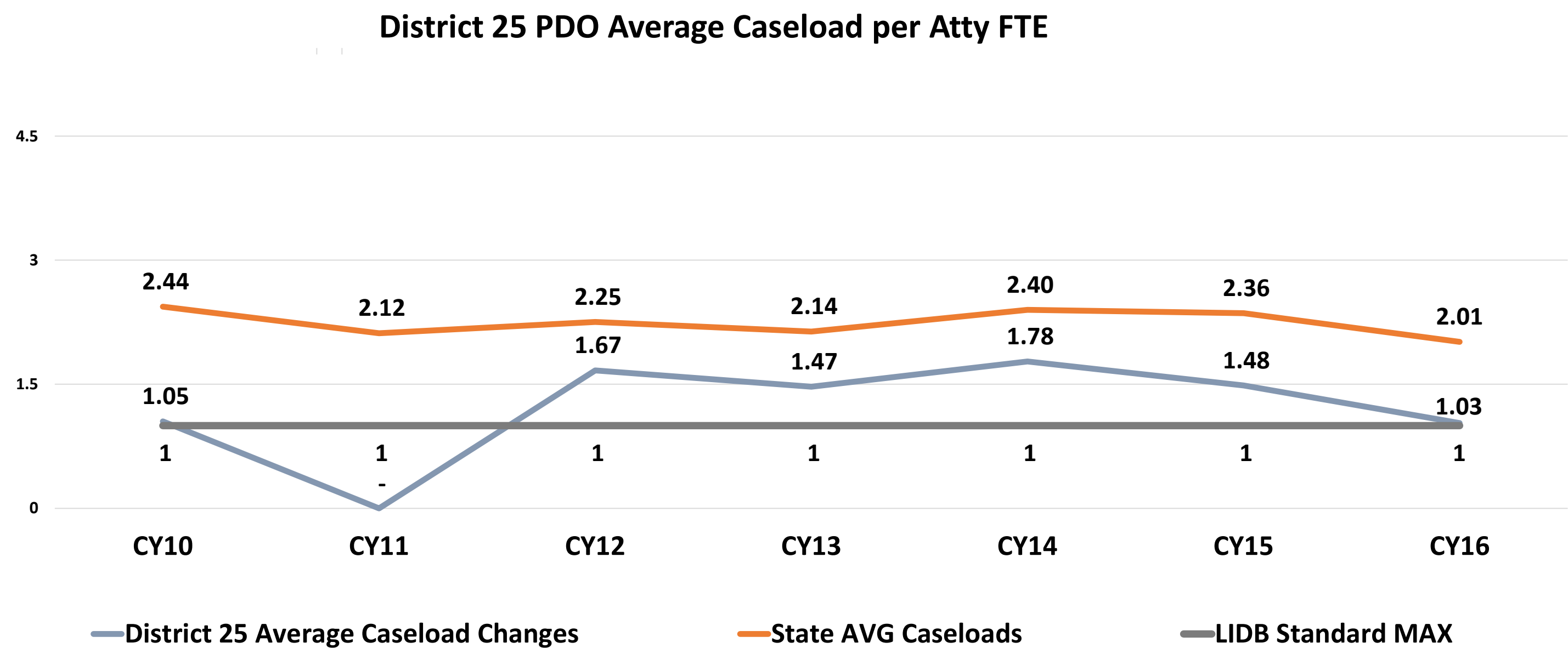


District 25 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



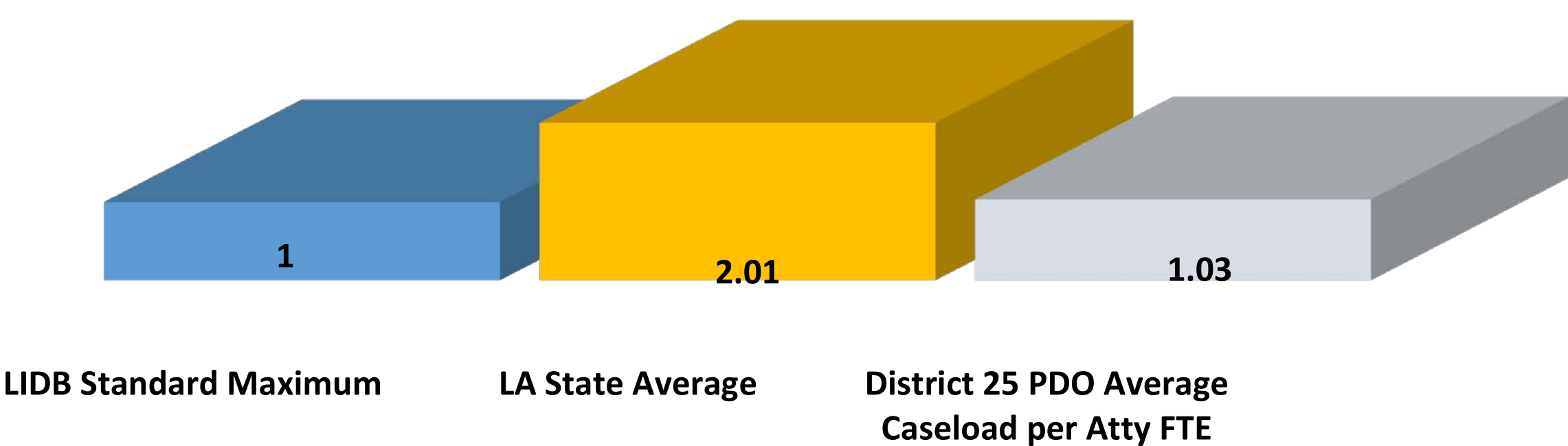
25TH JUDICIAL DISTRICT :  
PLAQUEMINES PARISHES

Clarke Beljean  
District Defender  
208 Avenue G  
Belle Chasse, LA 70037  
504-297-5236



In the 25th Judicial District, public defense attorneys maintain caseloads near the recommended caseload limit for each attorney yet below the state average.

District 25 PDO Average Caseloads Compared to State Average & State Standard...



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 25<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Plaquemines Parish
<b>Population</b>	23,042
<b>District Defender</b>	Clarke Beljean
<b>Years as District Defender</b>	6 months
<b>Years in Public Defense</b>	11
<b>Office Manager</b>	Mandy Buie
<b>Primary Office Street Address</b>	208 Avenue G
<b>City</b>	Belle Chasse
<b>ZIP</b>	70037
<b>Primary Phone</b>	504-297-5236
<b>Primary Mailing Address</b>	208 Avenue G, Belle Chasse, LA 70037
<b>Primary Fax Number</b>	504-297-5297
<b>Primary Emergency Contact</b>	Clarke Beljean
<b>Primary Emergency Phone</b>	504-655-0223
<b>Secondary Emergency Contact</b>	Mandy Buie
<b>Secondary Emergency Phone</b>	504-329-6228
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Plaquemines Parish Government
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	None
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	No, Keith Rovira
<b>Courts and Locations</b>	Division "A" :Division "B"; Juvenile Court and Adult Drug Court - 201 Main Street, Suite 15, Belle Chasse, LA 70037 450 F. Edward Hebert Blvd., Belle Chasse, LA 70037
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Division "A" ;Division "B"; Juvenile Court and Adult Drug Court.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Magistrate is held Monday, Wednesday and Friday. An attorney from this office attends all hearings. Judge questions defendant to inquire as to their representation and gives them the option of a PDO attorney. PDO attorney interviews defendant for qualification purposes. If they qualify, the questionnaire is brought back to the office. Assignment of cases are rotated between all Attorneys.
<b>Name of Adult Detention Facilities in This District</b>	Plaquemines Parish Detention Center: 16801 Hwy 15, Davant, LA 70046.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	St. Bernard Detention Facilities.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Due to a lack of funding, the office is currently understaffed. This creates the problem of a lack of resources to represent clients in distant facilities.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Juveniles are often transported in shackles if in custody. Once transported, Judge will generally order shackles to be removed or deputy will remove at attorney's request.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Our Detained Clients are housed at Plaquemines Parish Prison in Davent, LA. This sometimes makes it very difficult to drive the two hour round trip to access our Detained Clients. Additionally, the sheriffs office is understaffed which causes delays in transporting clients to the meeting area.
<b>District Attorney</b>	Charles Ballay
<b>Chief Judge of Criminal District Court</b>	Judge Kevin D. Conner "A"
<b>Juvenile Court Judges (Specify District of City Court)</b>	Judge Michael D. Clement Division "B"
<b>Drug Court Judges</b>	Yes, Kevin Conner Division "A"
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Office personnel determine eligibility based on the 2013 Federal Poverty Guidelines.
<b>When is Assignment/Appointment of Counsel Made?</b>	After magistrate hearings or any other court hearing date.
<b>What steps does your office take to ensure conflict – free representation</b>	Review initial reports at magistrate bond setting for obvious conflict. Attorneys then self-report conflicts as they arise. If funds are available, outside conflict counsel is retained. If not, Client is put on a waiting list maintained in accordance with ROS standards.

<b>Brief Explanation of Intake Process</b>	Before the Judge comes to the court the PDO interviews all the clients and determines whether they qualify. I complete all the information sheet that contains questions we need for the PDO computer and I sign them up. After Judge has completed the magistrate, the attorney located in our office conducts a first jail visit/interview with that client. Client is then taken back to prison unless able to bond out. The attorney in our office answers all questions that need to be answered and provides any additional help that the client needs at this time. The attorney also will typically obtain all the facts from the client on the charges client has been arrested for.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes. By money order only.
<b>How Many Applications for Services Were Received?</b>	500
<b>How Many Application Fees Were Waived?</b>	69
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	3,644
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	117,165
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Monica Nicosia, Finance Dept for Plaquemine Parish Sheriff's Office gives us a written statement of all fees collected.
<b>Who Collects the Assessed Court Fees?</b>	Monica Nicosia
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Monica Nicosia, PPSO Finance gives us an itemized statement of all fees collected, along with the checks made payable to the public defender's office.
<b>Who Remits the Court Fees Collected?</b>	Monica Nicosia, PPSO Finance.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Monica Nicosia, PPSO Finance gives us an itemized statement of all fees collected, along with the checks made payable to the public defender's office.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A

How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?	N/A
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment	Client must provide proof of unemployment, disability or hardship to the Court. The Court may reduce or dismiss the fee.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?	None
Who Collects the Assessed Partial Payments?	PDO by money order only.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	PDO by money order only.
Who Remits the Partial Payments Collected?	Client
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	None
Amount, If Any, of Partial Indigence Payments Received by the Office in CY16	\$0. No one was determined to be partially Indigent in 2016.
Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?	Full time Staff Attorneys are not allowed to practice privately.
For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract	Yes
Primary Immediate Needs	Funding (Attorney, Investigator)
Was your office in ROS at any time during 2016	Yes
If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?	Not at this time.
In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.	No
Immediate Critical Issue Areas	Primarily funding to maintain payroll. Secondarily to fund conflict cases.
Long-Term Critical Issue Areas	Primarily funding to maintain payroll. Secondarily to fund conflict cases.
2016 Media Coverage and/or Major Accomplishments	N/A
Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe	Yes, one on one direct supervision by the Chief Defender.
Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year	None

Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)	Yes
Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)	Clarke Beljean Chief Defender, Mandy Buie Office Manager.
Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe	No
Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit	Medical Benefits are not offered to any employees.
Regular Meetings for Any Staff, Please Describe	Meet informally several times a week.
Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)	None
Number of Writs Your District Filed in 2016	0
Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016	0
Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied	0
Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases	Determined by the Chief on a case-by-case basis.
Number of trial level Juvenile Life Without Parole ( <u>Miller</u> ) cases handled by your office in CY 2016	0
Number of remanded Juvenile Life Without Parole ( <u>Montgomery</u> ) cases pending in your office	0
Number of remanded Juvenile Life Without Parole ( <u>Montgomery</u> ) sentencing hearings conducted in your district in CY 2016	0
Please Provide the Names of All State Representatives and Senators from Your District	Senator Troy Carter, Senator John A. Alario Jr., Senator Sharon Hewitt, Representative Chris Leopold
Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?	Distance to Detained Clients.
What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?	Reduced staff to 1 full time attorney with no medical benefits and added 3 part time contract attorneys.
<b>Staff Directory:</b>	
<u><b>Full-Time Staff Attorneys</b></u>	<u><b>Contact Information</b></u>
Clarke Beljean	504-655-0223

<u>Part-Time Contract Attorneys</u>	<u>Contact Information</u>
Engolia, Lance	985-773-8557
Harrell, Autumn	504-908-5528
Kirby, Leigh	504-297-5239
<u>Non Attorney Employees and Contractors and Other Staff</u>	<u>Contact Information</u>
Mandy Buie	504-297-5236



## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Mandy Buie
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	
Other (please list)	Fast Case
Number of Legal Research Licenses	
Total Cost of Legal Research Software:	0
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	x
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	X
Microsoft Office 2013	
Microsoft Office 2010	x 2011
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	x

Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	X
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	Safari
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	
Television	3
DVD	1 DVD VCR Combo
VCR	
Desktop PCs	2
Laptops	3
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	1
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	N/A
Connection Speed:	N/A
Provider Name:	NewWave
Email Provider:	Rackspace
Please list any software or computer equipment in which you need training:	

## 25th District Defender Office CY 2016 Caseloads & Outcomes

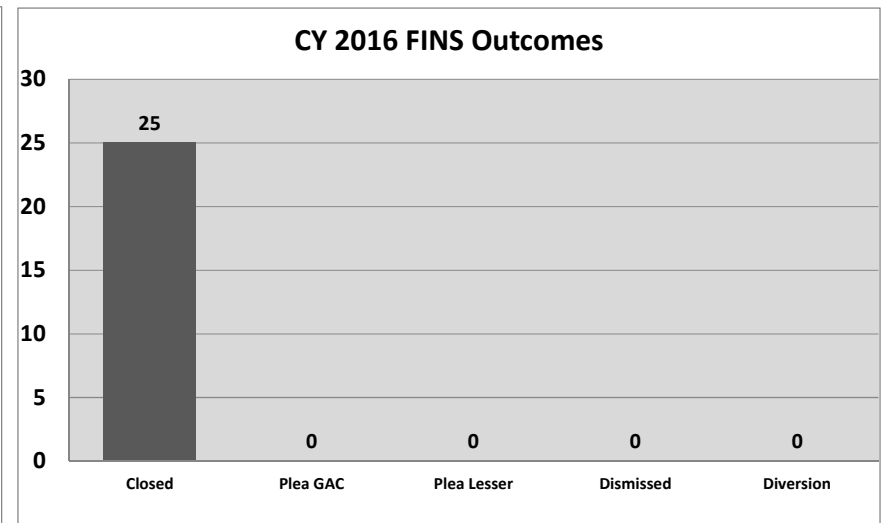
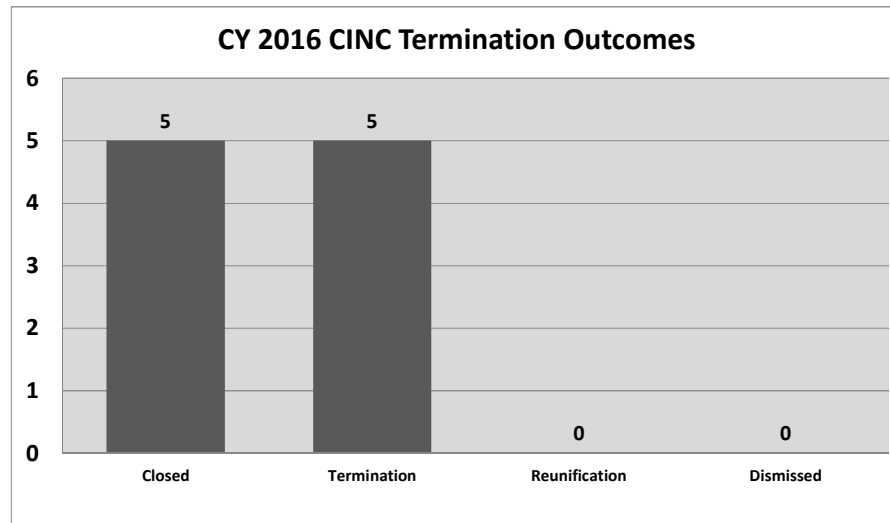
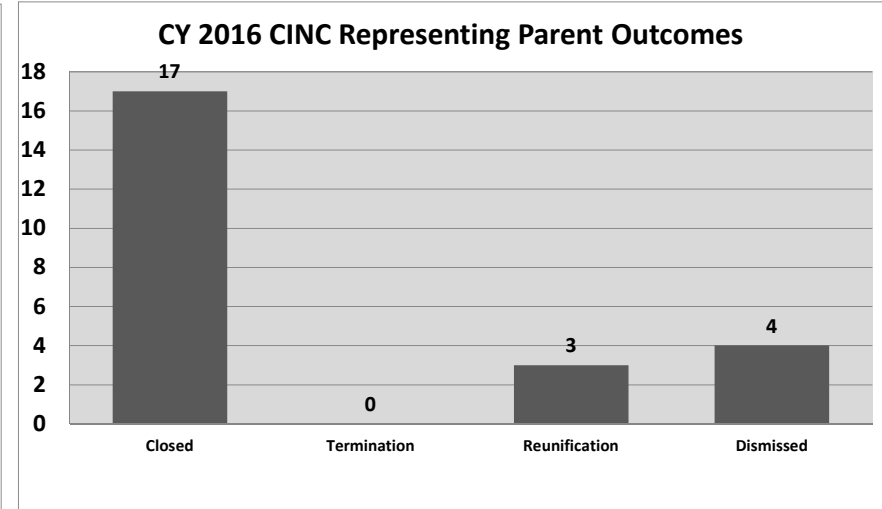
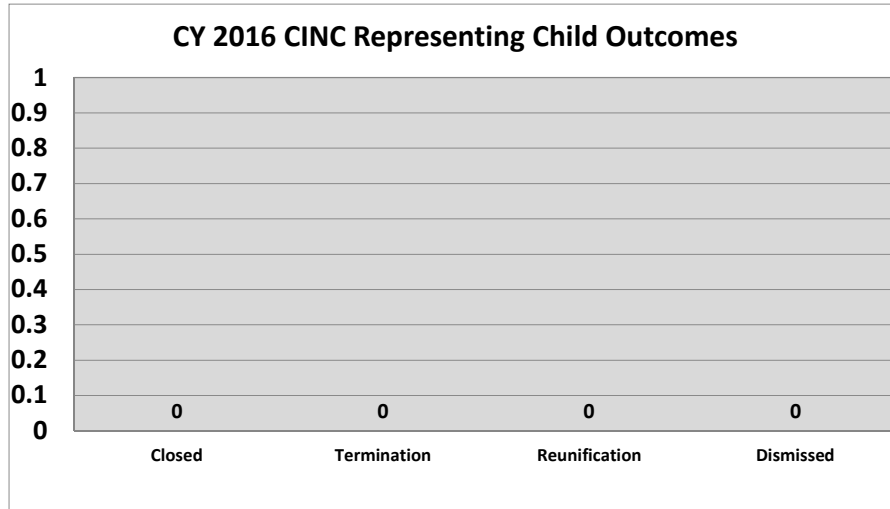
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	18	17	15	33	0	3	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	0
Termination	0	5	5	5	5	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	15	25	20	35	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	13	25	15	28	N/A	N/A	2	2	2	2	N/A	N/A	0	0	0
Delinquency Felony	12	15	9	21	N/A	N/A	2	6	4	2	N/A	N/A	0	1	1
Delinquency-Life	2	1	0	2	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	297	308	148	445	N/A	N/A	189	20	167	6	0	0	2	1	3
Adult Felony Non-LWOP**	199	188	122	321	N/A	N/A	81	43	67	3	0	0	0	0	0
Adult LWOP	3	0	2	5	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	83	83	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

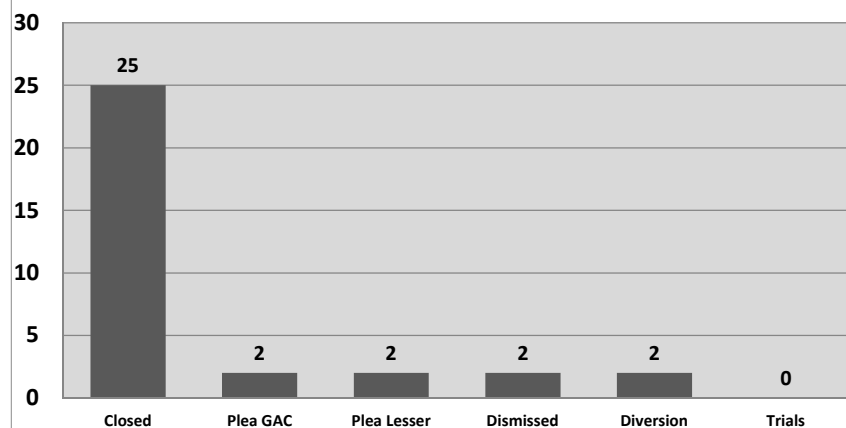
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

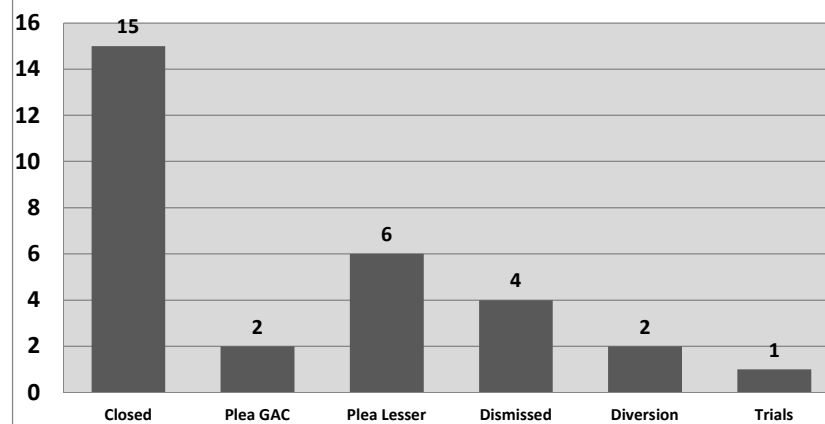
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



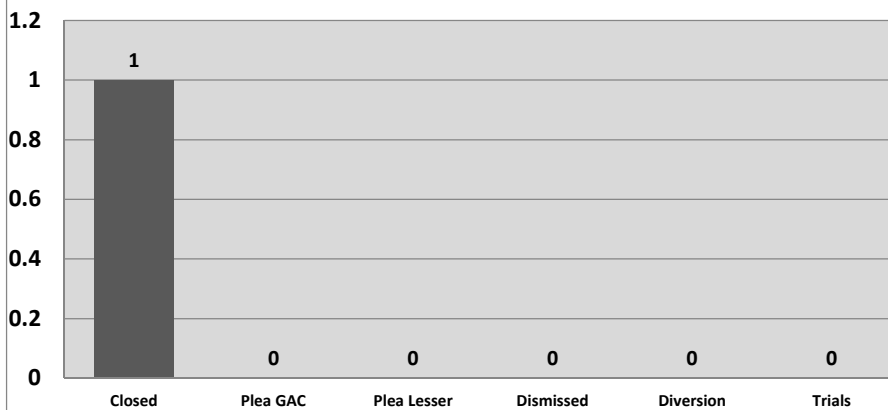
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

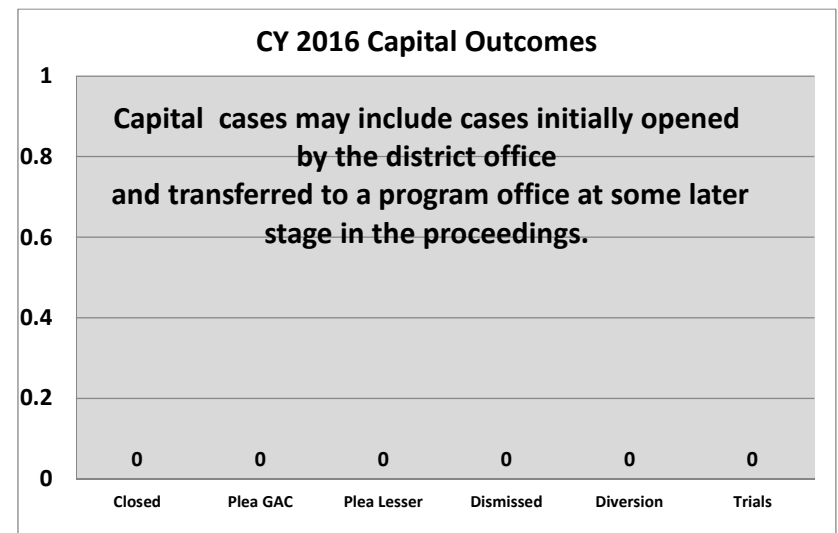
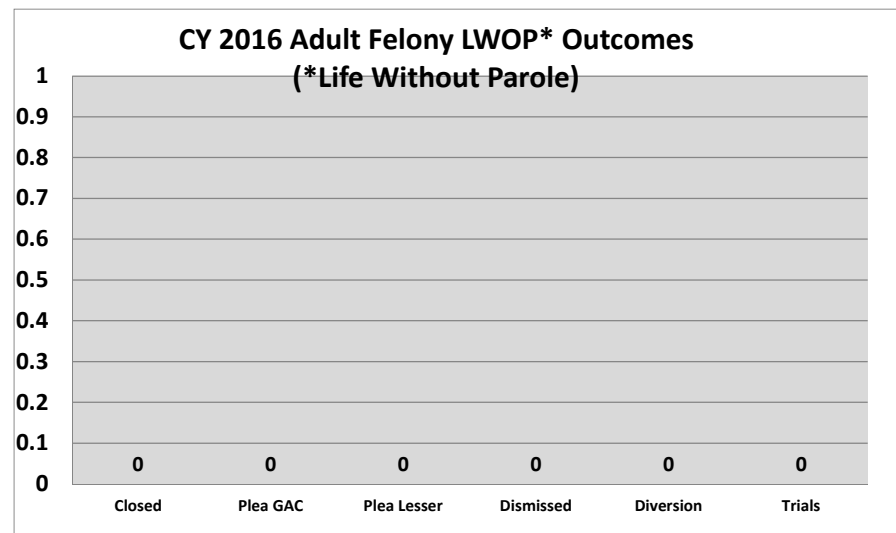
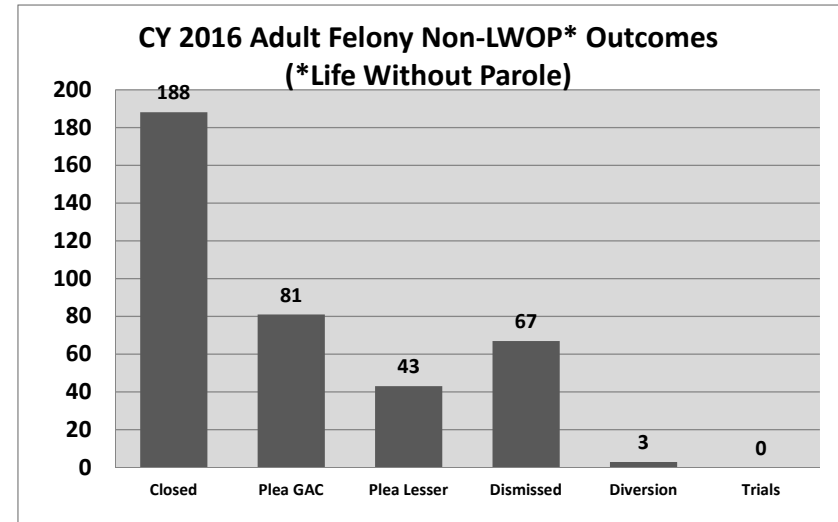
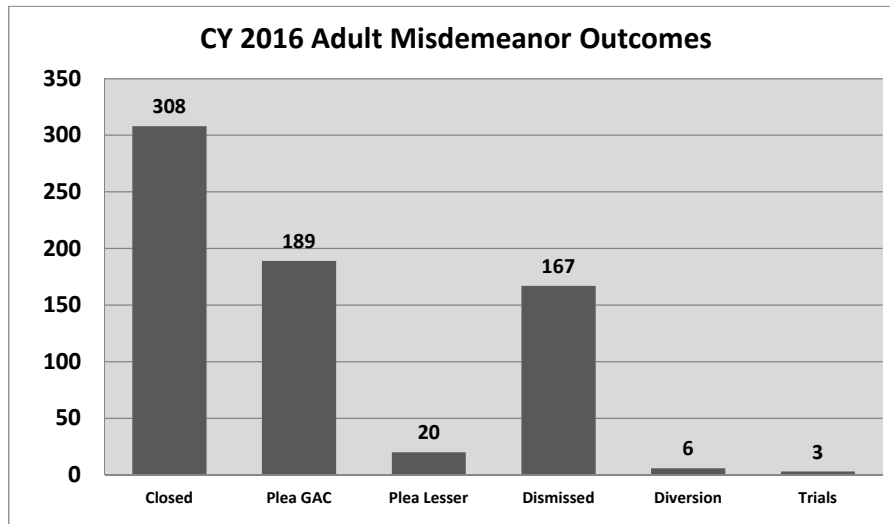


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**





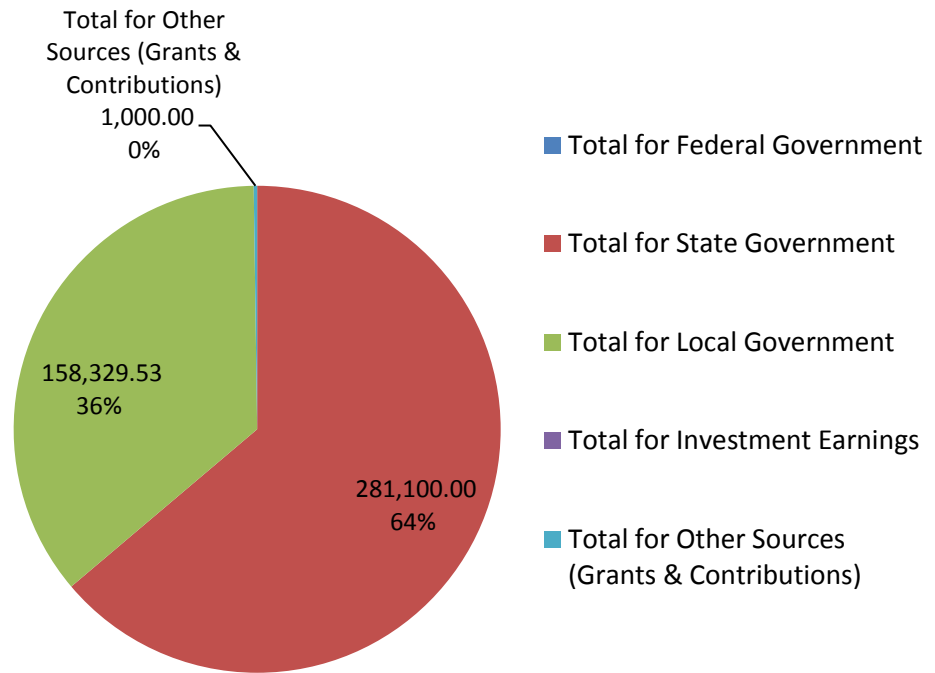
District 25 CY2016	Total CY2016
District Defender: Matthew Robnett/Clark Beljean	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	3,823.00
District Assistance Fund (DAF)	196,170.00
Supplemental/Emergency Funds	81,107.00
Grants	-
Other State Income -List source(s)	-
Total for State Government	281,100.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	10,222.00
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	21,633.00
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	1,605.53
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	4,000.00
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	117,165.00
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	121,165.00
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	3,704.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	3,704.00
Total for Local Government	158,329.53
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	1,000.00
Total for Other Sources (Grants & Contributions)	1,000.00
Total for REVENUE	440,429.53

District 25 CY2016	Total CY2016
District Defender: Matthew Robnett/Clark Beljean	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	155,416.58
Accrued Leave	3,333.33
Payroll Taxes	2,301.87
Hospitalization and Disability Insurance	2,882.57
Retirement	22,262.41
Other	-
Total for Personnel Services and Benefits	186,196.76
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	211.73
Total for Travel/Training	211.73
Operating Services	
Advertisements	497.50
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	5,123.43
Dues and Seminars	309.00
Law Library/Journals/Subscriptions	311.00
Office Supplies	2,206.27
Total for Operating Services	8,447.20
Professional Services	
Audit/Accounting Expense	24,450.00
Contract Clerical	-
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	1,842.50
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	46,666.80
IT/Technical Support	-
Total for Professional Services	72,959.30
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	297.00
Total for Other Charges	297.00
Total for EXPENDITURES	268,111.99

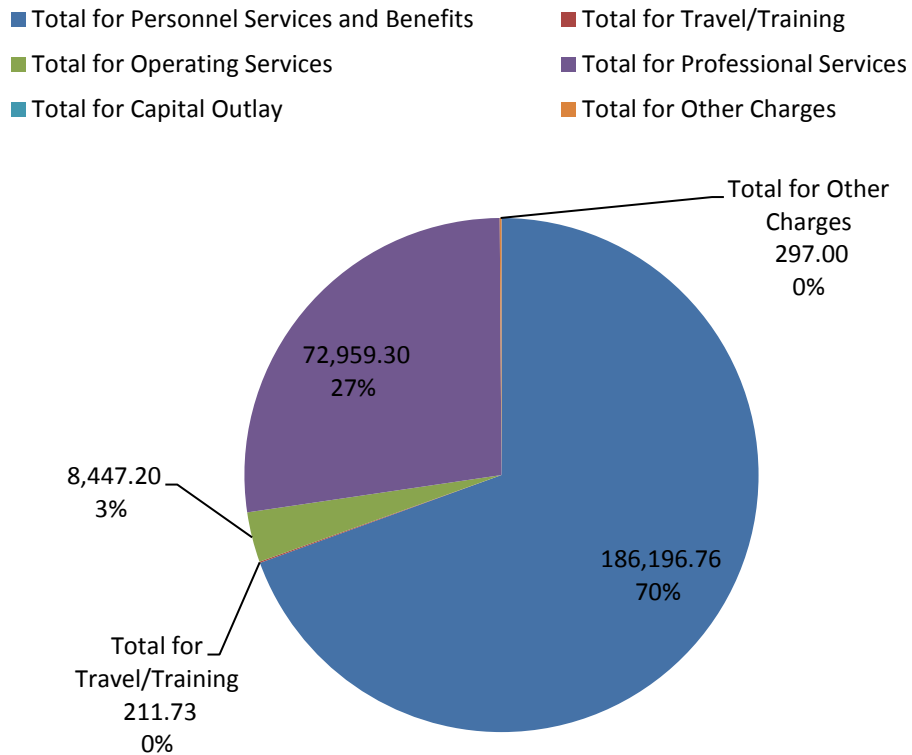
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

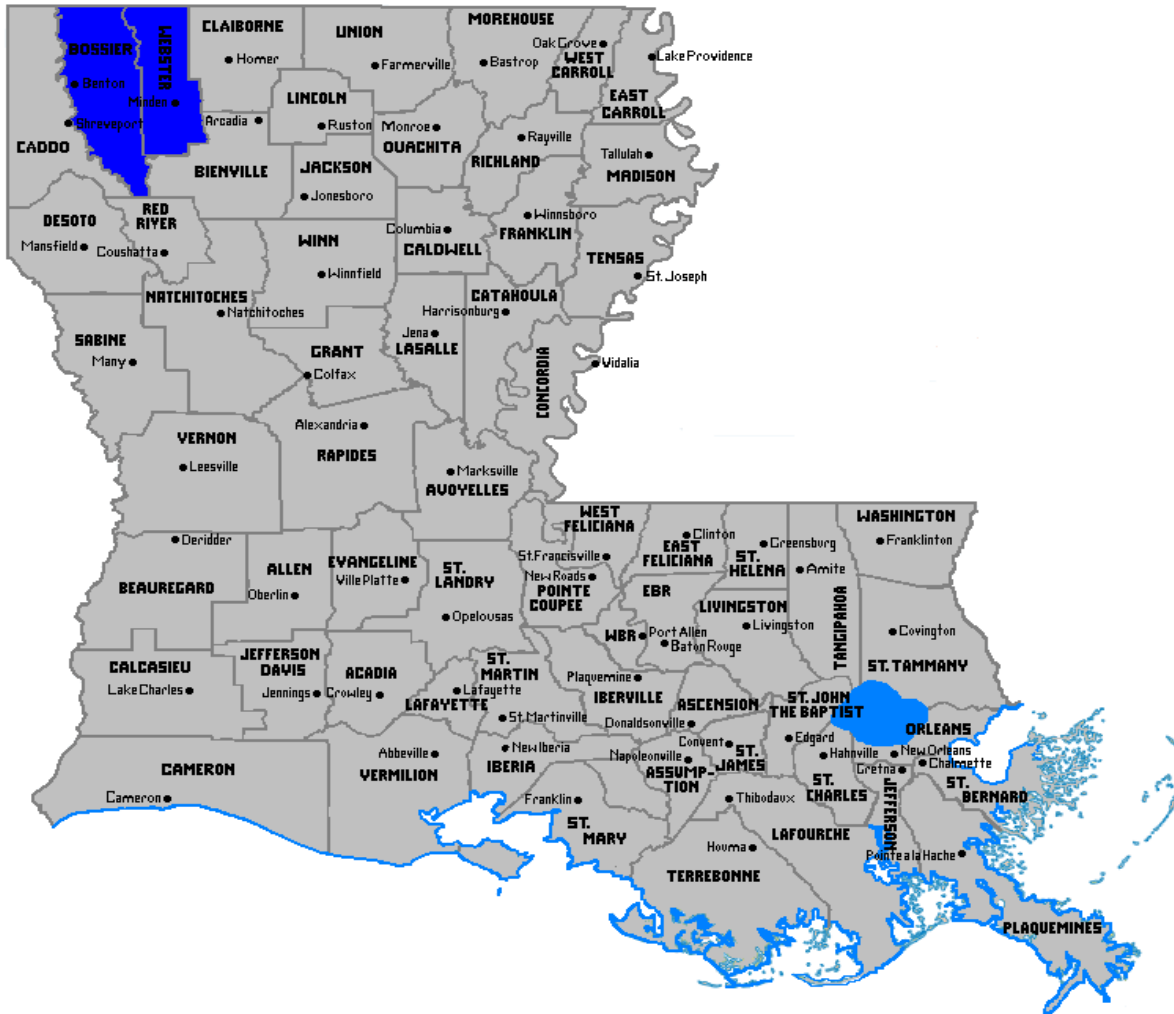


## Total CY16 Revenues



## CY16 Expenditures





# THE 26<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE BOSSIER (BENTON) - WEBSTER (MINDEN)

DISTRICT DEFENDER: MICHAEL F. MILLER  
211 BURT BOULEVARD  
BENTON, LA 71006  
(318) 965-0630

26th JUDICIAL DISTRICT :  
BOSSIER AND WEBSTER PARISHES

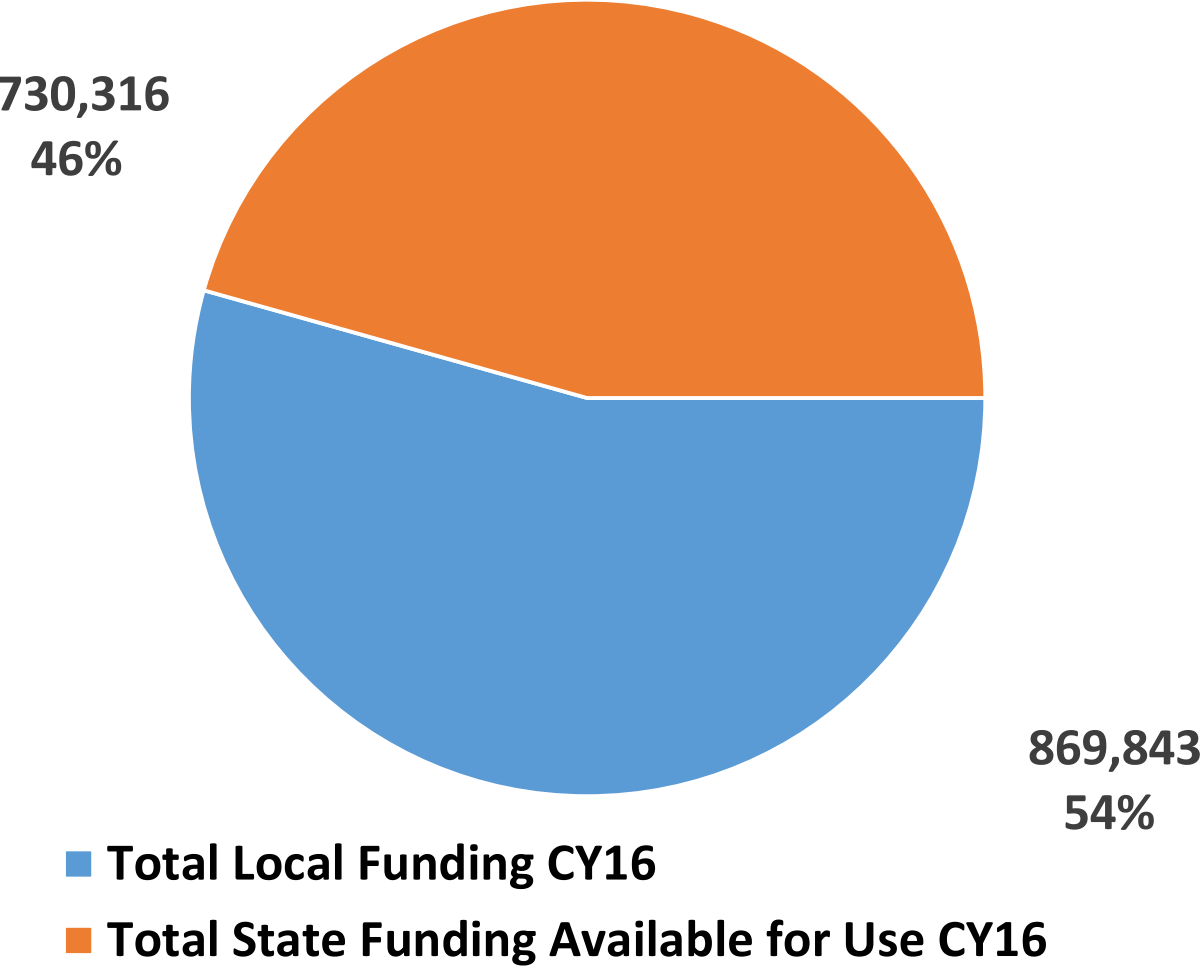
Michael F. Miller  
District Defender  
211 Burt Boulevard  
Benton, LA 71006  
318-965-0630

During Calendar year 2016, the 26th Judicial District Public Defenders Office handled 13,582 cases. The office received \$1,600,158 in total revenues to handle these cases, approximately 54% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

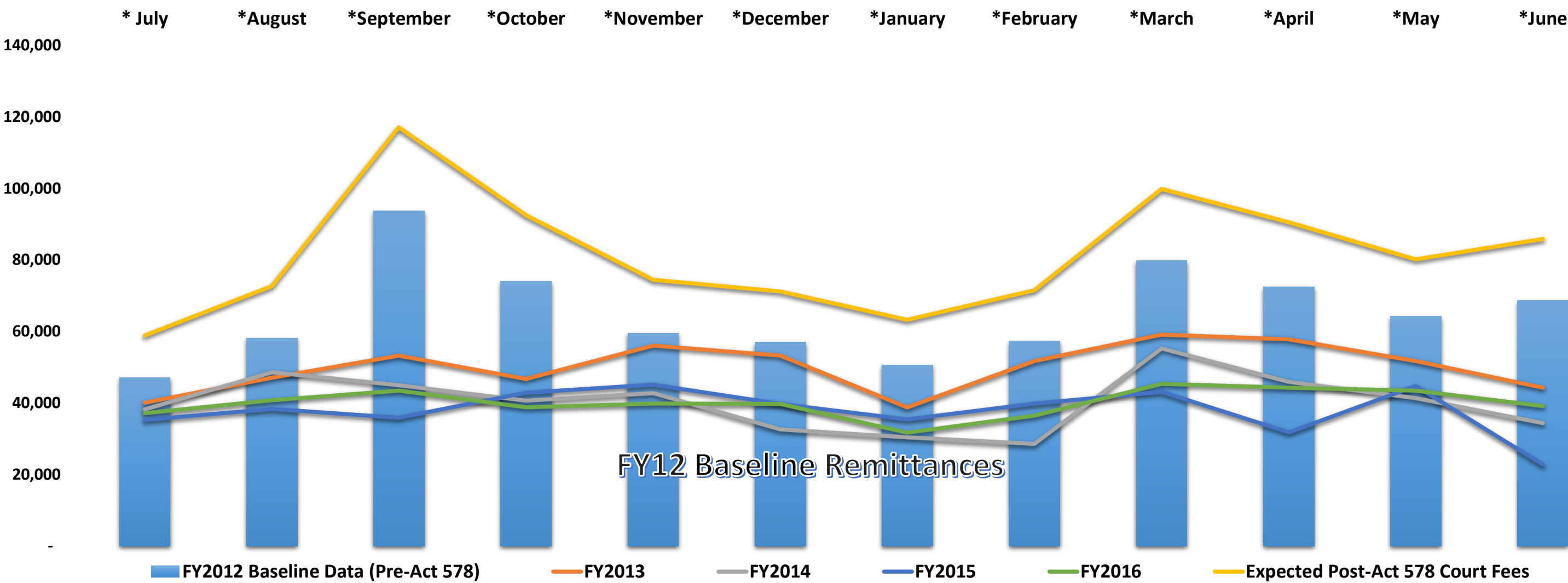
Since the passage of the \$10 increase in special court costs associated with Act 578 (2012) in the 26th Judicial District, the expected 25% increase in local revenues has never materialized.

The 26th Judicial District office nearly exhausted its fund balance as the office's expenditures exceeded the office's revenues. Insufficient personnel and fiscal resources forced the 26th Judicial District office to begin restricting services March 4, 2015, effectively closing the gap between expenditures and revenues.

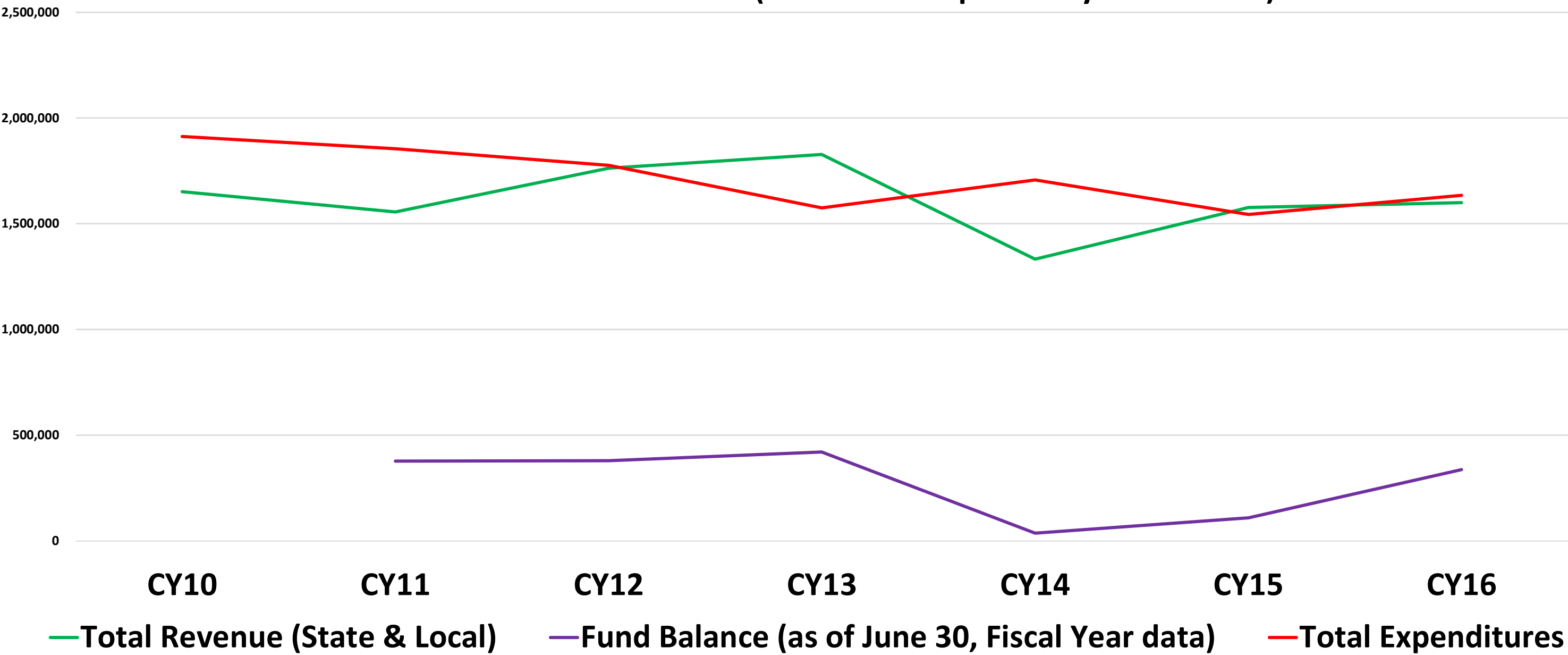
District 26 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 26 PDO

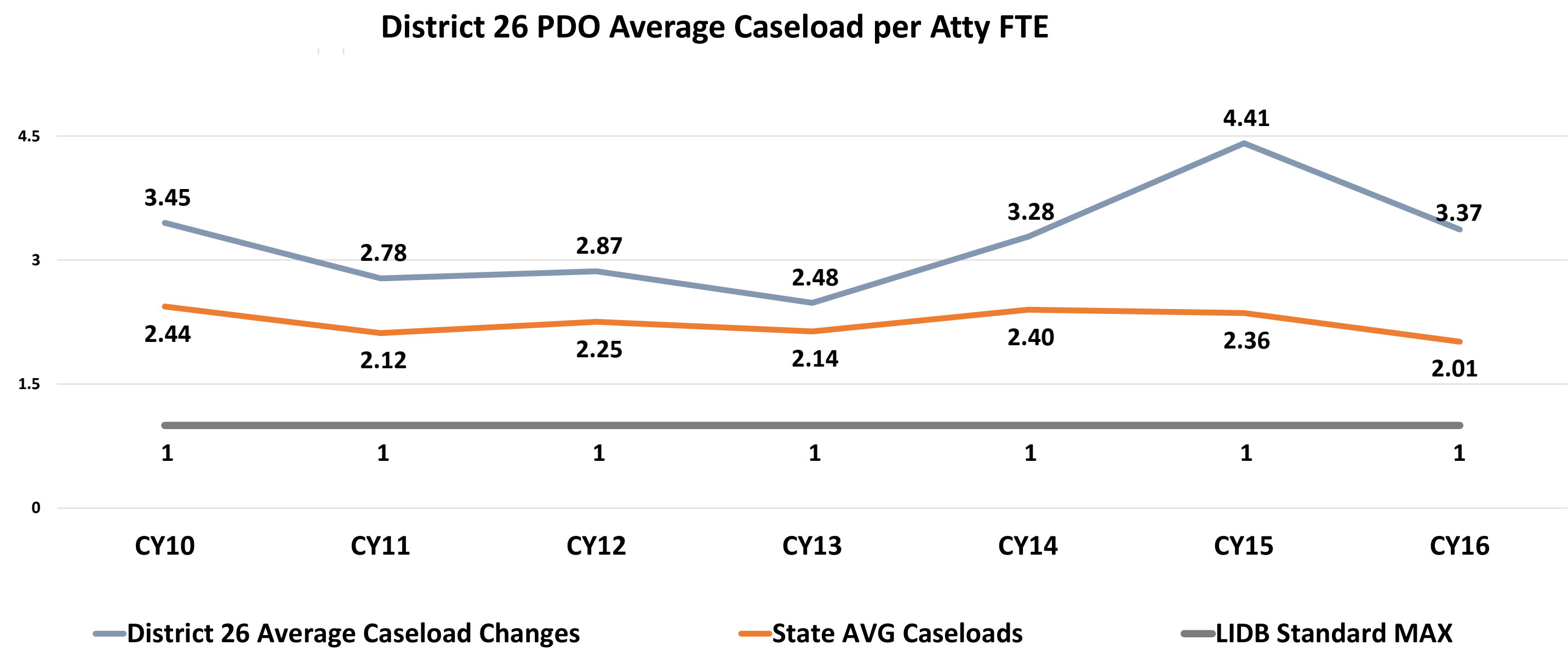


District 26 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



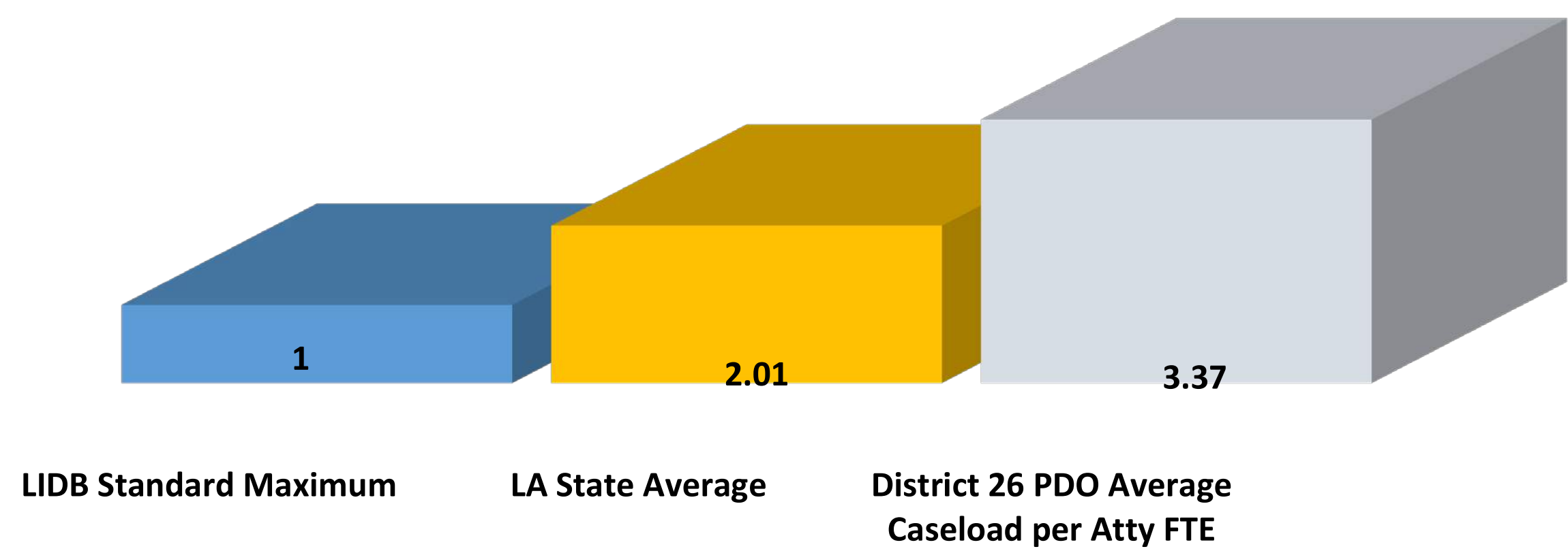
26th JUDICIAL DISTRICT :  
BOSSIER AND WEBSTER PARISHES

Michael F. Miller  
District Defender  
211 Burt Boulevard  
Benton, LA 71006  
318-965-0630



In the 26th Judicial District, public defense attorneys maintain caseloads more than three times the recommended caseload limit for each attorney.

District 26 PDO Average Caseloads Compared to State Average & State Standard...



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 26TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Bossier Parish- Benton; Webster Parish- Minden.
<b>Population</b>	Total: 165,196 - (Bossier Parish - 125,175 + Webster Parish - 40,021) July 1, 2015 estimates based on April 1, 2010 census.
<b>District Defender</b>	Michael F. Miller, Chief District Defender
<b>Years as District Defender</b>	10 months
<b>Years in Public Defense</b>	7 years, 10 months
<b>Office Manager</b>	Keavia Johnson
<b>Primary Office Street Address</b>	211 Burt Boulevard
<b>City</b>	Benton
<b>ZIP</b>	71006
<b>Primary Phone</b>	318-965-0630
<b>Primary Mailing Address</b>	PO Box 235, Benton, LA 71006
<b>Primary Fax Number</b>	318-965-5521
<b>Primary Emergency Contact</b>	Michael F. Miller
<b>Primary Emergency Phone</b>	318-455-4977 cell
<b>Secondary Emergency Contact</b>	Keavia Johnson
<b>Secondary Emergency Phone</b>	318-230-8939 cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	221 Main Street, Minden, LA 71055 - Ph 318-377-9255, Fax 318-377-8148; 200 Burt Blvd., Benton, LA 71006 - Ph 318-965-0462, Fax 318-965-9220
<b>Other District Office Contact Personnel (Primary Only)</b>	LaKeia Taylor
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Both Bossier and Webster office are owned by the office. The actual entity on the title is "Indigent Defender Board".
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	File storage: \$149.79; Utilities: \$2,375.14; Maintenance: \$1,811.76; Equipment Rental: \$504.00; Postage: \$188.40
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	All bills and payroll are handled by Heath Crager, CPA.
<b>Courts and Locations</b>	26th JDC Bossier Parish - Benton; 26th JDC Webster Parish - Minden; Bossier City Court - Bossier City; Minden City Court - Minden; Springhill City Court - Springhill.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	26th JDC Bossier Parish (9: 6 felony/misdemeanor, 1 juvenile, 1 adult drug court, 1 juvenile drug court); 26th JDC Webster Parish (7: 6 felony/misdemeanor, 1 juvenile); Bossier City Court (2: 1 misdemeanor, 1 juvenile); Minden City Court (3: 1 misdemeanor, 1 juvenile, 1 juvenile drug court); Springhill City Court (3: 1 misdemeanor, 1 juvenile, 1 juvenile drug court).

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Felony and misdemeanor cases are assigned a Division. Each Division has a staff attorney assigned. LWOP cases are usually handled by the attorney assigned to the Division with the assistance of another attorney. Sometimes LWOP cases are specifically assigned to a senior attorney. Bossier Parish conflict cases are assigned to 3 conflict attorneys. Webster cases are contracted to 3 attorneys. Each conflict attorney in Bossier and each contract attorney in Webster are contracted to serve as conflict attorneys in either parish if needed. Staff attorneys in Bossier can serve as conflict in Webster since the 3 attorneys in Webster are contract and not PDO employees.
<b>Name of Adult Detention Facilities in This District</b>	Bossier Parish Maximum and Medium. Closed the Minimum facility (Plain Dealing); Bossier City Jail (Bossier City); Webster Parish Jail & Bayou Dorcheat Correctional Center (Minden).
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Caddo Correctional Center (Caddo Parish) Claiborne Parish Sheriff's Jail (Claiborne Parish) Shreveport City Jail (Caddo).
<b>Name of Juvenile Detention Facilities In This District</b>	Johnny Gray Jones Shelter (Bossier City).
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center-Webster Parish only through an arrangement with Webster Parish Police Jury (Coushatta)
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	We no longer reimburse staff for mileage effective July 1, 2014. The jails are in rural locations so travel time is at least 20' to many facilities and longer if housed in a surrounding parish facility.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Schuyler Marvin
<b>Chief Judge of Criminal District Court</b>	Parker Self
<b>Juvenile Court Judges (Specify District of City Court)</b>	Bossier Parish - rotates but mostly Mike Nerren; Webster Parish - rotates; Minden City Court - Sherb Sentell; Springhill City Court - John Slattery; Bossier City Court - Tommy Wilson; Hearing Officer - Ret. Judge Bruce Bolin.
<b>Drug Court Judges</b>	Rotates
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A

<b>Indigency Determined by Whom and How?</b>	The judges barely screen. At 72 hour hearing an bond return date the court will advise of rights to attorney. If the defendant requests an attorney, the judges ask are they employed and if affirmative, they ask what is their weekly take home pay. That is the gist of the courts inquiry. The PDO uses a more detailed application to obtain financial information on the court appointed clients.
<b>When is Assignment/Appointment of Counsel Made?</b>	Clients are assigned a Division by the court. Once the client and division are made known to the PDO, the attorney for that Division is notified by the support staff.
<b>What steps does your office take to ensure conflict – free representation</b>	Support staff receives appointment list at 72 hour hearing. Conflict check is run by staff/counsel. Motion to appoint conflict counsel is prepared and filed. At present, office has reinstated conflict panel, with three (3) conflict attorneys. Each conflict attorney is assigned two (2) judges. Conflict attorneys are notified via email of new appointments.
<b>Brief Explanation of Intake Process</b>	When the court appoints a client to the PDO, the information is entered into the database. The secretary assigned to the attorney with whom the case is assigned makes a file, drafts motion for discovery and notice of rights, places file on attorneys desk. Case that are conflicted to the conflict panel are designated as such in the database as "closed/withdrawn".
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	4,510
<b>How Many Application Fees Were Waived?</b>	8
<b>How Many Application Fees Were Reduced?</b>	None but we do accept partial payments.
<b>Total Application Fee Dollars Collected in 2016</b>	128,532
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Yes - Bossier Parish Sheriff and Webster Parish Sheriff at the time clients make bail - over the PDO's objection.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	486,963
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	If a client is convicted of multiple offenses at the same time, the court may order the court costs to be concurrent. Sometimes the court may waive court costs if there are special circumstances.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	The agencies from whom we receive fees itemize as far as how much money was collected for bond fees, mandatory assessments, etc. However, we only receive a list of defendants who were assessed the mandatory assessment from Minden City Court.
<b>Who Collects the Assessed Court Fees?</b>	Bossier City Court - Terri Spence; Bossier Sheriff - Mike Rabinowitz; Webster Sheriff - Kaye Taverner; Minden City Court - Tammy Frye; Springhill City Court - Judy Smith.

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	The person at each agency that writes the check for the fees either submits the itemization form provided by LPDB or itemizes the amounts on the check stub.
<b>Who Remits the Court Fees Collected?</b>	Bossier City Court - Terri Spence; Bossier Sheriff - Mike Rabinowitz; Webster Sheriff - Kaye Taverner; Minden City Court - Tammy Frye; Springhill City Court - Judy Smith.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The person at each agency that writes the check for the fees either submits the itemization form provided by LPDB or itemizes the amounts on the check stub.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Either determined by the court or the court will consider recommendation from office based on financial information ascertained by the PDO.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	We must rely on court minutes and attorneys in court to keep track of this information.
<b>Who Collects the Assessed Partial Payments?</b>	Generally, the PDO collects the partial payments. Occasionally, money is received via DOC through P&P.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	We collect it in the office. However, we do receive some money from DOC. Those are individually documented.
<b>Who Remits the Partial Payments Collected?</b>	The client sends it directly to the PDO. Sometimes we receive money from DOC through P&P.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None. The office receives the payments directly.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	40,044
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	The written policy is contained in the Employee Manual. Attorneys may take very minimal private cases outside the jurisdiction as long as full-time hours required by the PDO are fulfilled. However, the Chief Defender must be informed of the private case to make sure there is no conflict. Most attorneys that do private practice do routine wills, curatorships, some private criminal in other jurisdictions, and some appointed cases in federal court or through the Department of Corrections.



<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	More staff attorneys, more conflict attorneys, finance stability to send staff attorneys to travel to criminal CLE and seminars as well as reimburse for travel expenses to training and jails.
<b>Was your office in ROS at any time during 2016</b>	Yes
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	The 26th is still in ROS, since 3/4/15. At present the office in Webster has been repaired and reopened. Have hired 3 conflict attorneys in Bossier, need more. Waiting to see if the governor makes a departmental "sweep" of funding. This will have an affect on further steps to exit ROS. Plus the projected funding for FY will also determine the exit protocol.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	The conflict panel was terminated upon entry into ROS. Staff attorneys in Webster were not replaced. A wait list was developed to handle conflict cases. Upon receipt of the FY DAF funding, 3 conflict panel attorneys were put in place in Bossier and 3 contract attorneys were placed in Webster. There are no longer any clients on a wait list.
<b>Immediate Critical Issue Areas</b>	Building Repair needed in Bossier office. More conflict attorneys. More staff attorneys to reduce case load.
<b>Long-Term Critical Issue Areas</b>	Secure funding to address building issue, travel, seminars, organization membership.
<b>2016 Media Coverage and/or Major Accomplishments</b>	Media coverage and participation in a RAND study.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	New attorneys shadow staff attorneys for a couple of weeks to observe court, jail visits, etc. The "buddy system" is used on all cases proceeding to trial and on certain cases due to the nature and the complexity of the case as a tool to learn the possible ways an investigator may be used, motion practice, etc.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Laurie Wilson - JV Bossier; Bobby Stromile is the JV in Webster but he served as Ad Hoc Judge in Caddo JV Court which ends in January w/ new judge taking office.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes

<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Staff attorneys work is monitored by the Chief Defender through one on one case discussions and court room observations. LWOP cases that are handled by the staff attorney are joined with a senior attorney to monitor the case and assist at trial if needed. Juvenile cases are monitored by a senior juvenile attorney. Chief Defender discusses any issues directly with the senior attorney. Time sheets are maintained by the Chief Defender. Any issues with the staff is addressed by the Chief Defender. The support staff is supervised by the office manager. The database is monitored by the data entry specialist, the office manager and the Chief District Defender.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	The LWOP attorney who primarily supervises the attorneys regarding client representation has a lesser caseload.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Full-Time Benefits: HEALTH - Option A Plan - Office pays 100% of the premiums for the employee; Option B Plan (Upgrade) - Office pays the amount per employee that it pays for Option A and the employee pays the difference in premium. The office pays 25% of the premium for the spouse and children with both plans. DENTAL - Employee pays 100%. VISION - Employee pays 100%.
<b>Regular Meetings for Any Staff, Please Describe</b>	Chief Defender meets with staff attorneys on weekly basis on cases. When issues arise that requires a full staff meeting, these are held at the main office in Benton.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Filed in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	When a juvenile defendant is transferred to adult court he/she is specially assigned to the more experienced attorneys that handle LWOP cases.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	0
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	2

<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	8
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Rep: James Morris, Samuel Jenkins, Thomas Carmody, Mike Johnson, Dodie Horton & Gene Reynolds. Sen: Ryan Gatti and Barrow Peacock. Will have a special election in 2017 to fill Mike Johnson's position. He was elected to the US Congress.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	District has grown and PDO has evolved for the better but criminal justice system as a whole remains static. Operating procedures should evolve with the growing population.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Obtaining 3 contract attorneys in Webster Parish and 3 conflict attorneys in Bossier Parish.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Randal Fish	318-349-7694
Michael Miller	318-455-4977
Sarah Giddens	225-772-1130
K. Wayne Dishman	318-344-3374
Kerry Hill	318-965-0630
Laurie Wilson	318-965-0462
Kendra Joseph	318-965-0630
Ruby Lewis	318-965-0630
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Tristan Gilley	318-798-1605
Christopher Broughton	318-560-7002
Allen Haynes	318-455-5554
David Harvey	318-547-0017
Chris Stahl	318-578-2924
Florence, J Antonio	318-276-6268
Stromile, Bobby	318-349-3889
Jeremy Babers	318-518-1621
Sarah Smith	318-465-2086
Kathryn Bloomfield	310-436-6322
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Amanda Roberts	318-423-2479
Christine Sullivan	318-288-9015
Nancy Cooper	318-564-6582
Crew, Jasmine	318-617-9311
Charles Kern	318-402-7820
Keavia Johnson	318-230-8939
Ruth Elaine Skinner	903-650-1116
Lakeia Taylor	318-371-9919

2016 District Office Technology Survey	
The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Michael F. Miller
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	x
Other (please list)	
Number of Legal Research Licenses	1
Total Cost of Legal Research Software:	19,195
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	
Other (list here):	

<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	26
Laptops	5
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	4
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	Sudden Link & Blue Bird
Email Provider:	Jaga Tech Machines
Please list any software or computer equipment in which you need training:	Database refresher for support staff would be beneficial since there have been so many updates/changes to the system.

## 26th District Defender Office CY 2016 Caseloads & Outcomes

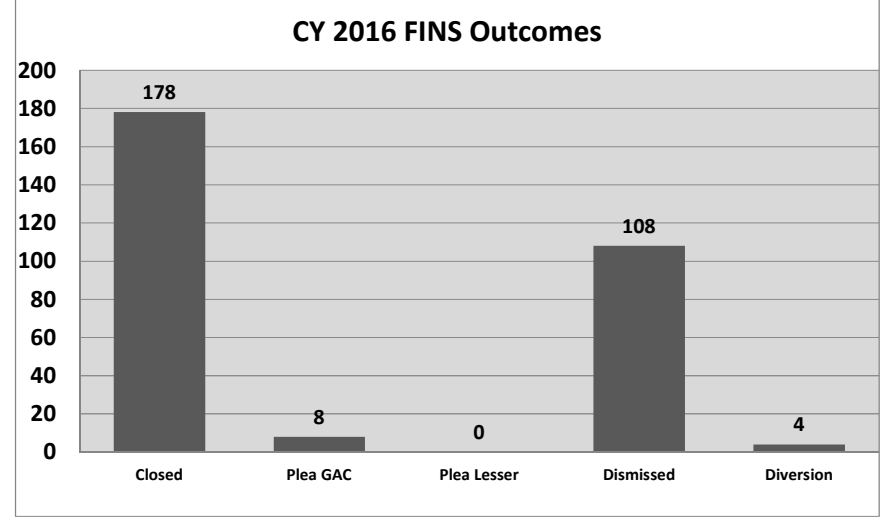
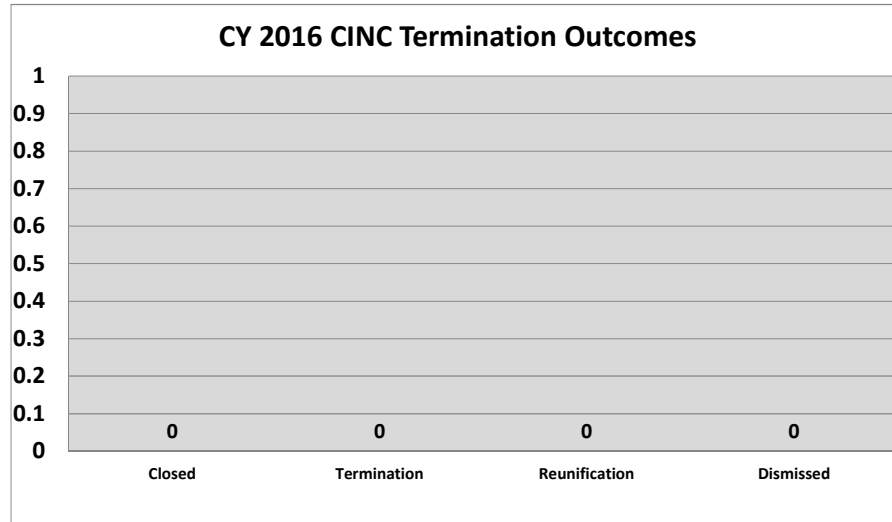
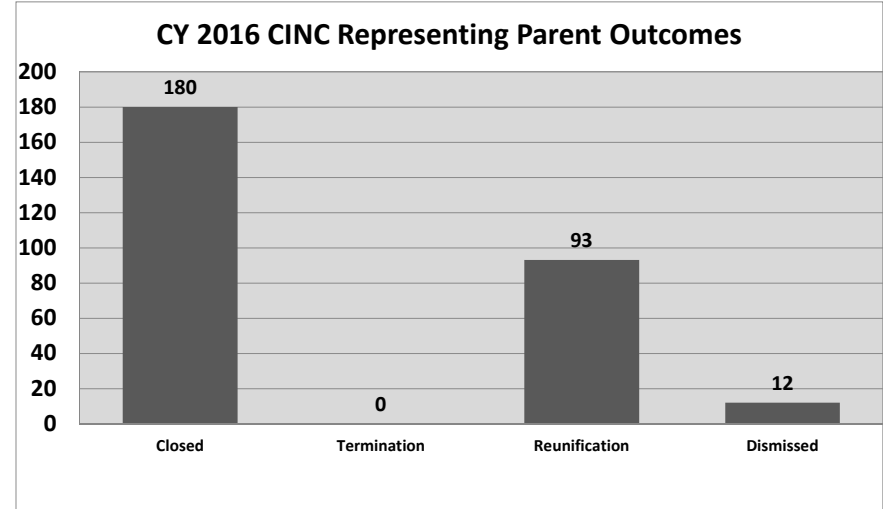
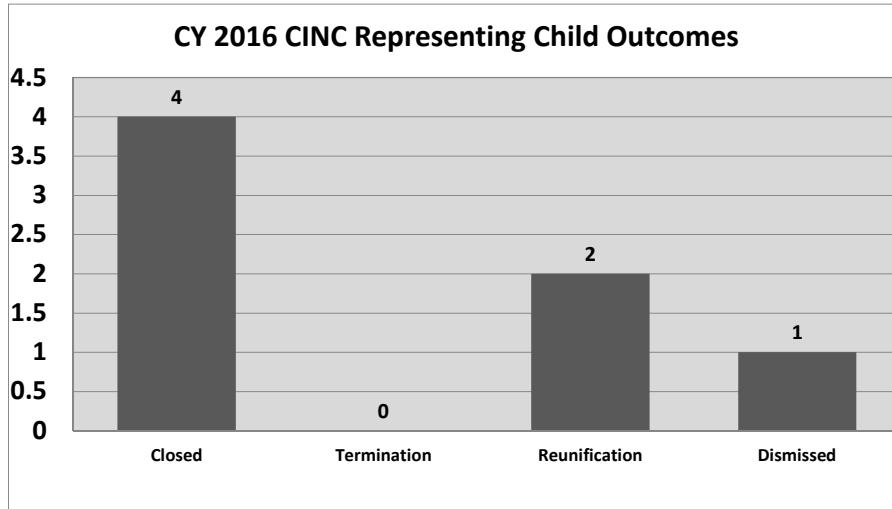
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	5	4	4	9	0	2	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	214	180	186	400	0	93	N/A	N/A	12	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	178	178	37	215	N/A	N/A	8	0	108	4	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	559	566	141	700	N/A	N/A	191	39	366	57	N/A	N/A	1	1	2
Delinquency Felony	109	90	11	120	N/A	N/A	25	23	73	4	N/A	N/A	0	1	1
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	5295	4948	1740	7035	N/A	N/A	2211	306	2444	1	0	0	6	17	23
Adult Felony Non-LWOP**	2865	2719	1326	4191	N/A	N/A	1010	416	963	0	1	4	0	9	14
Adult LWOP	6	12	15	21	N/A	N/A	4	5	0	0	0	0	0	0	0
Capital***	0	0	1	1	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	675	726	212	887	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	1	1	2	3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

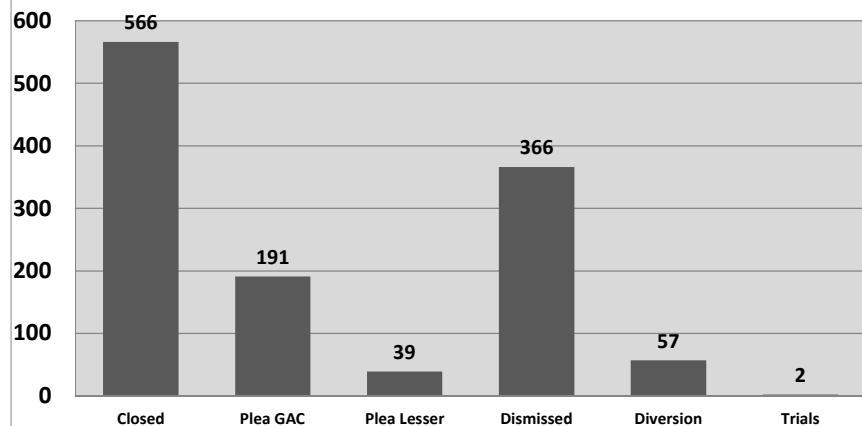
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

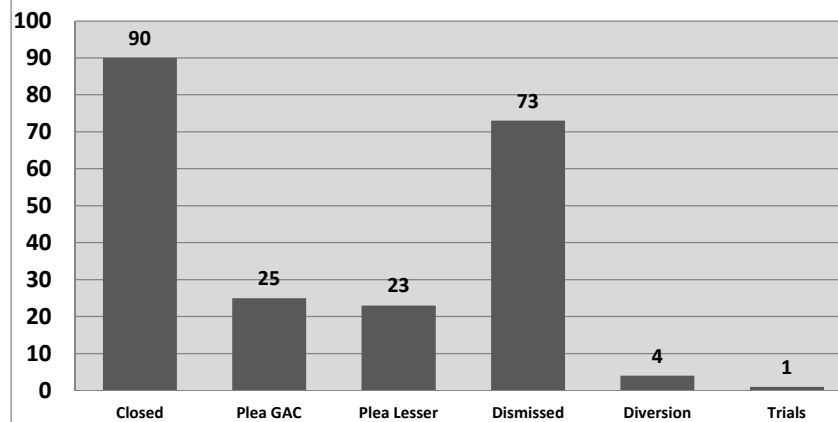
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



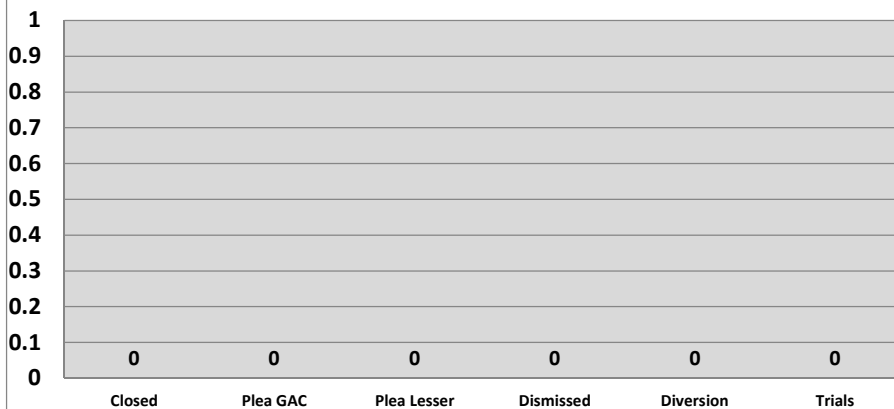
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



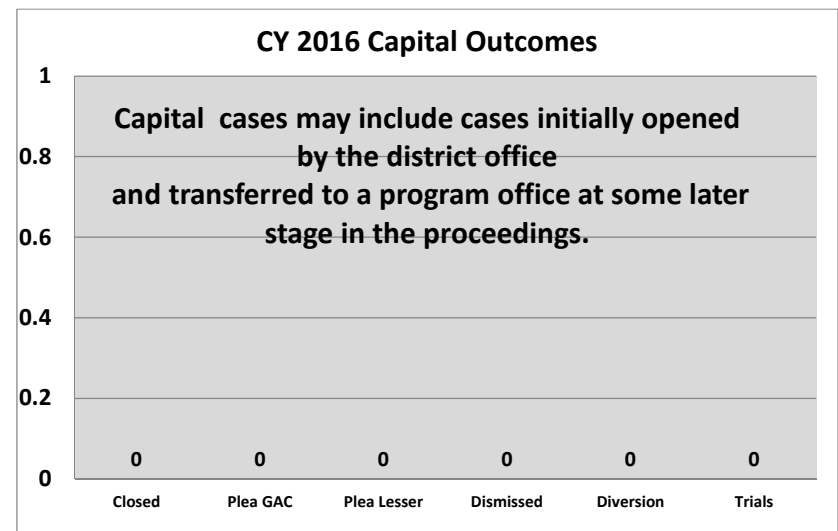
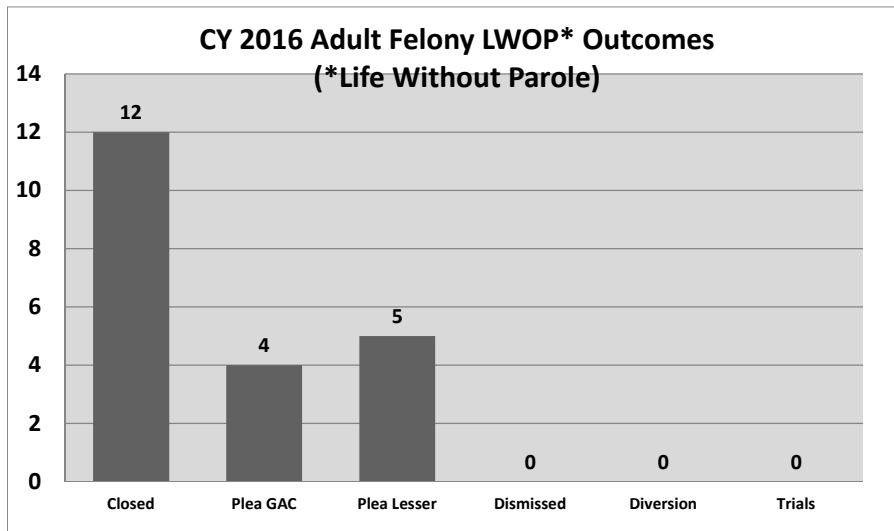
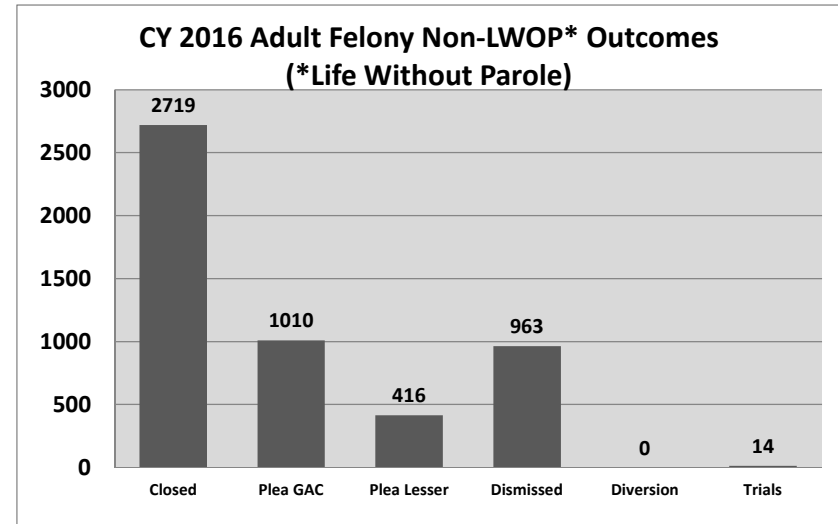
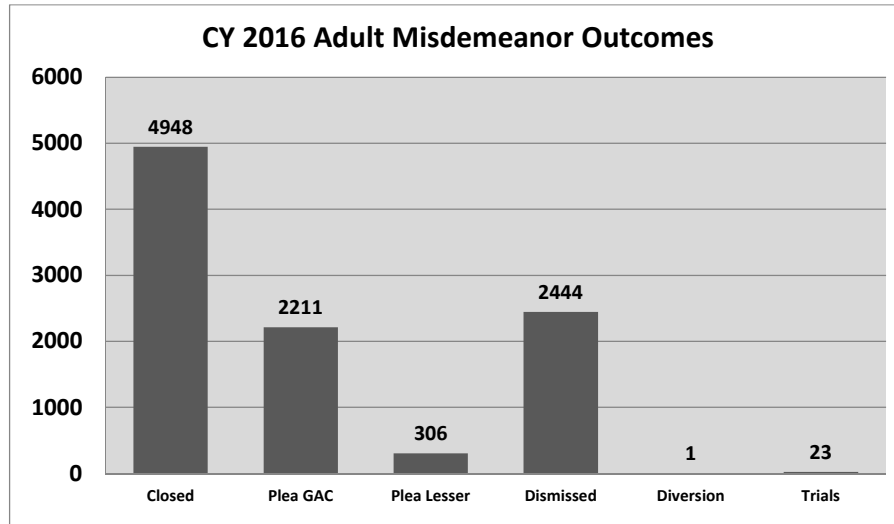
**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**





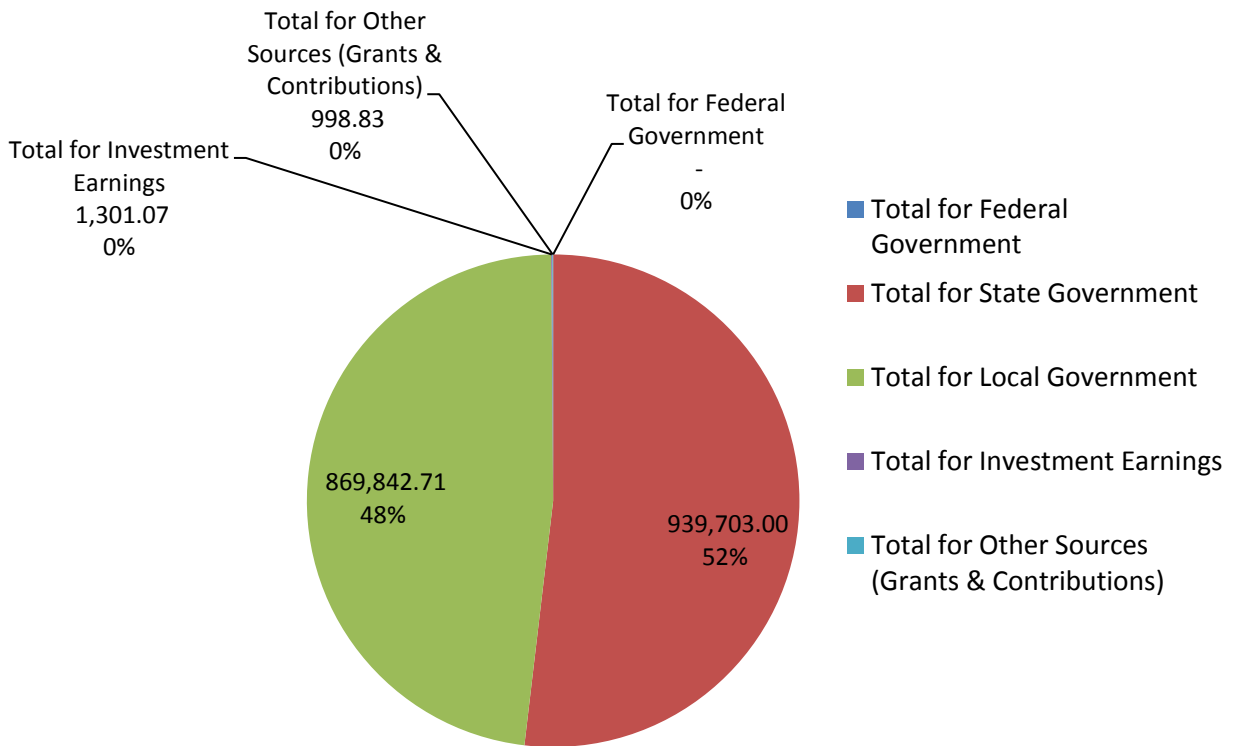


District 26 CY2016	Total CY2016
District Defender: Michael Miller	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	34,886.00
District Assistance Fund (DAF)	904,817.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	939,703.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	168,199.76
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	265,669.66
City & City-Ward Courts	193,576.82
Judicial District Courts	27,716.55
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	486,963.03
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	128,531.80
Partial Attorney Fees	-
Reimbursements [as per 15:176]	40,044.24
Other Reimbursements	33,706.92
Other Local Income -List source(s)	12,396.96
Total for Charges For Services	214,679.92
Total for Local Government	869,842.71
Investment Earnings	
Interest Income	1,301.07
Other Investment Income - List source(s)	-
Total for Investment Earnings	1,301.07
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	998.83
Total for Other Sources (Grants & Contributions)	998.83
Total for REVENUE	1,811,845.61

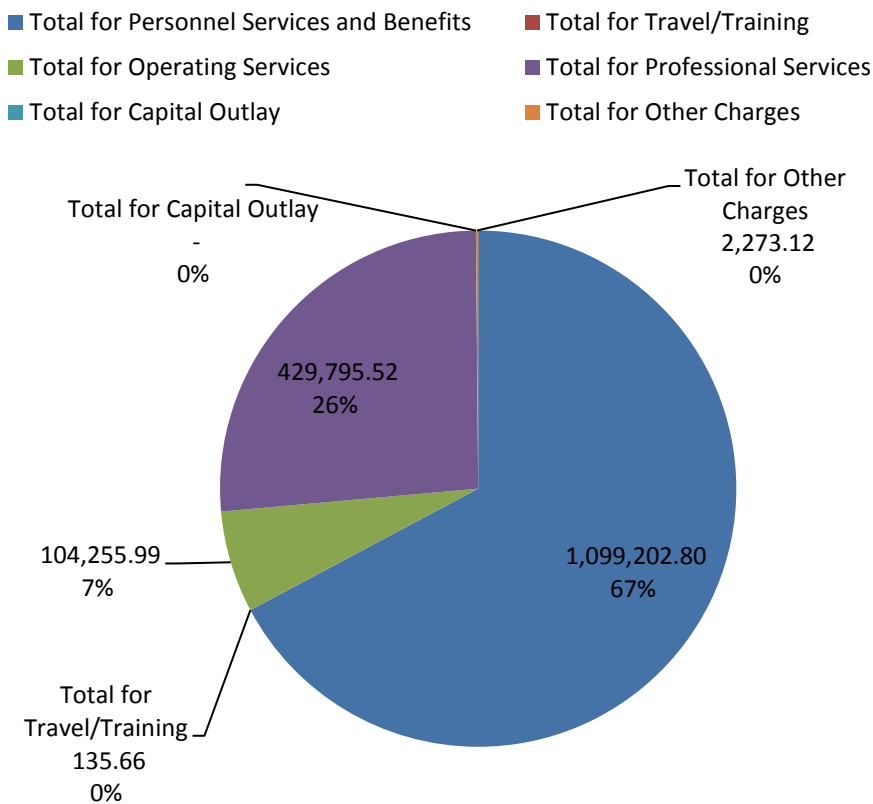
District 26 CY2016	Total CY2016
District Defender:Michael Miller	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	740,646.06
Accrued Leave	-
Payroll Taxes	203,850.93
Hospitalization and Disability Insurance	137,223.63
Retirement	13,944.66
Other	3,537.52
Total for Personnel Services and Benefits	1,099,202.80
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	135.66
Total for Travel/Training	135.66
Operating Services	
Advertisements	91.90
Workers' Compensation	3,682.06
Insurance - Malpractice	10,077.35
Insurance - Auto/Physical Liability	1,904.63
Insurance - Other	239.96
Lease - Office	621.10
Lease - Auto/Equipment	5,052.00
Lease - Other	2,172.40
Office Repair and Maintenance	21,801.34
Office - Telephone/Utilities/Postage/Internet	30,842.44
Dues and Seminars	3,885.10
Law Library/Journals/Subscriptions	19,195.34
Office Supplies	4,690.37
Total for Operating Services	104,255.99
Professional Services	
Audit/Accounting Expense	21,640.00
Contract Clerical	8,502.17
Expert Witness	1,100.00
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	159,141.92
Contract - Juvenile Attorneys or CINC	155,782.77
Misdemeanor Attorney Contracts	54,000.00
Contract Attorneys - all other	9,666.66
IT/Technical Support	19,962.00
Total for Professional Services	429,795.52
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	2,273.12
Total for Other Charges	2,273.12
Total for EXPENDITURES	1,635,663.09

NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





THE 27<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
ST. LANDRY (OPELOUSAS)

DISTRICT DEFENDER: EDWARD JAMES LOPEZ  
125 WEST LANDRY STREET  
OPELOUSAS, LA 70570  
(337) 942-3003

27th JUDICIAL DISTRICT :  
ST. LANDRY PARISH

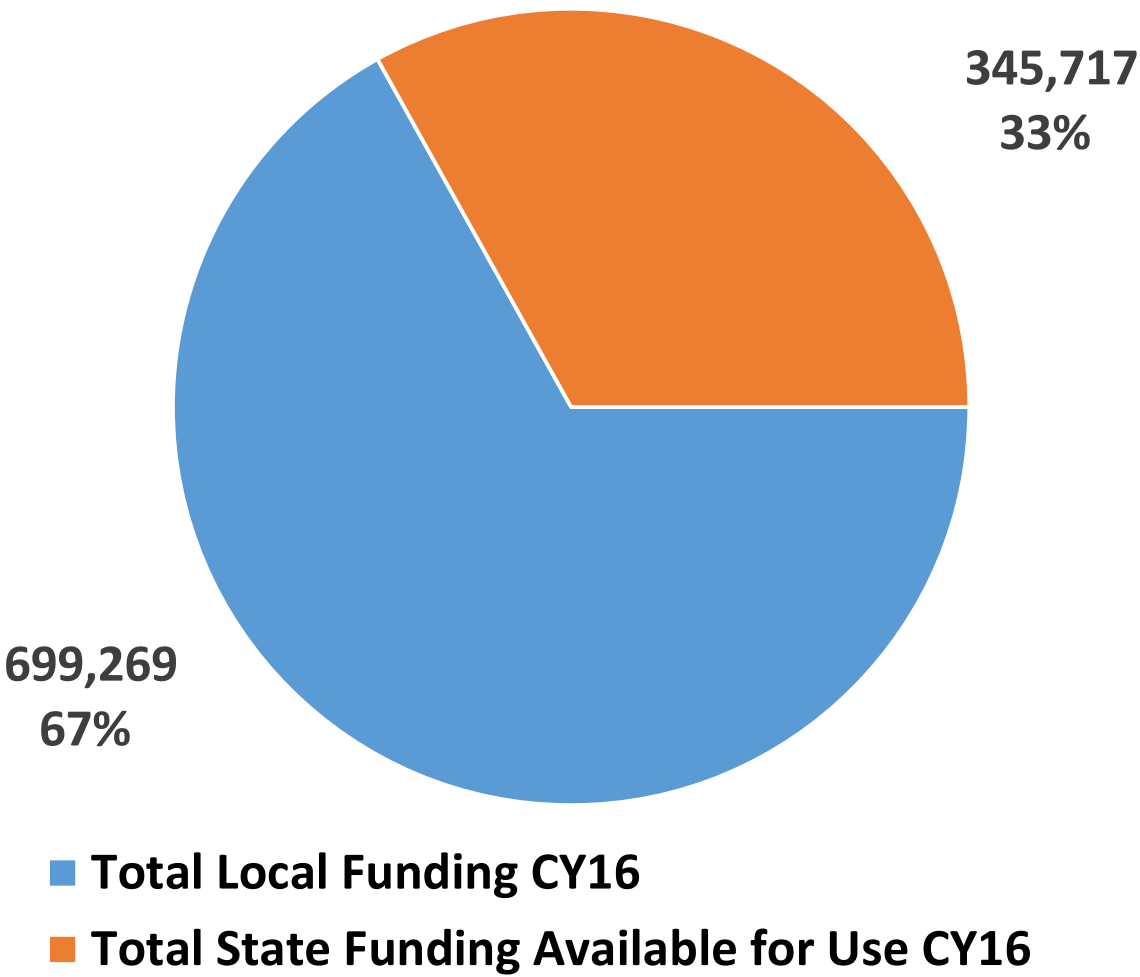
Edward James Lopez  
District Defender  
125 West Landry Street  
Opelousas, LA 70570  
337-942-3003

During Calendar Year 2016, the 27th Judicial District Public Defenders Office handled 6,111 cases. The office received \$1,044,985 in total revenues to handle these cases, approximately 67% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

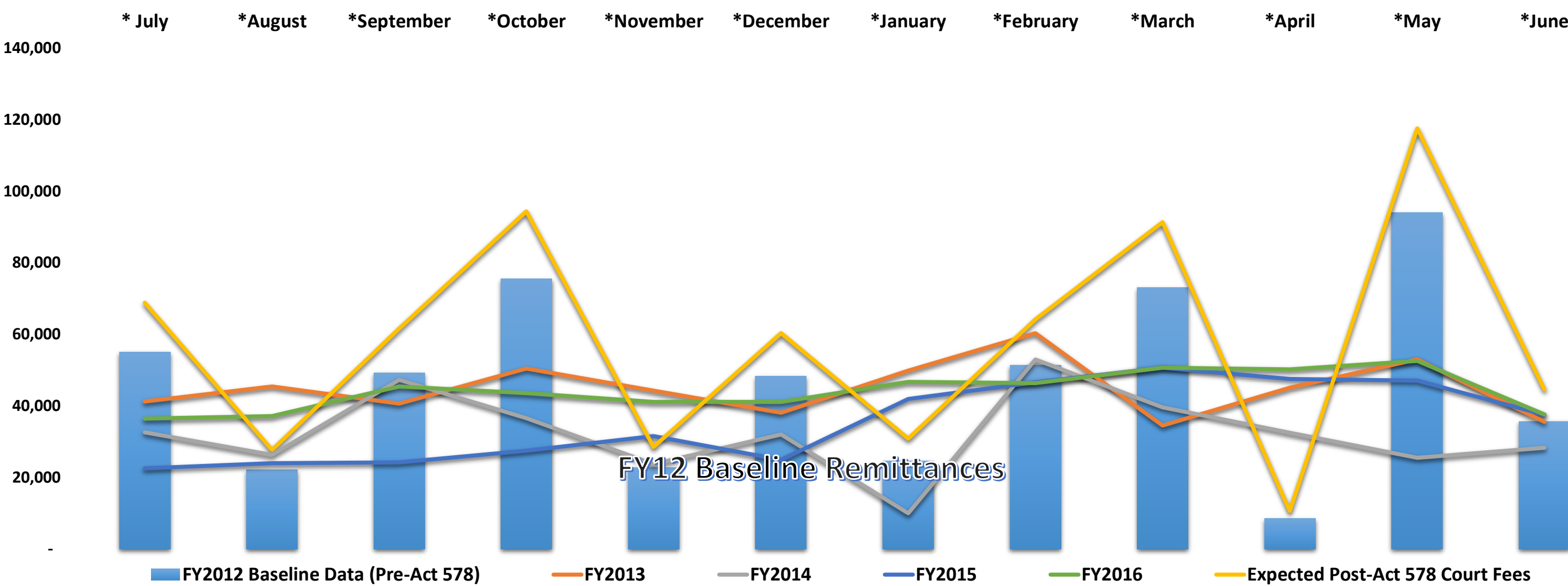
With the exception of a few anomalies, the 27th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated with Act 578 (2012).

The 27th Judicial District office has historically relied on its fund balance. For just the second time since 2010, the office's revenues exceeded expenditures during Calendar Year 2016.

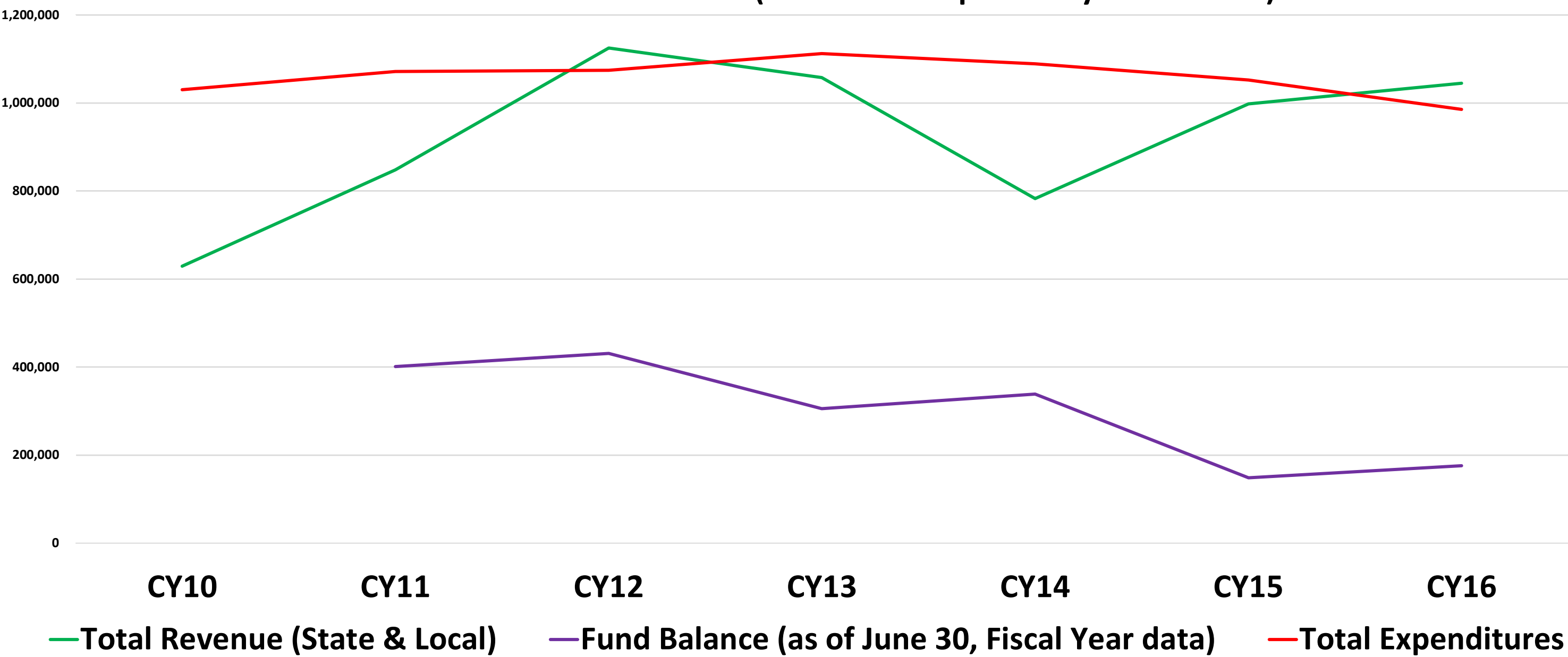
District 27 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 27 PDO

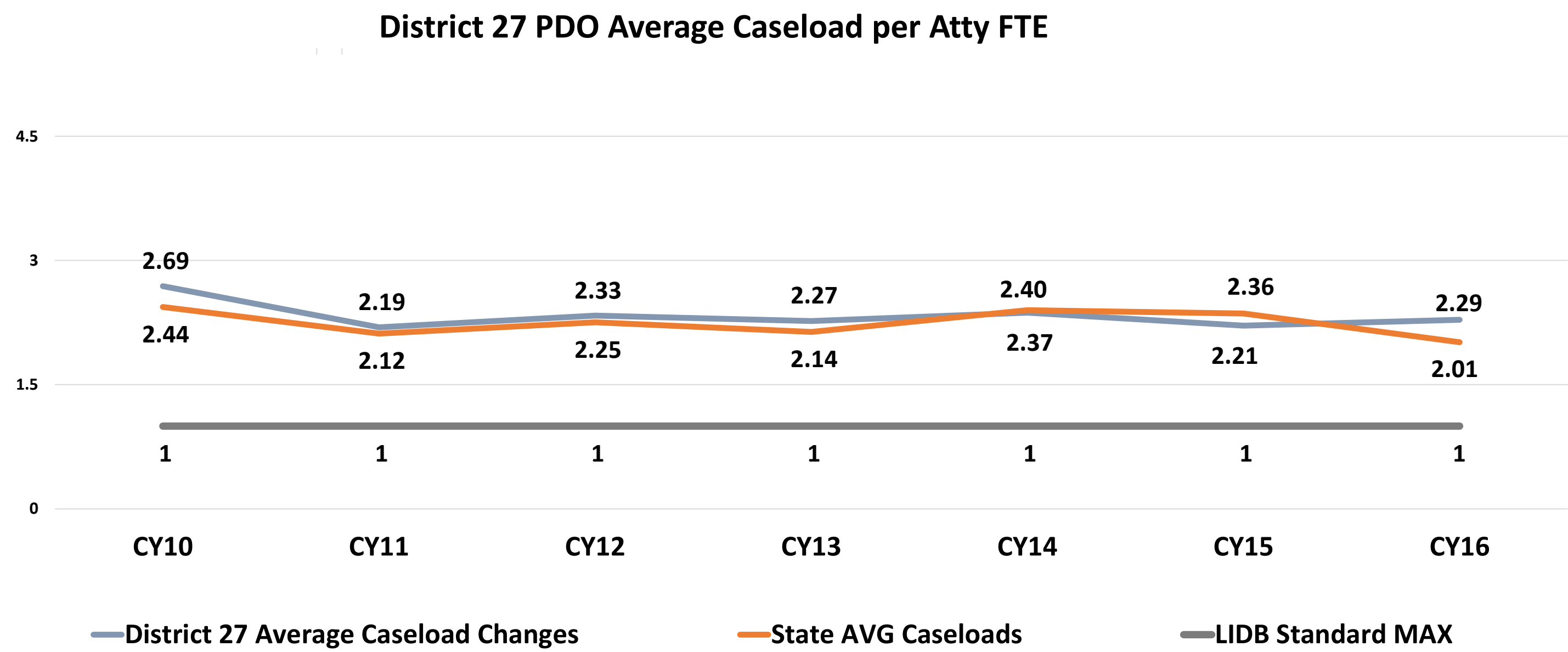


District 27 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



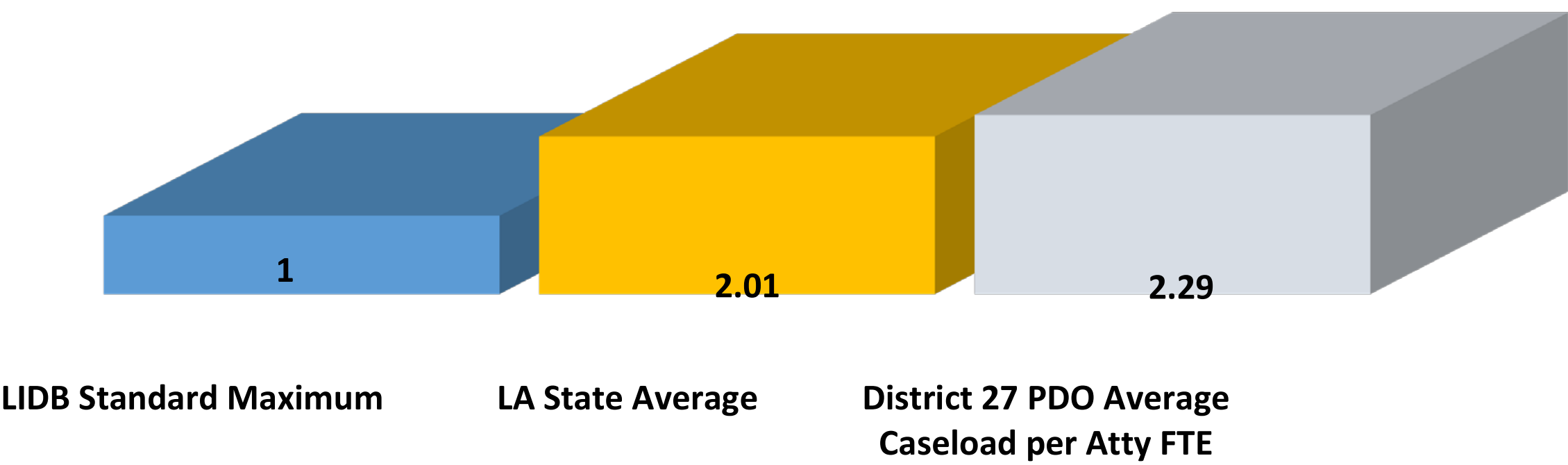
27th JUDICIAL DISTRICT :  
ST. LANDRY PARISH

Edward James Lopez  
District Defender  
125 West Landry Street  
Opelousas, LA 70570  
337-942-3003



In the 27th Judicial District, public defense attorneys maintain caseloads more than twice the recommended caseload limit for each attorney.

District 27 PDO Average Caseloads Compared to State Average & State Standard...



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 27TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. Landry - Opelousas
<b>Population</b>	83,848
<b>District Defender</b>	Edward James Lopez
<b>Years as District Defender</b>	30
<b>Years in Public Defense</b>	44
<b>Office Manager</b>	Gloria M. Bezet
<b>Primary Office Street Address</b>	125 West Landry Street
<b>City</b>	Opelousas
<b>ZIP</b>	70570
<b>Primary Phone</b>	337-942-3003
<b>Primary Mailing Address</b>	125 West Landry Street, Opelousas, LA 70570
<b>Primary Fax Number</b>	337-948-7706
<b>Primary Emergency Contact</b>	Edward James Lopez
<b>Primary Emergency Phone</b>	337-351-7053
<b>Secondary Emergency Contact</b>	Gloria M. Bezet
<b>Secondary Emergency Phone</b>	337-945-9348
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Edward James Lopez owns office building - provides office space and utilities, etc., as part of employment contract with State.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	0
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	John Dowling & Co., P. O. Box 433, Opelousas, LA 70570 (CPA firm).
<b>Courts and Locations</b>	27th Judicial District Court, Opelousas; Opelousas and Eunice City Courts.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	4 Divisions in 27th Judicial District Court; Opelousas City Court; Eunice City Court.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	At 72 hour hearing, Magistrate makes preliminary determination of indigency and assigns counsel.
<b>Name of Adult Detention Facilities in This District</b>	St. Landry Parish Jail, Opelousas City Jail, Eunice City Jail, Port Barre City Jail, Krotz Springs City Jail, Sunset City Jail, Washington City Jail.



<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Basile Detention Center, Pine Prairie Detention Center.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	St. Martin Parish Juvenile Detention Center, St. Martinville, LA
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Out of parish facilities limit regular access of assigned cases but most inmates kept pre-trial locally.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Juveniles do not appear in Court shackled unless there is a serious fear that they will try to abscond.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Earl Taylor
<b>Chief Judge of Criminal District Court</b>	Alonzo Harris
<b>Juvenile Court Judges (Specify District of City Court)</b>	New Judges elected to replace Daigle and Hebert. Took office January, 2015. Division B- Gerard Caswell; Division D- Jason Meche.
<b>Drug Court Judges</b>	See above.
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	None
<b>Indigency Determined by Whom and How?</b>	Judge at 72 hour hearing after questioning defendant as to his assets and ability to pay.
<b>When is Assignment/Appointment of Counsel Made?</b>	At 72 hour hearing.
<b>What steps does your office take to ensure conflict – free representation</b>	If appointed counsel believes that a conflict exists, he will usually file a Motion to Withdraw and another defender appointed. If there is a question as to whether there would be a conflict, they would bring their concern to the District Defender, who would investigate and take appropriate action.
<b>Brief Explanation of Intake Process</b>	Magistrate appoints at 72 hour hearing and assesses \$40.00 intake fee- Fee paid to District Office – appointed contract attorney takes client from appointment.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes.
<b>How Many Applications for Services Were Received?</b>	4,525
<b>How Many Application Fees Were Waived?</b>	0
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2016</b>	\$67,166

<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	In May, 2015, all Judges issued an En Banc Order. Any individual arrested and booked through parish, city, or municipal agency to pay the \$40.00 application fee, by money order, prior to their release. Money orders collected are then sent to the District Office.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	\$559,424 - December revenues not yet received.
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	On every conviction where the defendant is not sent to prison.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Court costs collected by Sheriff's Office and 2 City Courts - we receive checks each month with breakdown of what money collected and how disbursed.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff, St. Landry Parish, Eunice & Opelousas City Courts.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Monthly statements accompanying disbursements.
<b>Who Remits the Court Fees Collected?</b>	Sheriff, St. Landry Parish (District Court); Clerks- City Courts for Opelousas and Eunice.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Monthly statements accompanying disbursements.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Court usually imposes a \$100 reimbursement as a condition of probation in felony cases.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Money order and name of defendant- from Prob. and Parole.
<b>Who Collects the Assessed Partial Payments?</b>	Probation and Parole
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Prob. & Parole sends money order and defendant's name.
<b>Who Remits the Partial Payments Collected?</b>	Louisiana Fee Collection, P. O. Box 618417, Chicago, Illinois 60661-8417

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	LA Fee Collection sends check, with defendant's name, Docket Number, and balance due
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Yes. All private practice is permitted
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	No written contract in place - working on it.
<b>Primary Immediate Needs</b>	Enough attorneys to handle case loads
<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Lowering felony case loads per attorney
<b>Long-Term Critical Issue Areas</b>	Lowering case loads
<b>2016 Media Coverage and/or Major Accomplishments</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	District Defender in District Court on all felony days and monitors attorneys' representation.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	None
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Defenders are contract attorneys -District Defender monitors work load and representation.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	No formal -we meet informally on court days.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	All appeals handled by LAP.
<b>Number of Writs Your District Filed in 2016</b>	Not known. Writs handled by contract attorneys with no reporting requirement to District Defender.

<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Rare for State to seek transfer.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	0
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	2
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	0
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Sen. Gerald Boudreaux-Dist. 24, Sen. Eric Lafleur- Dist. 28, Sen. Jonathan Perry-Dist. 26, Sen. Fred Mills-Dist. 22; Rep. R. DeVillier- Dist. 41, Rep. Julie Emerson, Dist. 39, Rep. Mike Huval, Dist. 46, Rep. H Bernard LeBas, Dist. 38, Rep. Dustin Miller, Dist. 40
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Divided all felony contract attorneys into court divisions, basically reducing their in Court time by one-half.

[illegible]

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Gloria M. Bezet
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	Fast Case-LSBA - no cost
Other (please list)	
Number of Legal Research Licenses	
Total Cost of Legal Research Software:	
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	

Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	
Television	2
DVD	1
VCR	1
Desktop PCs	1
Laptops	4
Video Cameras	
Digital Cameras	
Video Conferencing Systems	9
B&W Laser Printers	1
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	A T & T- UVerse
Email Provider:	AOL
Please list any software or computer equipment in which you need training:	

## 27th District Defender Office CY 2016 Caseloads & Outcomes

Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	26	26	0	26	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	7	5	1	8	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	88	43	12	100	0	14	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	11	10	1	12	N/A	N/A	0	0	1	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	104	91	7	111	N/A	N/A	1	0	5	72	N/A	N/A	5	0	5
Delinquency Felony	17	13	0	17	N/A	N/A	1	0	1	11	N/A	N/A	1	0	1
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	6	6	0	6	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	2264	1531	439	2703	N/A	N/A	1143	99	675	0	0	0	0	0	0
Adult Felony Non-LWOP**	1545	1190	1377	2922	N/A	N/A	1158	30	581	4	0	0	0	0	0
Adult LWOP	2	2	7	9	N/A	N/A	2	0	0	0	0	0	0	0	0
Capital***	5	3	5	10	N/A	N/A	0	0	1	0	0	0	0	0	0
Revocations	187	149	0	187	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

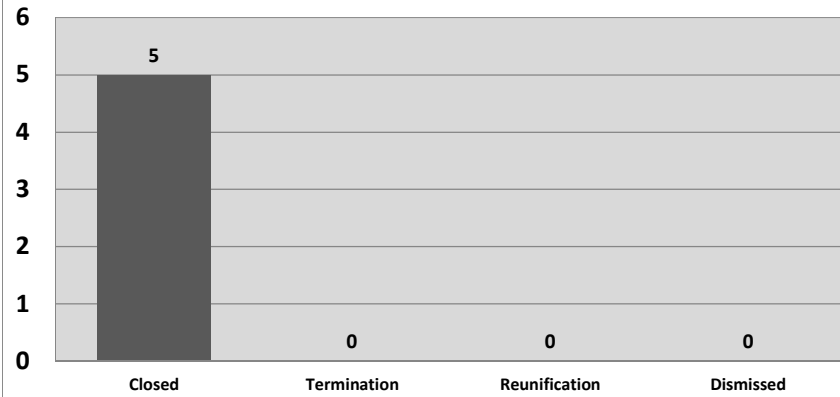
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

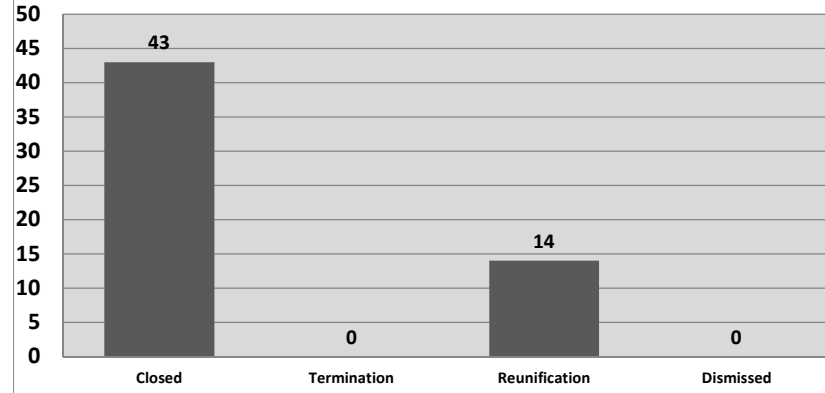
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



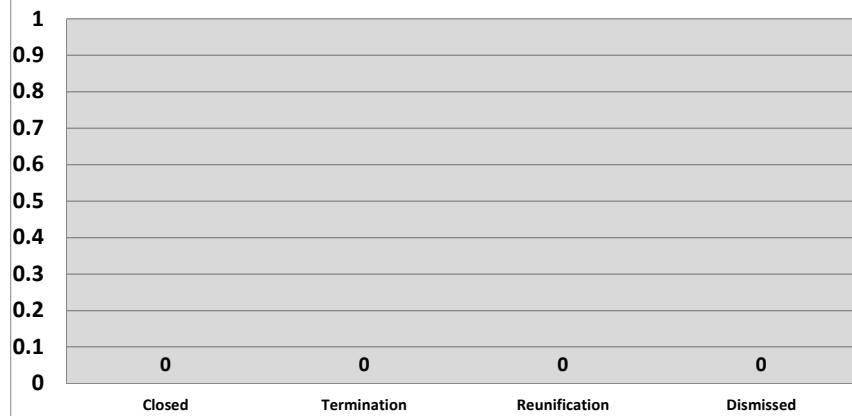
**CY 2016 CINC Representing Child Outcomes**



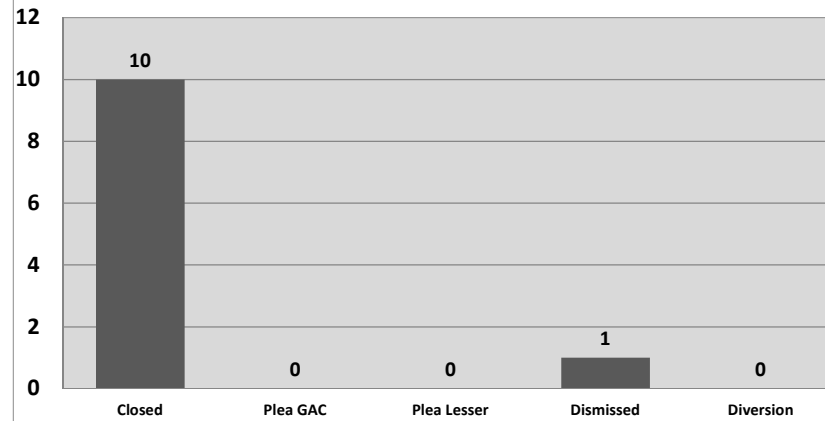
**CY 2016 CINC Representing Parent Outcomes**



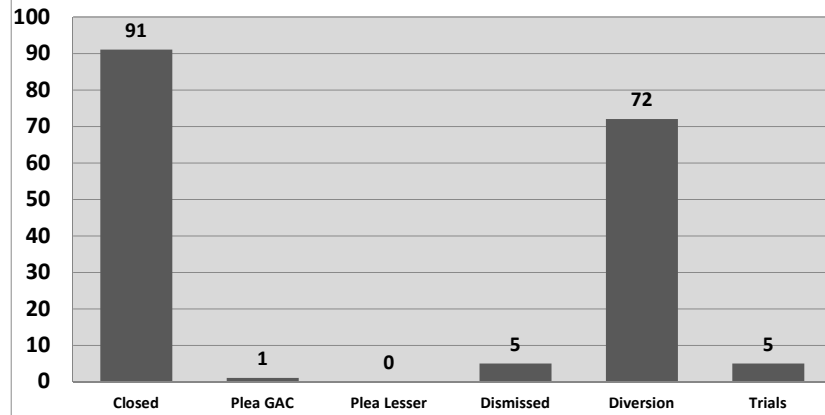
**CY 2016 CINC Termination Outcomes**



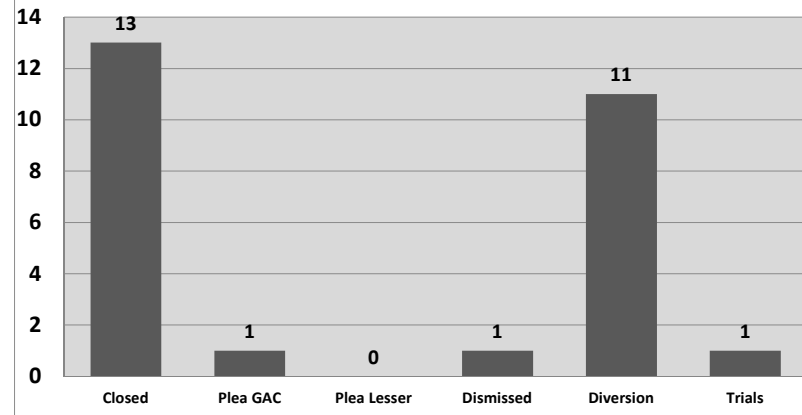
**CY 2016 FINS Outcomes**



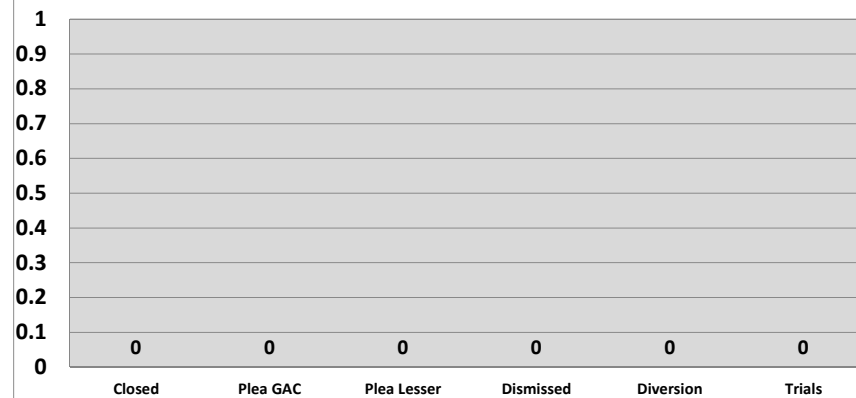
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



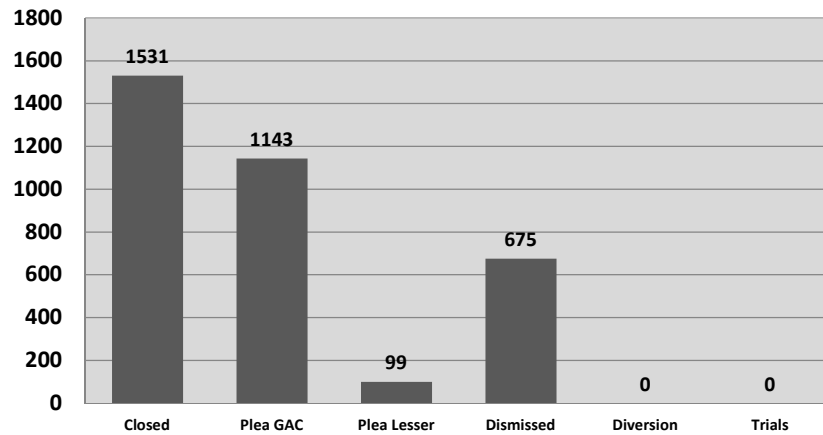
**CY 2016 Delinquency Felony-Grade Outcomes**



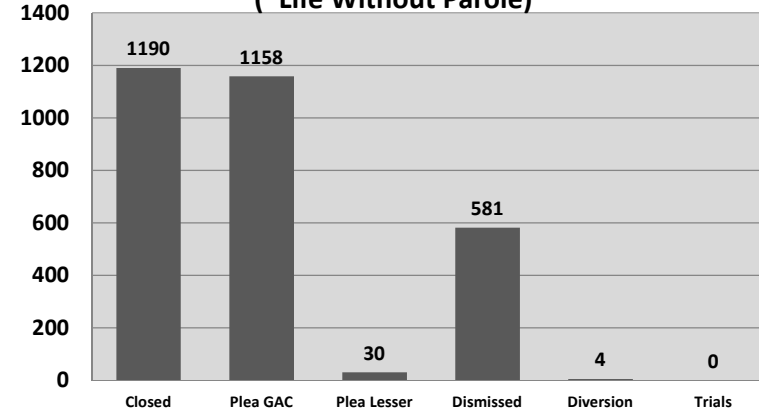
**CY 2016 Delinquency Life Outcomes**



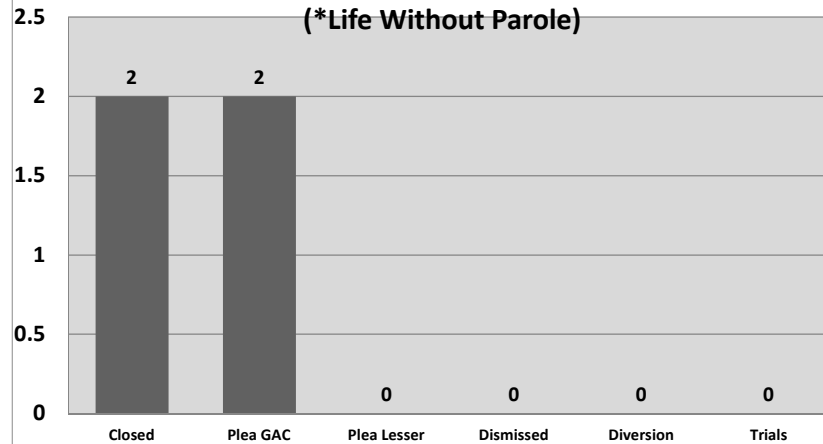
**CY 2016 Adult Misdemeanor Outcomes**



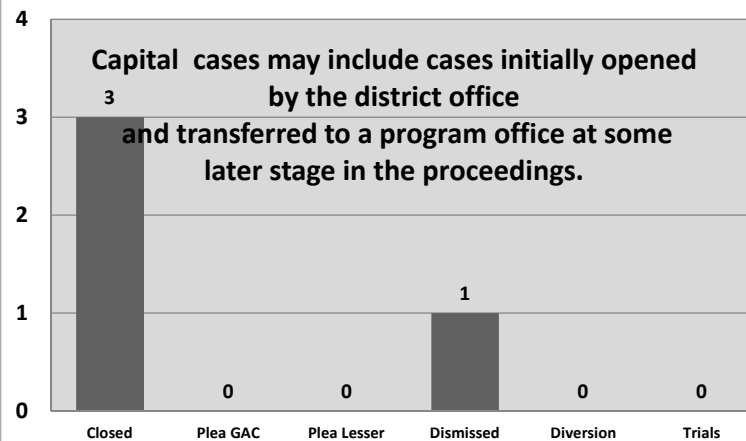
**CY 2016 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Capital Outcomes**

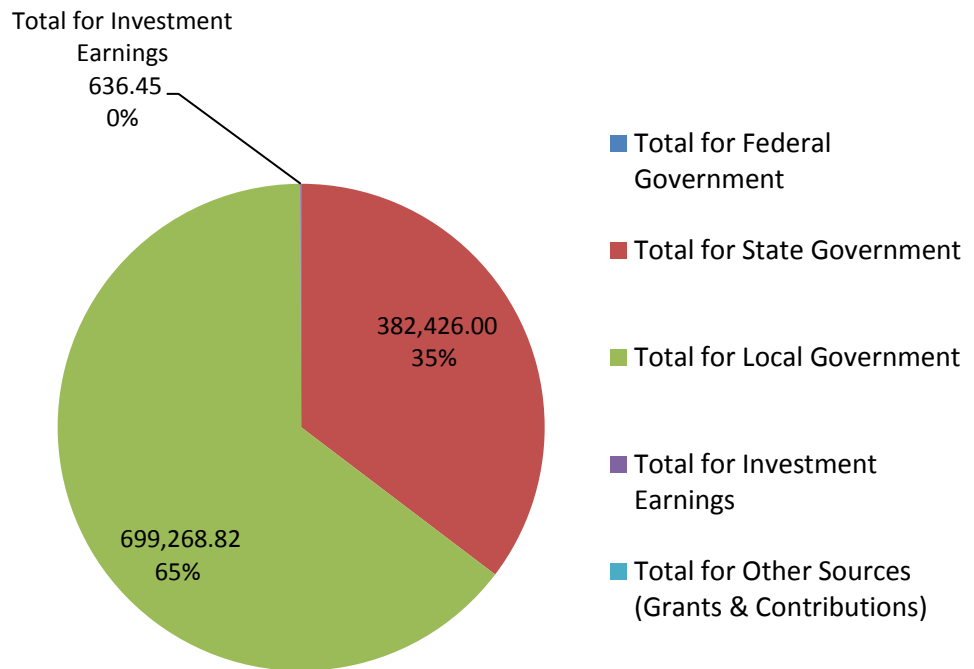


District 27 CY2016	Total CY2016
District Defender: Edward Lopez	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	1,434.00
District Assistance Fund (DAF)	380,992.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	382,426.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	8,704.88
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	63,974.42
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	100,926.48
Judicial District Courts	458,497.04
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	559,423.52
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	67,166.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	67,166.00
Total for Local Government	699,268.82
Investment Earnings	
Interest Income	636.45
Other Investment Income - List source(s)	-
Total for Investment Earnings	636.45
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	1,082,331.27

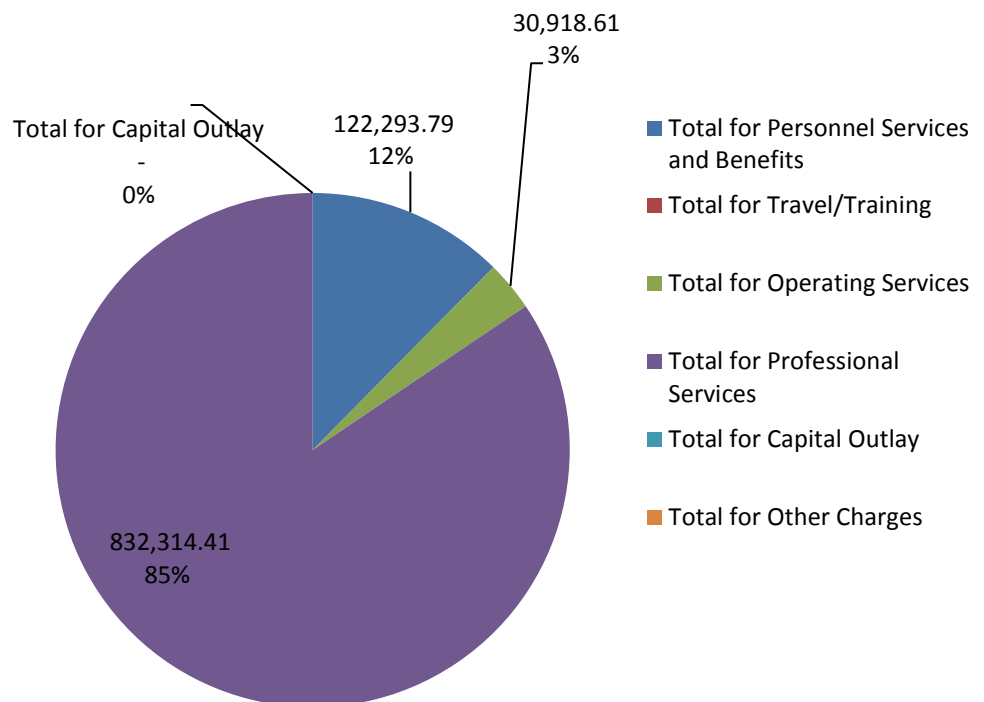
District 27 CY2016	Total CY2016
District Defender: Edward Lopez	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	112,112.33
Accrued Leave	-
Payroll Taxes	10,181.46
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	122,293.79
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	-
Operating Services	
Advertisements	52.80
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	446.25
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	10,837.82
Dues and Seminars	4,460.59
Law Library/Journals/Subscriptions	11,806.29
Office Supplies	3,314.86
Total for Operating Services	30,918.61
Professional Services	
Audit/Accounting Expense	8,373.35
Contract Clerical	-
Expert Witness	5,875.00
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	2,956.00
Contract - Juvenile Attorneys or CINC	31,341.98
Misdemeanor Attorney Contracts	208,344.21
Contract Attorneys - all other	575,423.87
IT/Technical Support	-
Total for Professional Services	832,314.41
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
Total for EXPENDITURES	985,526.81

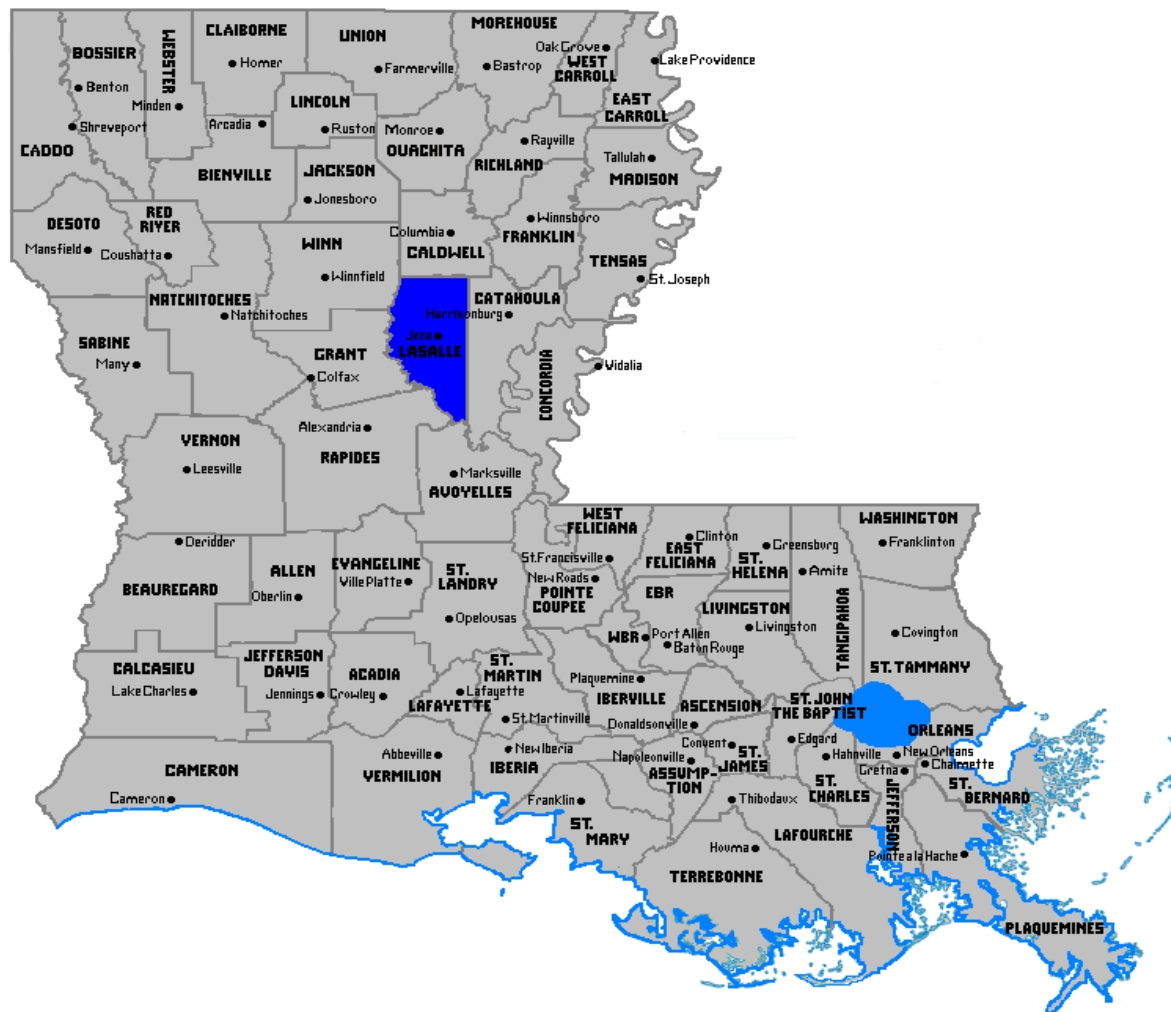
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





# THE 28<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE LASALLE (JENA)

DISTRICT DEFENDER: DERRICK CARSON  
3170 N. 1<sup>ST</sup> STREET  
JENA, LA 71342  
(318) 992-0881

28th JUDICIAL DISTRICT :  
LASALLE PARISH

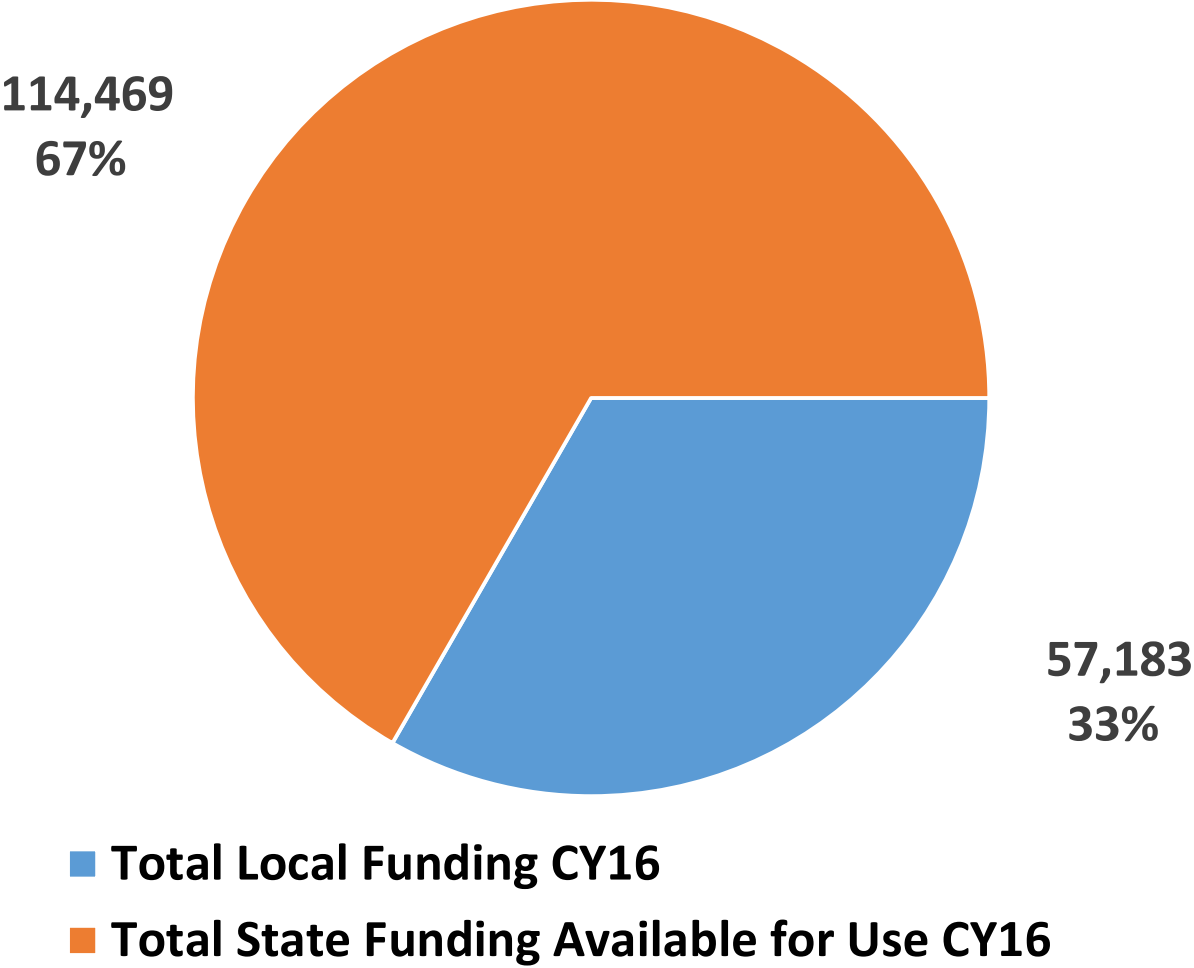
Derrick Carson  
District Defender  
3170 N. 1st St  
Jena, LA 71342  
318-992-0881

During Calendar Year 2016, the 28th Judicial District Public Defenders Office handled 627 cases. The office received \$171,651 in total revenues to handle these cases. Local funds derived primarily from traffic tickets and special court costs are insufficient to support client representation, as approximately 67% of the district’s revenues came from state funding compared to the state average of just 35%.

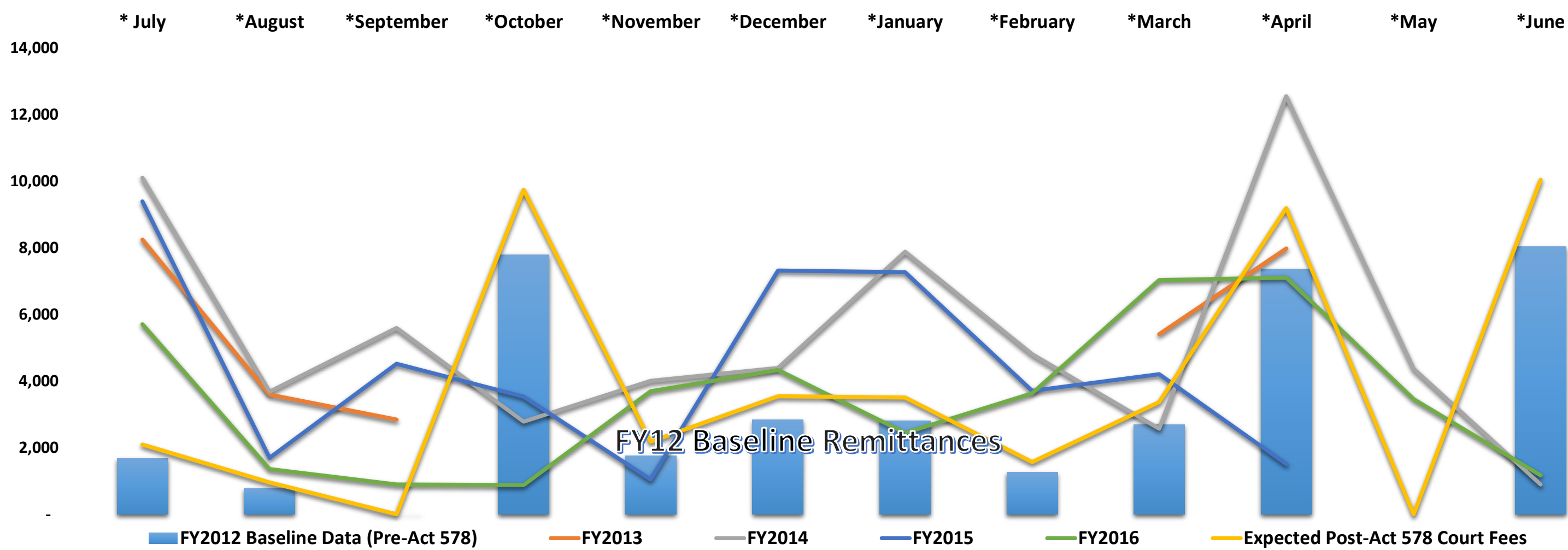
Since the passage of legislation which increased special court costs by \$10 (Act 578, 2012), local revenues have typically increased greater than expectations. However, local revenues in the 28th Judicial District public defender's office continue to be erratic and insufficient as the district is rural with no major highways.

Insufficient personnel and fiscal resources forced the 28th Judicial District office to begin restricting services on February 16, 2015.

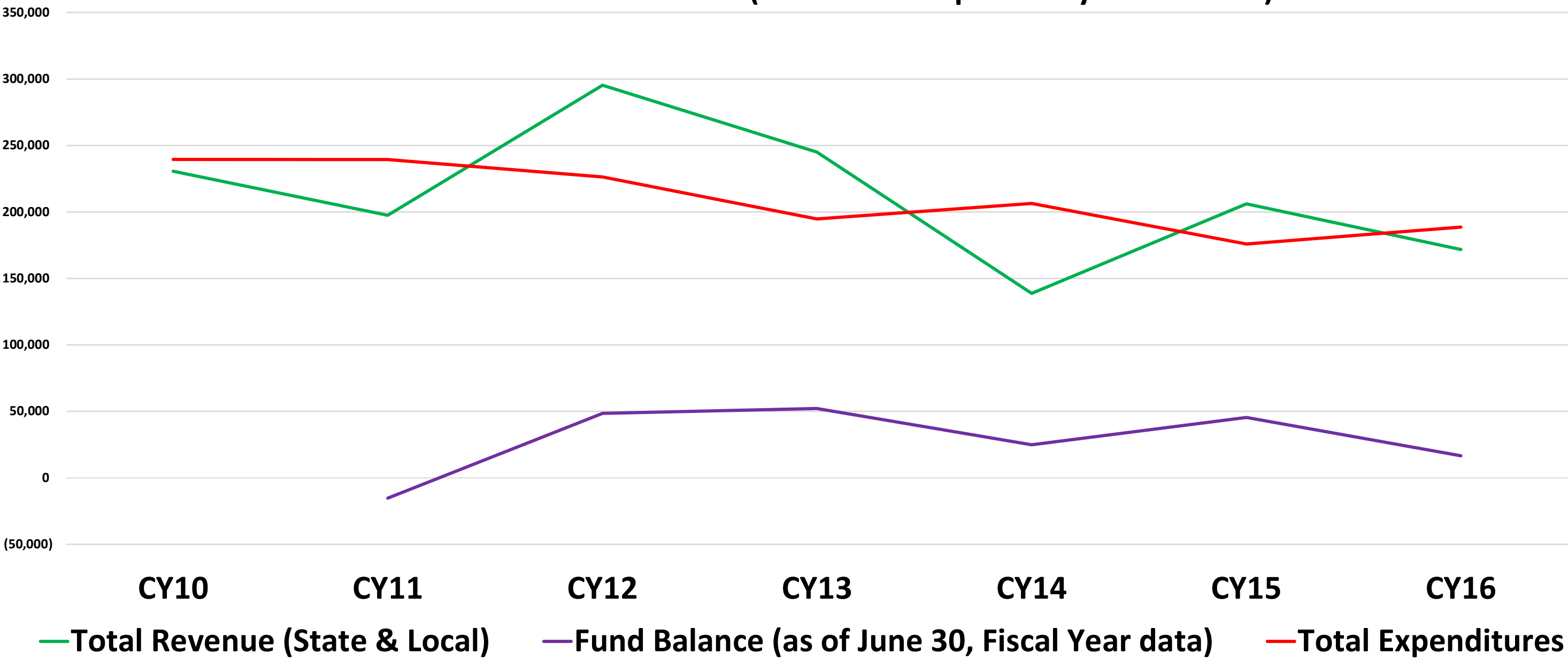
District 28 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 28 PDO



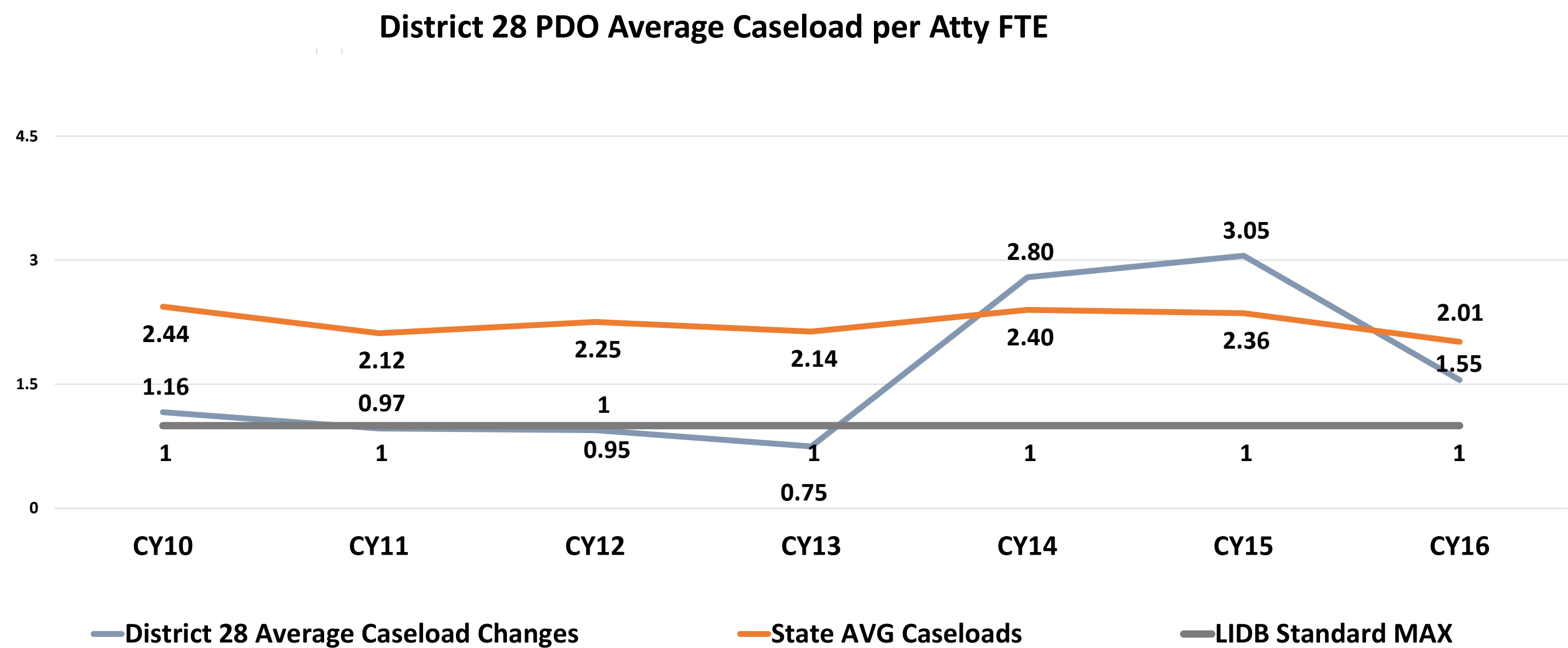
District 28 PDO Finances CY10-16 (FB must be reported by Fiscal Years)





28th JUDICIAL DISTRICT :  
LASALLE PARISH

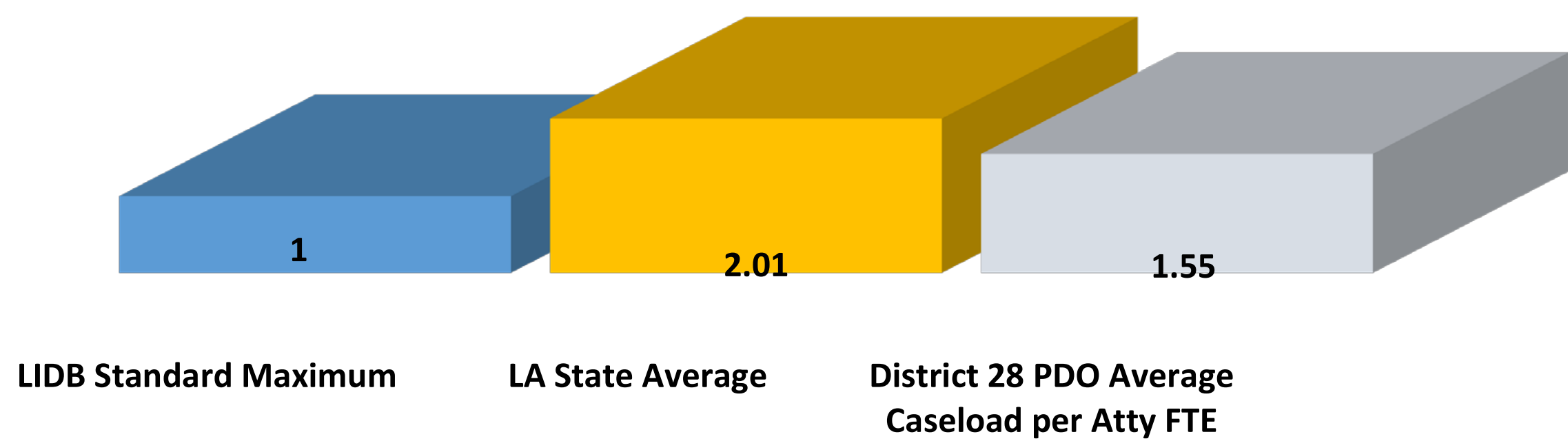
Derrick Carson  
District Defender  
3170 N. 1st St  
Jena, LA 71342  
318-992-0881



In the 28th Judicial District, public defense attorneys maintain caseloads one and a half times the recommended average caseload limit for each attorney. This average does not account for the one felony and one juvenile case received during CY16 which were still on the office's waitlist in January 2017.

The 28th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.

District 28 PDO Average Caseloads Compared to State Average & State Standard...



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 28TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	LaSalle - Jena
<b>Population</b>	14,890
<b>District Defender</b>	Derrick Carson
<b>Years as District Defender</b>	7.5
<b>Years in Public Defense</b>	16
<b>Office Manager</b>	Judy Pugh
<b>Primary Office Street Address</b>	3170 N. 1st St
<b>City</b>	Jena
<b>ZIP</b>	71342
<b>Primary Phone</b>	318-992-0881
<b>Primary Mailing Address</b>	P.O. Box 13, Jena, LA 71342-0013
<b>Primary Fax Number</b>	318-992-0887
<b>Primary Emergency Contact</b>	Judy Pugh
<b>Primary Emergency Phone</b>	318-452-5746 cell, 318-757-2870 home
<b>Secondary Emergency Contact</b>	Derrick Carson
<b>Secondary Emergency Phone</b>	318-623-0390 cell, 318-757-0473
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Jena Properties, LLC (John Verchear)
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$5400; Phone 2,600; Utilities 6,300.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Jeri Sue Tosspon
<b>Courts and Locations</b>	28th JDC Jena, LA
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	1
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Application is made, reviewed to determine if indigent, determine whether conflict and appointed accordingly.
<b>Name of Adult Detention Facilities in This District</b>	LaSalle Parish Courthouse, Jena, LA. LaSalle Corrections, 15976 Hwy 165, Olla, LA.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Richland Parish (women only) Hwy 15; Monroe, Caldwell Corrections(women only); Franklin Parish Detention Winnsboro, LA.

<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Renaissance Home for Youth, 6177 Bayou, Alexandria, LA.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, makes it more difficult to see clients quickly and more often, increases mileage.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No, do not normally house juveniles.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	J. Reed Walter
<b>Chief Judge of Criminal District Court</b>	Christopher Peters
<b>Juvenile Court Judges (Specify District of City Court)</b>	Judge Christopher Peters
<b>Drug Court Judges</b>	No
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	No
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Indigency determined by information given on application to public defender's Office. Judge does not screen sends everyone.
<b>When is Assignment/Appointment of Counsel Made?</b>	72 hour hearing.
<b>What steps does your office take to ensure conflict – free representation</b>	Chief reviews files, discovery reassigns counsel if necessary.
<b>Brief Explanation of Intake Process</b>	PDO representative goes over forms with client.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	513
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	1,280
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	55,862.38
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Sheriff's office provides list of fees distributed.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Sheriff's office provides list of fees distributed.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Sheriff's office provides list of fees distributed.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	None
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	None
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	None
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	0
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted-Yes Criminal, No written private practice policy.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Funding to continue operation of office and to be able to represent clients.
<b>Was your office in ROS at any time during 2016</b>	Yes

<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	In restriction of services, have come out and now in partial restriction of services in so far as cannot represent conflict cases, do not have the money to pay for additional attorneys.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No terminations.
<b>Immediate Critical Issue Areas</b>	Funding to be able to continue to provide services and represent clients.
<b>Long-Term Critical Issue Areas</b>	Funding
<b>2016 Media Coverage and/or Major Accomplishments</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, Chief routinely goes over cases with attorneys, provides advice, insight and support. Regular staff meetings to address any problems or accomplishments.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Krystal Todd, Derrick Carson
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chief, Office Adm. Attorneys, Office Staff
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None at present.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, Chief normally meets with staff approximately every quarter to go over new information, reviews and takes suggestions.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None appeals are sent to appellate project.
<b>Number of Writs Your District Filed in 2016</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Juvenile attorney appointed follows case with assistance of other attorney if needed.

[illegible]

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.

**Survey Completer's Name**

Judy Pugh

**Legal Research Tools Used:**

Lexis Nexis

Westlaw

Westlaw

Other (please list)

Number of Legal Research Licenses

0

Total Cost of Legal Research Software:

0; no funds available

**SOFTWARE:**

Mark an X in all that apply

**Operating Systems Used:**

Windows 10

Windows 8

Windows 7

x

Windows Vista

Windows Server 2000/2003/2008

Windows XP

Mac OSX

**Case Management System(s): Check all that apply**

defenderData (LPDB statewide system)

x

Other System (please name)

**Productivity Suites Used:**

Microsoft Office 2016 (Word, Excel, etc.)

x

Microsoft Office 2013

Microsoft Office 2010

x

Microsoft Office 2007

Microsoft Office 2003

Previous Microsoft Office version

Corel Word Perfect

x

Other

**Accounting Software**

QuickBooks

Quicken

Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	4
Laptops	1
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	
No Internet Connection	
Connection Speed:	
Provider Name:	century link
Email Provider:	century link
Please list any software or computer equipment in which you need training:	



## 28th District Defender Office CY 2016 Caseloads & Outcomes

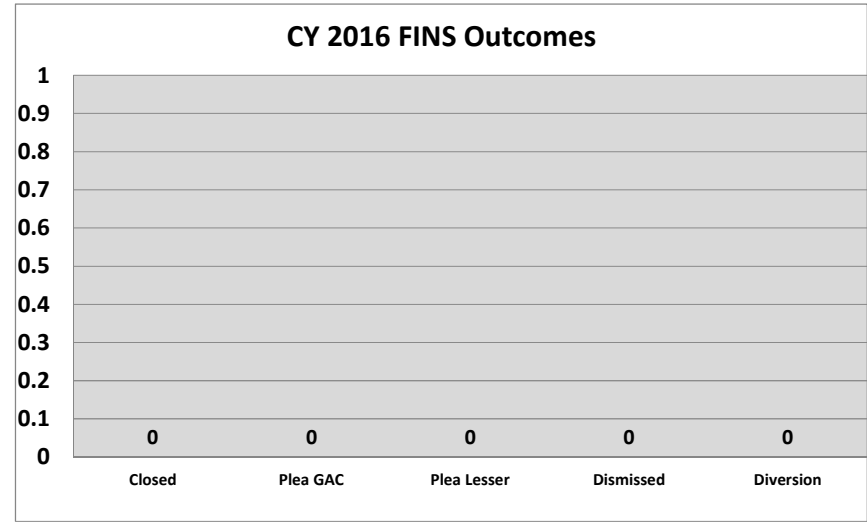
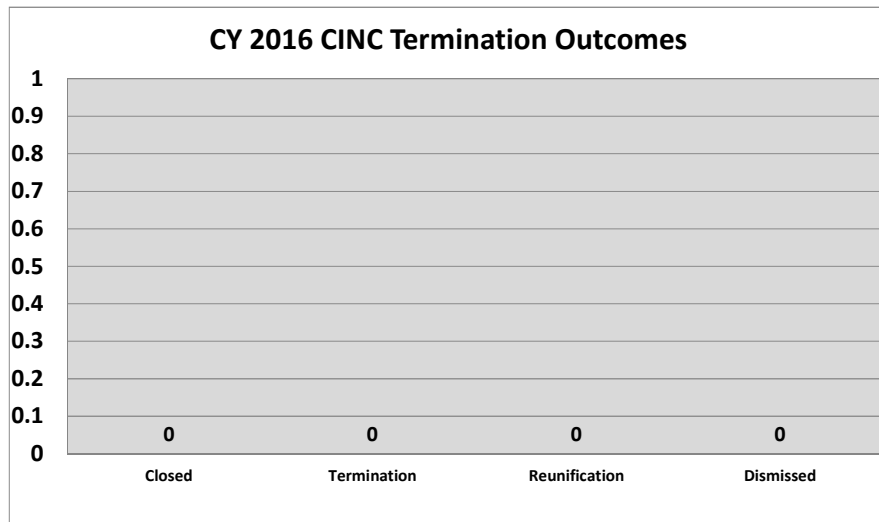
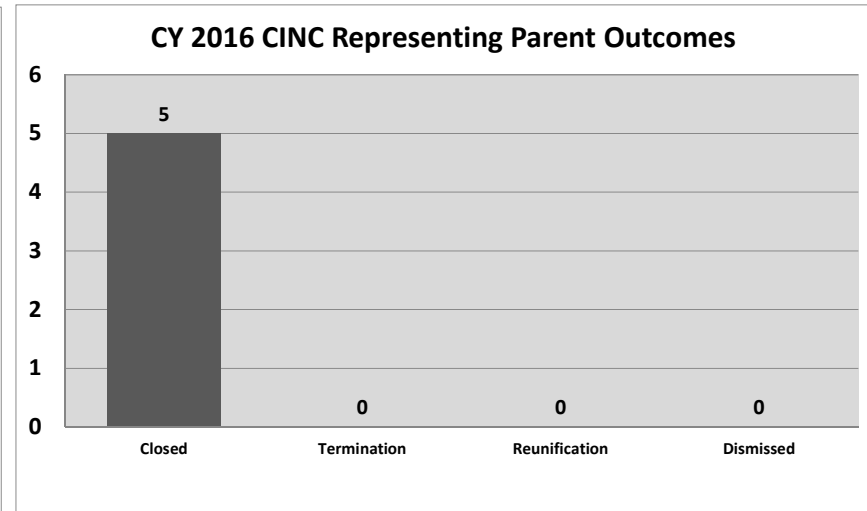
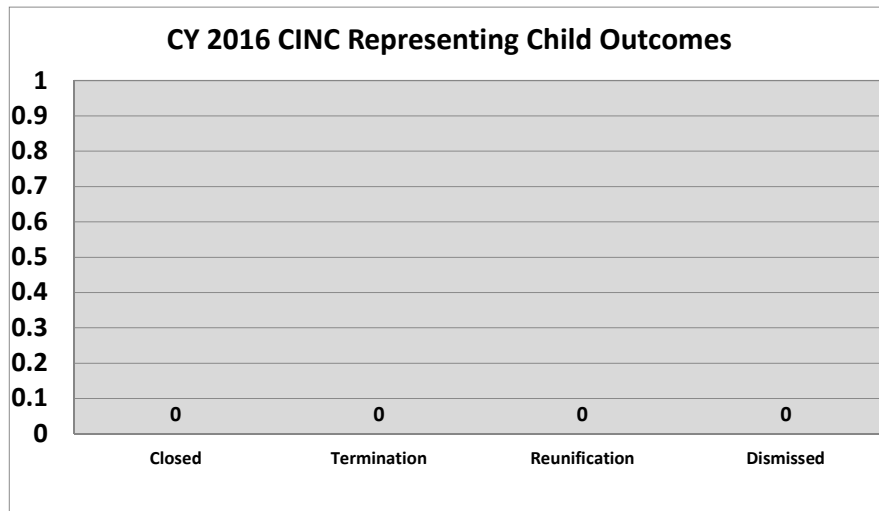
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	6	5	3	9	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	2	0	0	2	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	2	1	1	3	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	197	86	28	225	N/A	N/A	35	6	9	0	0	0	0	0	0
Adult Felony Non-LWOP**	298	135	90	388	N/A	N/A	51	14	20	0	0	0	0	1	1
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

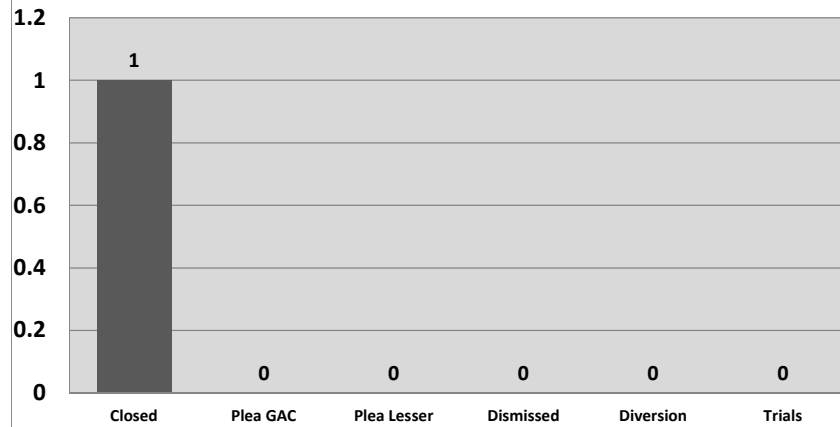
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

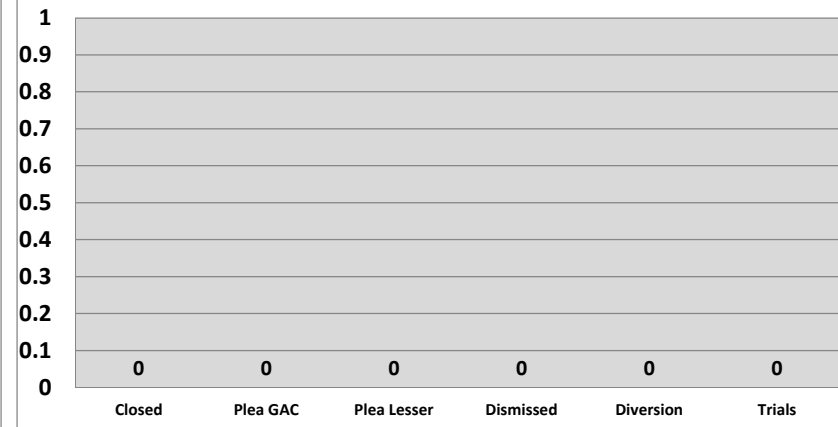
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



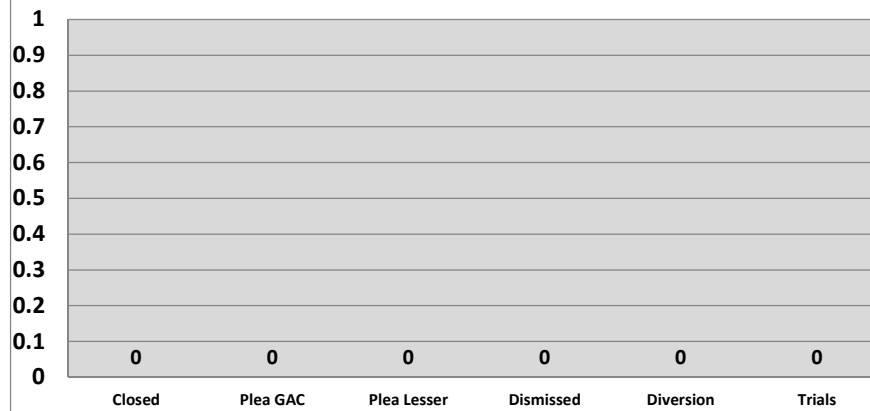
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



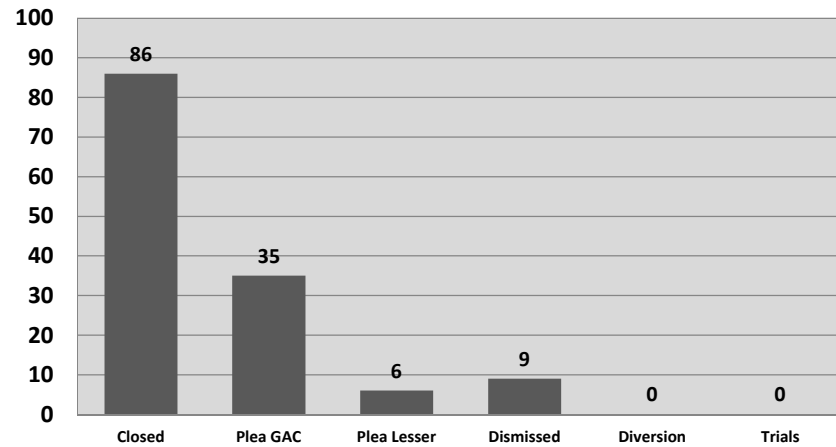
**CY 2016 Delinquency Felony-Grade Outcomes**



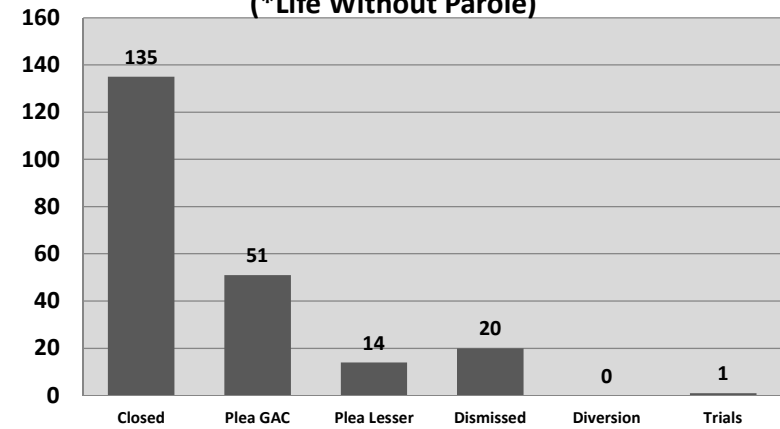
**CY 2016 Delinquency Life Outcomes**



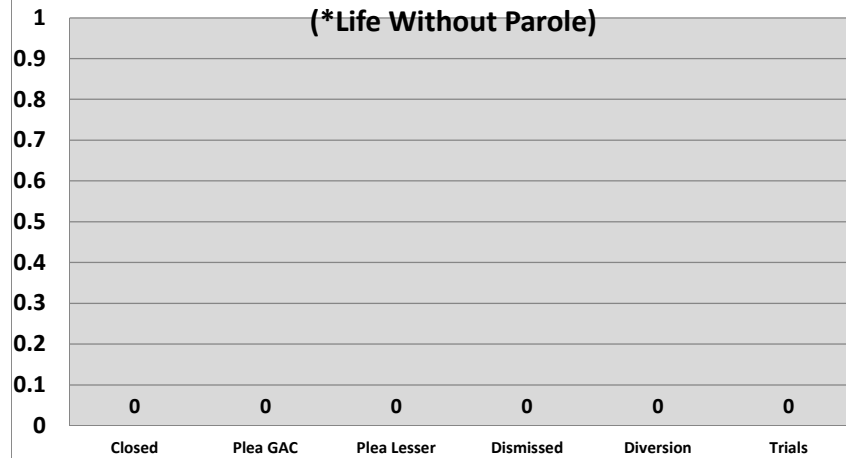
**CY 2016 Adult Misdemeanor Outcomes**



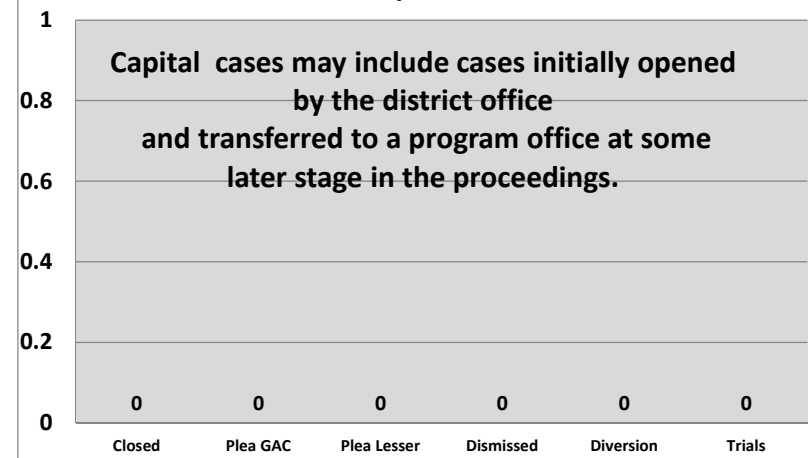
**CY 2016 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Capital Outcomes**

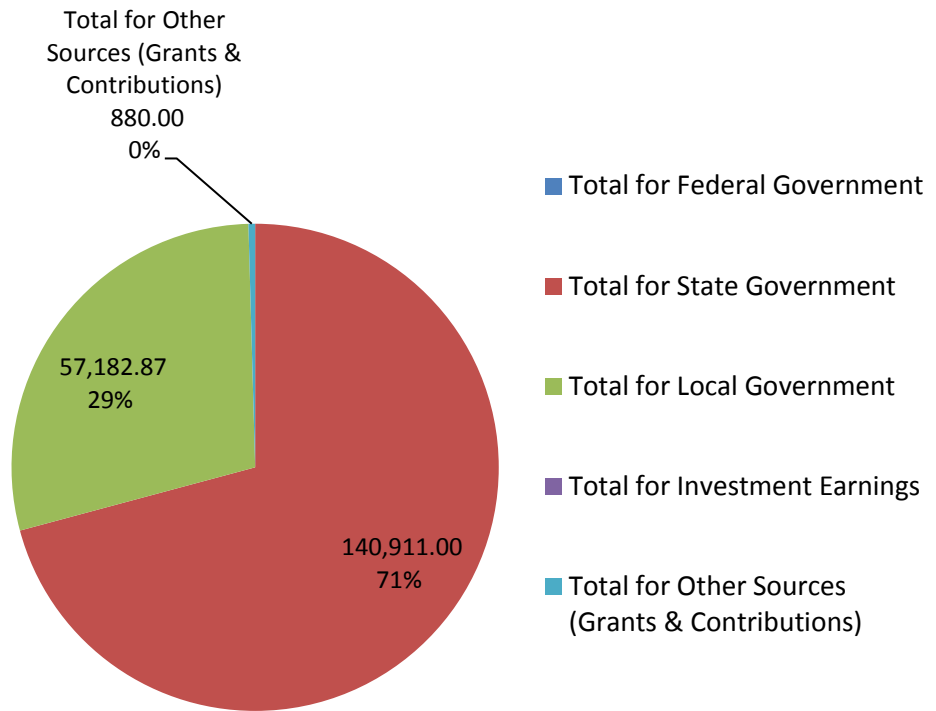


District 28 CY2016	Total CY2016
District Defender: Derrick Carson	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	717.00
District Assistance Fund (DAF)	120,194.00
Supplemental/Emergency Funds	20,000.00
Grants	-
Other State Income -List source(s)	-
Total for State Government	140,911.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	2,339.85
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	23,677.43
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	8,640.74
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	21,244.85
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	53,563.02
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	1,280.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	1,280.00
Total for Local Government	57,182.87
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	880.00
Total for Other Sources (Grants & Contributions)	880.00
Total for REVENUE	198,973.87

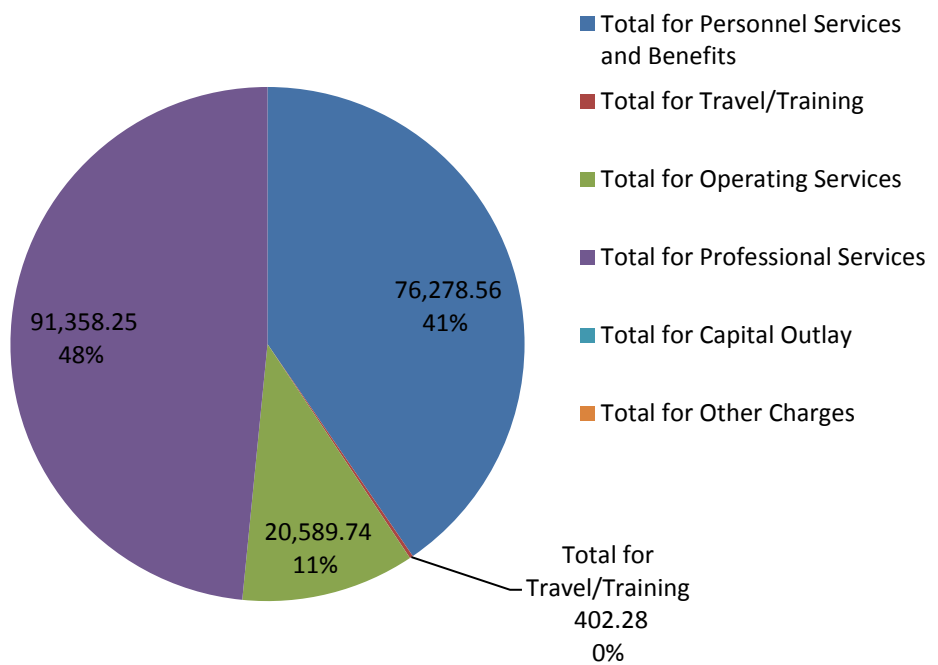
District 28 CY2016	Total CY2016
District Defender: Derrick Carson	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	70,294.92
Accrued Leave	-
Payroll Taxes	5,983.64
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	76,278.56
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	402.28
Total for Travel/Training	402.28
Operating Services	
Advertisements	-
Workers' Compensation	2,746.78
Insurance - Malpractice	3,881.55
Insurance - Auto/Physical Liability	-
Insurance - Other	204.00
Lease - Office	5,400.00
Lease - Auto/Equipment	132.72
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	7,216.77
Dues and Seminars	-
Law Library/Journals/Subscriptions	-
Office Supplies	1,007.92
Total for Operating Services	20,589.74
Professional Services	
Audit/Accounting Expense	6,866.25
Contract Clerical	-
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	5,988.00
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	78,504.00
IT/Technical Support	-
Total for Professional Services	91,358.25
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
Total for EXPENDITURES	188,628.83

NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





# THE 29<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE ST. CHARLES (HAHNVILLE)

DISTRICT DEFENDER: VICTOR E. BRADLEY, JR.  
15621 AIRLINE HWY. SUITE B  
NORCO, LA 70079  
(985) 764-2338



29th JUDICIAL DISTRICT :  
ST. CHARLES PARISH

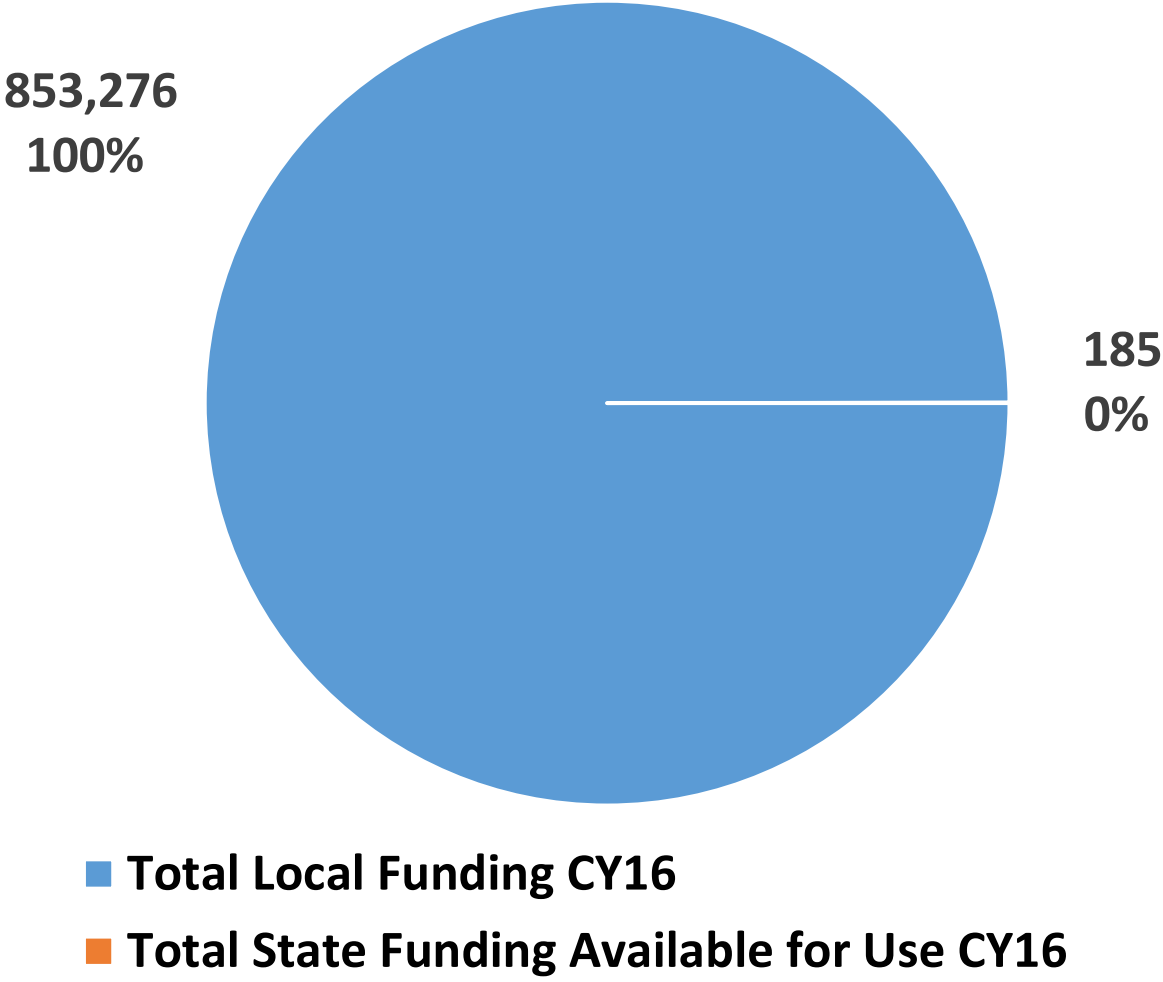
Victor E. Bradley, Jr.  
District Defender  
15621 Airline Highway, Suite B  
Norco, LA 70079  
985-764-2338

During Calendar Year 2016, the 29th Judicial District Public Defenders Office handled 2,116 cases. The office is essentially self-reliant as only \$185 of its revenues were derived from state funding. The office received \$853,276 in local funding which came primarily from traffic tickets and special court costs.

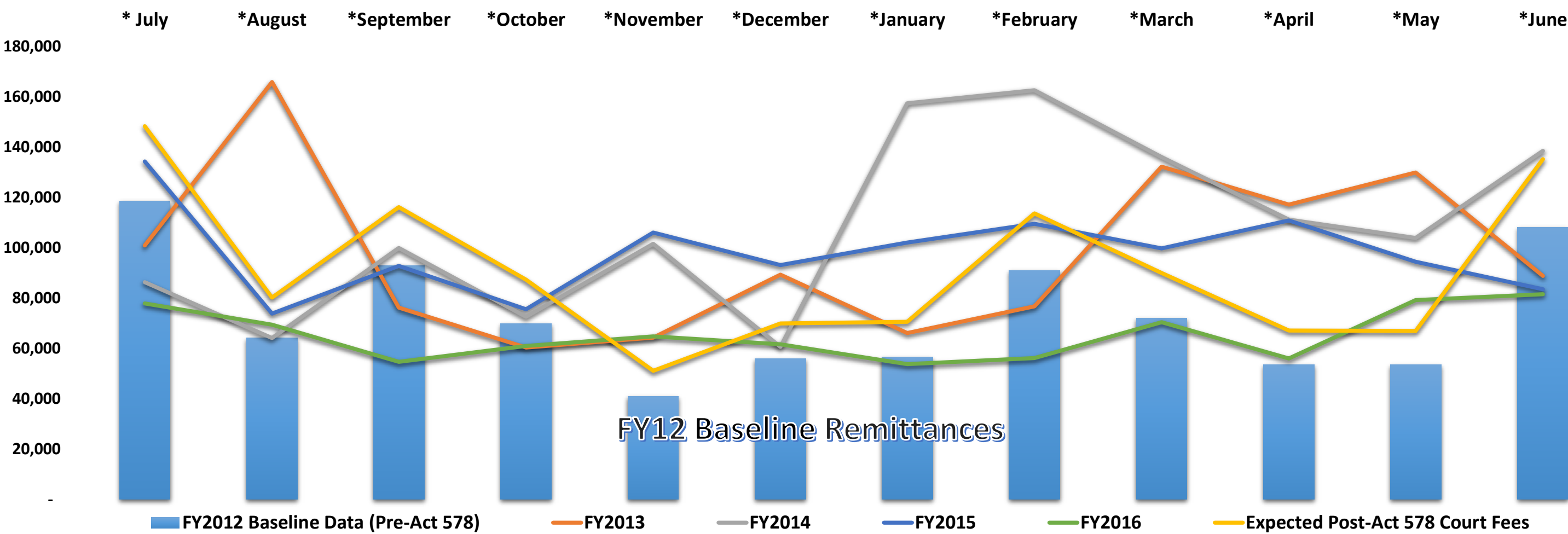
Since the passage of Act 578 (2012) the 29th Judicial District has historically been one of the only districts in the state to almost consistently meet or exceed the expected 25% increase in local revenues. However, during CY16, local revenues only met or exceeded expectations twice, marking a second straight year of decreased revenues.

Between CY10 and CY14, the Judicial District Office’s local revenues continued to increase, however during CY15 the district saw a 28% reduction in revenues. Revenues again decreased by 18% from CY15 to CY16. The district and LPDB will continue to monitor the office's revenues. Consistent revenues have allowed the District Defender to provide living wages to support staff and public defense attorneys, while also maintaining attorney caseloads near the recommended caseload limits.

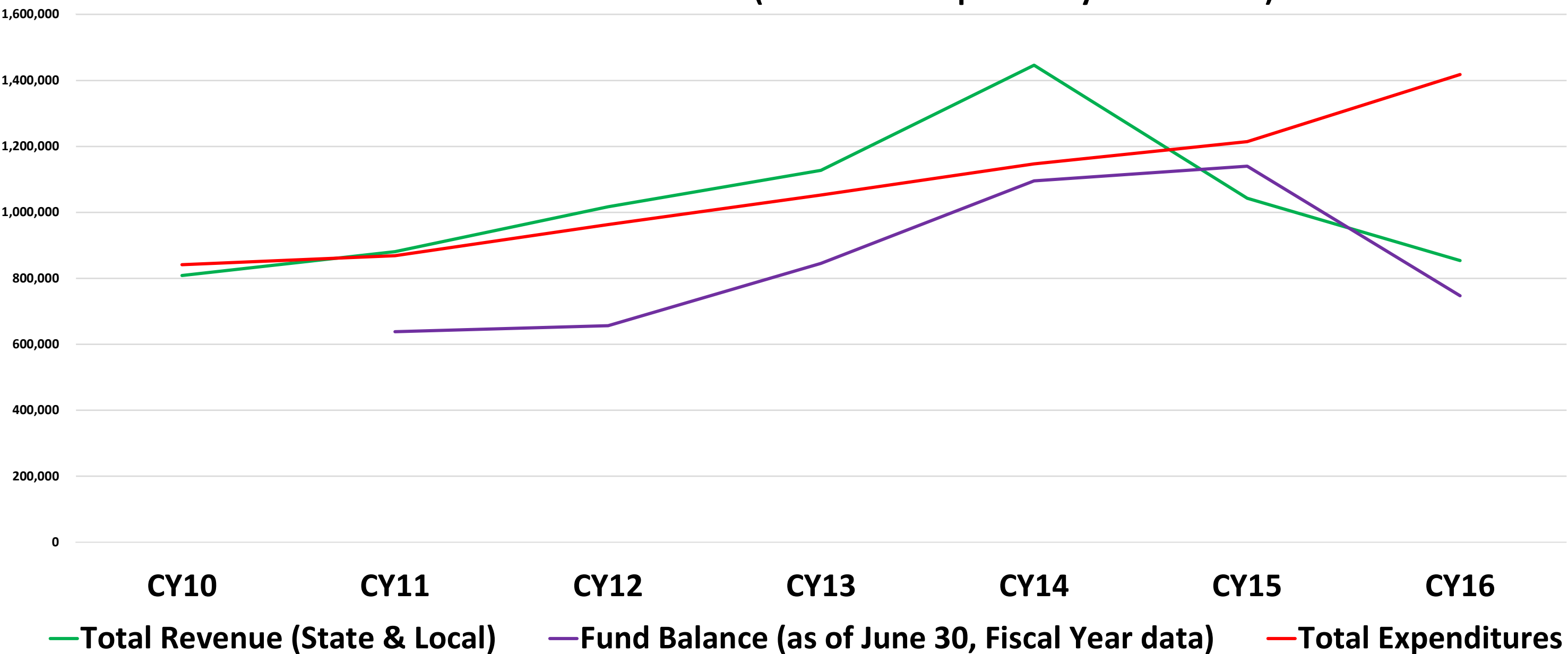
District 29 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 29 PDO

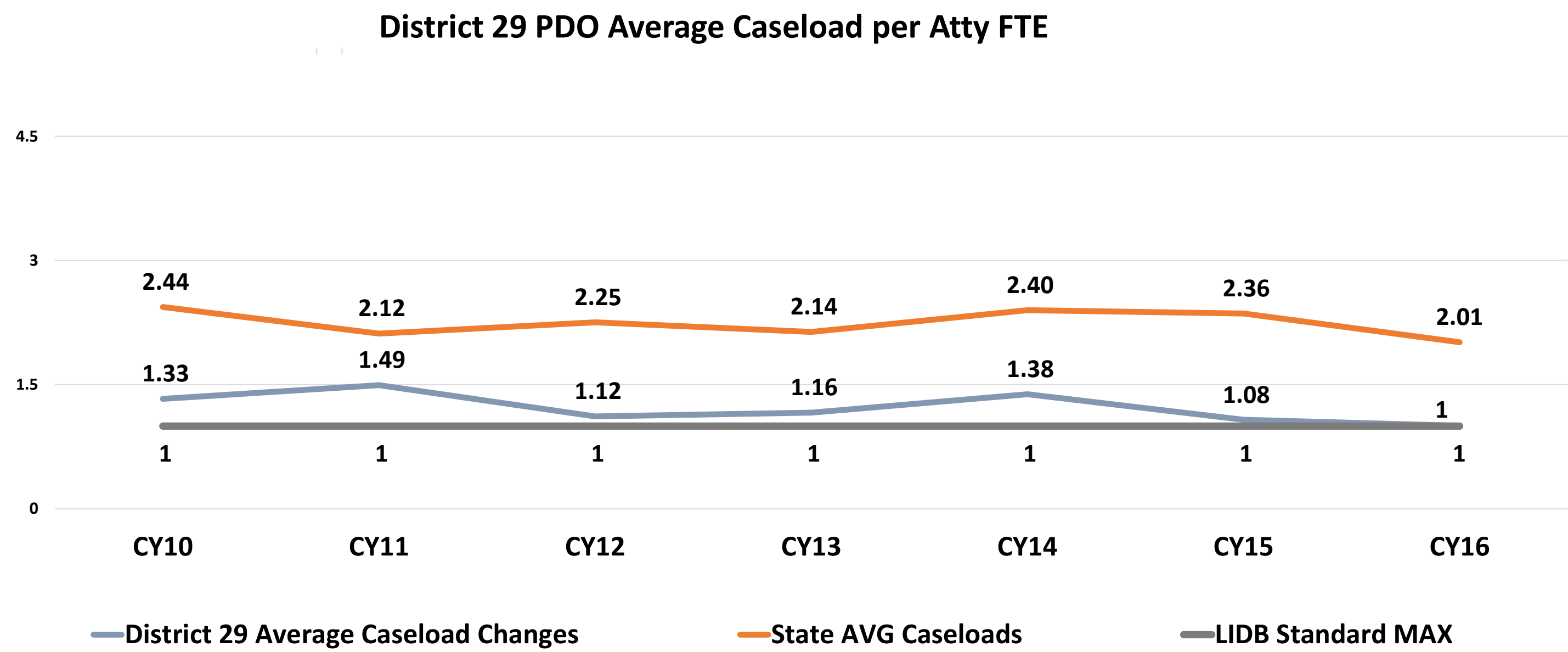


District 29 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



29th JUDICIAL DISTRICT :  
ST. CHARLES PARISH

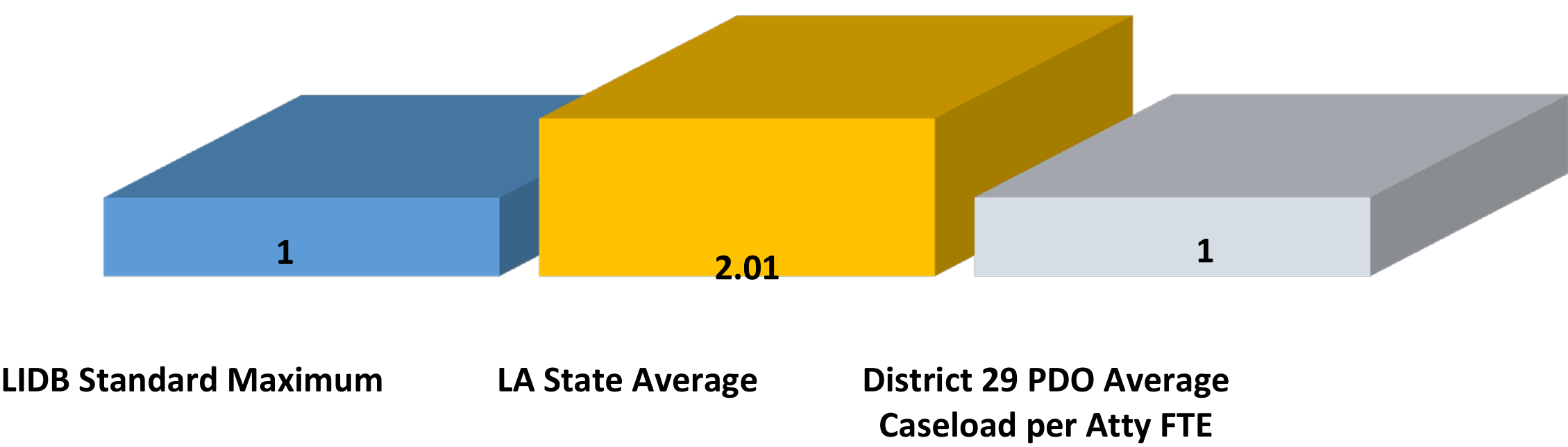
Victor E. Bradley, Jr.  
District Defender  
15621 Airline Highway, Suite B  
Norco, LA 70079  
985-764-2338



In the 29th Judicial District, public defense attorneys maintain caseloads equal to the recommended caseload limit for each attorney and well below the state average.

Through increased training and supervision, client outcomes have significantly improved over the last six years.

District 29 PDO Average Caseloads Compared to State Average & State Standard...



CAPITAL REPRESENTATION

This PDO has no capially certified counsel on staff, but the district has adequate funds to contract with certified counsel outside the district.



## THE 29TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. Charles - Hahnville
<b>Population</b>	52,812
<b>District Defender</b>	Victor E. Bradley, Jr.
<b>Years as District Defender</b>	19
<b>Years in Public Defense</b>	41
<b>Office Manager</b>	Michele C. Waguespack
<b>Primary Office Street Address</b>	15621 Airline Highway, Suite B
<b>City</b>	Norco
<b>ZIP</b>	70079
<b>Primary Phone</b>	985-764-2338
<b>Primary Mailing Address</b>	P. O. Box 188, Norco, Louisiana 70079-0188
<b>Primary Fax Number</b>	985-764-1479
<b>Primary Emergency Contact</b>	Vic Bradley, Jr.
<b>Primary Emergency Phone</b>	504-905-8786 - Cell
<b>Secondary Emergency Contact</b>	Michele Waguespack
<b>Secondary Emergency Phone</b>	504-487-5835 - Cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	OK
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	New Orleans Recovery LLC
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,275
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	29th Judicial District Court
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	29th Judicial District Court, Hahnville - 3 Sections.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Each of the 3 divisions is assigned 2 felony attorneys and 1 misdemeanor/ juvenile attorney. After the judge determines indigency at the 72-hour hearing, a list of those defendants who are entitled to be appointed counsel is sent to the PDO where felony cases are rotated between that division's 2 attorneys and misdemeanor cases are assigned to that division's attorney.

<b>Name of Adult Detention Facilities in This District</b>	Nelson Coleman Correctional Center, Killona
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None locally.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Assumption Youth Detention Center, 122 Parish Complex Road, Napoleonville, LA.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Travel time and expense for attorney
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes, they are kept shackled the entire time.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	At the St. Charles Parish Jail sometimes there is a time-waiting issue for the attorneys to see their clients due to the lack of interview space at the jail.
<b>District Attorney</b>	Joel T. Chaisson, II
<b>Chief Judge of Criminal District Court</b>	Timothy Marcel
<b>Juvenile Court Judges (Specify District of City Court)</b>	The 3 District Judges alternate juvenile court monthly.
<b>Drug Court Judges</b>	3 Judges rotate annually.
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	Yes
<b>Name of Specialty and Brief Description:</b>	Juvenile Drug Court
<b>Indigency Determined by Whom and How?</b>	Judge - questions defendant at initial appearance - 72-Hour Hearing - and checked at PDO when application is completed.
<b>When is Assignment/Appointment of Counsel Made?</b>	Each of the 3 divisions is assigned 2 felony attorneys and 1 misdemeanor/ juvenile attorney. After the judge determines indigency at the 72-hour hearing, a list of those defendants who are entitled to be appointed counsel is sent to the PDO where felony cases are rotated between that division's 2 attorneys and misdemeanor cases are assigned to that division's attorney.
<b>What steps does your office take to ensure conflict – free representation</b>	Before an attorney is assigned, the defendant's name is run through the database to see if he/she was previously represented by one of our attorneys. This is also done with co-defendants, if known. If we know who the victim is, the same procedure is followed. As best we can, we try to keep the defendant with the same attorney.
<b>Brief Explanation of Intake Process</b>	After the determination of indigency, Ms. Dubroca goes to the jail and interviews the defendants and completes the form - copy of which is attached.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	None
<b>How Many Application Fees Were Waived?</b>	None

<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	3,189
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Sheriff's Office - if the defendant is unable to pay the \$40.00 at the time of the completion of the application form, this amount is added to the partial payment of legal fees - see below
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	817,177
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Most of the time. Sometimes they waive all fees.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Sheriff's Office
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's Office – Bonds & Fines
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Receive bi-monthly statements from the Sheriff's Office.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Office – Bonds & Fines
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Receive bi-monthly statements from the Sheriff's Office.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	\$300 for minor misdemeanors; \$400 for felonies and sometimes a higher amount is set when case is more serious and defendant is able to pay. If defendant was unable to pay \$40 at the time the application was completed, it is added to above amounts. Fee may be set by judge for major felonies and trials. Defendant who goes to prison pays no fee.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Sheriff's Office
<b>Who Collects the Assessed Partial Payments?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	A Disbursement Summary is provided by the Sheriff's Office indicating settlement dates and the amounts.
<b>Who Remits the Partial Payments Collected?</b>	Sheriff's Office

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Sheriff's Office
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	21,892
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Criminal and civil practices are permitted for all attorneys; all attorneys are on contract. Attorneys are Not allowed to be retained by a defendant on a case in which he/she had previously been appointed to represent that defendant for that case. Yes, attorneys have been advised of this in writing.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes – copy attached.
<b>Primary Immediate Needs</b>	Benefits for employees
<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Yes - Juvenile Investigator
<b>Immediate Critical Issue Areas</b>	Training for different areas of trial practice in court. This could be by regional training and/or training videos for different parts of trial practice which could be passed out by the State and presented in each district by the District Defender.
<b>Long-Term Critical Issue Areas</b>	Insufficient space at Parish Jail for attorney/client conferences.
<b>2016 Media Coverage and/or Major Accomplishments</b>	Copies of media coverage has previously been submitted to the State.
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. When a new attorney is hired, he/she is assigned to one of the other attorneys in the same division and/or with the attorney they are being hired to replace. As District Public Defender, I also appear in court periodically with the new attorney and provide any assistance that may be needed.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Christina Lewis, Juanita Marino and Lauren Rogers
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	District Public Defender supervises all attorneys and the Administrative Assistant. Administrative Assistant supervises the office staff.

Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe	N/A
Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit	Yes, for full-time employees. PDO pays 75%, employee pays 25%.
Regular Meetings for Any Staff, Please Describe	As needed
Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)	None
Number of Writs Your District Filed in 2016	3
Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016	0
Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied	0
Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases	Juvenile attorney will be assigned as second chair with the felony attorney.
Number of trial level Juvenile Life Without Parole ( <u>Miller</u> ) cases handled by your office in CY 2016	0
Number of remanded Juvenile Life Without Parole ( <u>Montgomery</u> ) cases pending in your office	0
Number of remanded Juvenile Life Without Parole ( <u>Montgomery</u> ) sentencing hearings conducted in your district in CY 2016	0
Please Provide the Names of All State Representatives and Senators from Your District	Gary L. Smith, Jr., - Senator - 19th District; Gregory A. Miller - Representative - 56th District; Randal L. Gaines - Representative - 57th District; Thomas P. Willmott - Representative - 92nd District
Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?	Limited visitation space at Parish jail.
What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Chaisson, Maria M.	985-307-1094
Dubroca, Manina	985-785-6812
Lewis, Christina	985-785-6812
Marino, Juanita R.	985-764-1193

Marino, Mark A.	985-764-1515
Moyer, David S.	985-308-1509
Williams, Deanne R.	985-785-5494
Swann, III, Fenwick A.	985-785-5494
Williams, Wendy J.	985-308-0510
Rogers, Lauren D.	985-308-1509
Landry, Don Paul	985-785-5494
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Waguespack, Michele C.	985-764-2338
Miranda, Anne L.	985-764-2338
Rook, John E.	985-764-2338
Donna Usner	985-785-6450



## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Michele Waguespack
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	X
Other (please list)	
Number of Legal Research Licenses	
Total Cost of Legal Research Software:	28,101
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	Microsoft Windows 2012 R 2 Standard Edition
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	x
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	x

Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	x
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	5
Laptops	
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	3
Color Printers	2
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	
No Internet Connection	
Connection Speed:	8mb
Provider Name:	Cox Cable
Email Provider:	Hosted Exchange
Please list any software or computer equipment in which you need training:	Excel

## 29th District Defender Office CY 2016 Caseloads & Outcomes

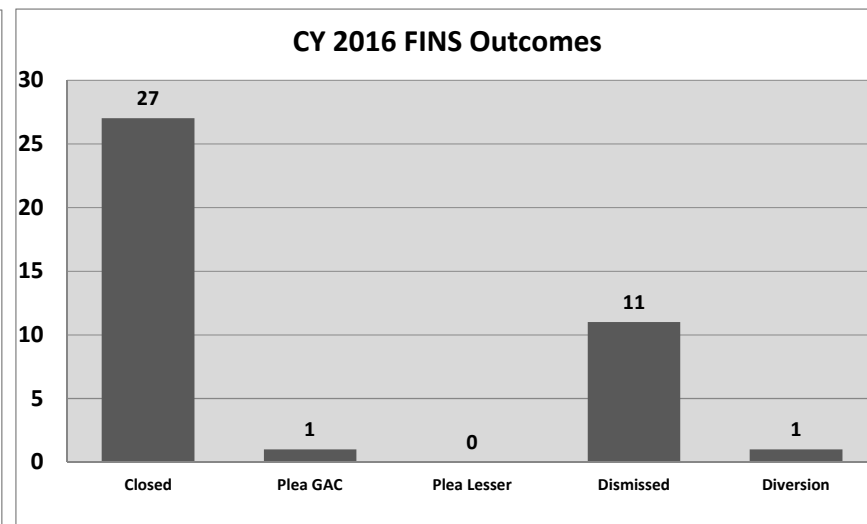
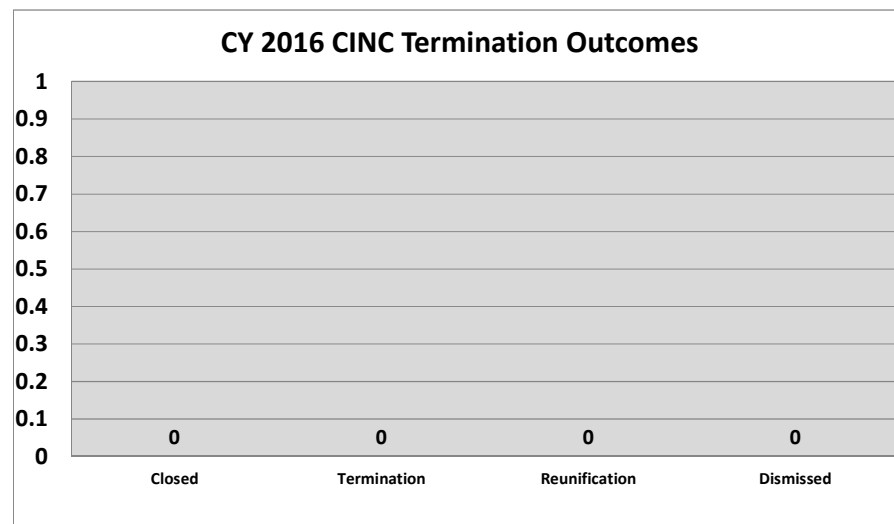
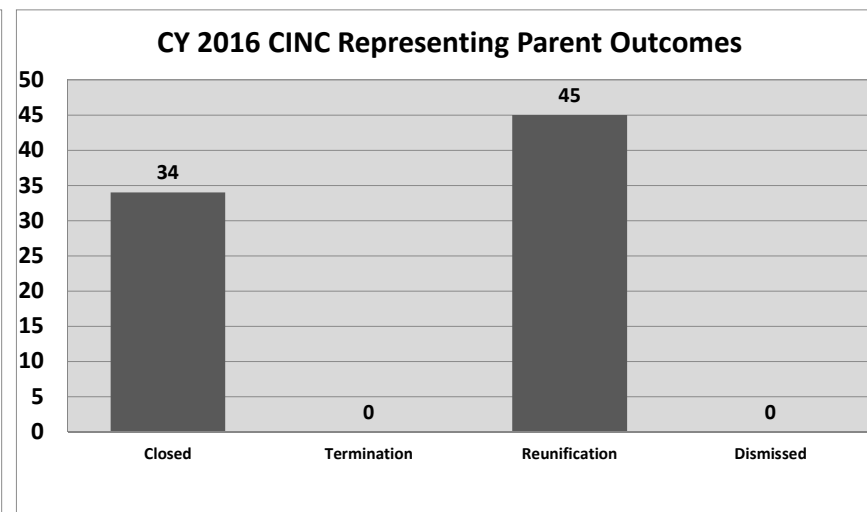
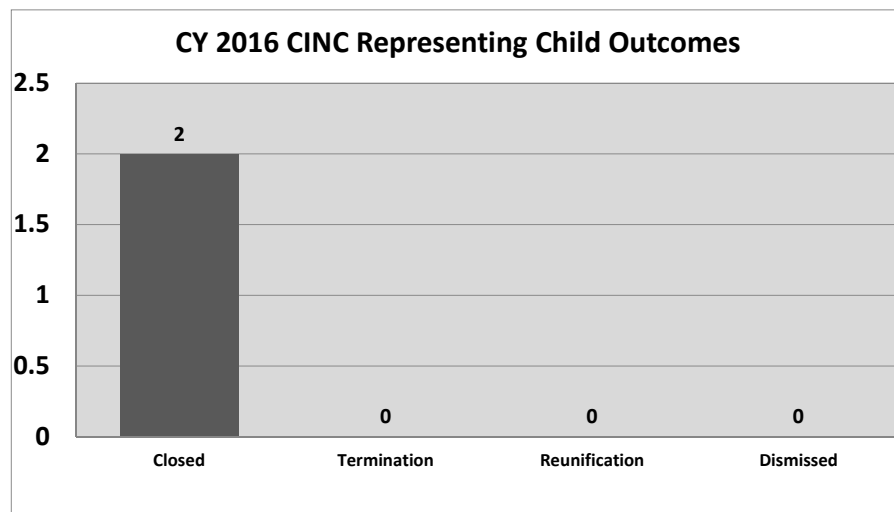
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	2	7	7	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	17	34	33	50	0	45	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	29	27	8	37	N/A	N/A	1	0	11	1	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	72	71	22	94	N/A	N/A	52	1	32	0	N/A	N/A	0	1	1
Delinquency Felony	29	36	14	43	N/A	N/A	26	3	44	0	N/A	N/A	0	2	2
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	6	8	1	7	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	692	631	179	871	N/A	N/A	386	31	320	6	0	3	0	5	8
Adult Felony Non-LWOP**	616	537	243	859	N/A	N/A	229	116	436	4	0	1	0	6	7
Adult LWOP	2	0	3	5	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	83	84	58	141	N/A	N/A	0	0	1	0	N/A	N/A	N/A	N/A	0
PCR	1	2	1	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	0	1
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

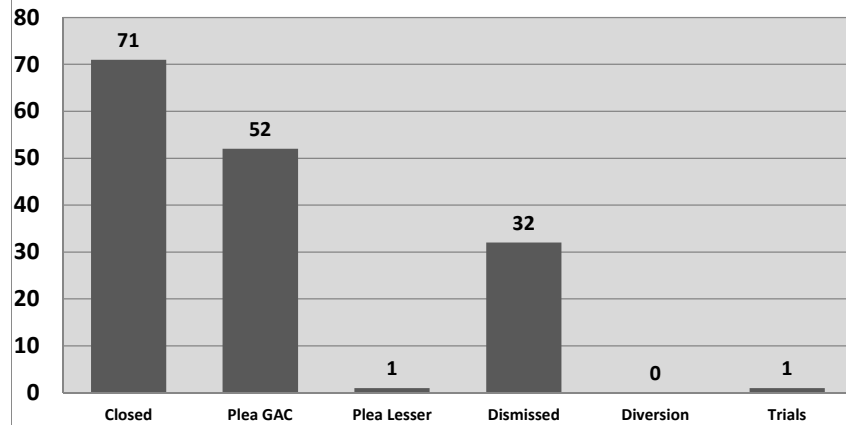
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

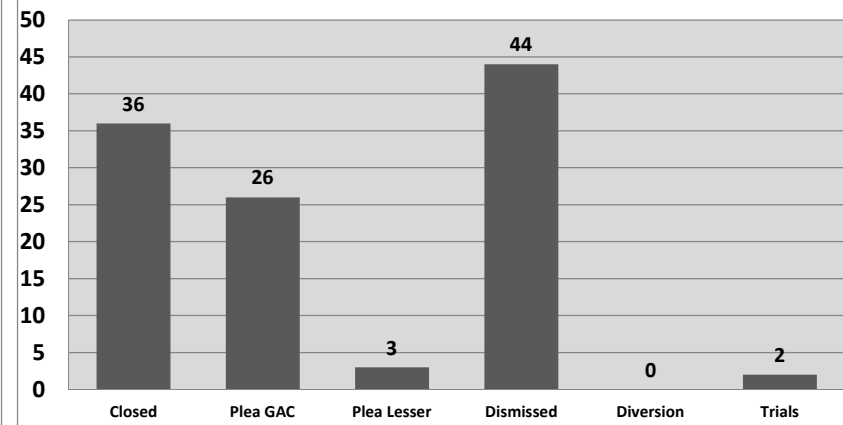
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



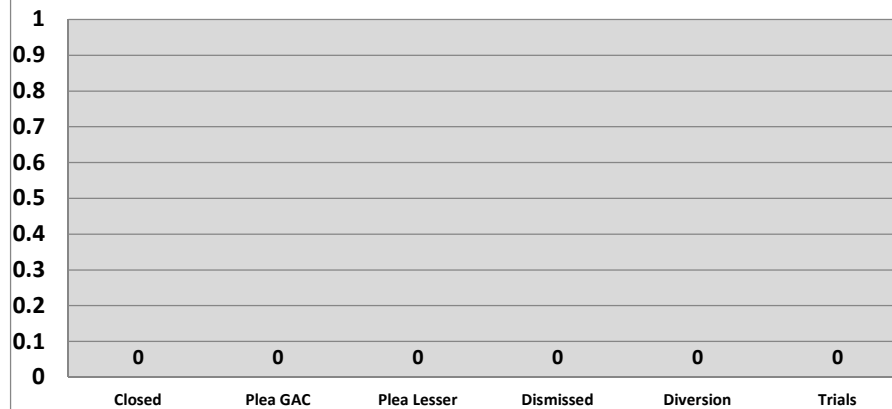
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



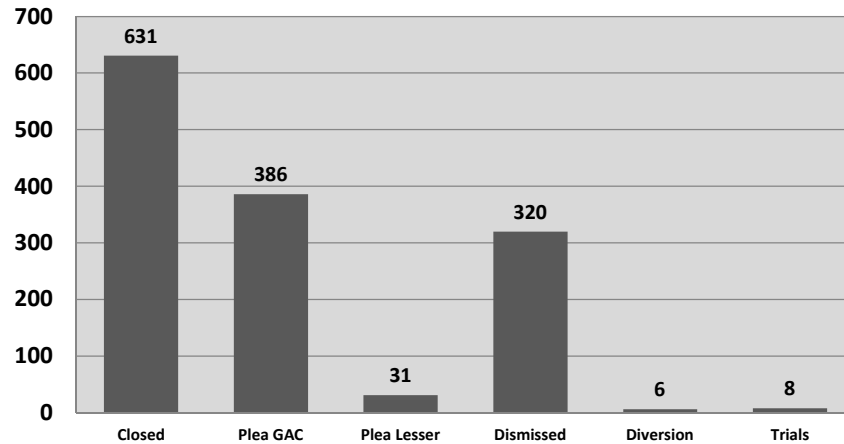
**CY 2016 Delinquency Felony-Grade Outcomes**



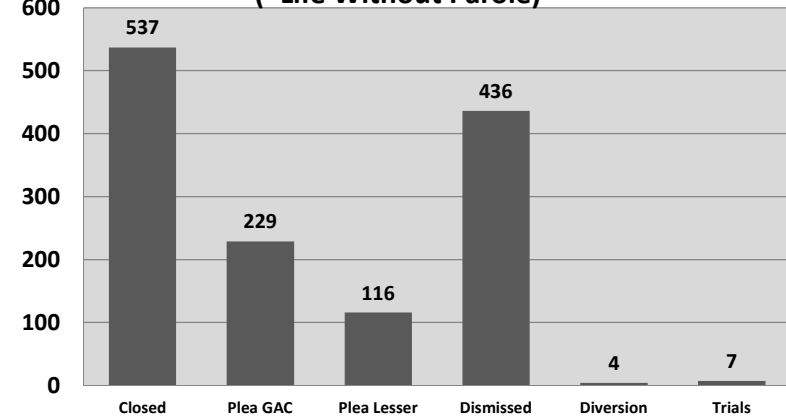
**CY 2016 Delinquency Life Outcomes**



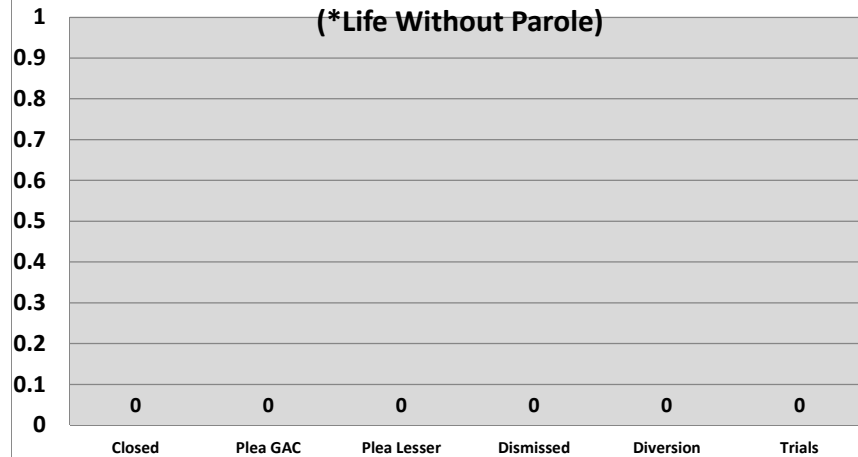
**CY 2016 Adult Misdemeanor Outcomes**



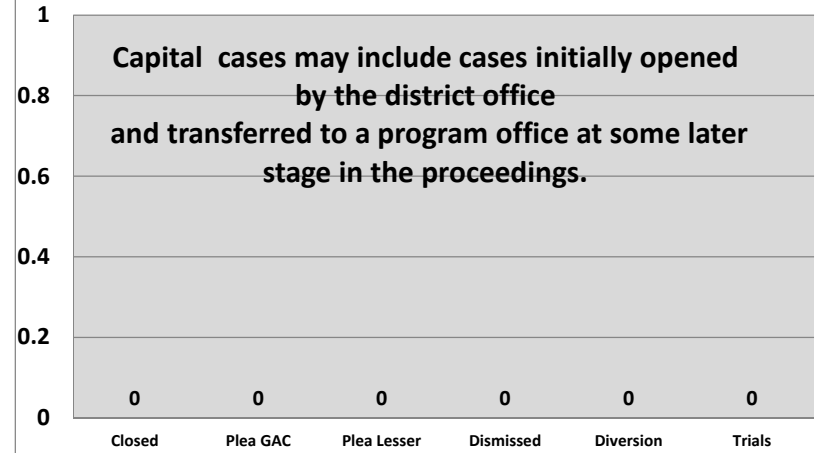
**CY 2016 Adult Felony Non-LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2016 Adult Felony LWOP\* Outcomes**  
(\*Life Without Parole)



**CY 2016 Capital Outcomes**



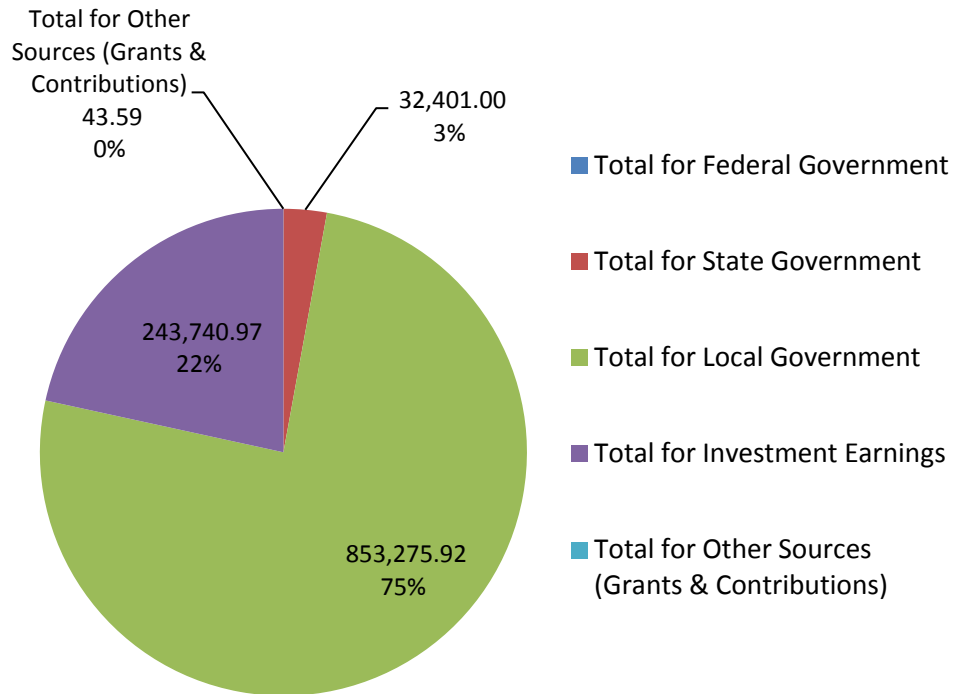
District 29 CY2016	Total CY2016
District Defender: Victor Bradley, Jr.	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	-
District Assistance Fund (DAF)	32,401.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	32,401.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	6,537.50
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	95,246.32
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	724,731.27
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	819,977.59
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	3,188.96
Partial Attorney Fees	-
Reimbursements [as per 15:176]	21,891.87
Other Reimbursements	1,680.00
Other Local Income -List source(s)	-
Total for Charges For Services	26,760.83
Total for Local Government	853,275.92
Investment Earnings	
Interest Income	3,740.97
Other Investment Income - List source(s)	240,000.00
Total for Investment Earnings	243,740.97
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	43.59
Total for Other Sources (Grants & Contributions)	43.59
Total for REVENUE	1,129,461.48

District 29 CY2016	Total CY2016
District Defender: Victor Bradley, Jr.	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	253,314.13
Accrued Leave	-
Payroll Taxes	19,514.95
Hospitalization and Disability Insurance	17,544.47
Retirement	-
Other	-
Total for Personnel Services and Benefits	290,373.55
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	5,562.76
Total for Travel/Training	5,562.76
Operating Services	
Advertisements	399.50
Workers' Compensation	3,079.09
Insurance - Malpractice	4,011.56
Insurance - Auto/Physical Liability	2,011.38
Insurance - Other	360.00
Lease - Office	8,200.00
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	1,950.00
Office - Telephone/Utilities/Postage/Internet	7,490.93
Dues and Seminars	4,754.21
Law Library/Journals/Subscriptions	36,873.01
Office Supplies	1,781.72
Total for Operating Services	70,911.40
Professional Services	
Audit/Accounting Expense	7,460.00
Contract Clerical	-
Expert Witness	5,625.00
Investigators	507.43
Interpreters	2,022.50
Social Workers	18,885.43
Capital Representation	-
Conflict	5,258.74
Contract - Juvenile Attorneys or CINC	109,075.00
Misdemeanor Attorney Contracts	109,075.00
Contract Attorneys - all other	543,100.00
IT/Technical Support	6,641.56
Total for Professional Services	807,650.66
Capital Outlay	
Major Acquisitions	1,499.50
Total for Capital Outlay	1,499.50
Other Charges	
Other Operating Expenses	241,630.22
Total for Other Charges	241,630.22
Total for EXPENDITURES	1,417,628.09

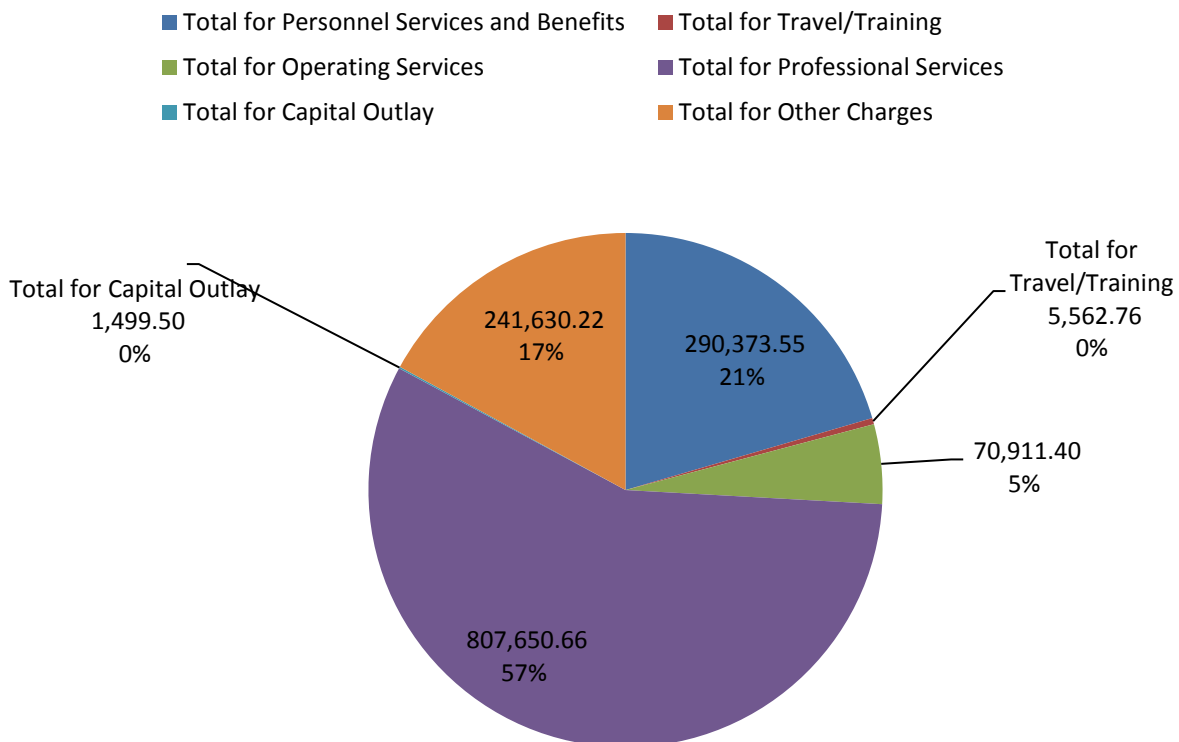
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

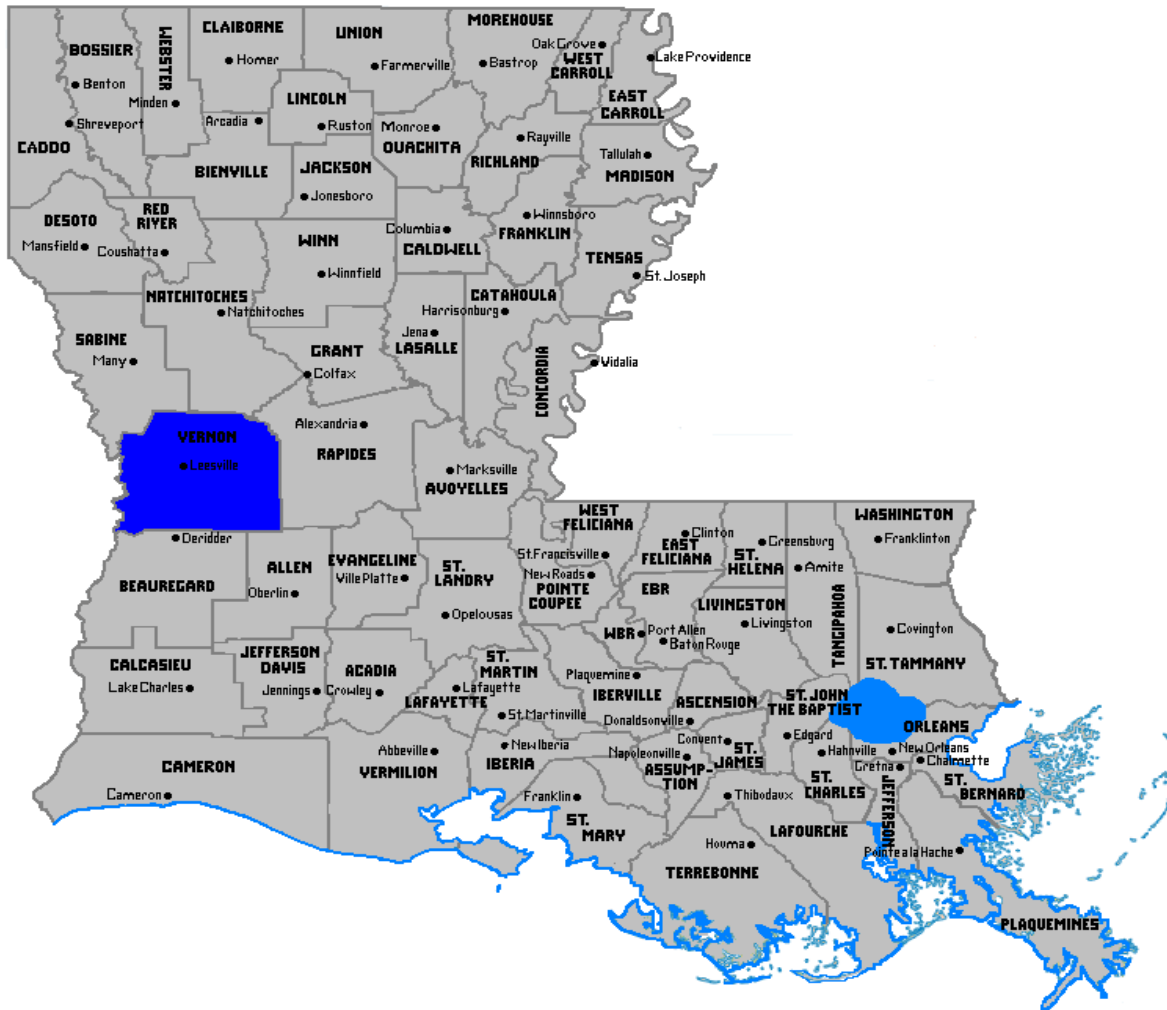


## Total CY16 Revenues



## CY16 Expenditures





# THE 30<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE VERNON (LEESVILLE)

DISTRICT DEFENDER: TONY TILLMAN  
501 SOUTH FOURTH STREET  
LEESVILLE, LA 71446  
(337) 392-3077

30th JUDICIAL DISTRICT :  
VERNON PARISH

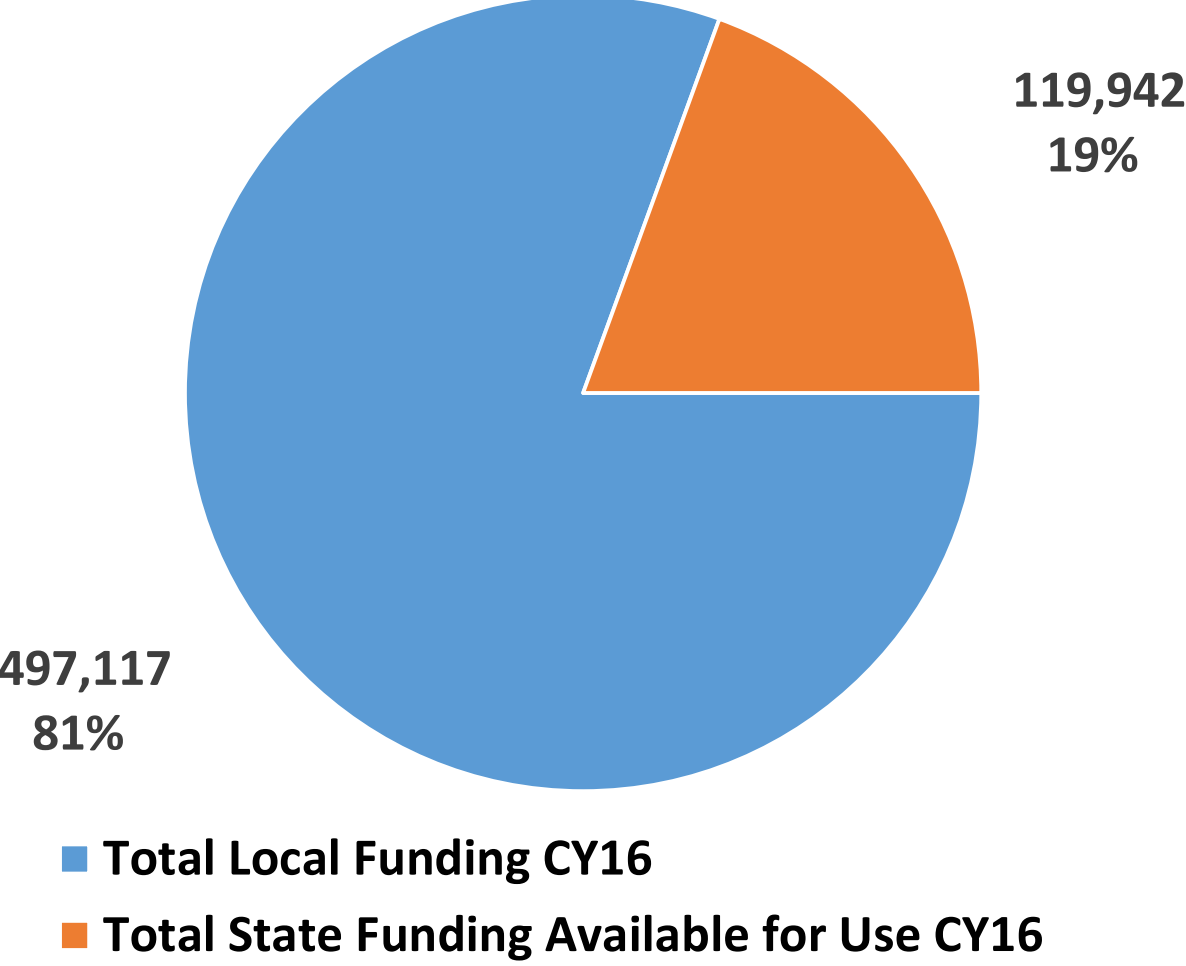
Tony Tillman  
District Defender  
501 South Fourth Street  
Leesville, LA 71446  
337-392-3077

During Calendar Year 2016 the 30th Judicial District Public Defenders Office handled 2,514 cases. The office received \$617,059 in total revenues to handle these cases, approximately 81% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

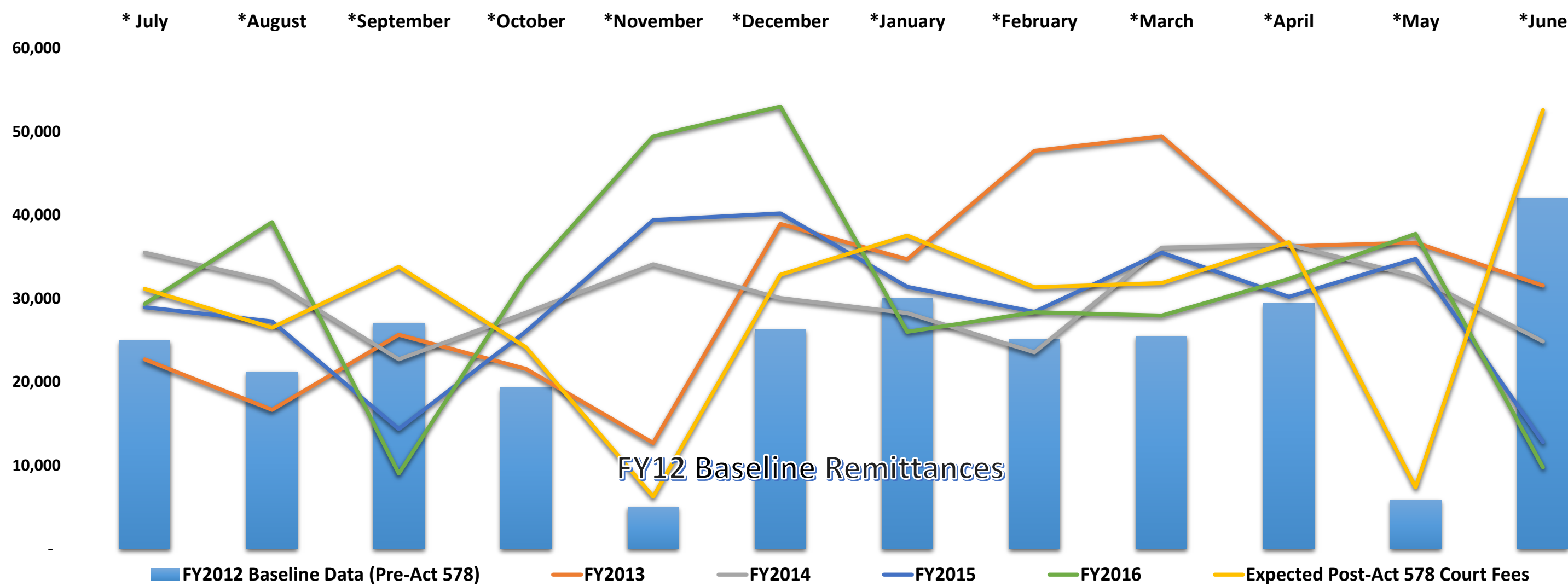
Since the passage of the \$10 increase in special court costs associated with Act 578 (2012), local revenues associated with court costs have been unstable and erratic. As shown in the graph below, revenues have fallen below the 25% expected increase more than fifty percent of the time.

The 30th Judicial District office has nearly exhausted its fund balance. Insufficient personnel and fiscal resources forced the 30th Judicial District office to begin restricting services January of 2015.

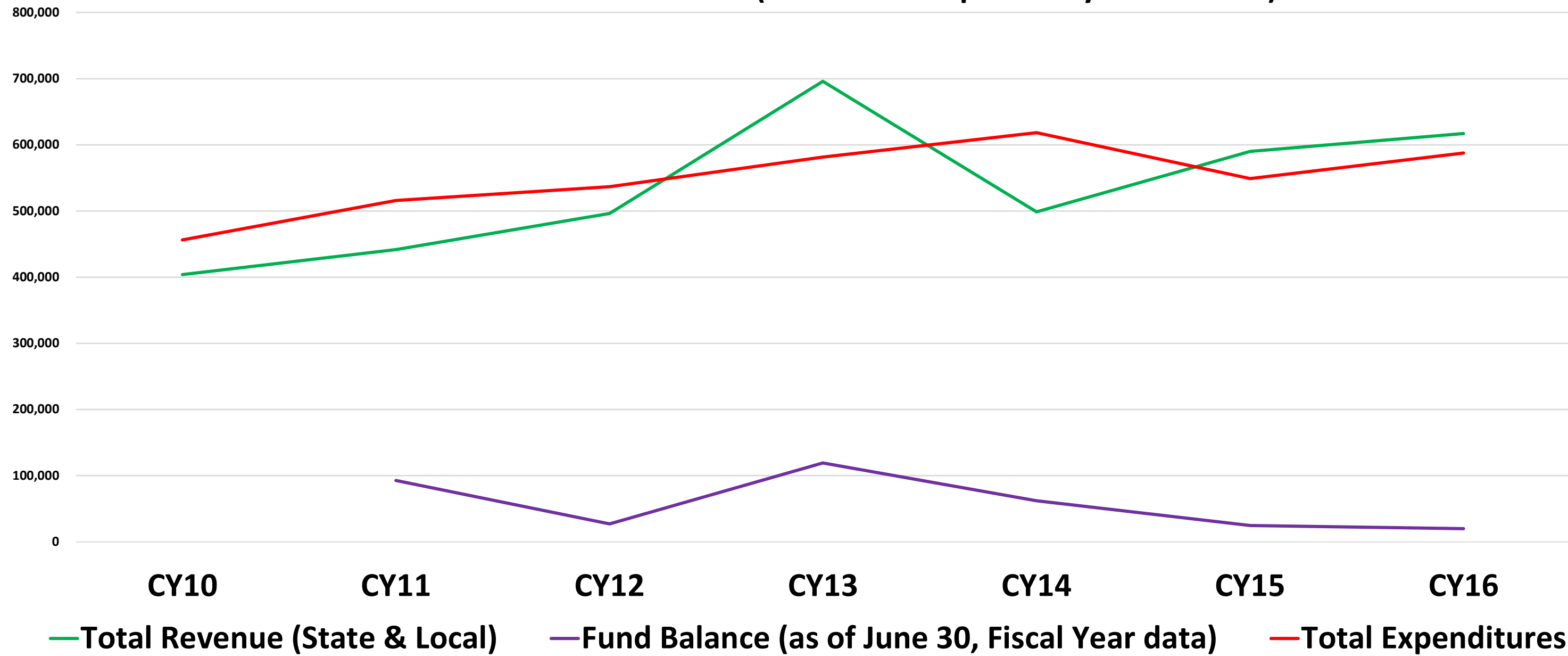
District 30 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 30 PDO



District 30 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



# 30th JUDICIAL DISTRICT : VERNON PARISH

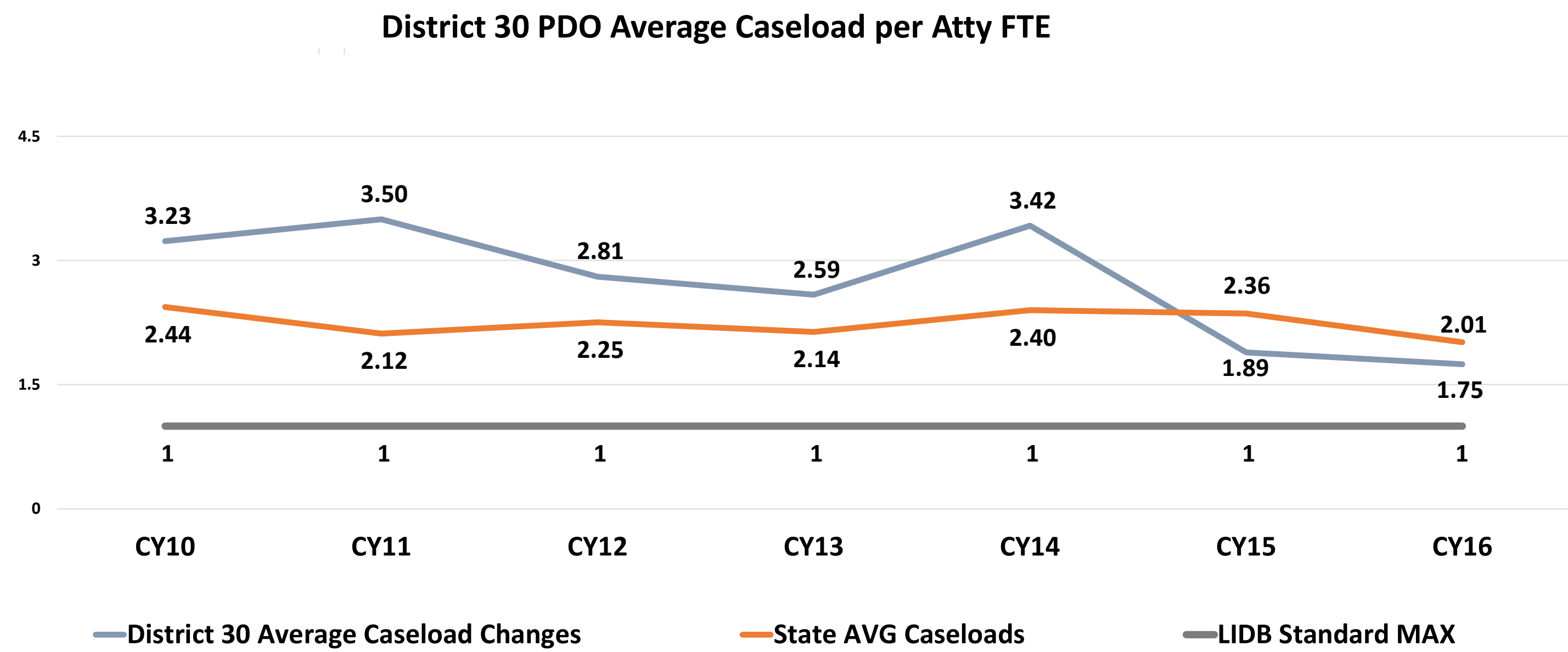
Tony Tillman

District Defender

501 South Fourth Street

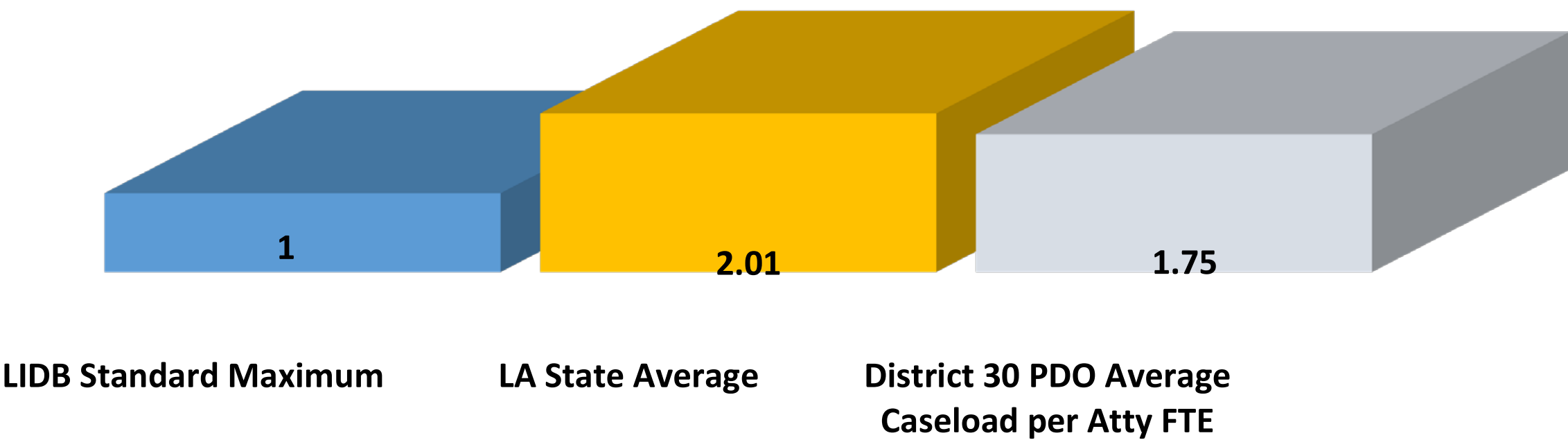
Leesville, LA 71446

337-392-3077



In the 30th Judicial District, public defense attorneys maintain caseloads nearly twice the recommended caseload limit for each attorney. These caseload averages do not account for the one felony case and seven revocation cases newly opened during CY16 which were still on a waitlist in January 2017. Although caseloads remain high due to insufficient revenues, through increased training and supervision, adult client outcomes have significantly improved over the last six years.

District 30 PDO Average Caseloads Compared to State Average & State Standard...



## CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 30TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Vernon - Leesville
<b>Population</b>	52,334
<b>District Defender</b>	Tony Tillman
<b>Years as District Defender</b>	8
<b>Years in Public Defense</b>	34
<b>Office Manager</b>	Jennifer Prewitt
<b>Primary Office Street Address</b>	501 South Fourth Street
<b>City</b>	Leesville
<b>ZIP</b>	71446
<b>Primary Phone</b>	337-392-3077
<b>Primary Mailing Address</b>	501 South Fourth St. Leesville, LA 71446
<b>Primary Fax Number</b>	337-392-3078
<b>Primary Emergency Contact</b>	Tony Tillman
<b>Primary Emergency Phone</b>	337-208-5790
<b>Secondary Emergency Contact</b>	Jennifer Prewitt
<b>Secondary Emergency Phone</b>	318-430-0074
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Tony Tillman
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$302
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	30th Judicial District Court- Vernon Parish, 215 S. 4th Street, Leesville; Leesville City Court - 101 W. Lee Street
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	3 Divisions in District Court, 1 in City
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Cases are assigned randomly to attorneys as applications are received without regard to the division. All attorneys handle cases in all divisions.
<b>Name of Adult Detention Facilities in This District</b>	Vernon Parish Jail and Leesville City Jail.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None other than DOC facilities.

<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center, Coushatta, LA Renaissance House, Alexandria, LA
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, for juvenile cases. It is approximately 75 miles to the juvenile detention facility. In felony cases where the client is already a DOC prisoner access to the client is impaired by the distance.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes, but juveniles are put in detention centers rarely.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No, other than distance issues if held in DOC facilities outside of Vernon Parish.
<b>District Attorney</b>	Asa Skinner
<b>Chief Judge of Criminal District Court</b>	Vernon B Clark
<b>Juvenile Court Judges (Specify District of City Court)</b>	District - Vernon B. Clark, C. Anthony Eaves and Scott Westchill, City Court - Elvin C. Fontenot
<b>Drug Court Judges</b>	Vernon B Clark
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	No
<b>Name of Specialty and Brief Description:</b>	No
<b>Indigency Determined by Whom and How?</b>	By the office administrator and if questionable by the district defender. The statutory definition of indigency is followed.
<b>When is Assignment/Appointment of Counsel Made?</b>	Approximately half of the felony counsel is assigned immediately following the 72 hour hearing, and the balance at arraignment. The majority of misdemeanor counsel is assigned at arraignment. In an effort to get applicants into the system sooner, the district defender created a Notice which the Sheriff mails to the defendants along with the Notice of arraignment advising the defendants to apply for counsel PRIOR to the day of arraignment. This has helped, and about half of the defendants come in before arraignment, the balance is dealt with at arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	During interview clients are asked if they were arrested with anyone or if they have any co defendants. If they have co defendants we then make a note so that at time of appointment they won't be assigned same attorney.
<b>Brief Explanation of Intake Process</b>	Clients who aren't in jail either come to the office and fill out application, or they fill out application on the morning before arraignment.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	1,204
<b>How Many Application Fees Were Waived?</b>	2 due to being on Social Security or Disability

<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	3,670
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No we collect all application fees.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	402,177
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes with the rare exception if a defendant has multiple charges and is disabled or on fixed income a judge will occasionally Not impose costs on all counts.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	We receive detailed information from all agencies who provide us with income. Tony Tillman then reviews each one.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff and City Court Clerk
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	We receive a detailed statement from the Sheriff and Leesville City Court on fees as collected.
<b>Who Remits the Court Fees Collected?</b>	Sheriff and City Court Clerk
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	We receive detailed information from all agencies who provide us with income. Tony Tillman then reviews each one.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	Yes
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	Town of New Llano and Town of Rosepine
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	22,862.72
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	No formula is currently used.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	We receive a detailed statement from the Felony and Misd. Probation Offices on fees as collected.
<b>Who Collects the Assessed Partial Payments?</b>	The Probation Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	We receive a detailed statement from the Felony and Misd. Probation Offices on fees as collected.
<b>Who Remits the Partial Payments Collected?</b>	Felony and Misd. Probation Offices
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	We receive a detailed statement from the Felony and Misd. Probation Offices on fees as collected.



<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	57,828.45
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	All attorneys are contract attorneys and all have private practices. All attorneys rely on their private practice for their primary income.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Additional funds to obtain an investigator, a social worker, and additional staff. We are having difficulties getting current data into the system, and I think the only effective solution is to have all the data input by the district defenders office directly rather than rely on the individual contract attorneys. One employee can Not do all the intake, bookkeeping, bill paying, office administration, etc, and do all the data input.
<b>Was your office in ROS at any time during 2016</b>	Yes
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	We are currently in still in ROS but conditions were modified to take cases.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	None
<b>Immediate Critical Issue Areas</b>	Data input is a critical area for us-since the budget is dependent on the data, our district will continue to get short changed until I can solve this problem. The attorneys continually complain that they do Not mind the legal work; it is the data collection they complain about.
<b>Long-Term Critical Issue Areas</b>	Need of office space and staff, particularly an investigator and social worker. With a drug court and extensive OCS caseload, a social worker would greatly benefit our clients
<b>2016 Media Coverage and/or Major Accomplishments</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	We send them to CLE and if they need assistance Tony Tillman meets with them alone or with their clients to discuss any problems that they are having. We also pay their LACDL dues.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Tony Tillman, Mary Katie Beaird, Tiffany Ratliff
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes



<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	With only 2 full time employees supervising them is easy- they both are in offices next to mine, and I am in their offices multiple times a day. The attorneys are all on contract and have their own offices. I see them in court regularly, and meet with the judges and the DA and ask for observations about the attorneys' performances. I have met with individually with each attorneys to discuss issues, i.e. need to document client contact, need to do more frequent jail visits, ect.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Jennifer Prewitt - PDO pays monthly co pay after income tax credit.
<b>Regular Meetings for Any Staff, Please Describe</b>	Tony Tillman meets with the office administrator daily, and with all attorneys monthly, and otherwise as needed. Informal meetings at the courthouse happen frequently.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Filed in 2016</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	All our attorneys are experienced and capable of handling these cases.
<b>Number of trial level Juvenile Life Without Parole (<u>Miller</u>) cases handled by your office in CY 2016</b>	1
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) cases pending in your office</b>	2
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) sentencing hearings conducted in your district in CY 2016</b>	2
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator John Smith, Rep James Armes, Rep Frankie Howard
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Lack of Resources, lack of qualified personnel in area – i.e., investigators, social workers.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Worked with attorneys' staff to do better job on motion practice, jail visits, and data input. Met with DA and Judges to stream line court time.

[illegible]

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Jennifer Prewitt
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	Tony Tillman subscribed in December 2016.
Other (please list)	
Number of Legal Research Licenses	1
Total Cost of Legal Research Software:	176
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	x
Microsoft Office 2013	
Microsoft Office 2010	
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	

Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	4
Laptops	1
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	We have contract with Xerox
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x and WIFI
No Internet Connection	
Connection Speed:	
Provider Name:	Sudden Link
Email Provider:	Squirrel Mail
Please list any software or computer equipment in which you need training:	

### 30th District Defender Office CY 2016 Caseloads & Outcomes

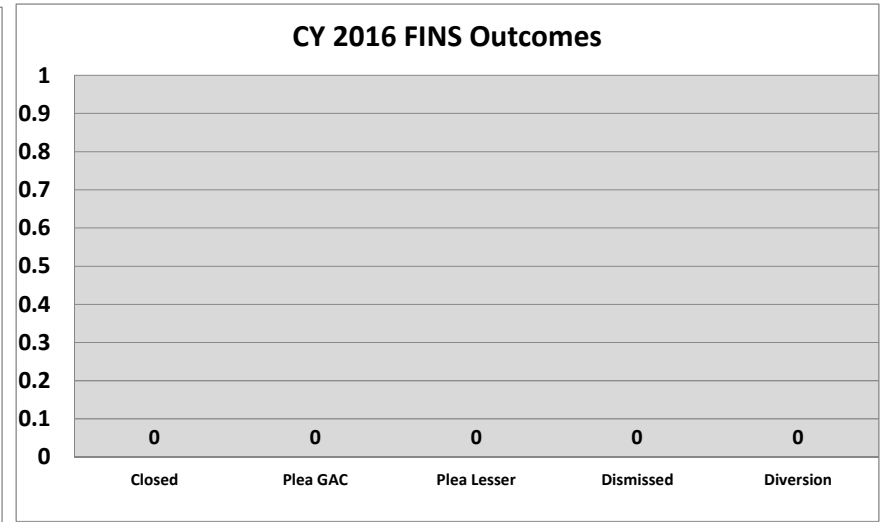
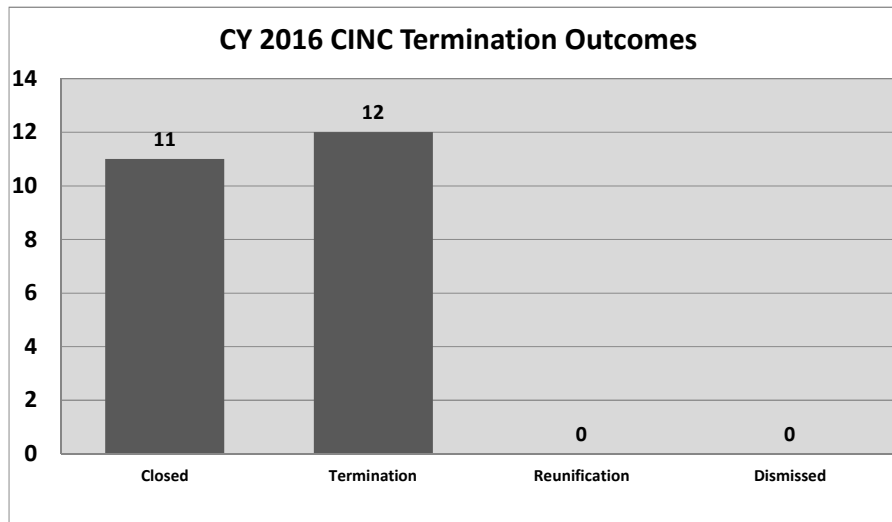
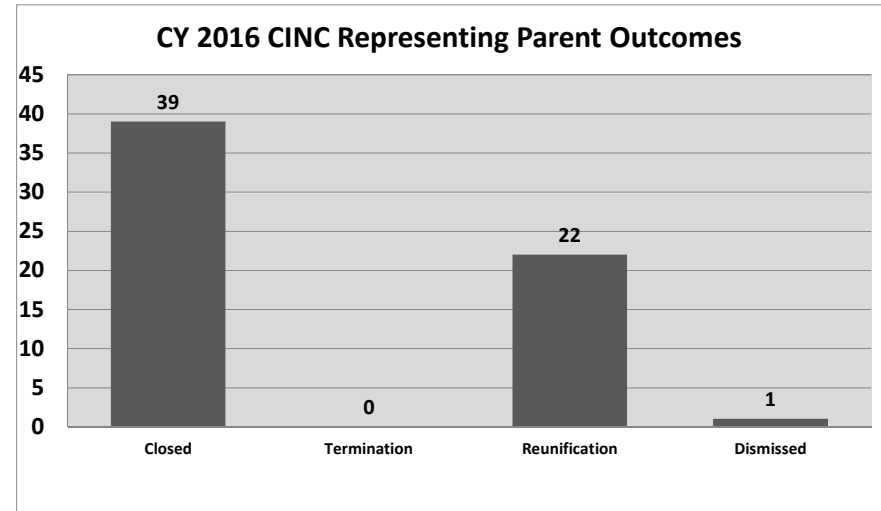
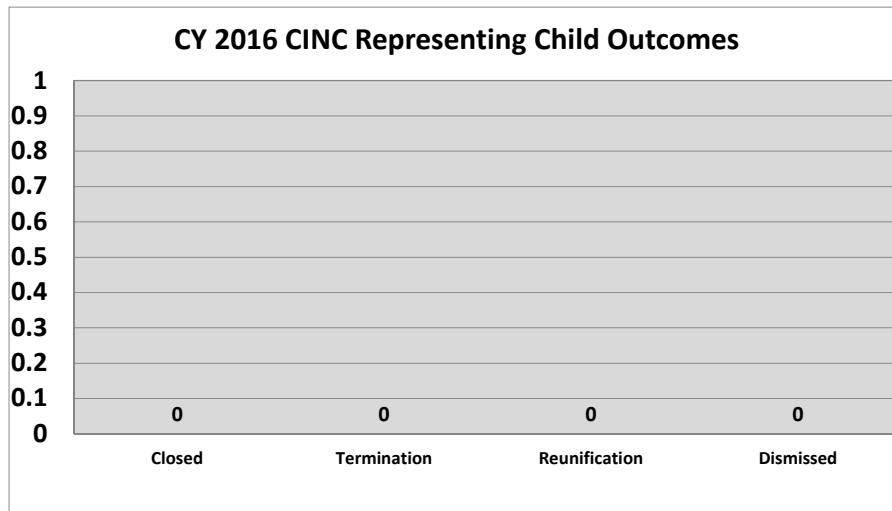
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	27	39	50	77	0	22	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
Termination	8	11	2	10	12	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	9	7	3	12	N/A	N/A	2	0	0	4	N/A	N/A	0	0	0
Delinquency Felony	9	6	2	11	N/A	N/A	4	2	1	0	N/A	N/A	0	1	1
Delinquency-Life	1	0	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	734	584	223	957	N/A	N/A	313	23	382	17	0	0	1	6	7
Adult Felony Non-LWOP**	643	560	358	1001	N/A	N/A	372	56	452	12	0	0	1	1	2
Adult LWOP	6	4	3	9	N/A	N/A	1	0	4	0	0	0	0	0	0
Capital***	1	0	0	1	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	316	334	116	432	N/A	N/A	2	0	1	0	N/A	N/A	N/A	N/A	0
PCR	1	2	2	3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2	0	2
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

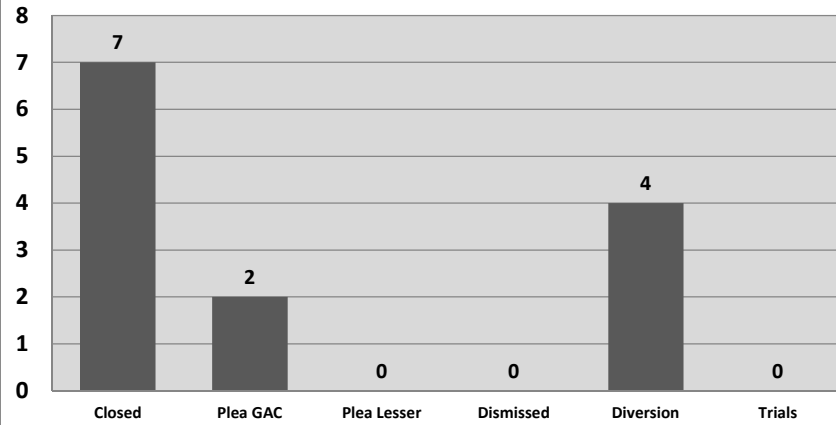
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

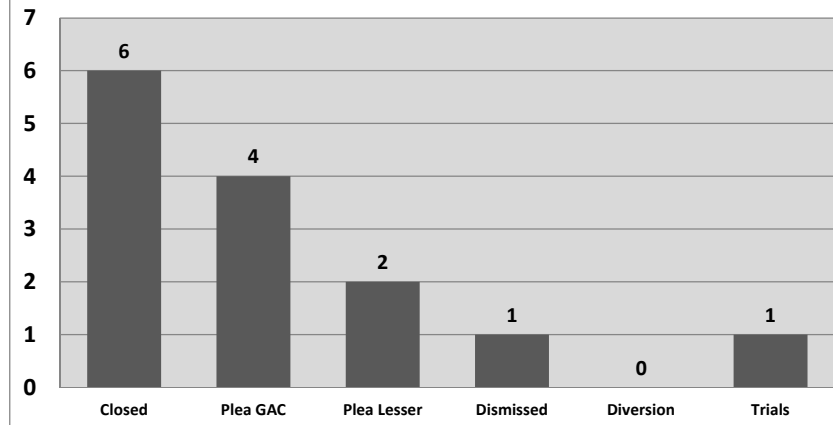
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



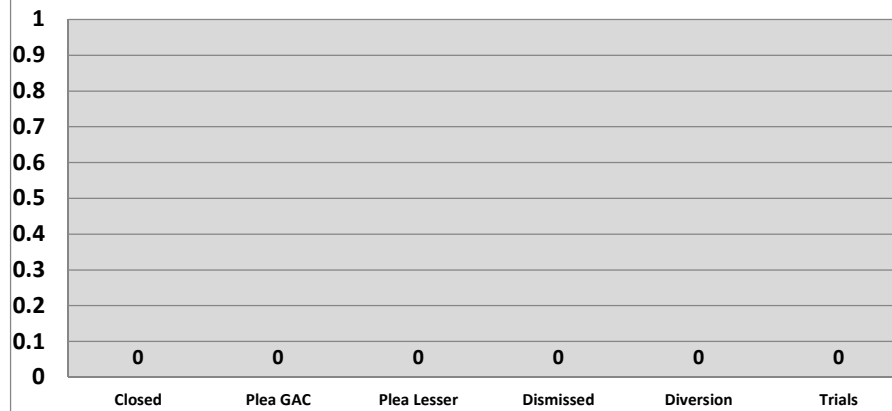
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

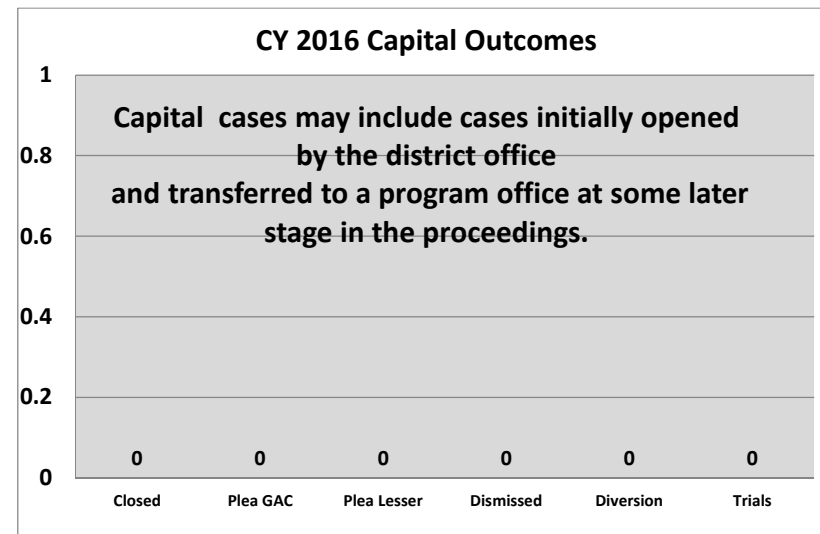
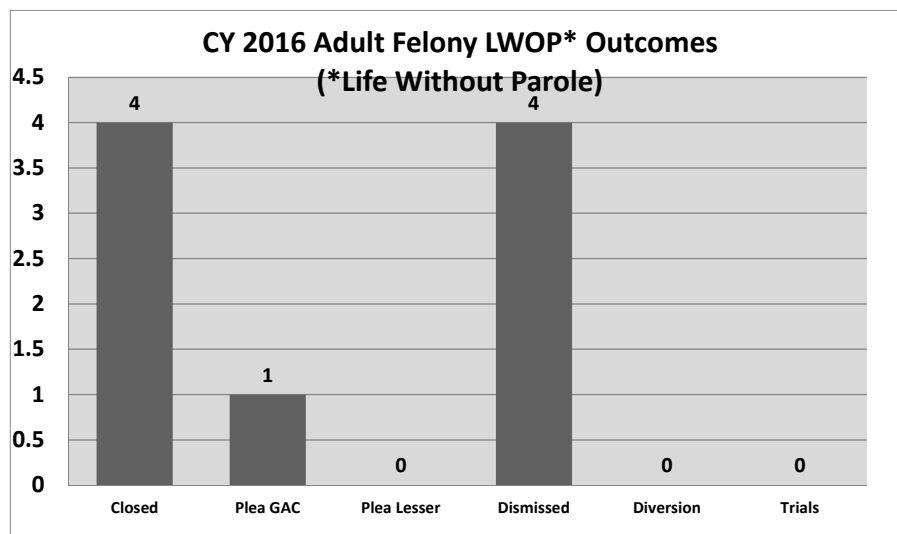
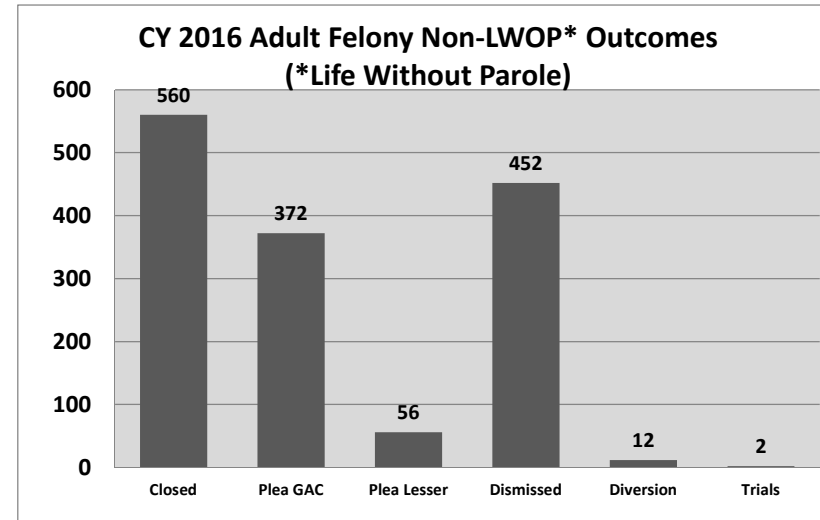
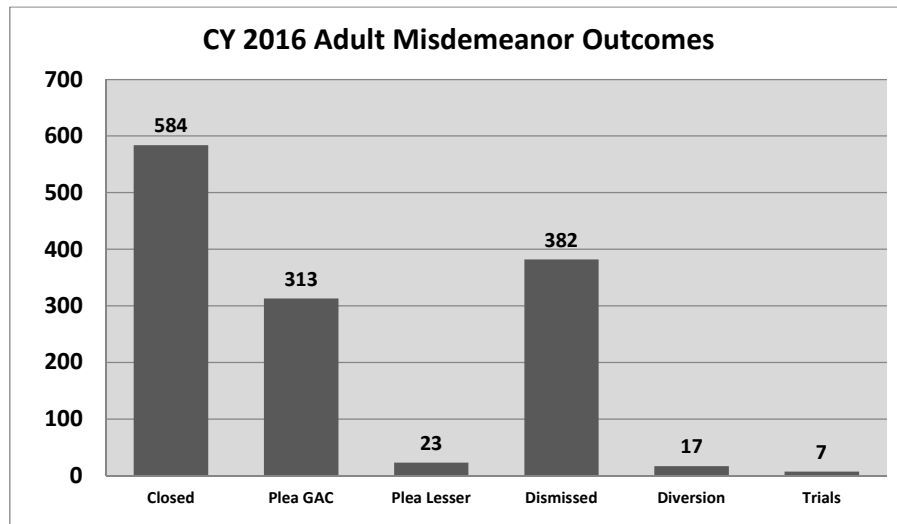


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**







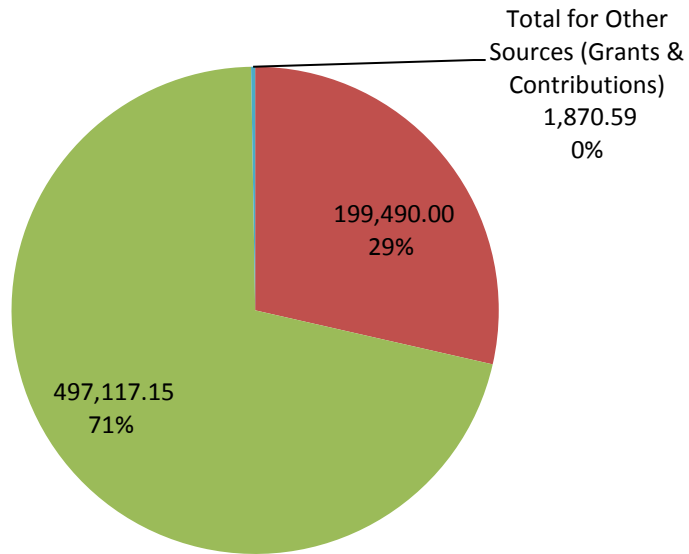
District 30 CY2016	Total CY2016
District Defender: Tony Tillman	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	13,142.00
District Assistance Fund (DAF)	186,348.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	199,490.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	10,078.54
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	308,230.27
City & City-Ward Courts	96,613.67
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	20,196.22
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	425,040.16
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	3,670.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	58,328.45
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	61,998.45
Total for Local Government	497,117.15
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	1,870.59
Total for Other Sources (Grants & Contributions)	1,870.59
Total for REVENUE	698,477.74

District 30 CY2016	Total CY2016
District Defender: Tony Tillman	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	87,707.69
Accrued Leave	-
Payroll Taxes	6,735.64
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	94,443.33
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	4,767.83
Total for Travel/Training	4,767.83
Operating Services	
Advertisements	23.50
Workers' Compensation	550.00
Insurance - Malpractice	5,976.45
Insurance - Auto/Physical Liability	548.00
Insurance - Other	917.00
Lease - Office	-
Lease - Auto/Equipment	5,608.85
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	9,779.75
Dues and Seminars	1,779.00
Law Library/Journals/Subscriptions	7,790.77
Office Supplies	7,599.54
Total for Operating Services	40,572.86
Professional Services	
Audit/Accounting Expense	12,835.00
Contract Clerical	-
Expert Witness	1,330.05
Investigators	4,796.43
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	421,810.10
IT/Technical Support	403.04
Total for Professional Services	441,174.62
Capital Outlay	
Major Acquisitions	1,224.99
Total for Capital Outlay	1,224.99
Other Charges	
Other Operating Expenses	5,406.47
Total for Other Charges	5,406.47
Total for EXPENDITURES	587,590.10

NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

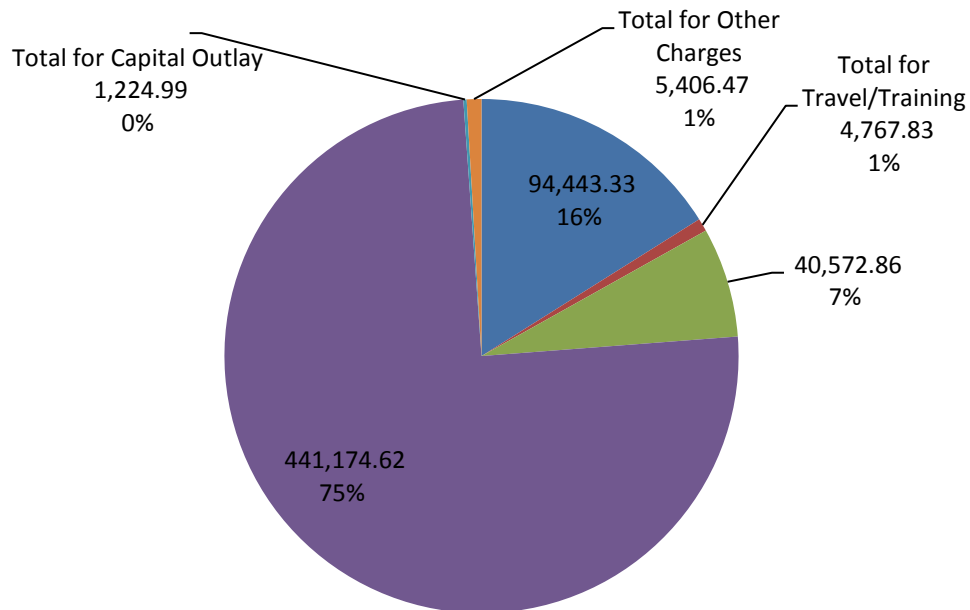
## Total CY16 Revenues

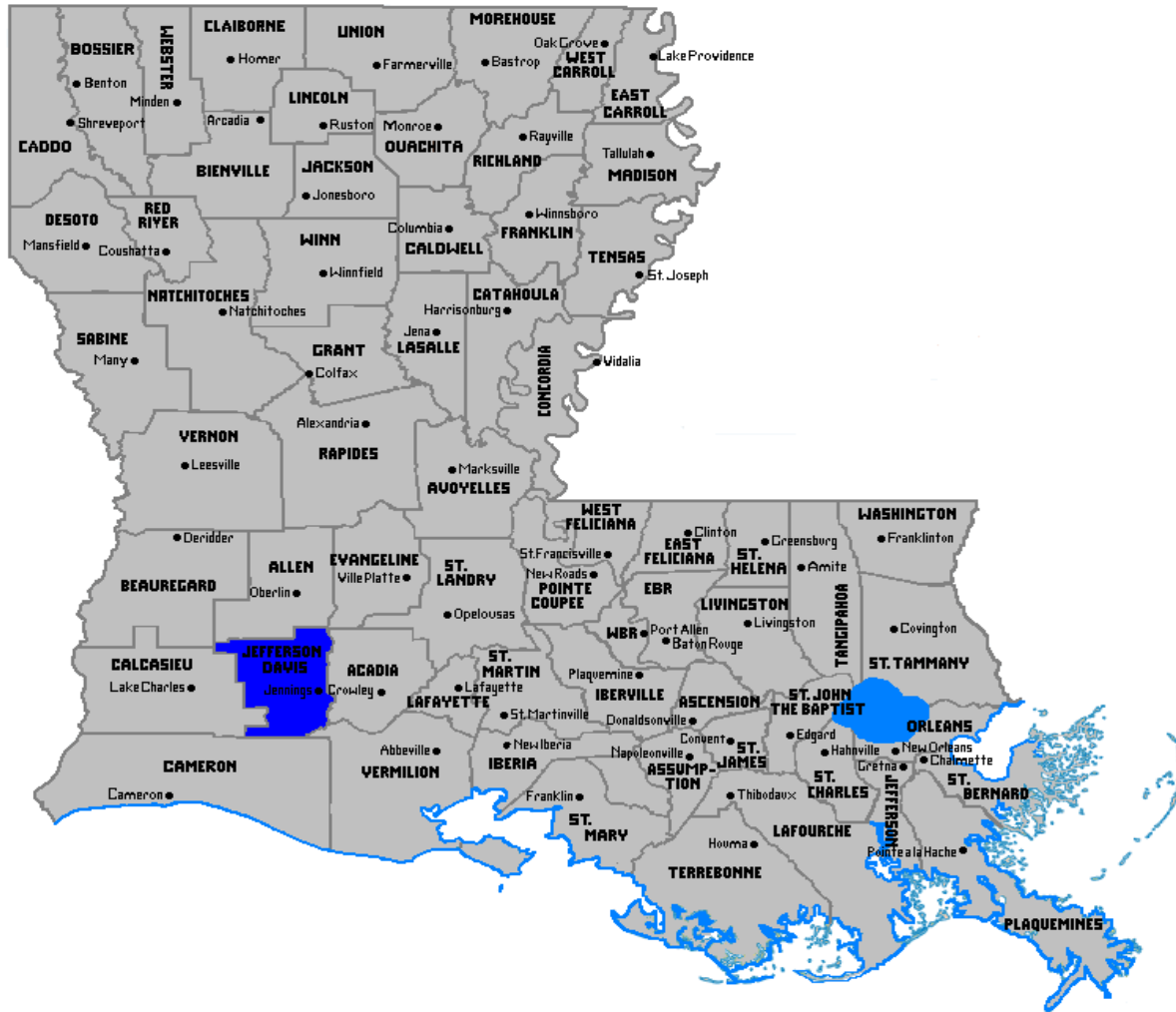
- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY16 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges





# THE 31<sup>ST</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE

JEFFERSON DAVIS (JENNINGS)

DISTRICT DEFENDER: DAVID E. MARCANTEL  
300 NORTH STATE STREET, ROOM 203  
JENNINGS, LA 70546  
(337) 824-4900

## 31ST JUDICIAL DISTRICT : JEFFERSON DAVIS PARISH

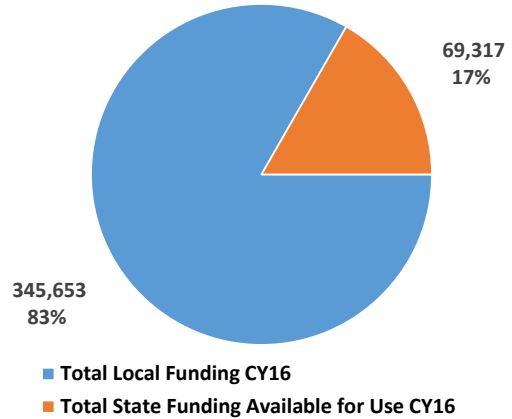
David E. Marcantel  
District Defender  
300 North State Street, Room 203  
Jennings, LA 70546  
337-824-4900

During Calendar Year 2016, the 31st Judicial District Public Defenders Office handled 2,310 cases. The office received \$414,970 in total revenues to handle these cases, approximately 83% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

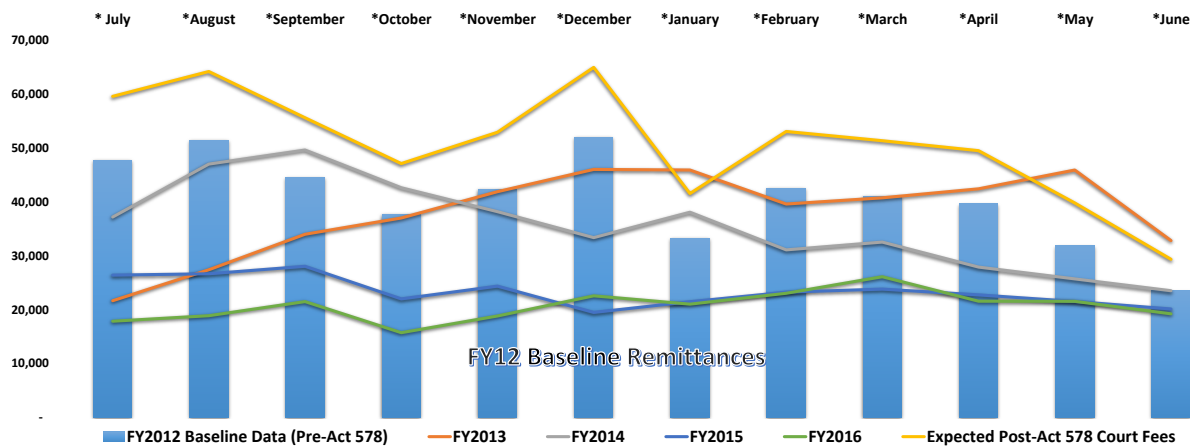
Since the passage of the \$10 increase in special court costs associated with Act 578 (2012), the 31st has only realized the 25% increase in local funds that was expected to materialize on three occasions over the last four years.

As local revenues have declined, the 31st Judicial District Office has relied heavily upon its fund balance. While it is too early to project when the 31st Judicial District Office will exhaust its fund balance, without an increase in revenues or reduction in expenditures the fund balance will continue to decline and the office will eventually become insolvent.

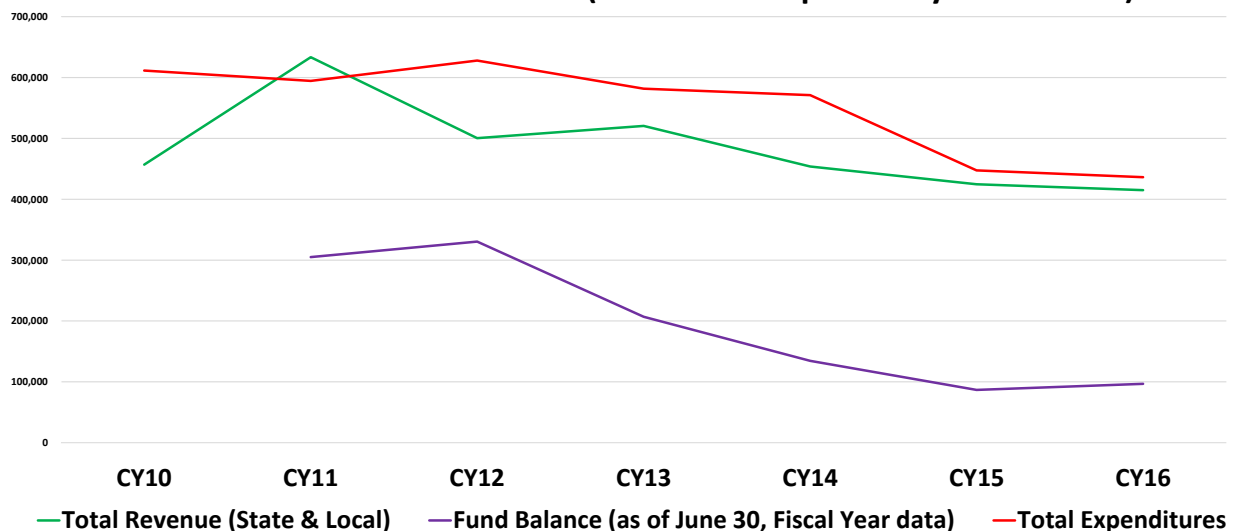
**District 31 PDO Revenue Sources CY16**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 31 PDO**



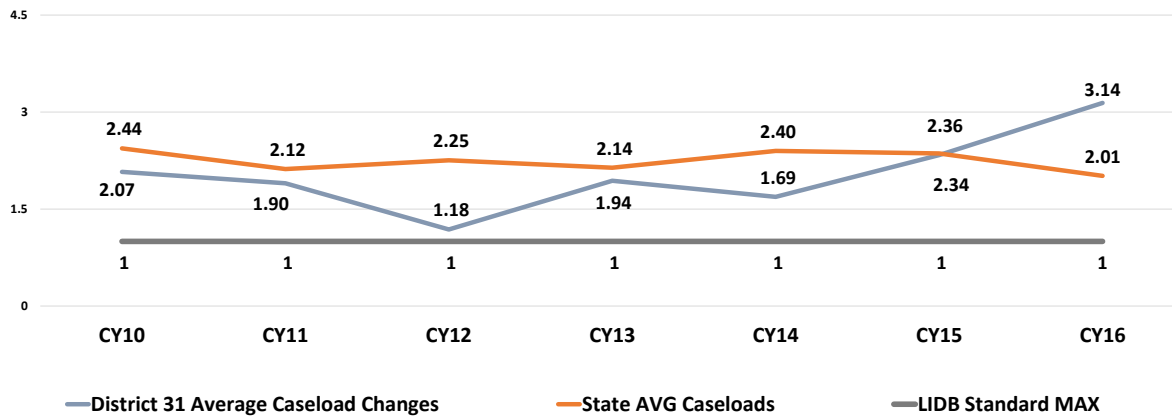
**District 31 PDO Finances CY10-16 (FB must be reported by Fiscal Years)**



# 31ST JUDICIAL DISTRICT : JEFFERSON DAVIS PARISH

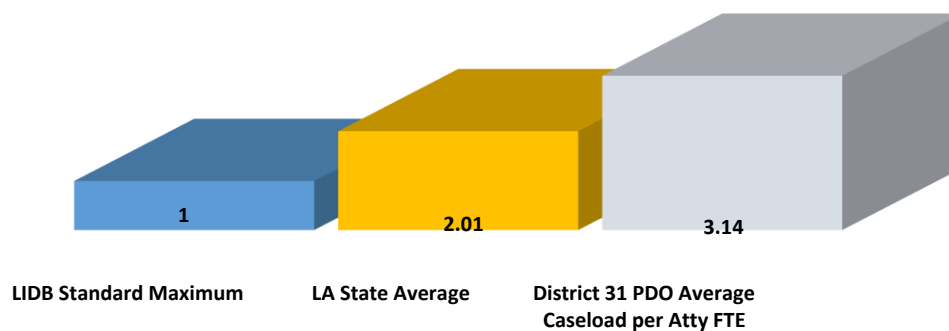
David E. Marcantel  
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337-824-4900

District 31 PDO Average Caseload per Atty FTE



In the 31st Judicial District, public defense attorneys maintain caseloads more than three times the recommended caseload limit for each attorney.

District 31 PDO Average Caseloads Compared to State Average & State Standard Maximums



## CAPITAL REPRESENTATION

This PDO has no capital certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 31<sup>ST</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Jefferson Davis - Jennings
<b>Population</b>	31,439
<b>District Defender</b>	David E. Marcantel
<b>Years as District Defender</b>	14
<b>Years in Public Defense</b>	25
<b>Office Manager</b>	April M. Bertrand
<b>Primary Office Street Address</b>	300 North State Street, Room 203
<b>City</b>	Jennings
<b>ZIP</b>	70546
<b>Primary Phone</b>	337-824-4900
<b>Primary Mailing Address</b>	P.O. Box 1326, Jennings, LA 70546
<b>Primary Fax Number</b>	337-824-1009
<b>Primary Emergency Contact</b>	April M. Bertrand
<b>Primary Emergency Phone</b>	337-842-4870
<b>Secondary Emergency Contact</b>	Ky'a R. Fontenot
<b>Secondary Emergency Phone</b>	337-370-2262
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	David E. Marcantel
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Jefferson Davis Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	0
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Accounting is handled In-House. However, payroll of W-2 employees is tabulated by Mike Gillespie, CPA and is entered In-house by PDO staff.
<b>Courts and Locations</b>	31st Judicial District Court, Jefferson Davis Parish; Jennings, Welsh, Lake Arthur City Courts, and City of Jennings and Ward II Juvenile Court.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	4

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Clients are assigned an attorney by the PDO at his/her 72-hour advisement if incarcerated. Clients released on bond are assigned attorneys at his/her arraignment. In both cases, the attorneys are assigned by the PDO staff. For incarcerated clients, a PDO staff member meets with the client within 72-hours of arrest.
<b>Name of Adult Detention Facilities in This District</b>	Jefferson Davis Parish Jail, Jennings; Welsh City Jail, Welsh; Lake Arthur City Jail, Lake Arthur.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	South Louisiana Correctional Center, Richland Parish Jail, Angola, Calcasieu Correctional Center, Vermillion Parish Jail and Concordia Correctional Center.
<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Cameron Parish Jail, Cameron, LA
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Clients housed in distant locations affect the quality of representation due to attorneys not being able to contact them as frequently, and it leaves them unable to meet with other clients when they travel to meet clients in distant locations.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No difficulties having access to clients.
<b>District Attorney</b>	Michael C. Cassidy
<b>Chief Judge of Criminal District Court</b>	Steve Gunnell
<b>Juvenile Court Judges (Specify District or City Court)</b>	Steve Gunnell (District Court) & Daniel Stretcher (City Court).
<b>Drug Court Judges</b>	N/A
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	The presiding judge determines indigence. Incarcerated clients are presumed indigent. When a client is thought to not be indigent, a contradictory hearing is held in a district court for determination of indigence.
<b>When is Assignment/Appointment of Counsel Made?</b>	72 Hr Advisement or Arraignment
<b>What steps does your office take to ensure conflict – free representation</b>	A search of defendant is conducted within the Clerk of Court's records regarding co-defendants at the time of offense/arrest. A search of defendant is also conducted in Defender Data regarding past representation and prior attorney conflicts.



<b>Brief Explanation of Intake Process</b>	Client is interviewed for a synopsis of the case and intake forms are completed to ensure 48-hour Probable Cause finding and 72-hour advisement deadlines were met. The client receives contact information for his/her attorney and a brief synopsis of the case is collected for the attorney.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	1,593
<b>How Many Application Fees Were Waived?</b>	427
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	7,200
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	239,719
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	The office receives a breakdown of all fines and fees collected from the Sheriff's Office. The \$40 PDO representation fee assessed by the Judge is remitted directly to the PDO. We receive an accounting from the Jennings City Court and Welsh Municipal Court of those who paid fines and fees in court.
<b>Who Collects the Assessed Court Fees?</b>	Fines and court costs are collected by the Sheriff's Office for District Court. The \$40 PDO fee assessed by the District Judge is collected by PDO staff. Jennings City Court fines and fees are collected by the Jennings City Clerk of Court. Welsh Municipal Court fines and fees are collected by the Town of Welsh.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	The office receives a breakdown of all fines and fees collected from the Sheriff's Office. The \$40 PDO representation fees assessed by the Judge is remitted directly to the PDO. We receive an accounting from the Jennings City Court and Welsh Municipal Court of those who paid fines and fees in court.
<b>Who Remits the Court Fees Collected?</b>	Fines and court costs are distributed by the Sheriff's Office for District Court. Jennings City Court fines and fees are distributed by the Jennings City Clerk of Court. Welsh Municipal Court fines and fees are distributed by the Town of Welsh.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The office received a breakdown of all fines and fees collected from the Sheriff's Office. The \$40 PDO representation fee assessed by the Judge is remitted directly to the PDO. We receive an accounting from the Jennings City Court and Welsh Municipal Court of those who paid fines and fees in court.

<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	Yes
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	Town of Welsh, Municipal Court
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	740
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	All clients placed on misdemeanor or felony probation are required to pay a \$40 reimbursement fee to the PDO.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Notes are taken in court by PDO staff and accounting and remittance are done in-house.
<b>Who Collects the Assessed Partial Payments?</b>	PDO Staff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	Clients
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	None
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	None ordered.
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private criminal practice is permitted. The policy is in writing in the contract attorney employment contract.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes, See attached documents
<b>Primary Immediate Needs</b>	Increase of local and state source funding.
<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Yes, notify community stake holders of restriction of services intention. The PDO will no longer fund conflict representation, interpreters, or investigators. More restrictions may take place on depending on revenue decreases.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Increase of Local and State revenues.
<b>Long-Term Critical Issue Areas</b>	Parity between DA Office and PDO.
<b>2016 Media Coverage and/or Major Accomplishments</b>	None

<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, the District Public Defender oversees new hires to ensure best practices and attorneys attend professional development seminars to strengthen deficiencies.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	None
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	See attached organizational chart
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None. Supervisory staff carry same workload.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Medical benefits are provided by the office for full time W-2 employees only.
<b>Regular Meetings for Any Staff, Please Describe</b>	Administrative Staff-weekly; Attorneys-monthly
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Filed in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	None. This is a rarified occurrence for our district.
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None. This is a rarified occurrence for our district.
<b>Number of trial level Juvenile Life Without Parole (<u>Miller</u>) cases handled by your office in CY 2016</b>	0
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) cases pending in your office</b>	0
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) sentencing hearings conducted in your district in CY 2016</b>	0
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator Dan Morrish; Representative Johnny Guinn.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	None
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Established new policies in attorney representation to ensure best practices.



## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	April M. Bertrand
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	
Other (please list)	Contract attorneys use their own research tools
Number of Legal Research Licenses	
Total Cost of Legal Research Software:	0
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	Grids
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	
Intuit	

Other (list here):	
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	
Google Chrome	x
Other	
<b>HARDWARE:</b>	
Please enter the number of devices in your inventory.	
Television	
DVD	1
VCR	
Desktop PCs	2
Laptops	1
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	2
Color Printers	1
Wireless Cards	1
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	T3
Provider Name:	Provided by the sheriff's office for the courthouse.
Email Provider:	
Please list any software or computer equipment in which you need training:	

### 31st District Defender Office CY 2016 Caseloads & Outcomes

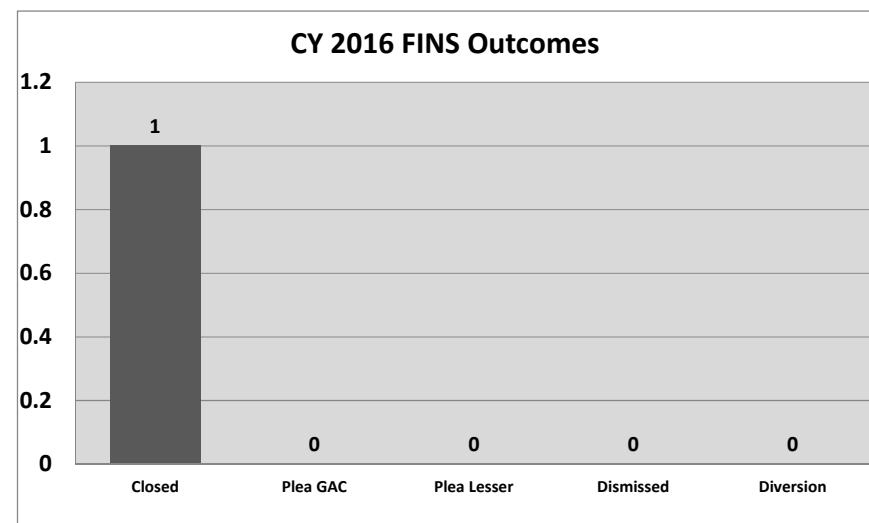
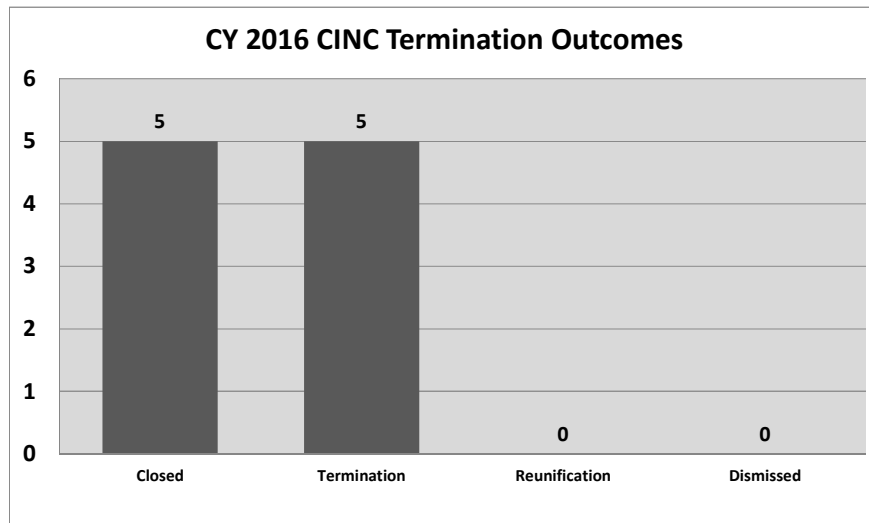
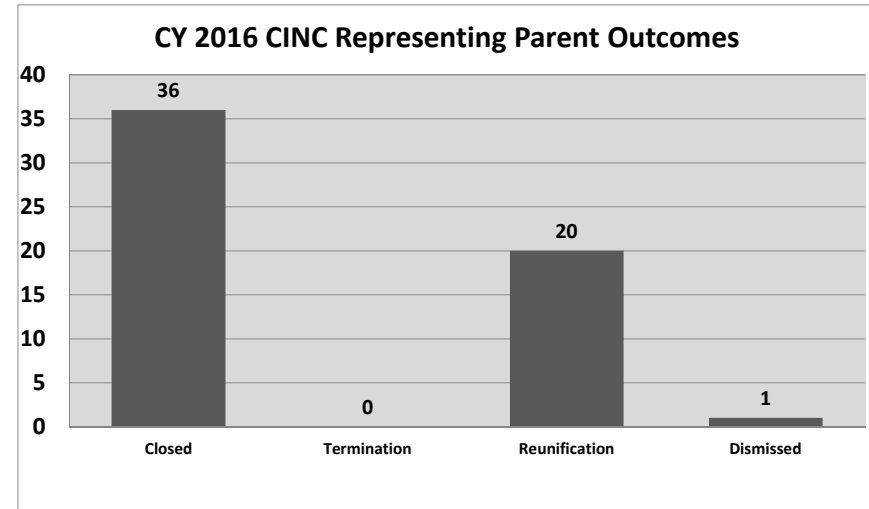
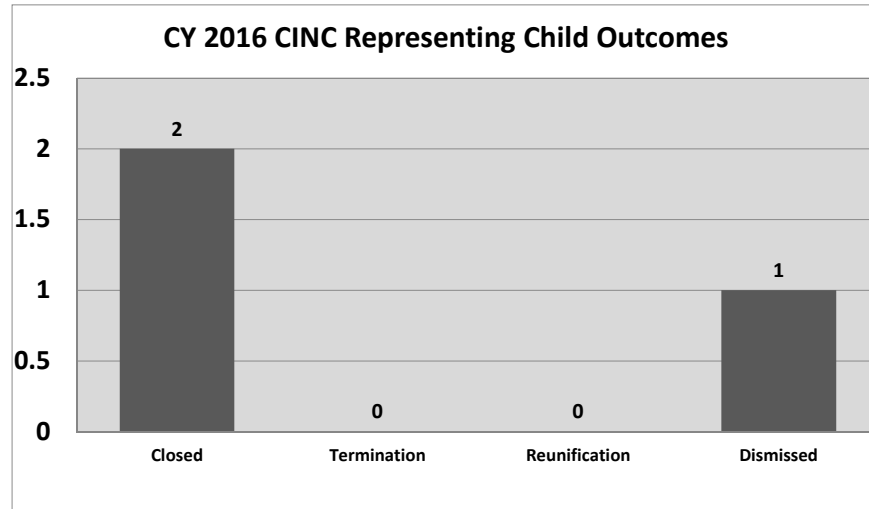
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	1	0	0	1	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	3	2	1	4	0	0	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	65	36	28	93	0	20	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
Termination	3	5	2	5	5	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	4	1	1	5	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	19	9	9	28	N/A	N/A	5	0	1	0	N/A	N/A	0	2	2
Delinquency Felony	8	6	9	17	N/A	N/A	2	1	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	817	412	227	1044	N/A	N/A	124	0	269	4	0	0	0	0	0
Adult Felony Non-LWOP**	618	544	429	1047	N/A	N/A	197	9	309	1	0	1	0	0	1
Adult LWOP	0	2	2	2	N/A	N/A	2	0	2	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	39	43	25	64	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

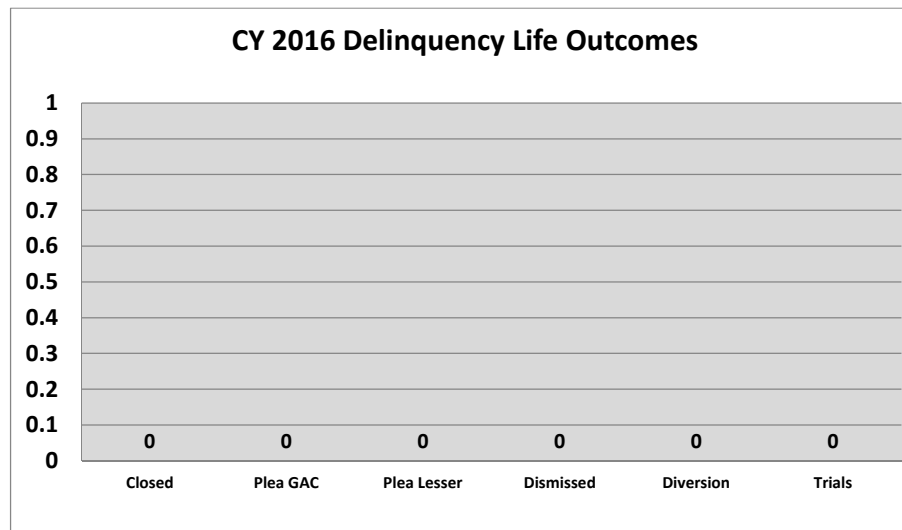
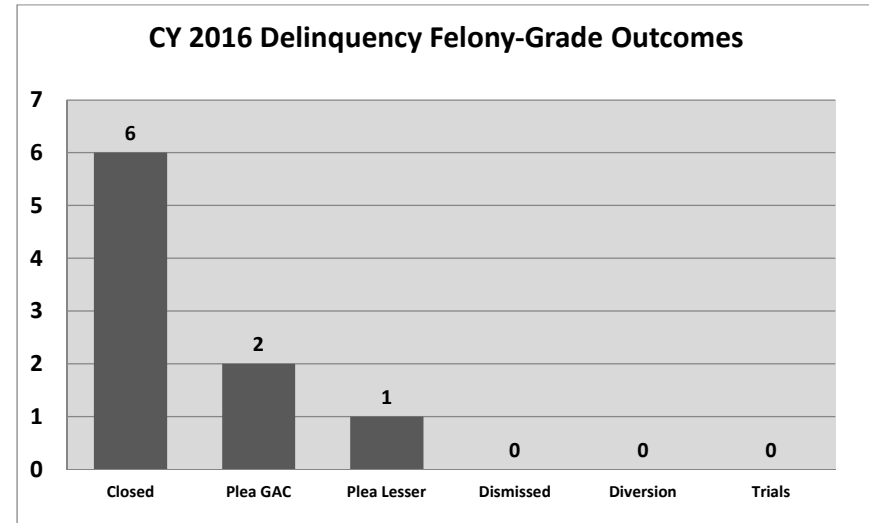
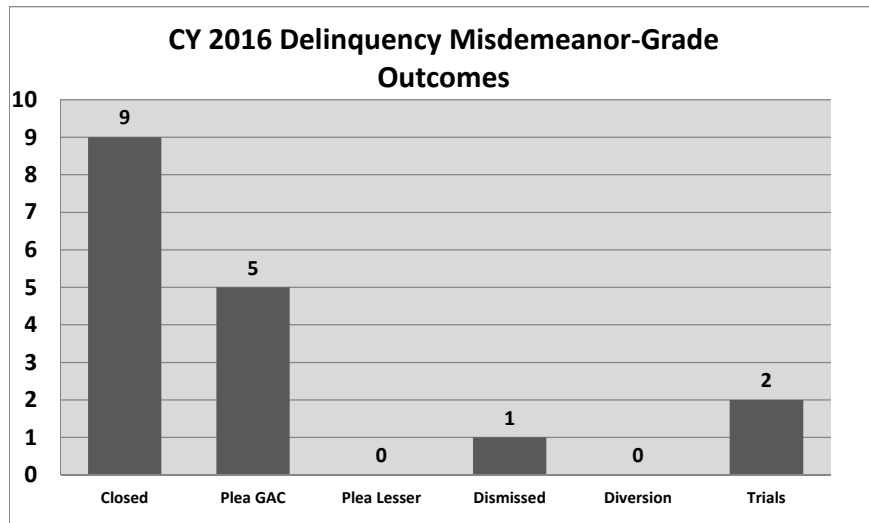
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

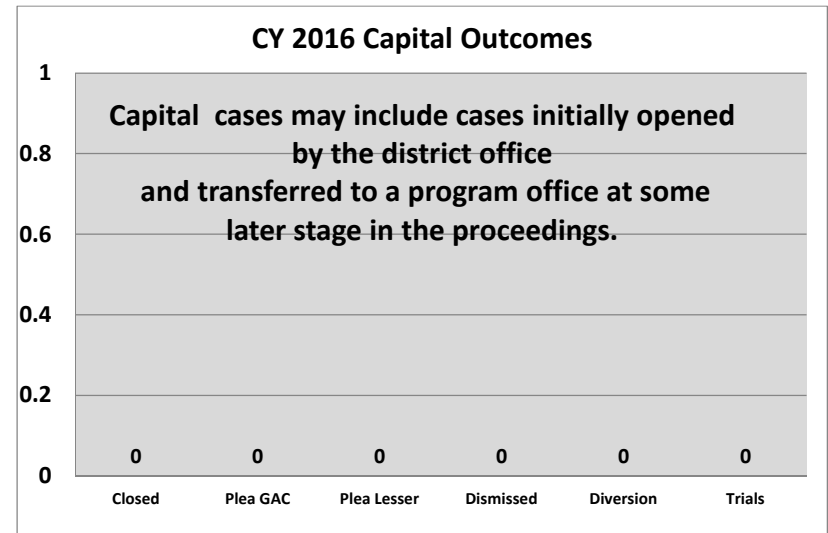
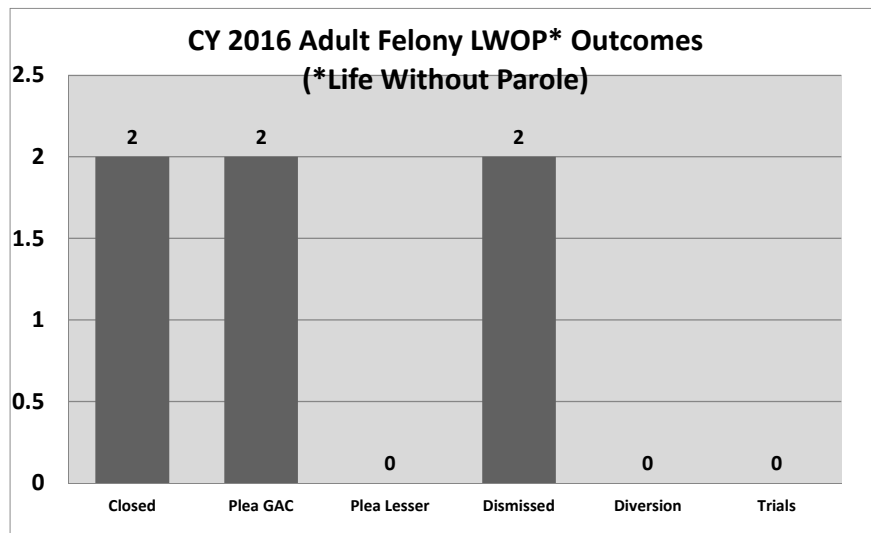
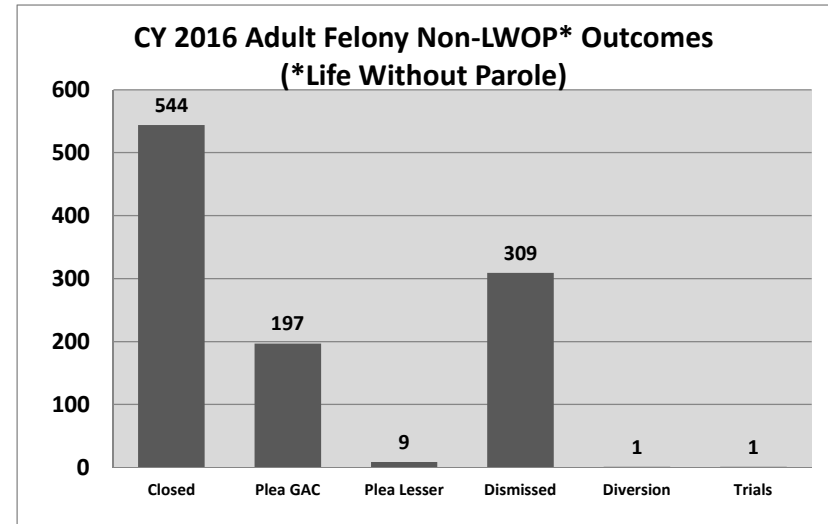
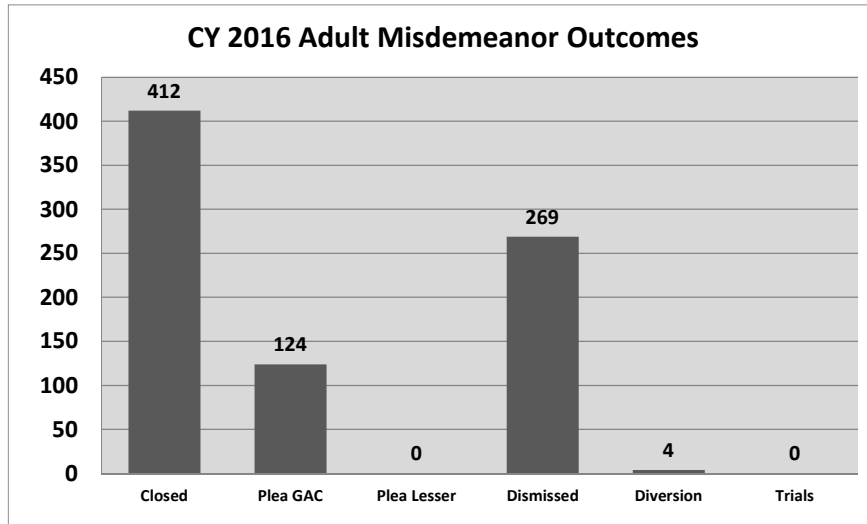
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.







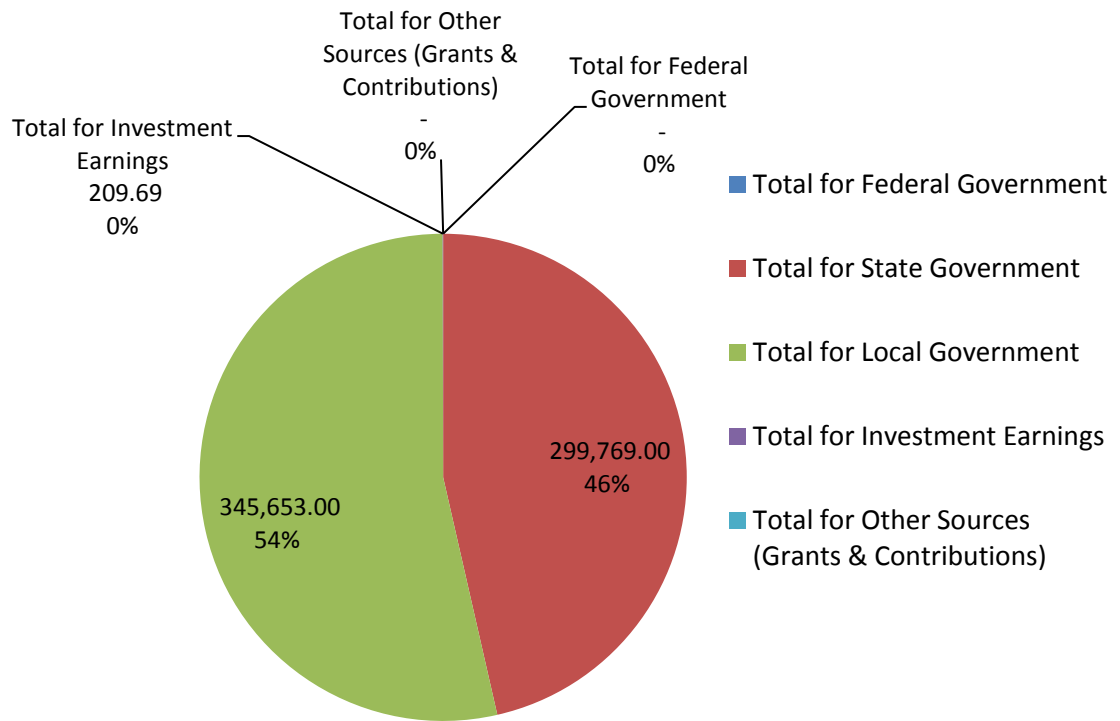


District 31 CY2016	Total CY2016
District Defender: David Marcantel	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	4,779.00
District Assistance Fund (DAF)	294,990.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	299,769.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	690.00
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	17,873.25
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	600.25
City & City-Ward Courts	29,553.65
Judicial District Courts	7,369.85
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	640.00
Magistrates' Courts	-
Municipal Court	100.00
Parish Courts	-
Traffic Court	201,455.00
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	239,718.75
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	7,200.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	1,211.00
Other Local Income -List source(s)	78,960.00
Total for Charges For Services	87,371.00
Total for Local Government	345,653.00
Investment Earnings	
Interest Income	209.69
Other Investment Income - List source(s)	-
Total for Investment Earnings	209.69
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	-
Total for REVENUE	645,631.69

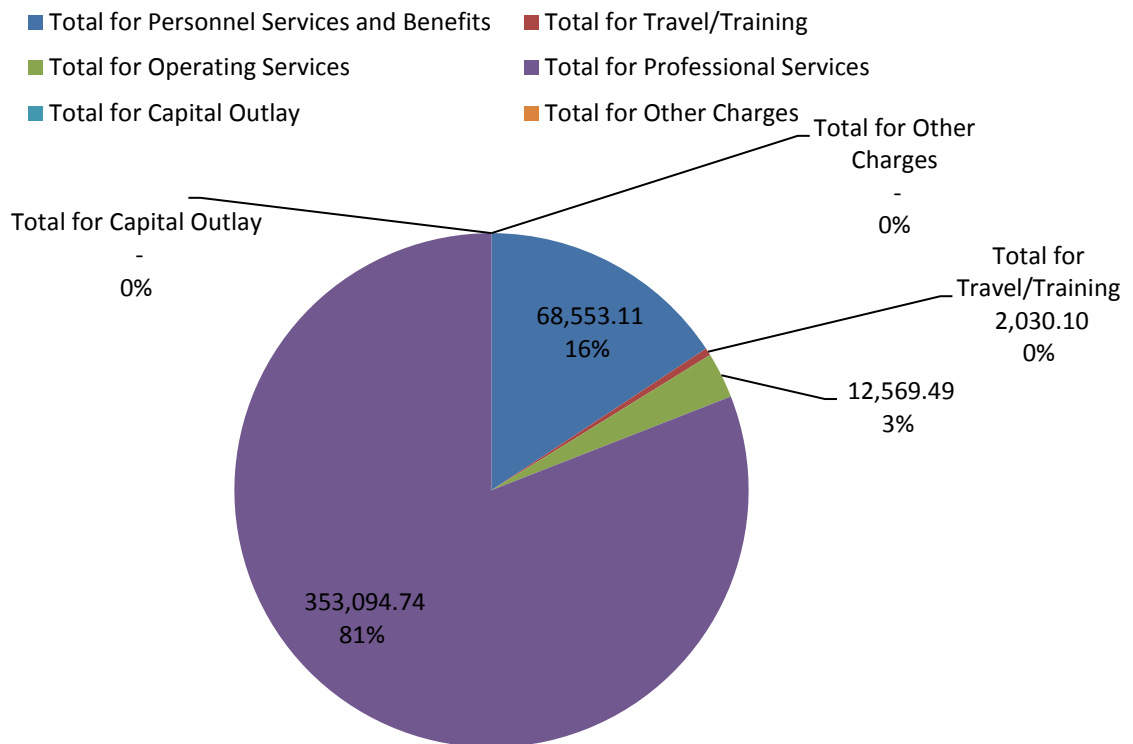
District 31 CY2016	Total CY2016
District Defender: David Marcantel	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	40,482.38
Accrued Leave	-
Payroll Taxes	10,760.08
Hospitalization and Disability Insurance	9,023.65
Retirement	8,287.00
Other	-
Total for Personnel Services and Benefits	68,553.11
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	2,030.10
Total for Travel/Training	2,030.10
Operating Services	
Advertisements	280.20
Workers' Compensation	450.00
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	860.33
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	1,224.00
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	6,686.04
Dues and Seminars	822.50
Law Library/Journals/Subscriptions	676.00
Office Supplies	1,570.42
Total for Operating Services	12,569.49
Professional Services	
Audit/Accounting Expense	9,465.00
Contract Clerical	191.25
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	8,951.41
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	334,487.08
IT/Technical Support	-
Total for Professional Services	353,094.74
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
Total for EXPENDITURES	436,247.44

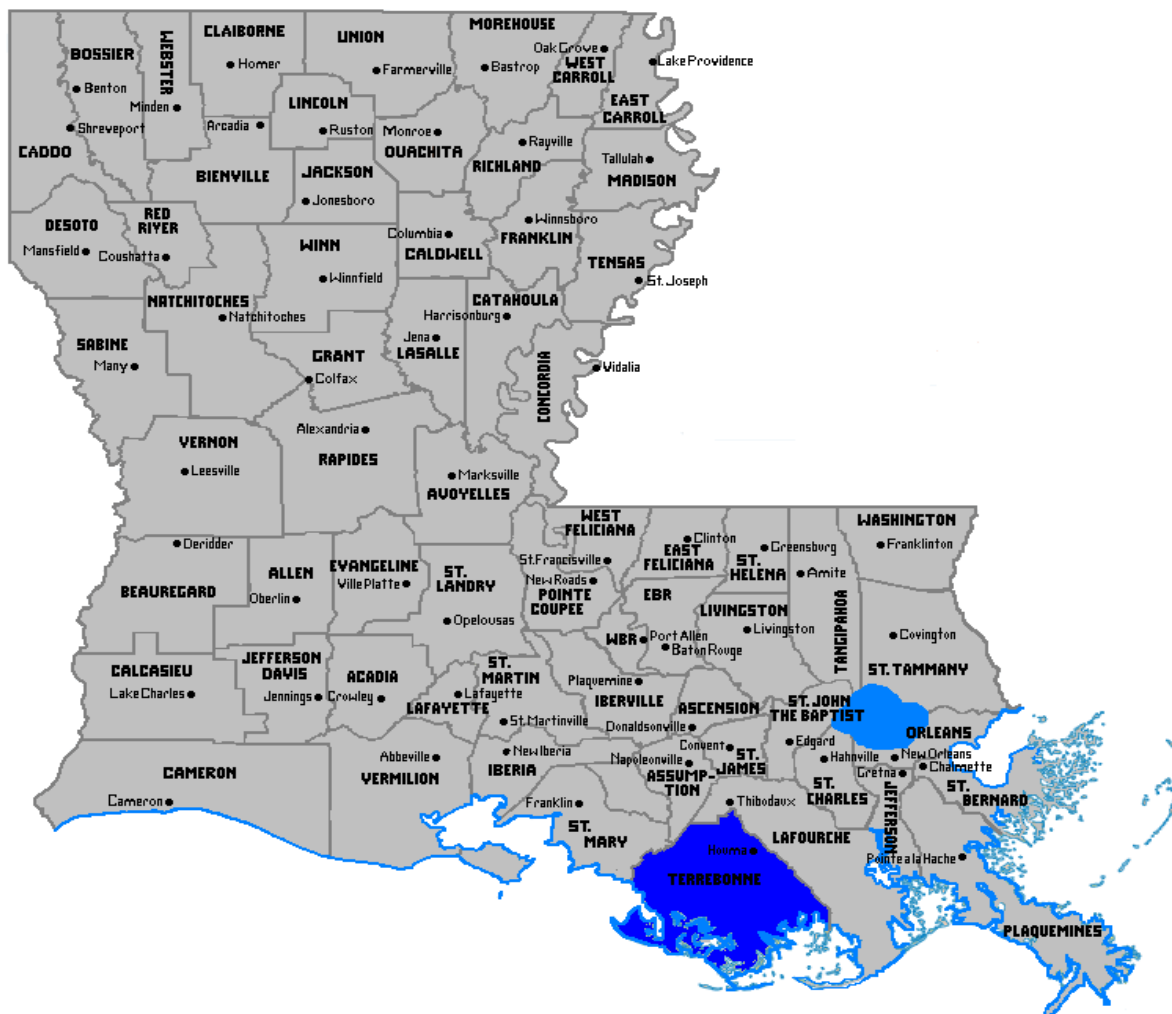
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





THE 32<sup>ND</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
TERREBONNE (HOUMA)

DISTRICT DEFENDER: ANTHONY CHAMPAGNE  
504 BELANGER STREET  
HOUMA, LA 70360  
(985) 873-6831

32nd JUDICIAL DISTRICT :  
TERREBONNE PARISH

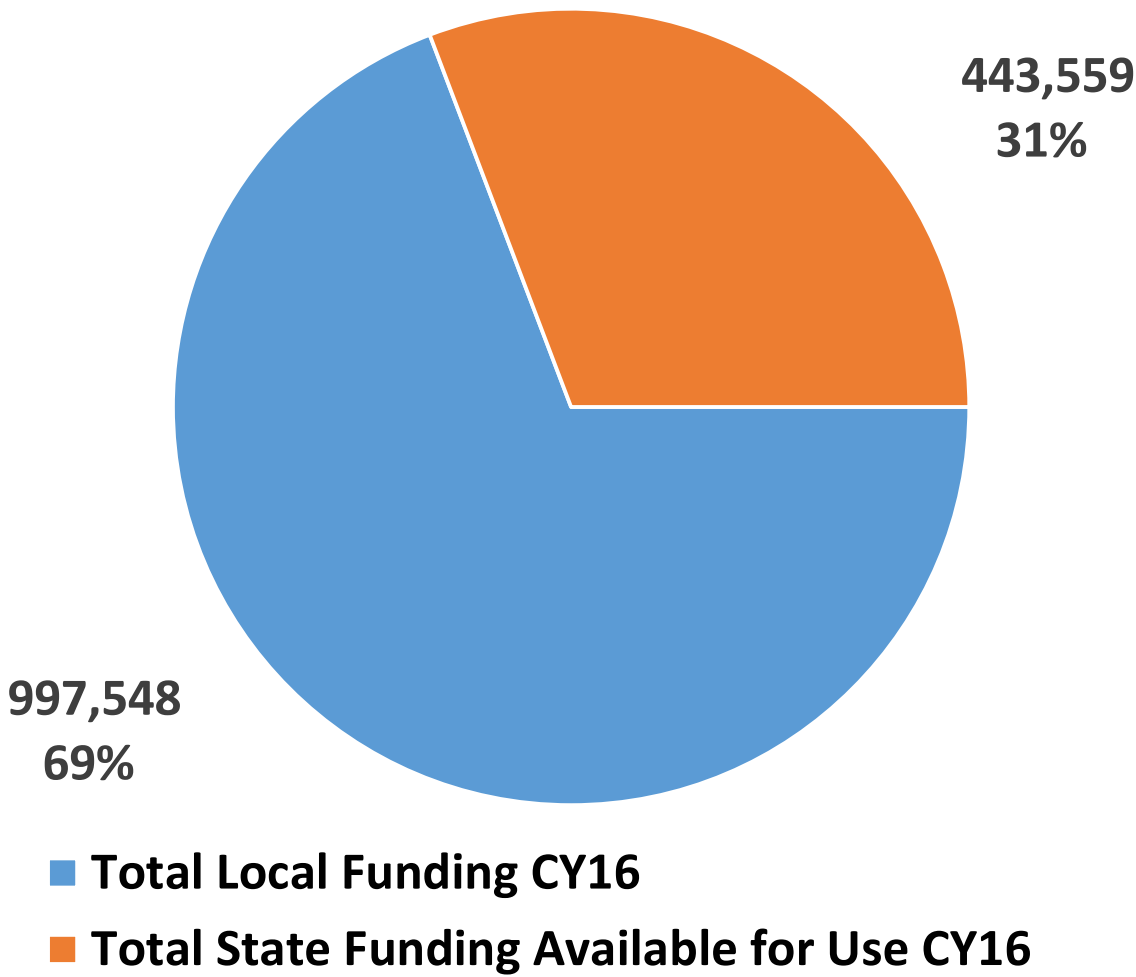
Anthony Champagne  
District Defender  
504 Belanger Street  
Houma, LA 70360  
985-873-6831

During Calendar Year 2016, the 32nd Judicial District Public Defenders Office handled 5,010 cases. The office received \$1,441,107, 69% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

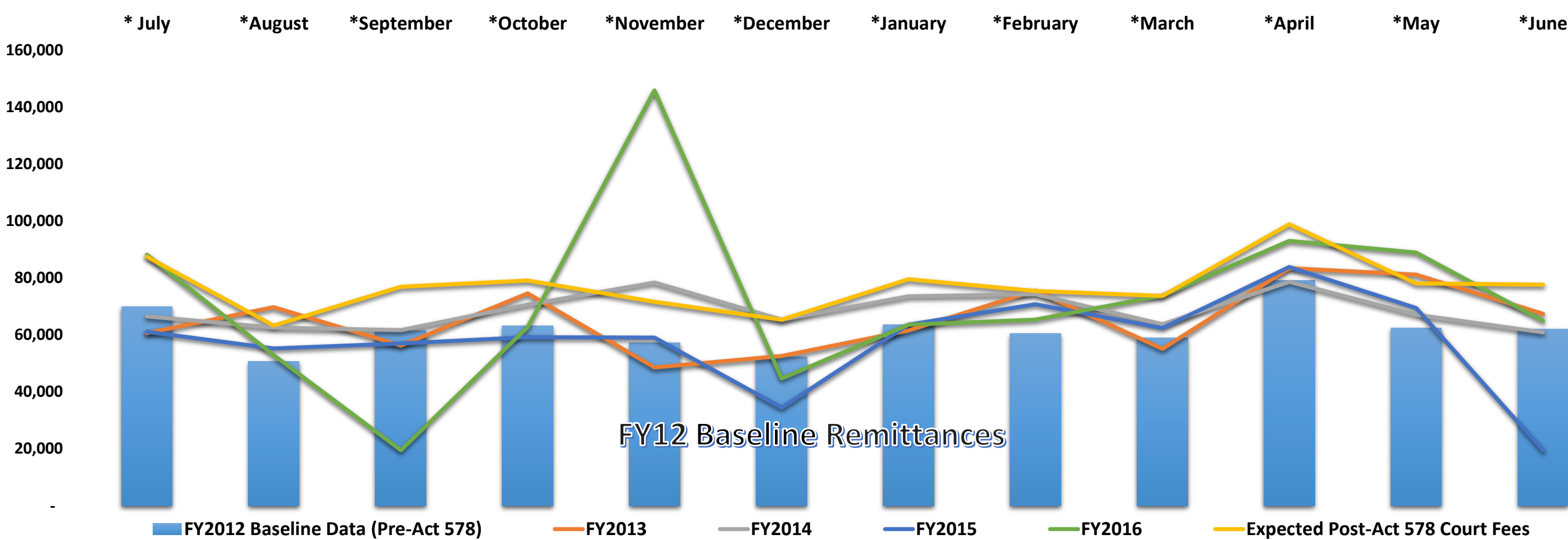
With the exception of a few anomalies, the 32nd has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated with Act 578 (2012).

The 32nd Judicial District office nearly exhausted its fund balance during Calendar Year 2015 as expenditures typically exceed the office’s revenues. However, through careful management of financial resources CY16 revenues were greater than expenditures for only the second time since 2010 allowing the office to remain solvent.

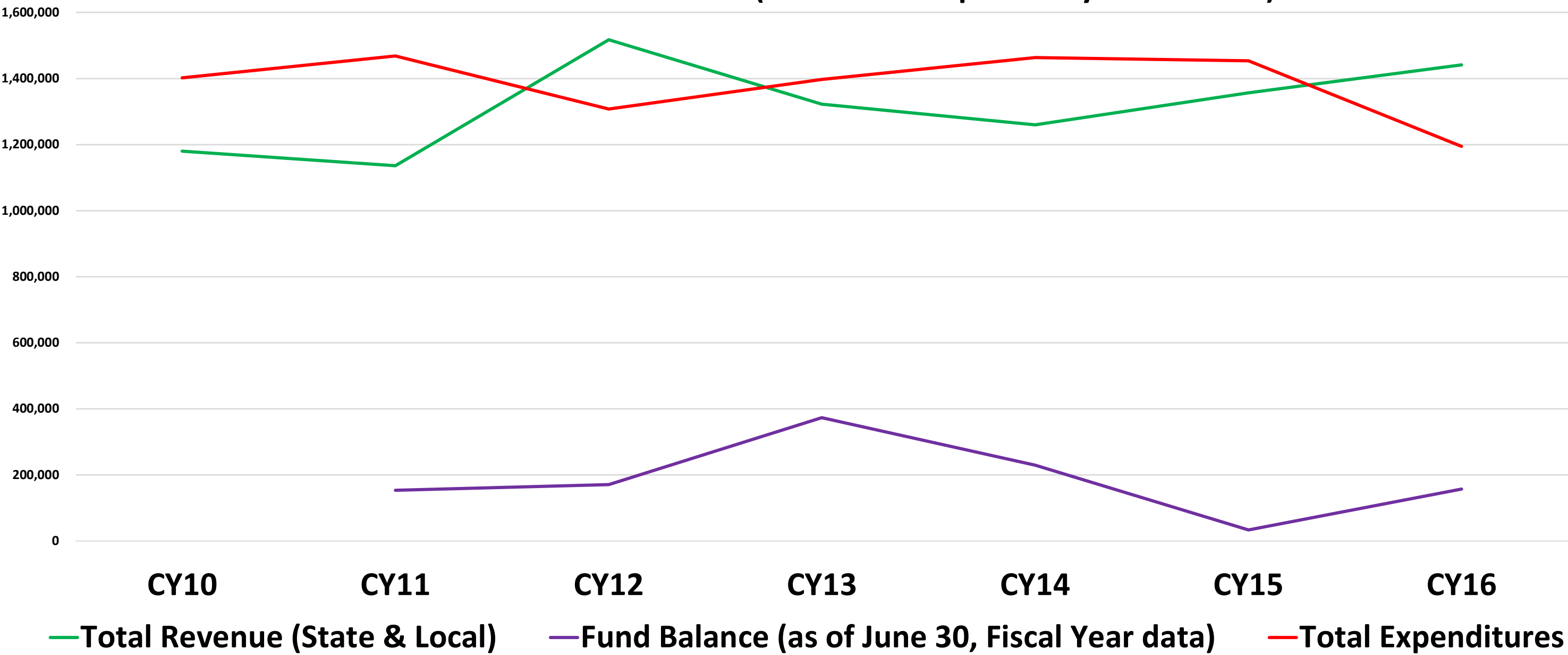
District 32 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 32 PDO

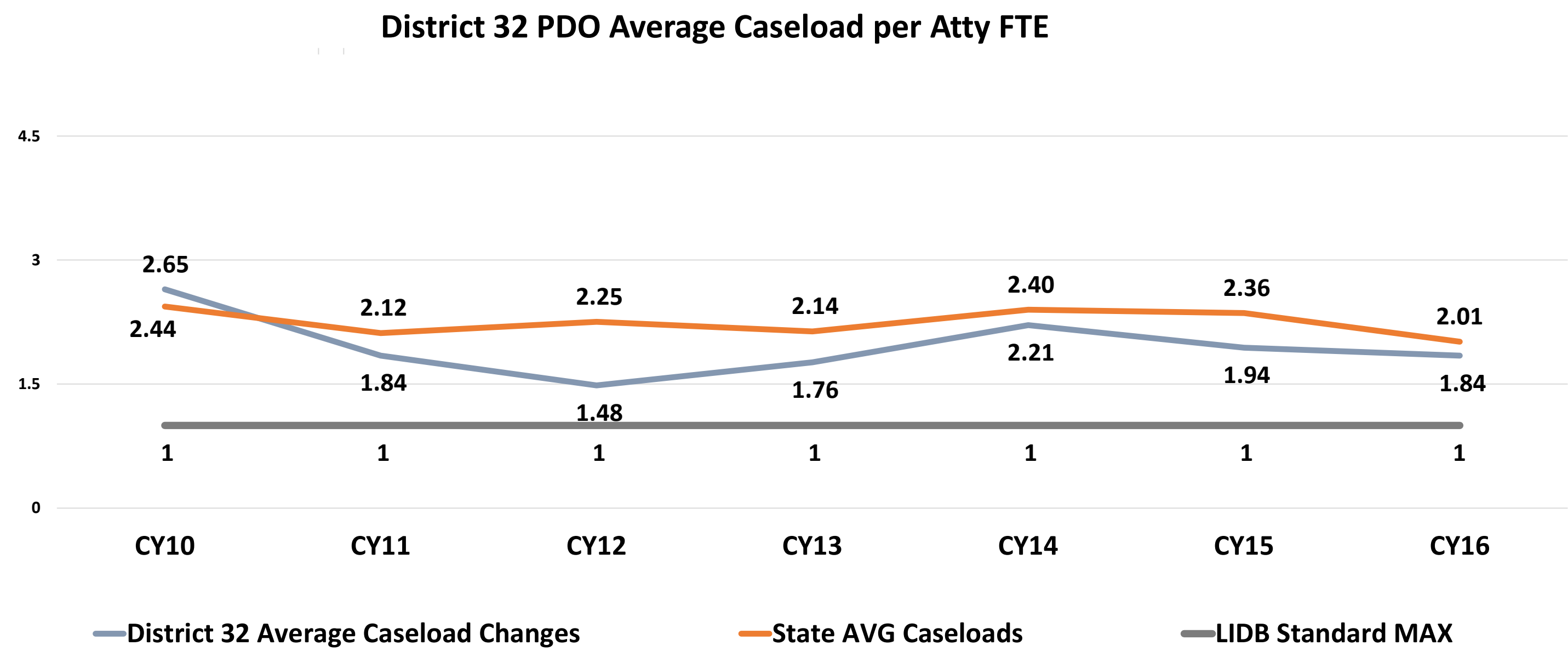


District 32 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



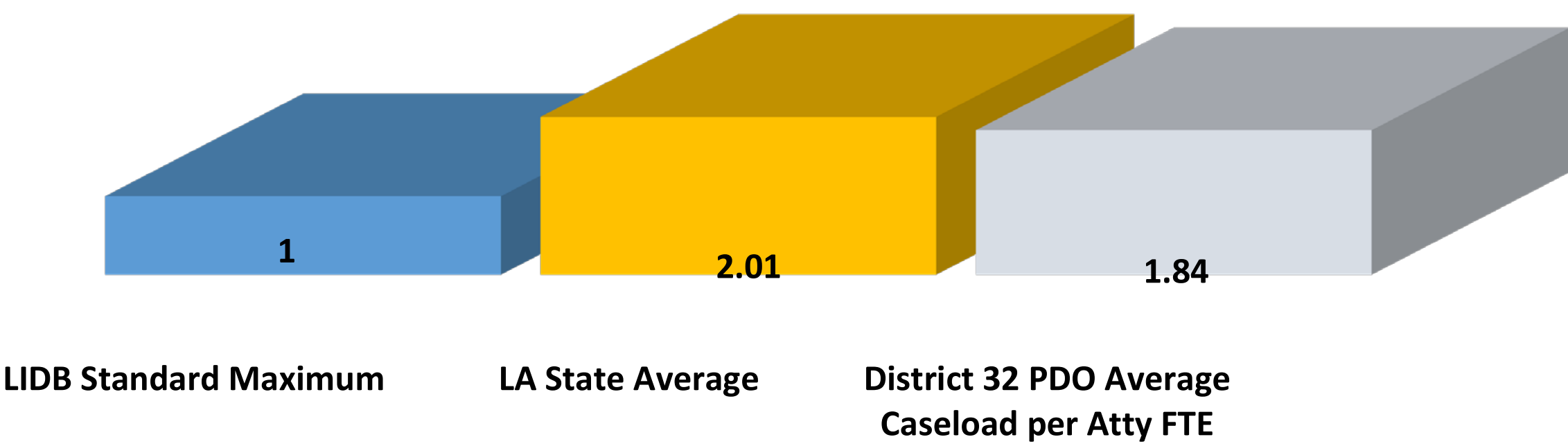
32nd JUDICIAL DISTRICT :  
TERREBONNE PARISH

Anthony Champagne  
District Defender  
504 Belanger Street  
Houma, LA 70360  
985-873-6831



In the 32nd Judicial District, public defense attorneys maintain caseloads almost twice the recommended caseload limit for each attorney.

District 32 PDO Average Caseloads Compared to State Average & State Standard...



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.





## THE 32ND JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Terrebonne - Houma
<b>Population</b>	113,972
<b>District Defender</b>	Anthony Champagne
<b>Years as District Defender</b>	30
<b>Years in Public Defense</b>	30
<b>Office Manager</b>	Quita Wallace
<b>Primary Office Street Address</b>	504 Belanger Street
<b>City</b>	Houma
<b>ZIP</b>	70360
<b>Primary Phone</b>	985-873-6831
<b>Primary Mailing Address</b>	504 Belanger Street, Houma, LA 70360
<b>Primary Fax Number</b>	985-873-6574
<b>Primary Emergency Contact</b>	Anthony Champagne
<b>Primary Emergency Phone</b>	985-209-0755 (cell phone)
<b>Secondary Emergency Contact</b>	Quita Wallace
<b>Secondary Emergency Phone</b>	985-873-6831
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Anil K. Chagarlamudi - 504 Belanger Street; Storage Owner: Eric Duplantis 242 Enterprise Drive.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Total: \$5,495; Rent: \$4,800; Storage: \$328; Monthly Utilities: \$367
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Both in house and by, Terri St. Peter.
<b>Courts and Locations</b>	32nd Judicial District Court, Divisions A-E , 7856 Main St. Courthouse Annex, Houma, 70360 Houma City Court, 8046 Main St., Houma, 70360.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	5 District Court Divisions and 1 City Court.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Various attorneys are assigned to specific court rooms. We file Motions to Allot cases within 24-48 hours of appointment. Those cases go to the attorneys assigned to those divisions. This pertains to in-house attorneys. Conflict cases are assigned to conflict attorneys by the District Public Defender.

<b>Name of Adult Detention Facilities in This District</b>	Terrebonne Parish Criminal Justice Complex, 3211 Grand Caillou Rd., Houma, LA 70363.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Normally, outside facilities do not hold clients.
<b>Name of Juvenile Detention Facilities In This District</b>	Terrebonne Parish Juvenile Justice Complex, 180 Government Street, Gray, LA 70359.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None used outside of the parish for juveniles.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	None, other than lengthy waiting periods to be able to see clients.
<b>District Attorney</b>	Joseph Waitz, Jr.
<b>Chief Judge of Criminal District Court</b>	John R. Walker
<b>Juvenile Court Judges (Specify District of City Court)</b>	Matthew Hagen-City Judge
<b>Drug Court Judges</b>	John Walker
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A - None
<b>Indigency Determined by Whom and How?</b>	Initial determination is made by the Court. Applications are taken from clients. These applications are reviewed by the District Defender who makes a determination of concurrence or disagreement and signs a certificate which is filed into the record indicating final decision.
<b>When is Assignment/Appointment of Counsel Made?</b>	Assignment of counsel is made upon allotment of cases in most cases which takes place within 24 to 48 hours of appointment by the Court. In cases of conflict assignments those are made as soon as possible by the District Defender upon being notified of the existence of the conflict.
<b>What steps does your office take to ensure conflict – free representation</b>	Upon each appointment, staff researches in the Data Base, defendants, co-defendants, victims and any pertinent witnesses referenced in the initial reports. The research aims at determining prior representation and outcome.
<b>Brief Explanation of Intake Process</b>	All persons making application with the Office are required to pay a \$40.00 fee. In some instances the District Defender may waive the fee. Those persons who are incarcerated can not pay the fee upfront and same can be waived. Some persons do not appear at the office to pay the application fee. Failure to pay is not pursued by the office as a condition of representation.
<b>\$40 Application Fees (per R.S. 14:175)</b>	

<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	1,875
<b>How Many Application Fees Were Waived?</b>	0
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2016</b>	13,160
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Yes, Sheriff's Office
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	862,339
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Recently, pursuant to meeting between District Public Defender and the five district judges application fees maybe tacked on as a condition of probation after a plea is entered by certain clients. This would then be collected by the Sheriff's Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	The District Attorney's Office, Sheriff's Office and City Court provide us with an accounting breakdown.
<b>Who Collects the Assessed Court Fees?</b>	The District Attorney's Office, City Court and Sheriff's Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Spreadsheet of person's name and amount being paid to our office (Sheriff/District Attorney/City Court/Police Jury)
<b>Who Remits the Court Fees Collected?</b>	Remittance of Court Cost are as follows: 1 - all cost collected at City Court are remitted by City Court directly to the Office of the District Public Defender. 2 - All cost collected pursuant to pleas and convictions which take place in District Court are collected and remitted by the Sheriff's Office. 3 - All cost collected pursuant to payment of traffic tickets at the Terrebonne Parish District Attorney's Office are remitted by the Terrebonne Parish Consolidated Government to the Office of the District Public Defender.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Fees remitted by City Court of Houma; City Court of Houma provides the Office of the District Public Defender with a complete list of all payments made by persons in City Court of Houma. 2 - Payments remitted by the Terrebonne Parish Consolidated Government; The District Attorney's Office, who initially collects all of these provides our office with a complete break down of cost collected in all different types of violations. In addition the name of each person making payments is listed with the amounts collected from each person. 3 - Payments remitted by the Terrebonne Parish Sheriff's Office provides our office with a complete break down of cost collected in all different types of violations. In addition the name of each person making payments is listed with amounts collected from each person.

<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	No-N/A-No Mayor's Court
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	No formula used.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	1 - City Court of Houma documentation is provided to our office by City Court of Houma regarding payments by clients for Court Ordered Reimbursement. 2 - Terrebonne Parish Sheriff's Office documentation is provided to our office by The Terrebonne Parish Sheriff's Office regarding payments by clients for Court Ordered Reimbursement.
<b>Who Collects the Assessed Partial Payments?</b>	City Court of Houma and Terrebonne Parish Sheriff's Office.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Remittance of Court Cost are as follows: 1 - all cost collected at City Court are remitted by City Court directly to the Office of the District Public Defender. 2 - All cost collected pursuant to pleas and convictions which take place in District Court are collected and remitted by the Sheriff's Office. 3 - All cost collected pursuant to payment of traffic tickets at the Terrebonne Parish District Attorney's Office are remitted by the Terrebonne Parish Consolidated Government to the Office of the District Public Defender.
<b>Who Remits the Partial Payments Collected?</b>	City Court of Houma and Terrebonne Parish Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Remittance of Court Cost are as follows: 1 - all cost collected at City Court are remitted by City Court directly to the Office of the District Public Defender. 2 - All cost collected pursuant to pleas and convictions which take place in District Court are collected and remitted by the Sheriff's Office. 3 - All cost collected pursuant to payment of traffic tickets at the Terrebonne Parish District Attorney's Office are remitted by the Terrebonne Parish Consolidated Government to the Office of the District Public Defender.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	35,622
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted- yes Criminal - yes

<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes (see attached)
<b>Primary Immediate Needs</b>	As mentioned on this item in previous reports, this office once employed two attorneys for each district court division. One attorney handled all cases involving violations of control dangerous substance statutes. The other attorney handled all other cases. Three years ago, before the State Board adopted the restriction of service protocol rules, this office cut the five positions for handling drug violation cases. Even with the legislation for increase of court costs, we have not realized the type of revenue that would allow for the reinstatement of those positions. Reinstatement of these positions would help substantially in the reduction of caseloads for the remaining five division attorneys.
<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	In March because of a funding crisis, conflict attorneys were let go. They were Robert Pastor, Michael Billiot, Jessica Duet, Jacques Beebe, Carmelita Ratna, Vanessa Zeringue and Craig Stewart. The District Defender and remaining attorneys assumed additional duties, such as drug court, magistrate appearances and initial interviews. The financial crises has ended and some conflict attorneys are back in place.
<b>Immediate Critical Issue Areas</b>	Lack of Needed Personnel.
<b>Long-Term Critical Issue Areas</b>	Shortage of funding for provision of services and resources as required by standards.
<b>2016 Media Coverage and/or Major Accomplishments</b>	N/A
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. Attorneys are sent to various training sessions the District Defender also meets with new attorneys to coach and mentor.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Dustin Pellegrin, Keara Plaisance
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	We do not provide employee policy manuals. We do provide Statutory Criminal Law and Procedure handbooks, as well as Criminal Trial Practice handbooks by Gail Dalton Schlosser.
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Quita Wallace is the senior secretary supervising all other secretaries. Anthony Champagne, District Defender supervises attorneys.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	N/A

<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Yes-Full Time employees only, 75% of policy paid by employer and 25% of policy paid by employee.
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, the secretarial staff meets every one to three weeks; the District Defender meets with attorneys approximately once every month or two.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	All appeals are handled by the Louisiana Appellate Project.
<b>Number of Writs Your District Filed in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	It is very rare that cases are transferred from our City Court which handles all juvenile matters to District Court. In those instances the attorneys who handle felonies in the District Court take over the file, unless the case was originally handled in juvenile court by a contract or conflict attorney, in that instance the case is handled by the same attorney if qualified.
<b>Number of trial level Juvenile Life Without Parole (<u>Miller</u>) cases handled by your office in CY 2016</b>	1
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) cases pending in your office</b>	6
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) sentencing hearings conducted in your district in CY 2016</b>	3
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Representative: Steve Scalise; Senators: Bill Cassidy, John Kennedy
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Shortage of attorneys interested in doing this type of work.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	None
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Anthony P. Champagne	985-873-6831
Keara Plaisance	985-873-6831
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Ella D. Kliebert	985-873-6831
Kathryn S. Lirette	985-873-6831

Kerry P. Byrne	985-873-6831
Garlyand Wallis	985-873-6831
Dustin Pellegrin	985-873-6831
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Todd Joffrion	985-223-3392
Vanessa Zeringue	985-872-2877
Quita Wallace	985-873-6831
Robert Brown	985-873-6831
Holly Adams	985-873-6831
Michael Billiot	985-873-8307
Carmelita Ratna	985-853-0326
Rebecca James	985-873-6831
Kaylyn Collins	985-873-6831
Hailley Roussell	985-873-6831
Brea Verret	985-873-6831
Nancy Gomez	985-873-6831
Carl Schwab	985-262-0587
Paul Lapeyrouse	985-594-7285

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Quita L. Wallace
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	No
Westlaw	Yes
Other (please list)	None
Number of Legal Research Licenses	3
Total Cost of Legal Research Software:	546
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	x
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	x
Quicken	



Intuit	x
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	x
Internet Explorer 9	x
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	4
DVD	1
VCR	1
Desktop PCs	10
Laptops	17
Video Cameras	1
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	2
Color Printers	10
Wireless Cards	
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	1
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	100.0 MBPS
Provider Name:	TRIPARISH.NET
Email Provider:	TRIPARISH.NET & YAHOO.COM
Please list any software or computer equipment in which you need training:	

### 32nd District Defender Office CY 2016 Caseloads & Outcomes

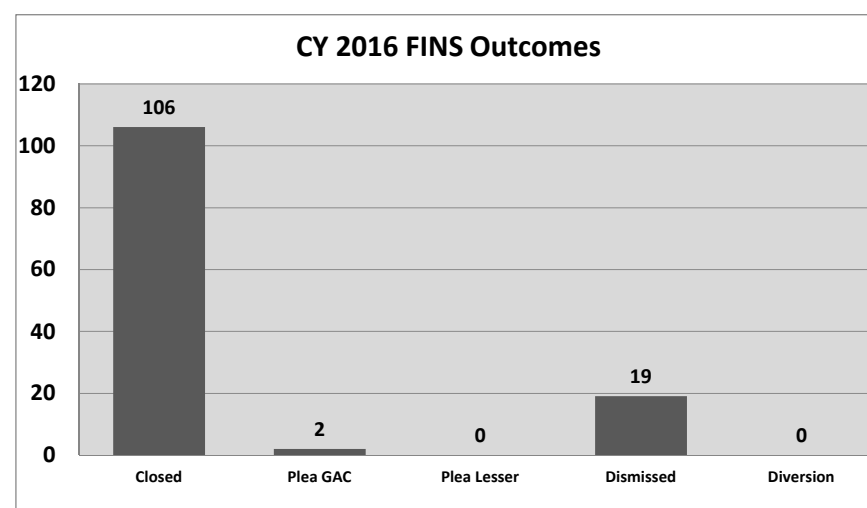
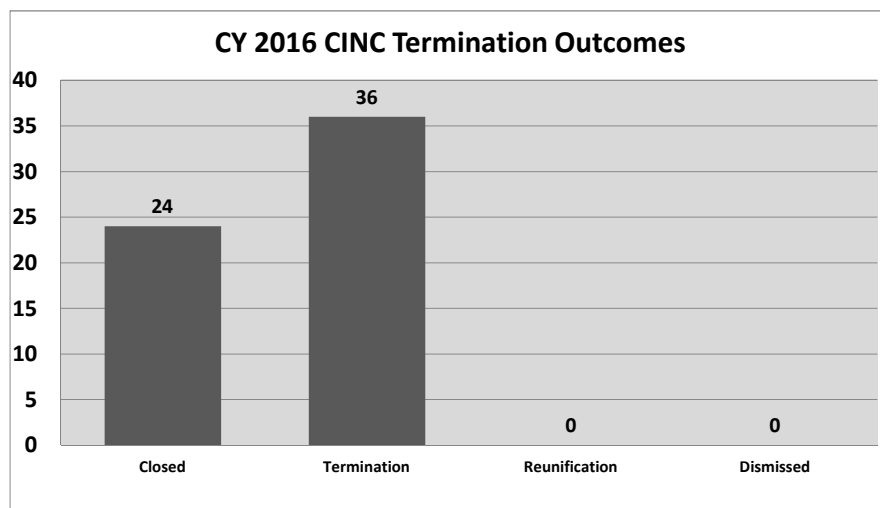
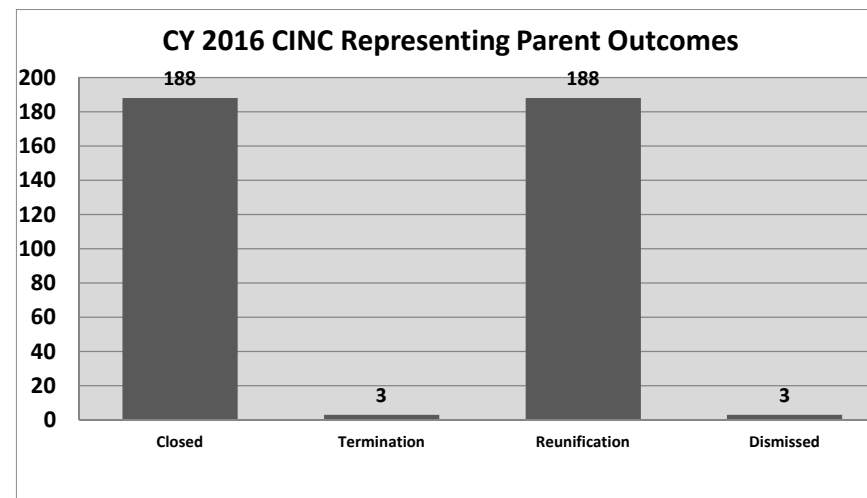
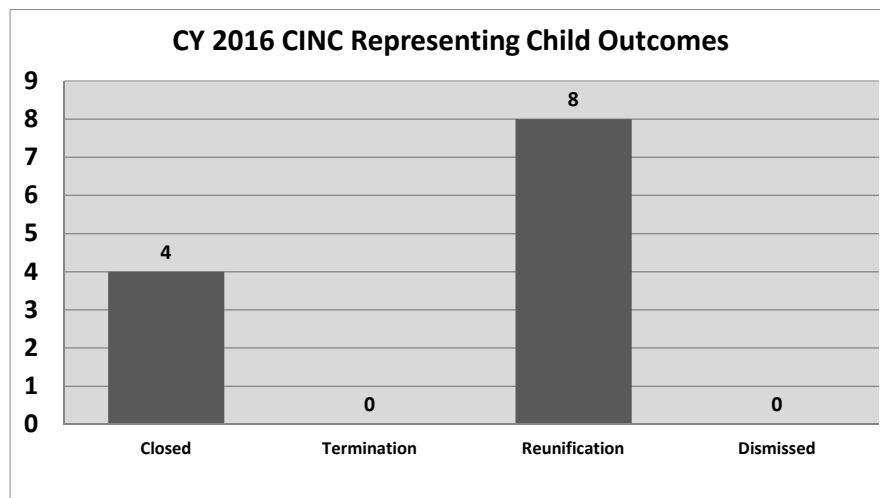
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	11	4	2	13	0	8	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	214	188	174	388	3	188	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	0
Termination	27	24	3	30	36	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	103	106	34	137	N/A	N/A	2	0	19	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	291	321	102	393	N/A	N/A	265	15	120	25	N/A	N/A	0	3	3
Delinquency Felony	111	118	43	154	N/A	N/A	98	66	56	0	N/A	N/A	0	3	3
Delinquency-Life	5	6	2	7	N/A	N/A	5	1	2	0	N/A	N/A	0	0	0
Juvenile Revocations	114	339	55	169	N/A	N/A	64	3	15	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	976	1057	295	1271	N/A	N/A	1042	92	519	0	0	0	4	3	7
Adult Felony Non-LWOP**	1618	1604	732	2350	N/A	N/A	1074	334	746	0	1	5	0	5	11
Adult LWOP	15	13	19	34	N/A	N/A	1	3	3	0	0	3	0	0	3
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	29	141	21	50	N/A	N/A	1	0	2	0	N/A	N/A	N/A	N/A	0
PCR	4	9	10	14	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	3	3
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

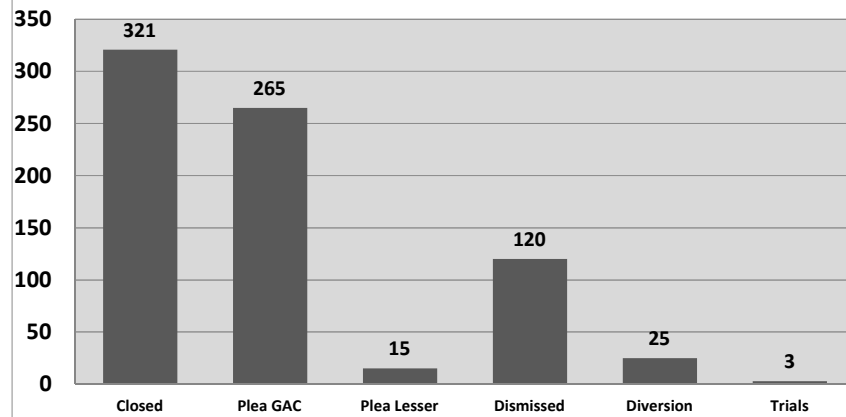
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

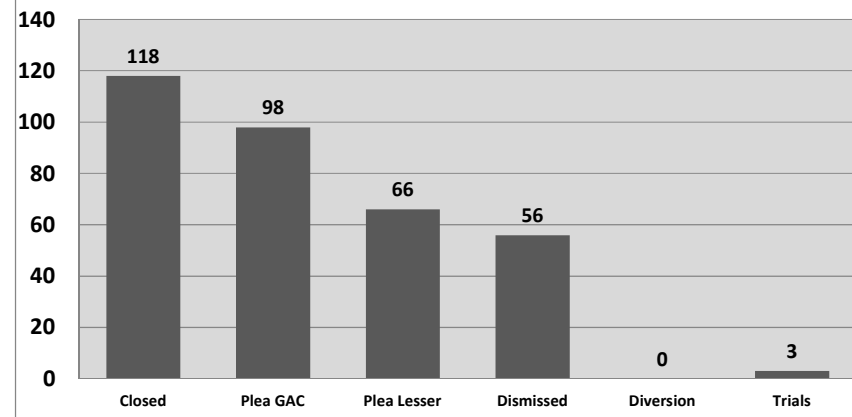
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



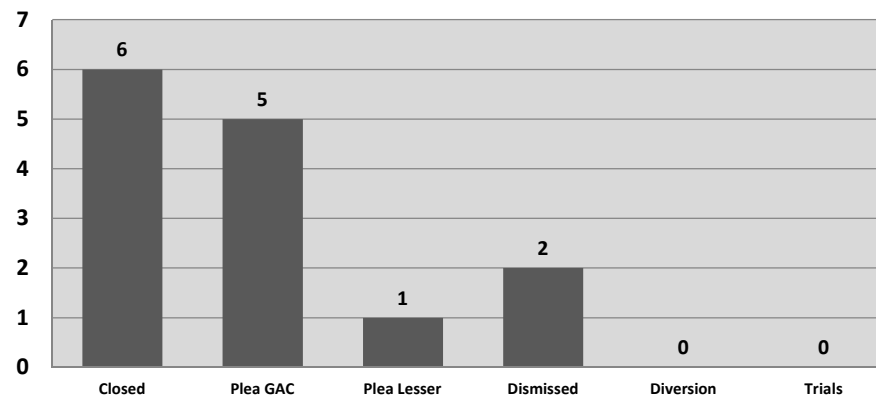
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

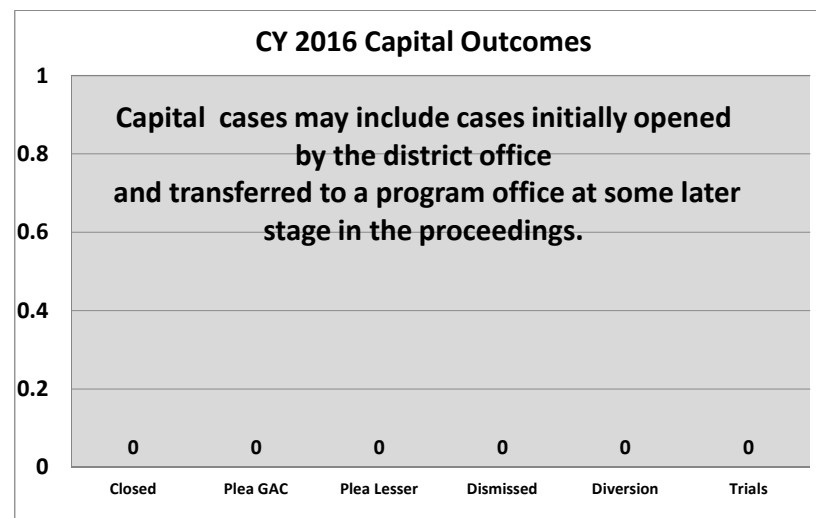
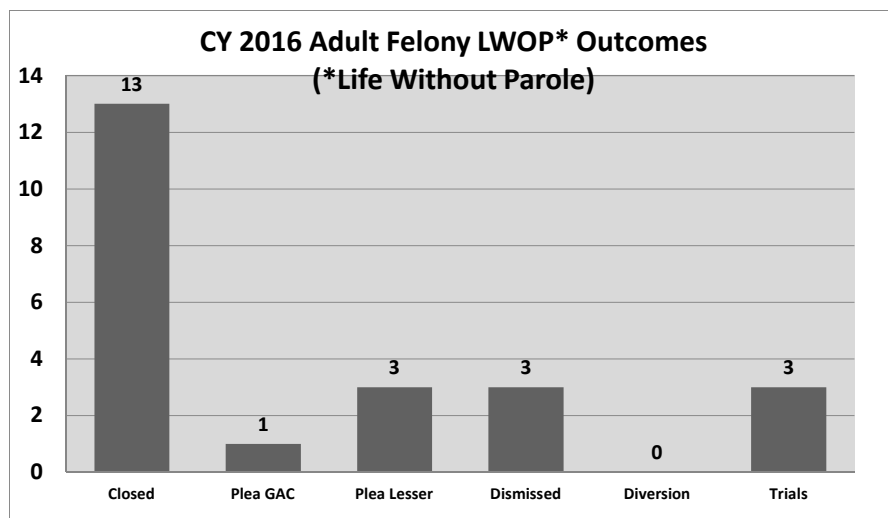
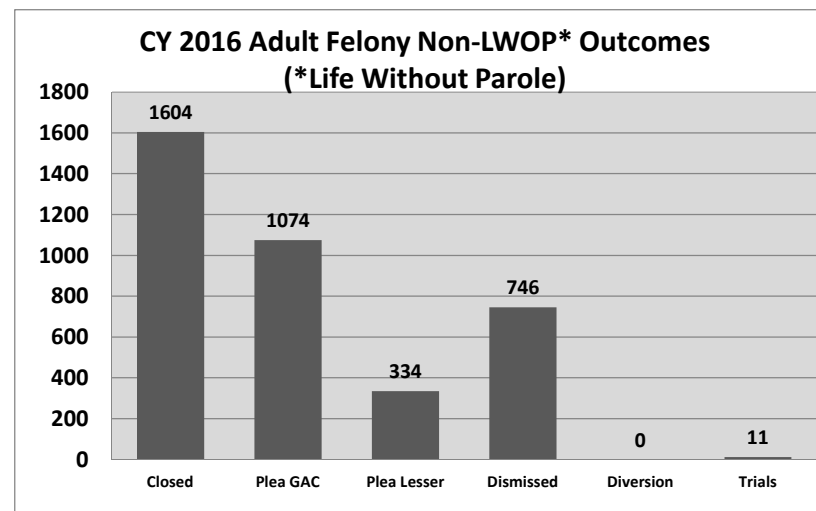
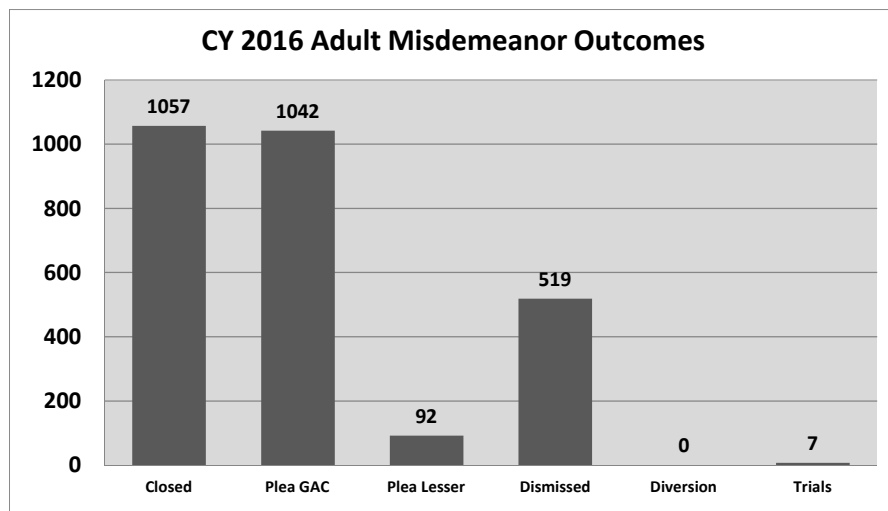


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**





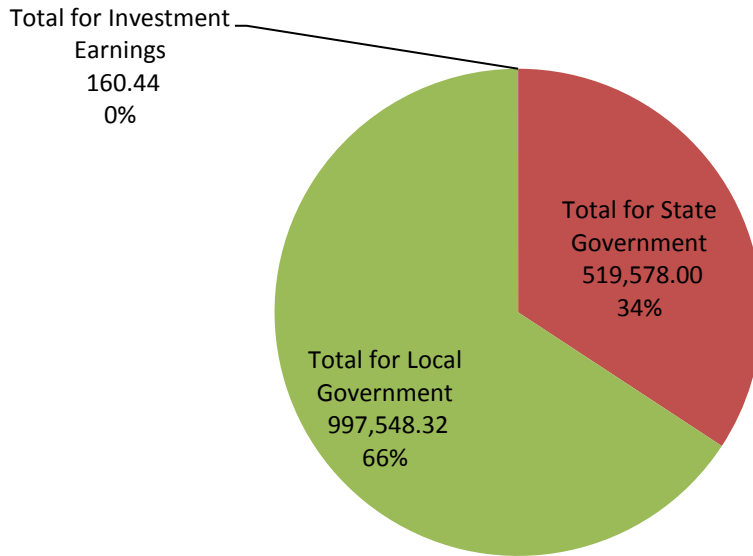
District 32 CY2016	Total CY2016
District Defender: Anthony Champagne	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	34,647.00
District Assistance Fund (DAF)	477,026.00
Supplemental/Emergency Funds	7,905.00
Grants	-
Other State Income -List source(s)	-
Total for State Government	519,578.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	90,405.94
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	180,544.22
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	74,940.00
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	602,576.09
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	858,060.31
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	13,159.90
Partial Attorney Fees	-
Reimbursements [as per 15:176]	35,922.17
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	49,082.07
Total for Local Government	997,548.32
Investment Earnings	
Interest Income	160.44
Other Investment Income - List source(s)	-
Total for Investment Earnings	160.44
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	1,517,286.76

District 32 CY2016	Total CY2016
District Defender: Anthony Champagne	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	700,307.20
Accrued Leave	-
Payroll Taxes	23,183.23
Hospitalization and Disability Insurance	45,839.40
Retirement	63,361.39
Other	482.27
Total for Personnel Services and Benefits	833,173.49
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	2,298.09
Total for Travel/Training	2,298.09
Operating Services	
Advertisements	11.34
Workers' Compensation	1,302.00
Insurance - Malpractice	14,249.00
Insurance - Auto/Physical Liability	4,916.57
Insurance - Other	3,729.83
Lease - Office	61,756.00
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	7,552.74
Office - Telephone/Utilities/Postage/Internet	5,150.06
Dues and Seminars	1,310.00
Law Library/Journals/Subscriptions	18,689.02
Office Supplies	13,531.87
Total for Operating Services	132,198.43
Professional Services	
Audit/Accounting Expense	14,020.00
Contract Clerical	-
Expert Witness	2,288.08
Investigators	-
Interpreters	50.00
Social Workers	-
Capital Representation	-
Conflict	51,368.99
Contract - Juvenile Attorneys or CINC	16,500.00
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	142,169.76
IT/Technical Support	-
Total for Professional Services	226,396.83
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	301.15
Total for Other Charges	301.15
Total for EXPENDITURES	1,194,367.99

NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

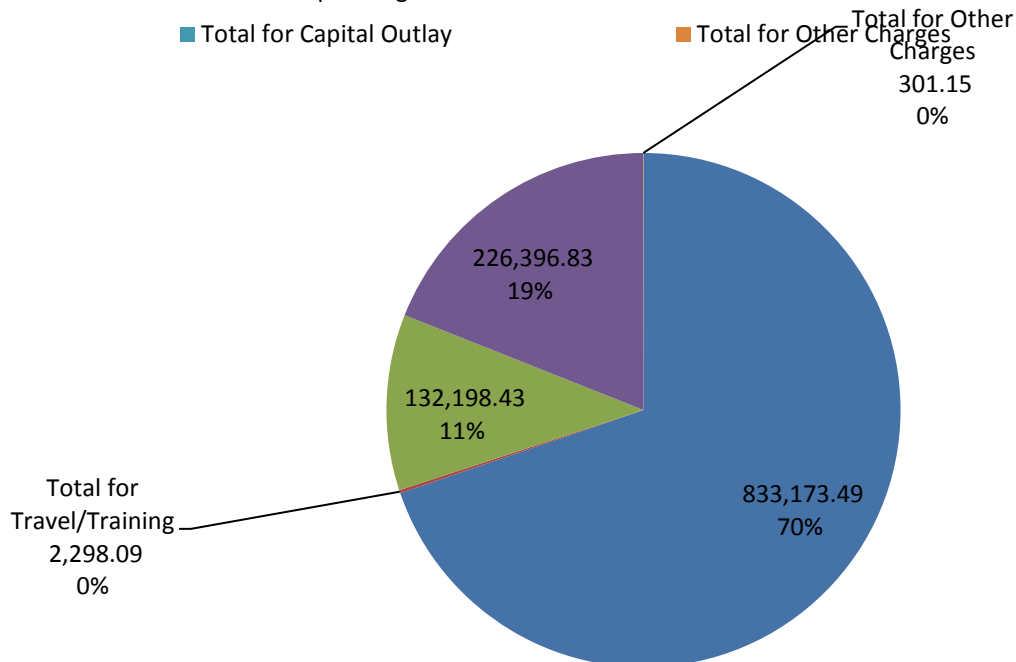
## Total CY16 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)

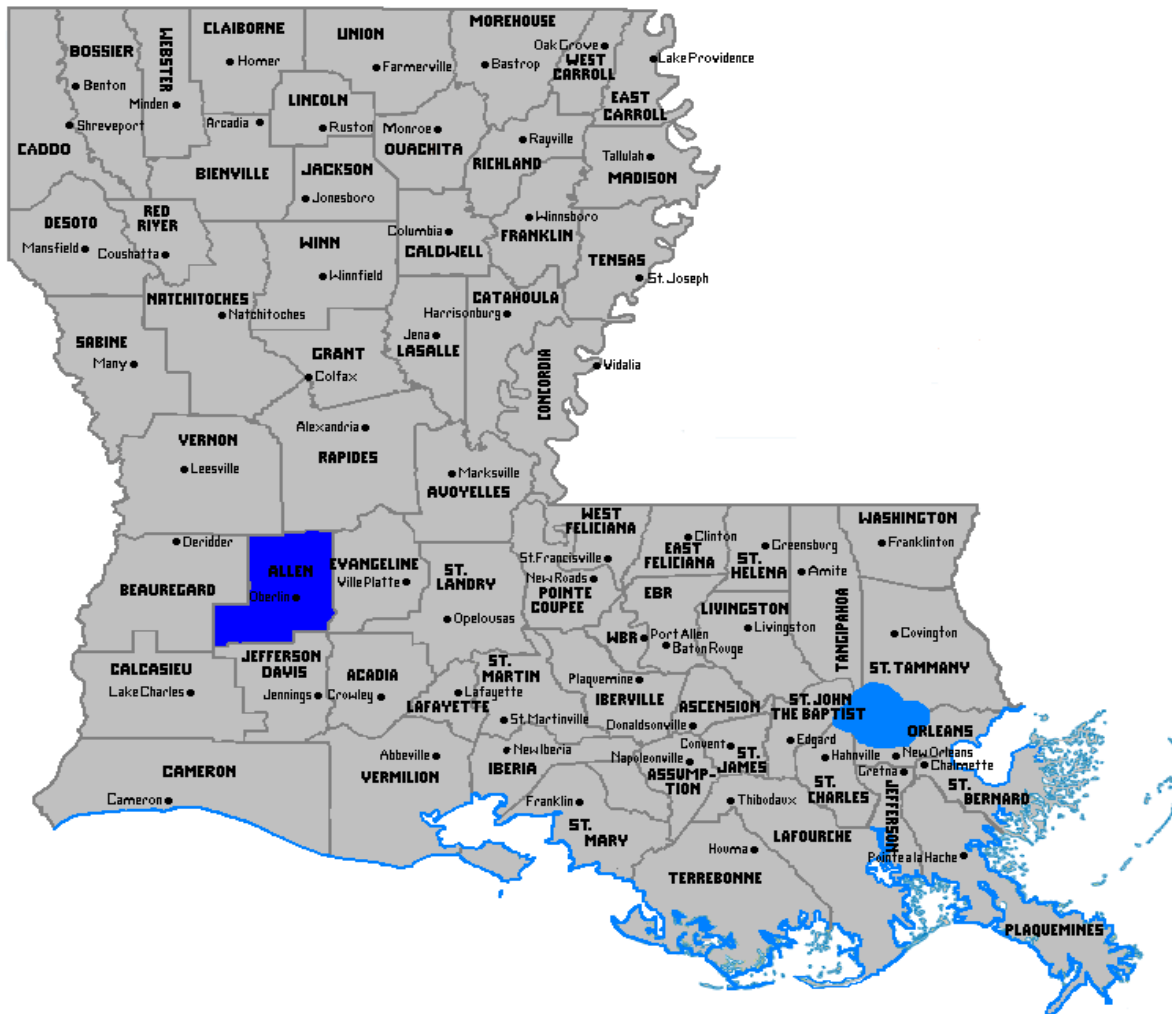


## CY16 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges







# THE 33<sup>RD</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE ALLEN (OBERLIN)

DISTRICT DEFENDER: CHAD GUIDRY  
400 WEST SIXTH AVE, COURTHOUSE BLDG.  
OBERLIN, LA 70655  
(337) 639-2475

33rd JUDICIAL DISTRICT :  
ALLEN PARISH

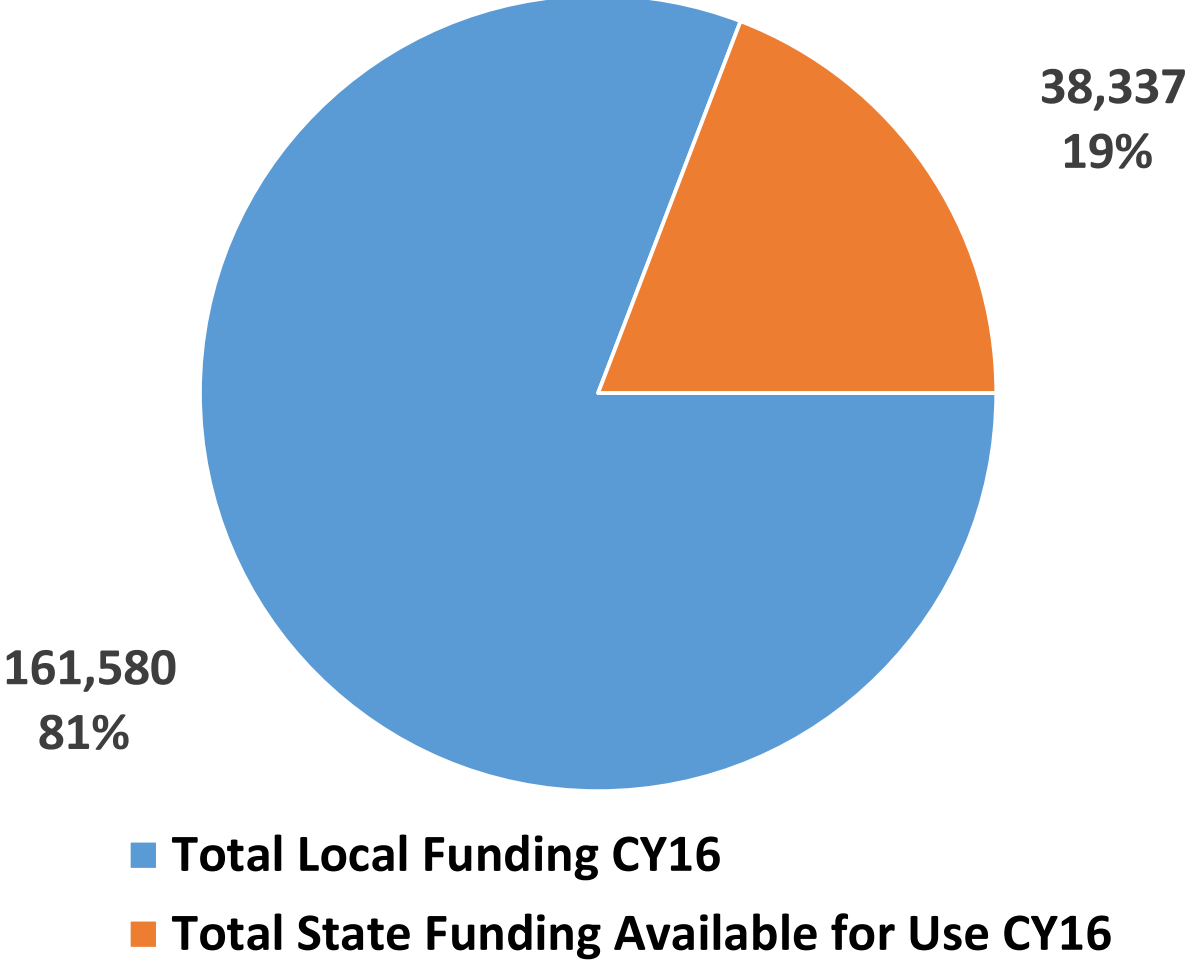
Chad B. Guidry  
District Defender  
400 West Sixth Ave Courthouse Bldg  
Oberlin, LA 70655  
337-639-2475

During Calendar Year 2016, the 33rd Judicial District Public Defenders Office handled 677 cases. The office received \$199,917 in total revenues to handle these cases, approximately 81% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

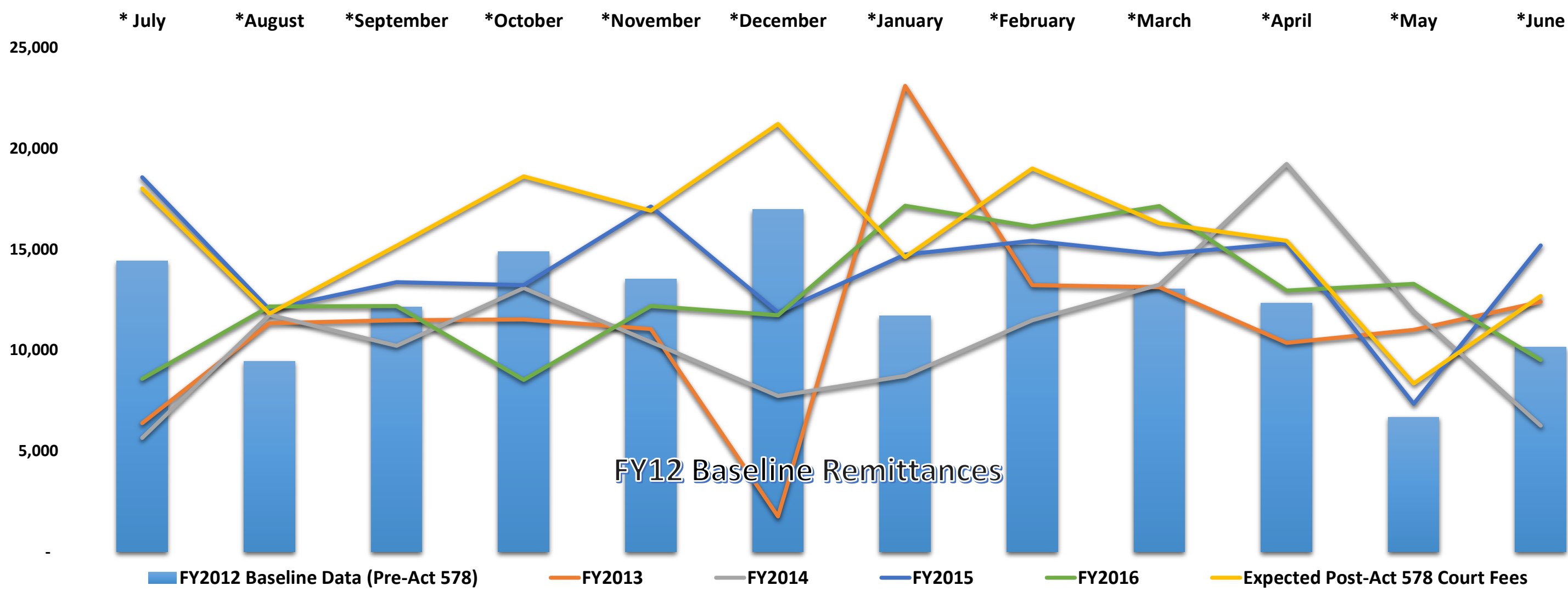
With the exception of a few anomalies, the 33rd has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated with Act 578 (2012).

The 33rd Judicial District office avoided service restriction during FY15 after the resignation of the former district defender who was elected to the judiciary. His resignation reduced the office's salary-related expenditures for several months. However, as revenues continued to decline the office nearly depleted its fund balance and began restricting services February 1, 2016.

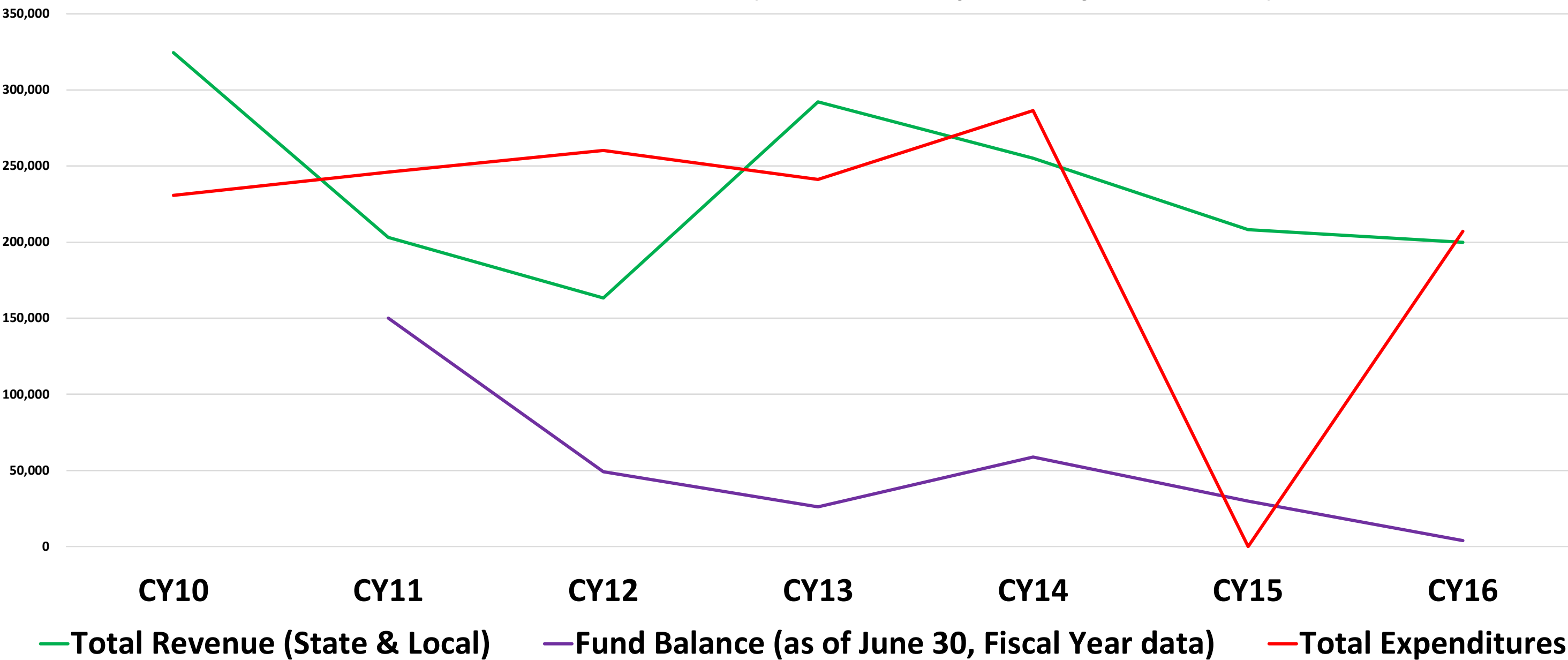
District 33 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 33 PDO

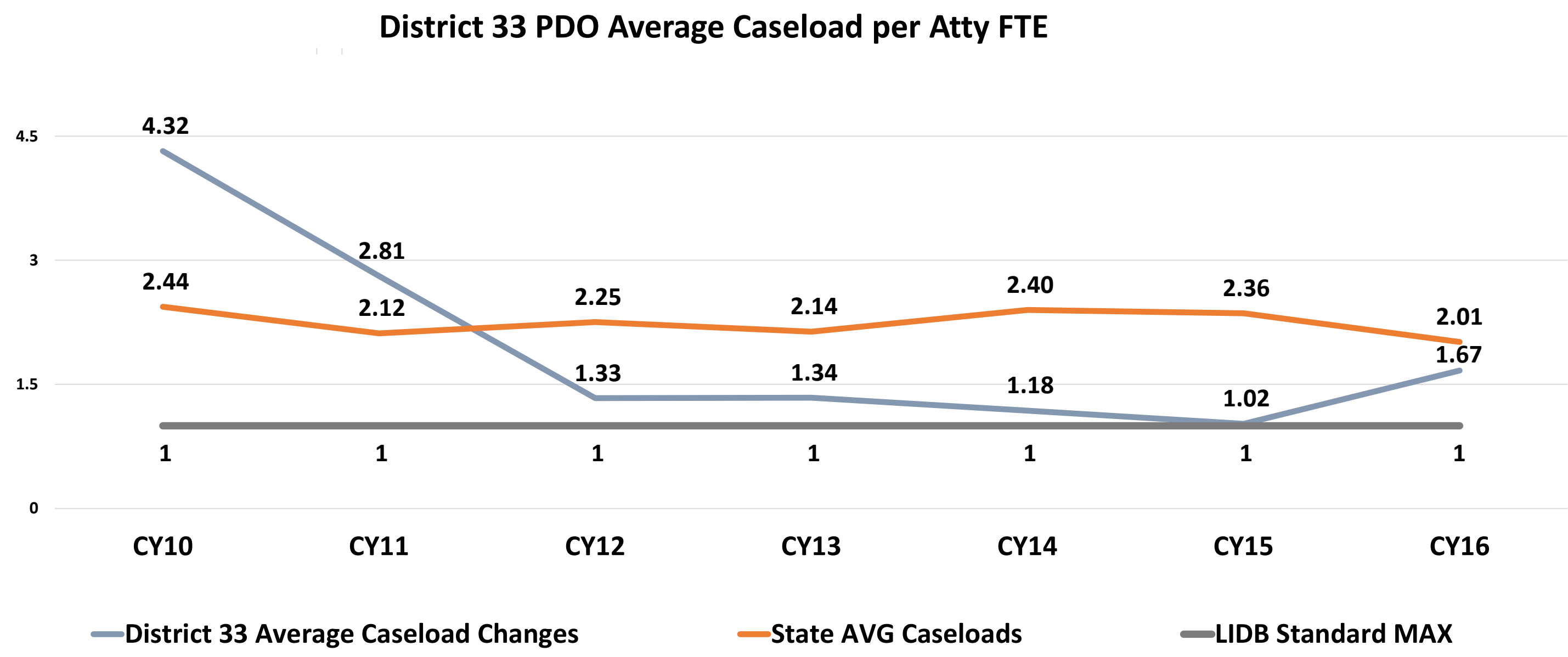


District 33 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



33rd JUDICIAL DISTRICT :  
ALLEN PARISH

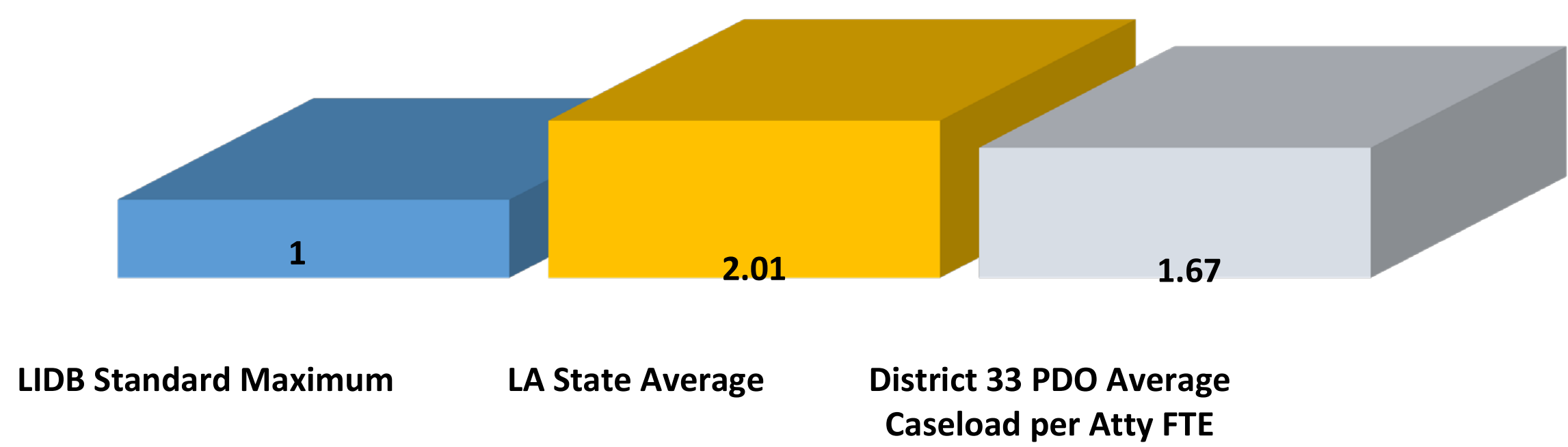
Chad B. Guidry  
District Defender  
400 West Sixth Ave Courthouse Bldg  
Oberlin, LA 70655  
337-639-2475



In the 33rd Judicial District, public defense attorneys maintain caseloads almost twice the recommended caseload limit for each attorney.

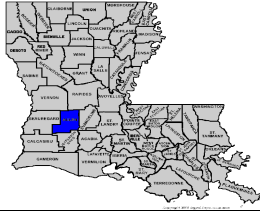
The 33rd Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.

District 33 PDO Average Caseloads Compared to State Average & State Standard...



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 33RD JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Allen-Oberlin
<b>Population</b>	25,440
<b>District Defender</b>	Chad B. Guidry
<b>Years as District Defender</b>	1.25
<b>Years in Public Defense</b>	10
<b>Office Manager</b>	Karli Rea
<b>Primary Office Street Address</b>	400 West Sixth Ave Courthouse Bldg
<b>City</b>	Oberlin
<b>ZIP</b>	70655
<b>Primary Phone</b>	337-639-2475
<b>Primary Mailing Address</b>	PO Box 399; Oberlin, LA 70655
<b>Primary Fax Number</b>	337-639-2474
<b>Primary Emergency Contact</b>	Chad Guidry
<b>Primary Emergency Phone</b>	337-738-2280
<b>Secondary Emergency Contact</b>	Karli Rae
<b>Secondary Emergency Phone</b>	337-639-2475
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	PO Box 447; 831 Fourth Ave.; Kinder, LA 70648; 337-738-2280
<b>Other District Office Contact Personnel (Primary Only)</b>	Megan Comeaux; Mr. Guidry's assistant; 337-738-2280
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Allen Parish Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	The Public Defender's office is located in the courthouse. The office space was not being used by the court's staff. Accordingly, the police jury is allowing us to utilize the space rent free.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Karli Rea and Mr. Guidry do all reports. However, we are assisted by the Districts CPA on occasion.
<b>Courts and Locations</b>	33rd District- Oberlin; Oakdale City Court, Oakdale Louisiana.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	2 Divisions in District Court and 1 in Oakdale City Court.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Chad Guidry and John Demoruelle share the case loads on an alternating basis. If a conflict arises a number of local contracted attorneys have agreed to take assignments.
<b>Name of Adult Detention Facilities in This District</b>	Allen Parish Jail, Oberlin. Oakdale City Jail, Oakdale. Kinder City Jail, Kinder.

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	During overcrowding clients held at several other facilities in different parishes.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	This was a huge problem in the past but our parish just opened a new jail. So, now we have no problem accessing clients.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Not routinely. To my knowledge the 33rd doesn't not have a shackling policy and procedure in place for juveniles.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Rarely. See above answer
<b>District Attorney</b>	Todd Nesom (District Attorney)
<b>Chief Judge of Criminal District Court</b>	Judge Joel Davis, Div A
<b>Juvenile Court Judges (Specify District of City Court)</b>	In the 33rd JDC, Judge Davis and Deshotels handle Juvenile matters. In Oakdale City Court Judge Abrusley only handles Juvenile Delinquency matters but not DCFS matters.
<b>Drug Court Judges</b>	Judge Deshotels is the primary Drug Court Judge but Judge Davis is certified to handle Drug Court and will stand in on occasion.
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	None
<b>Indigency Determined by Whom and How?</b>	After arrest the clients are brought before the Court for 72 hours hearings. The Judge does a brief interview on the record and if the defendant appears indigent he/she is referred to the IDB. Karli Rae interviews the prospective clients and either Chad Guidry or John Demourelle will notarize the application and review it to determine if the person qualifies.
<b>When is Assignment/Appointment of Counsel Made?</b>	Generally the day of the 72 hour hearing.
<b>What steps does your office take to ensure conflict – free representation</b>	Mr. Guidry and Mr. Domoruella both perform conflict searches on clients and co-defendants upon appointment.
<b>Brief Explanation of Intake Process</b>	After arrest the clients are brought before the Court for 72 hours hearings. The Judge does a brief interview on the record and if the defendant appears indigent he/she is referred to the IDB. Karli Rae interviews the prospective clients and either Chad Guidry or John Demourelle will notarize the application and review it to determine if the person qualifies.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Attempts are made to collect the \$40.00 dollar application fee, but clients seldom pay.

<b>How Many Applications for Services Were Received?</b>	609 (I am aware that this seems to be a large increase from last year. However, I believe it is attributable to better record keeping as opposed to an actual increase in caseload)
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	2,960
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	151,394
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	The Allen Parish Sheriff's office collects the Court Costs and provides my office with a spreadsheet each month together with my check.
<b>Who Collects the Assessed Court Fees?</b>	Allen Parish Sheriff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	The Allen Parish Sheriff's office collects the Court Costs and provides my office with a spreadsheet each month together with my check.
<b>Who Remits the Court Fees Collected?</b>	APSO
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	See above
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	We have not received any in this fiscal year. However, in 2017 the towns of Kinder and Oberlin have begun assessing and we are now collecting this fee.
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Debt to income ratio.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	None
<b>Who Collects the Assessed Partial Payments?</b>	Sheriff or Probation Officer.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Sheriff provides a spreadsheet each month with the payment check.

<b>Who Remits the Partial Payments Collected?</b>	APSO
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	See above
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	6,956
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Staff attorneys do not take private criminal cases. However, they do have a limited civil practice. The staff attorneys are expected to work no less than 36 hours per week on PD cases.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Contract is verbal with Lawyers in District.
<b>Primary Immediate Needs</b>	None at this time
<b>Was your office in ROS at any time during 2016</b>	Yes
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	N/A
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No staff reduction has occurred but salaries were lowered.
<b>Immediate Critical Issue Areas</b>	We are much more fiscally sound than we were this time last year thanks to the increased DAF payments and Mayor's Court costs we are now collecting. However, funding continues to be our most pressing issue.
<b>Long-Term Critical Issue Areas</b>	As stated above funding is an immediate and long term issue.
<b>2016 Media Coverage and/or Major Accomplishments</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes. I personally assist other attorneys with case issues. I also ask for their assistance on issues.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	None
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chad Guidry is the current District Defender and he oversees work of the other attorneys and office employees.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None



<b>Regular Meetings for Any Staff, Please Describe</b>	Mr. Guidry sees other lawyers and employees on daily basis in office and in court room.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	All appeals are handled by the Louisiana Appellate Project.
<b>Number of Writs Your District Filed in 2016</b>	4. That I know of. I did not maintain a running tally of this but I will do so for 2017.
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	N/A
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Myself and other attorneys are certified and experienced juvenile attorney's. However, no such cases have been transferred in 10 or more years.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	None
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	None
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	State Rep. Dorothy Sue Hill; State Senator Eric LaFluer.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Finding qualified staff and/or contract attorneys willing to handle our cases is always a challenge in a parish that is this small.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	I have increased collection of revenue by meeting with every mayor in our district. I have also met with the DA's office to insure that we are collecting out statutory portion of forfeitures collected. I have also implemented new application processes that shorten the time clients get appointed counsel and hopefully we will see an increase in the collection of the \$40 app fee as a result as well.



<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Chad Guidry	337-738-2280
John Demoruelle	337-639-2220
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Meredith Guillory	318-335-9771
Craig R. Hill	337-639-2127
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Karli Rae	337-639-2475

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.

**Survey Completer's Name**

Chad Guidry

**Legal Research Tools Used:**

Lexis Nexis

Westlaw

x

Other (please list)

x Fastcase

Number of Legal Research Licenses

None

Total Cost of Legal Research Software:

\$0.00 Mr. Guidry has a private practice with his wife/law partner. That firm has a Westlaw subscription. Mr. Guidry and the other staff use this subscription to perform research.

**SOFTWARE:**

Mark an X in all that apply

**Operating Systems Used:**

Windows 10

x

Windows 8

Windows 7

Windows Vista

Windows Server 2000/2003/2008

Windows XP

Mac OSX

**Case Management System(s): Check all that apply**

defenderData (LPDB statewide system)

x

Other System (please name)

**Productivity Suites Used:**

Microsoft Office 2016 (Word, Excel, etc.)

x

Microsoft Office 2013

Microsoft Office 2010

Microsoft Office 2007

Microsoft Office 2003

Previous Microsoft Office version

Corel Word Perfect

Other

**Accounting Software**

QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	x
Firefox	
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	1
Laptops	2
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	2
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	
Provider Name:	Centurylink
Email Provider:	
Please list any software or computer equipment in which you need training:	

### 33rd District Defender Office CY 2016 Caseloads & Outcomes

(Note that given the recent change in Management, some cases may not be reported as of 1/08/2017)

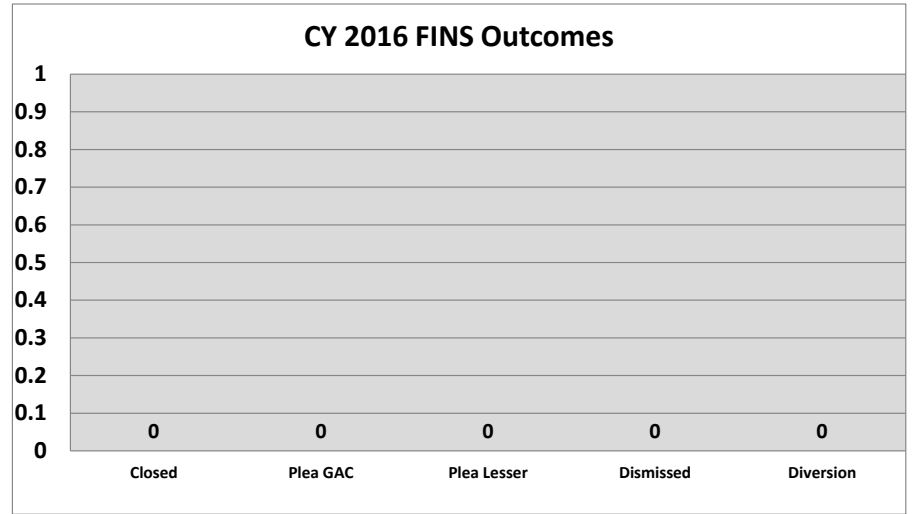
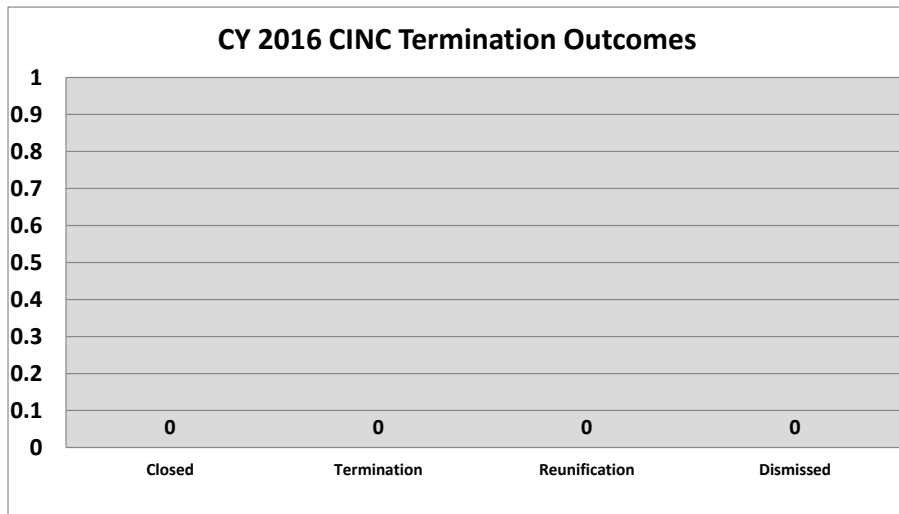
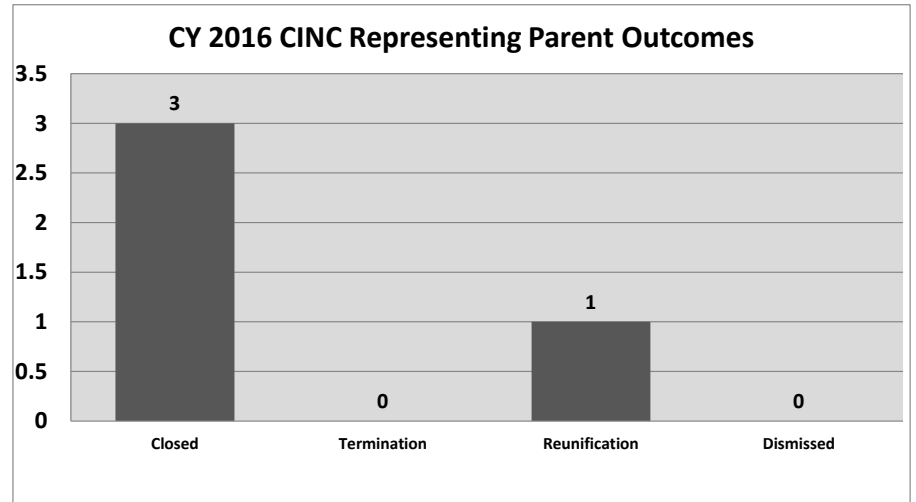
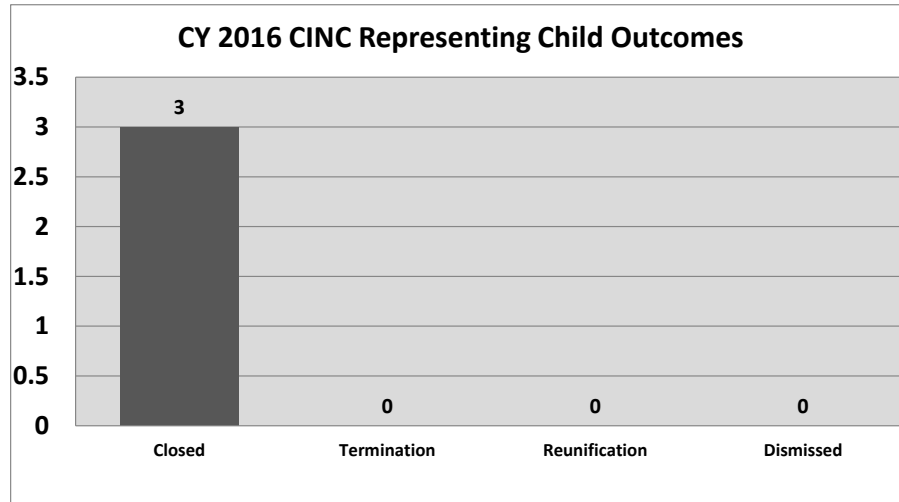
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	4	3	0	4	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	26	3	0	26	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	4	0	0	4	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	1	0	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	1	0	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	169	69	22	191	N/A	N/A	53	5	51	0	0	0	1	0	1
Adult Felony Non-LWOP**	396	163	52	448	N/A	N/A	96	40	202	0	0	3	1	2	6
Adult LWOP	1	0	0	1	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	1	1	0	1	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

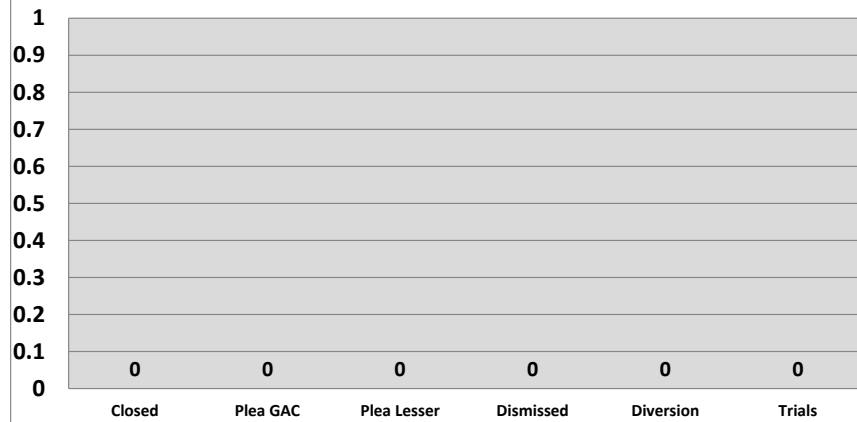
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

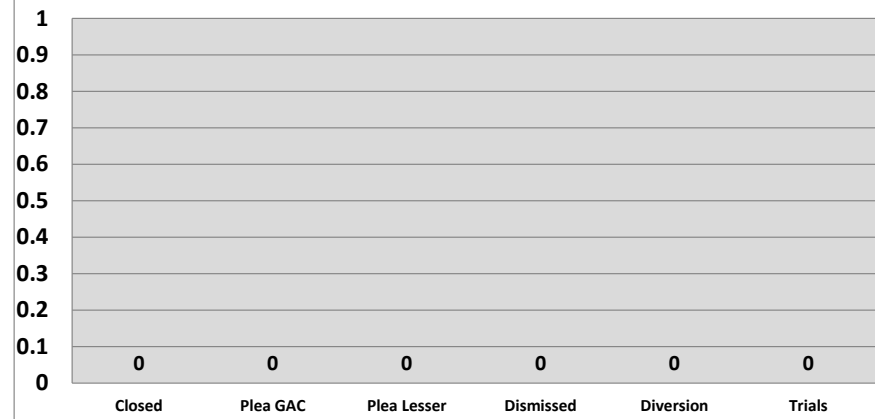
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



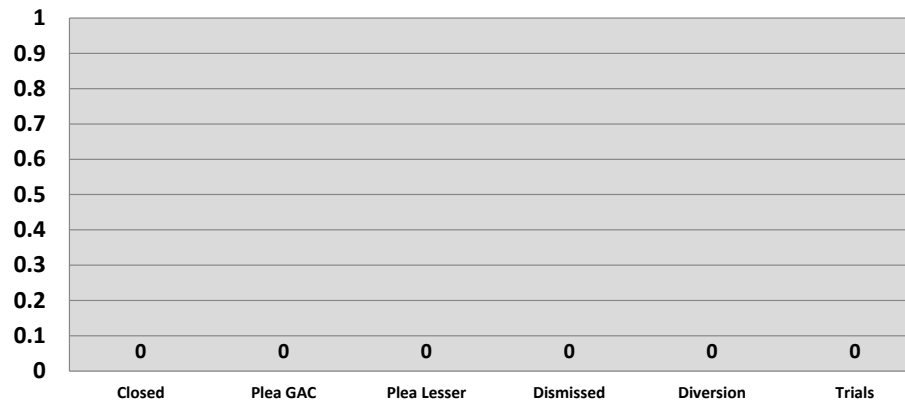
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



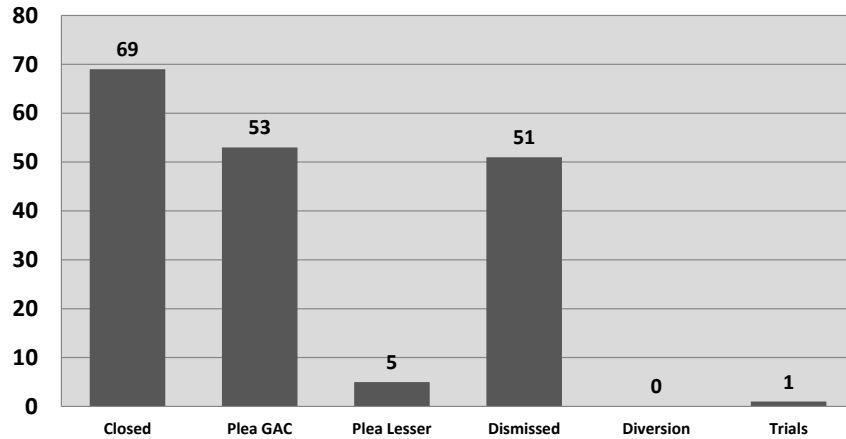
**CY 2016 Delinquency Felony-Grade Outcomes**



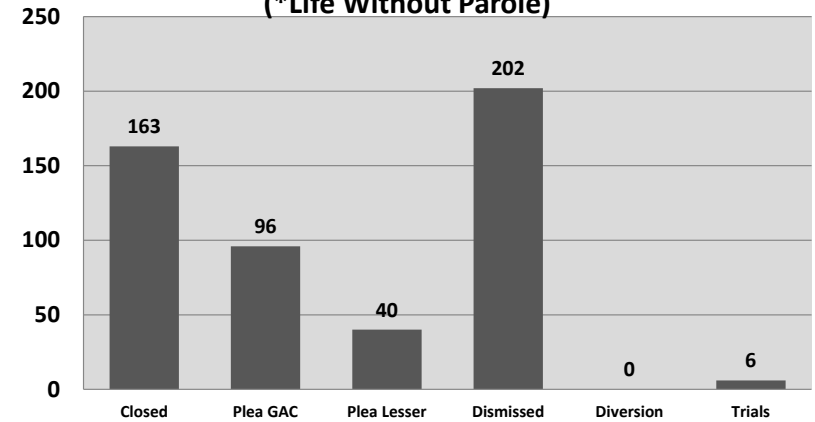
**CY 2016 Delinquency Life Outcomes**



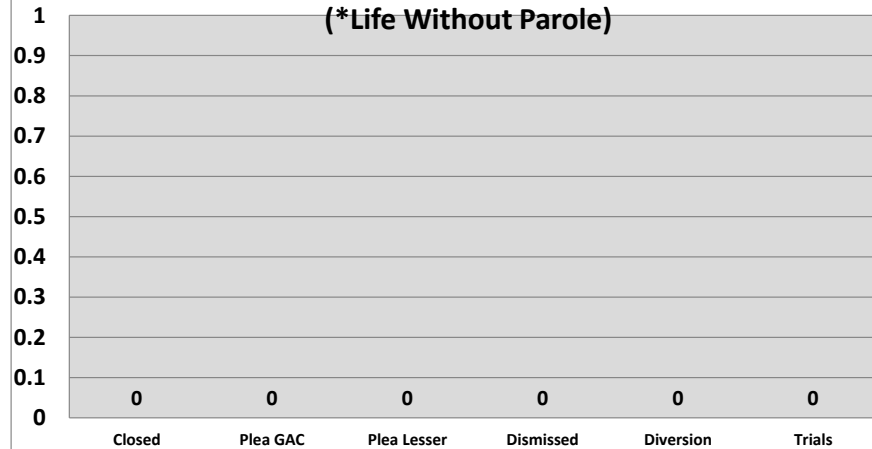
**CY 2016 Adult Misdemeanor Outcomes**



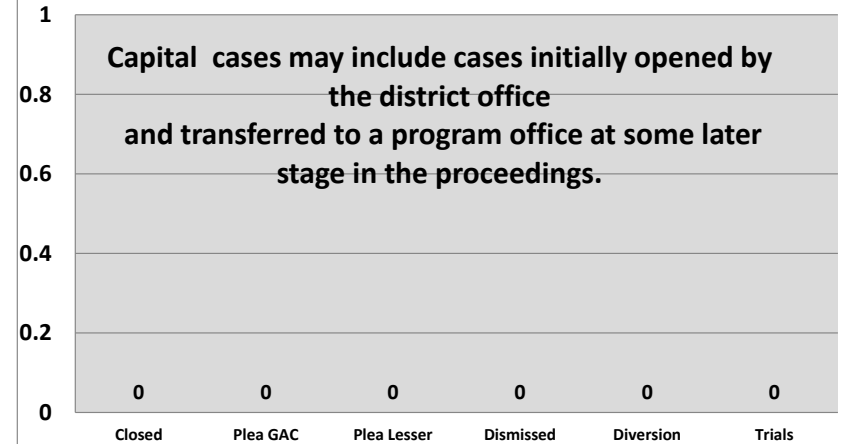
**CY 2016 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Capital Outcomes**



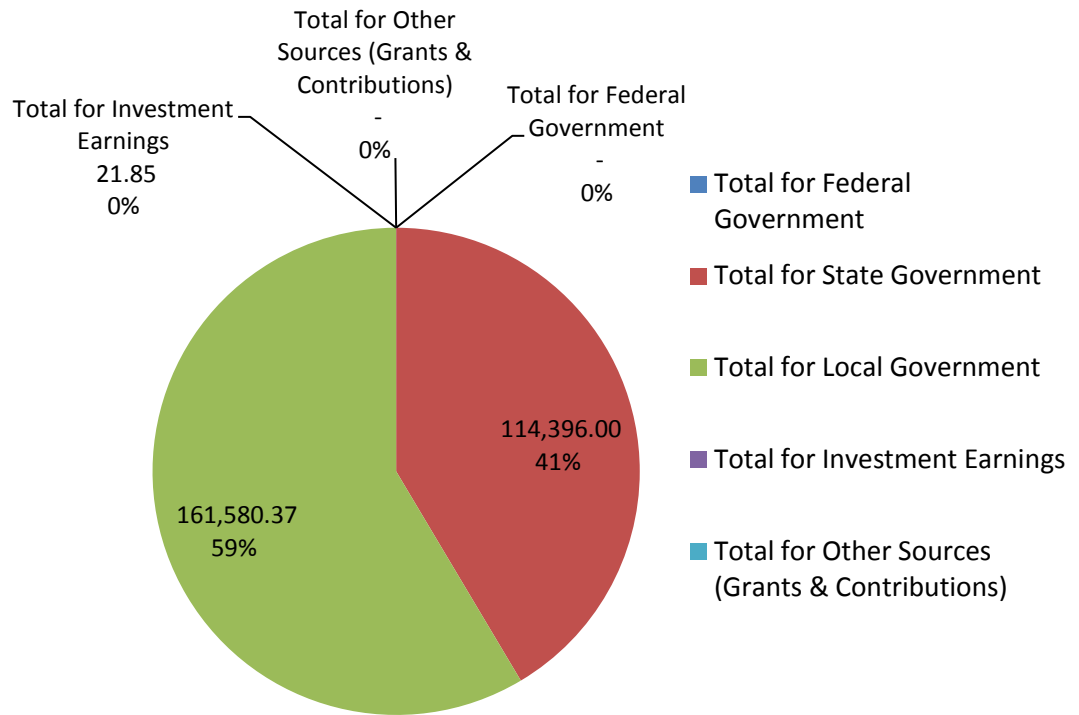
District 33 CY2016	Total CY2016
<b>District Defender: Chad Guidry</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
<b>Total for Federal Government</b>	-
State Government	
Department of Corrections	
Child in Need of Care (CINC)	5,018.00
District Assistance Fund (DAF)	105,916.00
Supplemental/Emergency Funds	3,462.00
Grants	-
Other State Income -List source(s)	-
<b>Total for State Government</b>	114,396.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	-
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	14,777.49
<b>\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs</b>	
Criminal District Court	5,376.71
City & City-Ward Courts	44,121.46
Judicial District Courts	87,388.22
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
<b>Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs</b>	136,886.39
<b>Charges For Services</b>	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	2,960.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	6,956.49
Other Reimbursements	-
Other Local Income -List source(s)	-
<b>Total for Charges For Services</b>	9,916.49
<b>Total for Local Government</b>	161,580.37
<b>Investment Earnings</b>	
Interest Income	21.85
Other Investment Income - List source(s)	-
<b>Total for Investment Earnings</b>	21.85
<b>Other Sources (Grants &amp; Contributions)</b>	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
<b>Total for Other Sources (Grants &amp; Contributions)</b>	-
<b>Total for REVENUE</b>	275,998.22



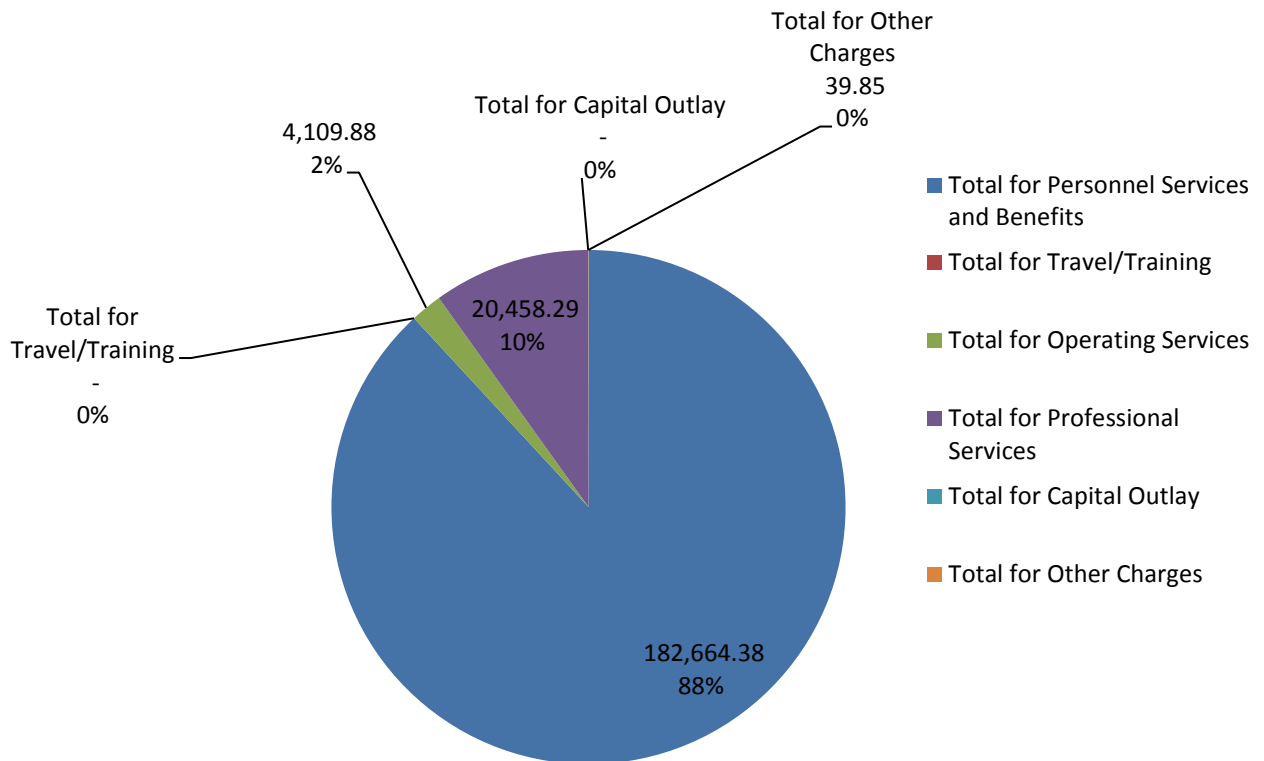
District 33 CY2016	Total CY2016
<b>District Defender: Chad Guidry</b>	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	158,345.00
Accrued Leave	-
Payroll Taxes	8,194.38
Hospitalization and Disability Insurance	-
Retirement	16,125.00
Other	-
Total for Personnel Services and Benefits	182,664.38
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	-
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	1,000.00
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	183.01
Office - Telephone/Utilities/Postage/Internet	2,359.05
Dues and Seminars	(1,002.47)
Law Library/Journals/Subscriptions	1,013.76
Office Supplies	556.53
Total for Operating Services	4,109.88
Professional Services	
Audit/Accounting Expense	5,561.40
Contract Clerical	4,451.50
Expert Witness	-
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	1,706.25
Contract - Juvenile Attorneys or CINC	2,262.25
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	6,476.89
IT/Technical Support	-
Total for Professional Services	20,458.29
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	39.85
Total for Other Charges	39.85
Total for EXPENDITURES	207,272.40

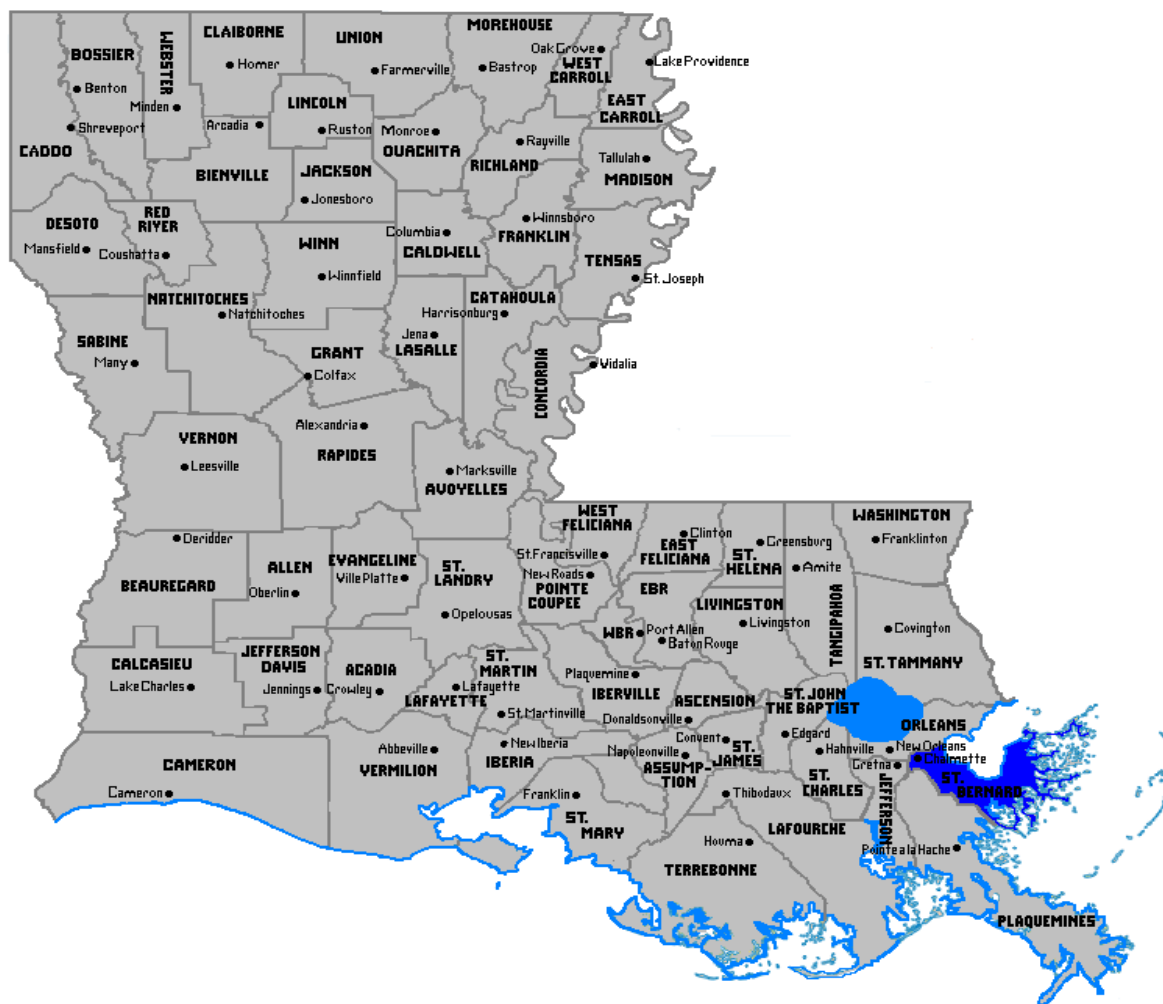
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





# THE 34<sup>TH</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE ST. BERNARD (CHALMETTE)

DISTRICT DEFENDER: THOMAS H. GERNHAUSER  
2118 JACKSON BLVD., SUITE B  
CHALMETTE, LA 70043  
(504) 278-4438

34th JUDICIAL DISTRICT :  
ST. BERNARD PARISH

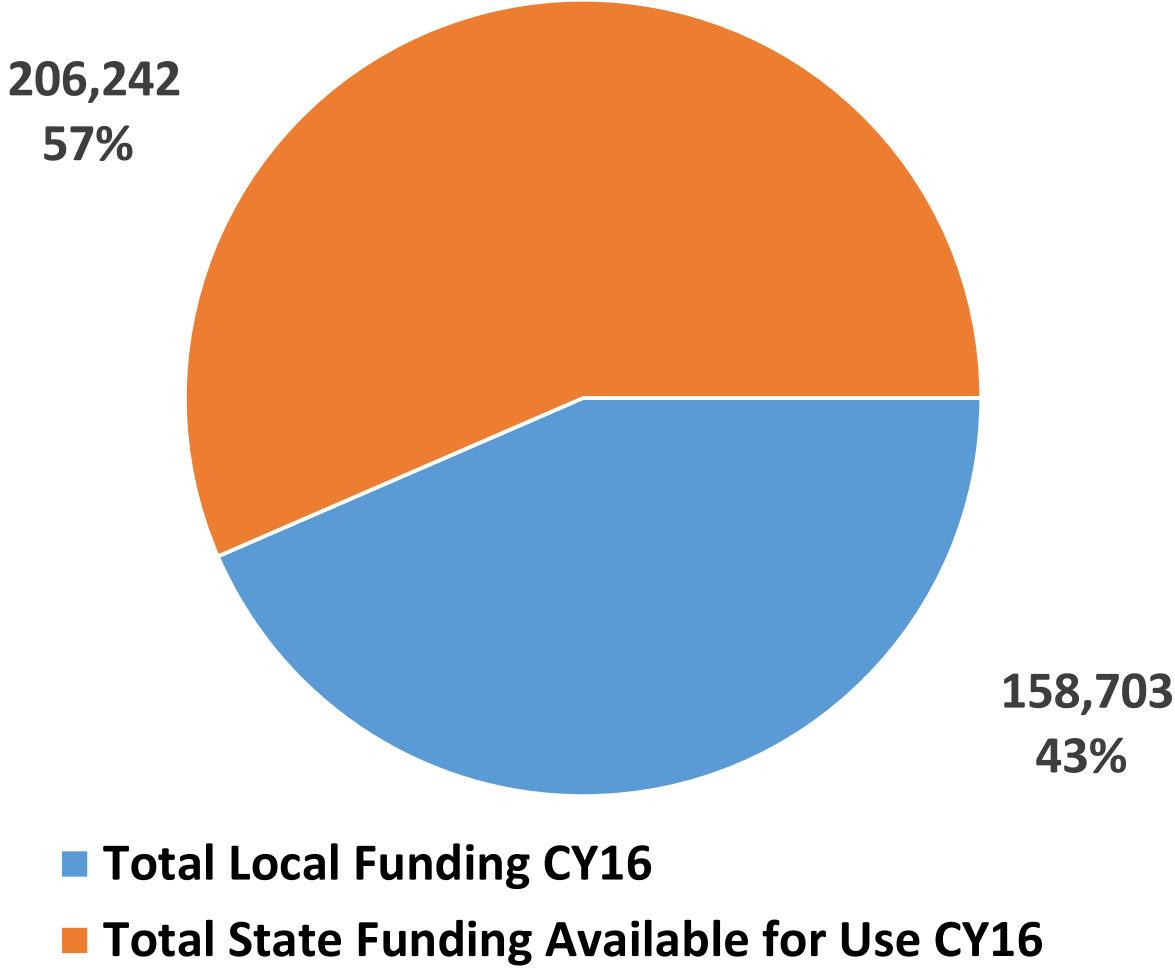
Thomas H. Gernhauser  
District Defender  
2118 Jackson Blvd., Suite B  
Chalmette, LA 70043  
504-278-4438

During Calendar Year 2016, the 34th Judicial District Public Defenders Office handled 1,704 cases. The office received \$364,945 in total revenues to handle these cases. As local funding is largely insufficient, approximately 43% of revenues came from local funding compared to the statewide average of 65%.

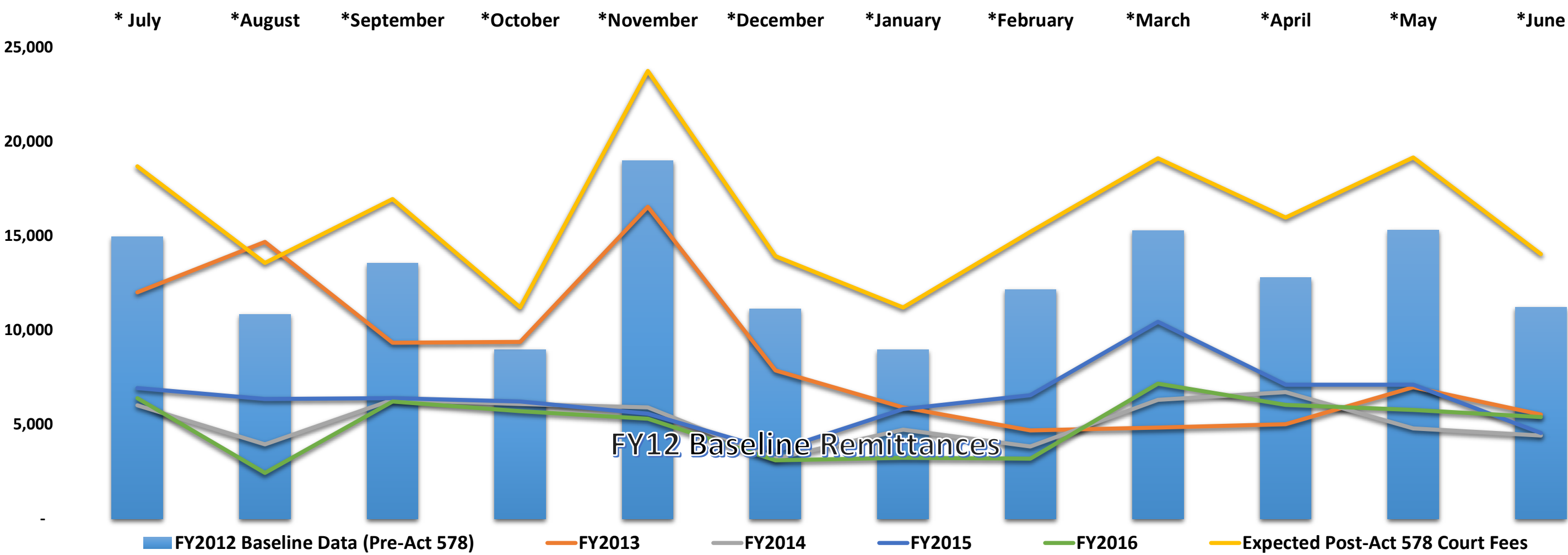
The 34th has failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated with Act 578 (2012), in fact revenues are generally lower than pre-Act 578 levels.

The 34th Judicial District office has nearly exhausted its fund balance as the office's expenditures exceed the office's revenues. Insufficient personnel and fiscal resources forced the 34th Judicial District office to begin restricting services on January 1, 2016.

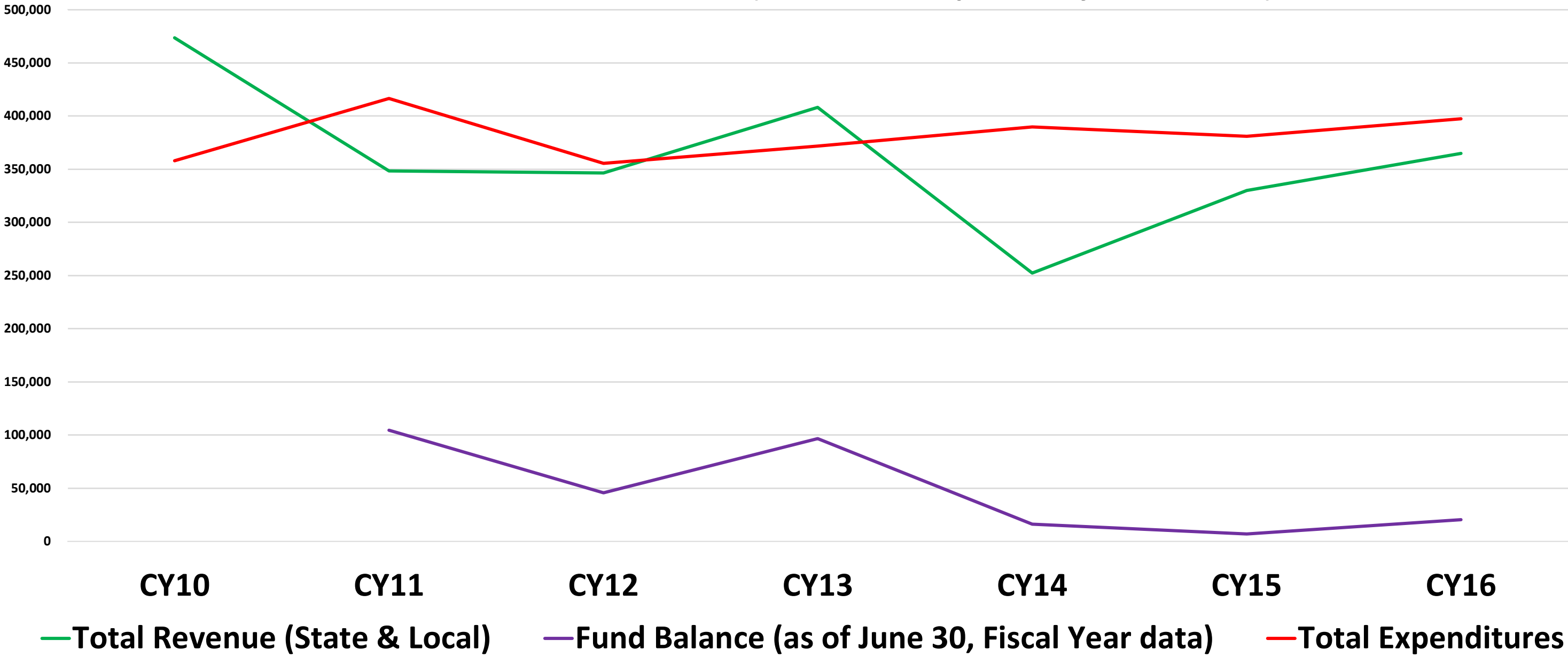
District 34 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 34 PDO

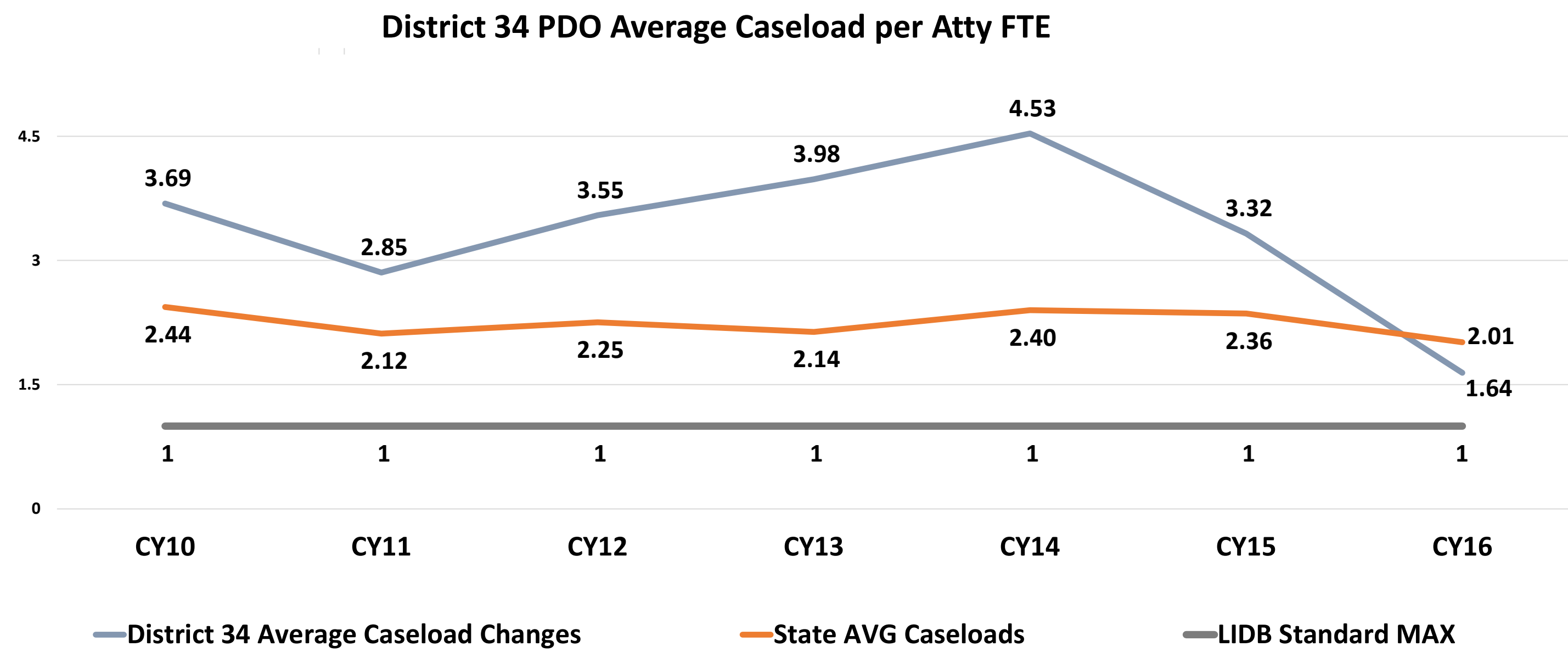


District 34 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



# 34th JUDICIAL DISTRICT : ST. BERNARD PARISH

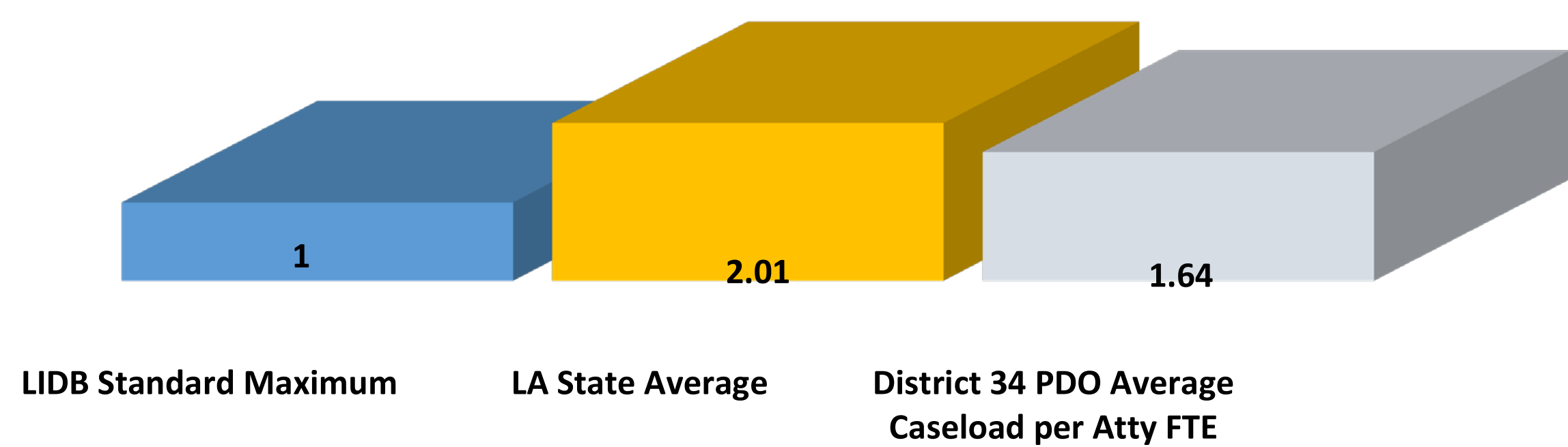
Thomas H. Gernhauser  
District Defender  
2118 Jackson Blvd., Suite B  
Chalmette, LA 70043  
504-278-4438



In the 34th Judicial District, public defense attorneys maintain caseloads almost two times the recommended caseload limit for each attorney, although it should be noted that caseloads are significantly lower than 2015 averages.

Although caseloads remain high due to insufficient revenues, through increased training and supervision, client outcomes have significantly improved over the last five years.

District 34 PDO Average Caseloads Compared to State Average & State Standard...



## CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 34TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. Bernard - Chalmette
<b>Population</b>	45,408
<b>District Defender</b>	Thomas H. Gernhauser
<b>Years as District Defender</b>	7
<b>Years in Public Defense</b>	16
<b>Office Manager</b>	Bambi Bruscato
<b>Primary Office Street Address</b>	2118 Jackson Blvd., Suite B
<b>City</b>	Chalmette
<b>ZIP</b>	70043
<b>Primary Phone</b>	504-278-4438
<b>Primary Mailing Address</b>	Same as above
<b>Primary Fax Number</b>	504-278-4439
<b>Primary Emergency Contact</b>	Thomas H. Gernhauser
<b>Primary Emergency Phone</b>	504-289-9450-Cell
<b>Secondary Emergency Contact</b>	Bambi Bruscato
<b>Secondary Emergency Phone</b>	504-237-4437 Cell
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	N/A
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	N/A
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	34 Judicial District Court St. Bernard Parish
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	5 Divisions

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	One contract attorney is assigned to each division of court. One contract attorney is assigned to juvenile, CINC and Delinquency, in all Divisions, a conflict parent attorney is contracted for all CINC cases when needed. When a conflict arises in any matter, a conflict attorney is contracted for that case from a pool of contract conflict attorneys. Motions are filed on behalf of all arrestees within at least 14 days of an arrest, if they are unable post bond, or have not been released. The motions are allotted to one of 5 Divisions of Court, where the assigned Division contract attorney will represent that client.
<b>Name of Adult Detention Facilities in This District</b>	St. Bernard Parish Prison
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Louisiana State Penitentiary or Elaine Hunt Correctional Center
<b>Name of Juvenile Detention Facilities In This District</b>	St. Bernard Parish Juvenile Detention Center
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	DOC for storms and seldom in DOC or Orleans in part for overcrowding. Seldom recently.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Perry Nicosia
<b>Chief Judge of Criminal District Court</b>	Rotates per year per division, Judge Vaughn.
<b>Juvenile Court Judges (Specify District of City Court)</b>	All five divisions sit as Juvenile and adult Judges.
<b>Drug Court Judges</b>	Juvenile- Judge Jones, Adult- Judge Vaughn
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	By office manager, each attorney, and by affidavit sheet. See attached sheet.
<b>When is Assignment/Appointment of Counsel Made?</b>	Time of arrest - Magistrate Court.
<b>What steps does your office take to ensure conflict – free representation</b>	Review of arrest reports, police reports, and prior representation.
<b>Brief Explanation of Intake Process</b>	See Attached Form
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	159
<b>How Many Application Fees Were Waived?</b>	21
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2016</b>	5,520

Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
Total Revenue from \$45/\$35 Special Costs Received in 2016	62,357
Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.	The fee is included in all Court Costs, in cases where the defendant has been incarcerated and will continue incarceration after conviction without release, costs may not be assessed.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?	Yes, an accounting pursuant to Act 366 will be provided with each disbursement.
Who Collects the Assessed Court Fees?	St. Bernard Sheriff's Dept.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	See above
Who Remits the Court Fees Collected?	St. Bernard Sheriff's Dept.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	Act 366 documentation is now being provided by the SBSO.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?	N/A
From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?	N/A
How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?	N/A
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment	This office may file a motion to determine counsel.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?	Act 366 documentation is now being provided by the SBSO.
Who Collects the Assessed Partial Payments?	St. Bernard Parish Sheriff's Department
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	Act 366 documentation is now being provided by the SBSO.
Who Remits the Partial Payments Collected?	Office does not levy fees but when income and/or financial information may lead to a belief of non-indigence courts have fixed fees when "motion to determine counsel" is heard and court feels a fee should be paid to the Public Defender Office.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	Documentation pursuant to Act 366.



<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	9,315
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	All attorneys in our office are part-time independent contractors and are allowed to have a private practice.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes, please see attached
<b>Primary Immediate Needs</b>	Funding and an increased DAF, there is a need for full time attorneys and increased staff and fulfill a need for more comprehensive research software.
<b>Was your office in ROS at any time during 2016</b>	Yes
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	While DAF funding has improved, local funding is still an issue, therefore, the office has not yet exited ROS. If local funding improves, and the projected revenues allow, the district should exit ROS in the near future.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	After the DAF was received, and in the beginning of FY 16/17, the downsized positions were reinstated.
<b>Immediate Critical Issue Areas</b>	Funding, staffing
<b>Long-Term Critical Issue Areas</b>	Presently there is a staff of one position that manages all office operations as well as legal secretary duties. Funding to acquire a receptionist, paralegal, and additional secretaries.
<b>2016 Media Coverage and/or Major Accomplishments</b>	1 hung jury, (attempt murder), 1 Jury mistrial, (pleas accepted), 1 Juvenile life case, Agg Rape reduced to 2nd deg battery, 1 2nd deg rape dismissed, 15 reunifications in CINC matters before termination, Motion to quash granted in misd trial,
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, each attorney is given one on one Database training, when needed, new attorneys are instructed as well. All cases are discussed with each attorney. The DD monitors and participates all trials.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Lorna Turnage, Greg Duhy
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Monthly staff meetings, unannounced observation of attorney during court proceeding. Constant review of database reports, one on one database training and assistance and individual meetings with staff and attorneys to discuss performance issues.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Funding needed for additional staff for assistance in Database input as well as need for additional attorneys.

<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	Bambi Bruscatto -Legal Secretary/Office Manger is the only staff member. She is provided medical benefits through the St. Bernard Parish Government.
<b>Regular Meetings for Any Staff, Please Describe</b>	We have regular meetings twice a month.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Filed in 2016</b>	1
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	The Juvenile would remain in the same division with same attorney throughout.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	0
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	0
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	0
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator Sharon Hewitt, Senator J.P. Morrell, Rep. Ray Garofalo
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Increase in staffing to achieve some level of parity with the DA's office in staffing, as he has increased his staff of attorneys, investigators, and secretaries.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Obtained a contract Juvenile/Misdemeanor attorney, contract conflict CINC attorney and a contract licensed investigator.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Thomas Gernhauser	504-278-4438
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Joshua Gordon	504-278-4438
Joseph Browning	504-278-4438
Gregory S. Duhy	504-278-4438
Thomas Dunn	504-669-1129
Lorna Turnage	504 278-4438
Phyllis Puglia	504 271-5404

<u>Non Attorney Employees and Contractors and Other Staff</u>	<u>Contact Information</u>
Bambi Bruscato	504-278-4438
Tina Diaz	504 278-4438

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Thomas Gernhauser
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	
Other (please list)	Fastcase
Number of Legal Research Licenses	0
Total Cost of Legal Research Software:	0
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	Upgraded to 10
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	x
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	
Other (list here):	

<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	x
Internet Explorer 11	
Microsoft Edge	x
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	1
DVD	1
VCR	1
Desktop PCs	1
Laptops	8
Video Cameras	1
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	6
Color Printers	1
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
	Shredder - 2
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	4G
Provider Name:	COX
Email Provider:	Yahoo
Please list any software or computer equipment in which you need training:	

### 34th District Defender Office CY 2016 Caseloads & Outcomes

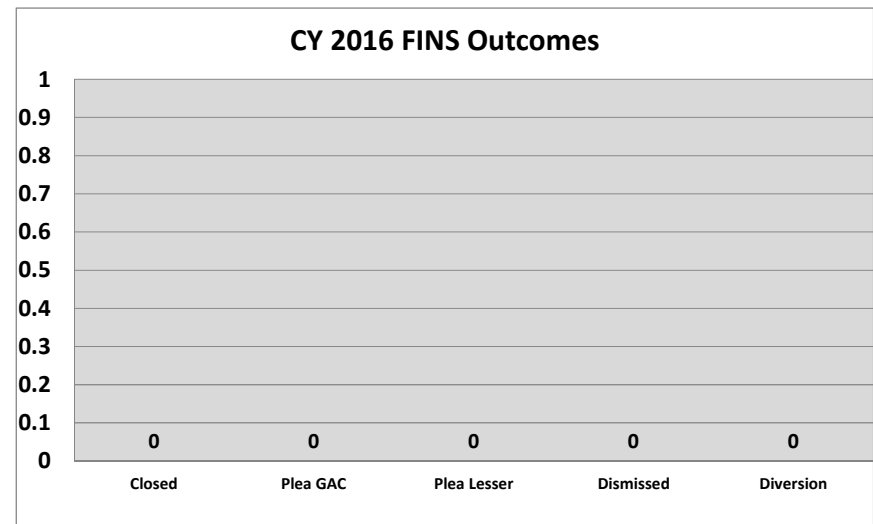
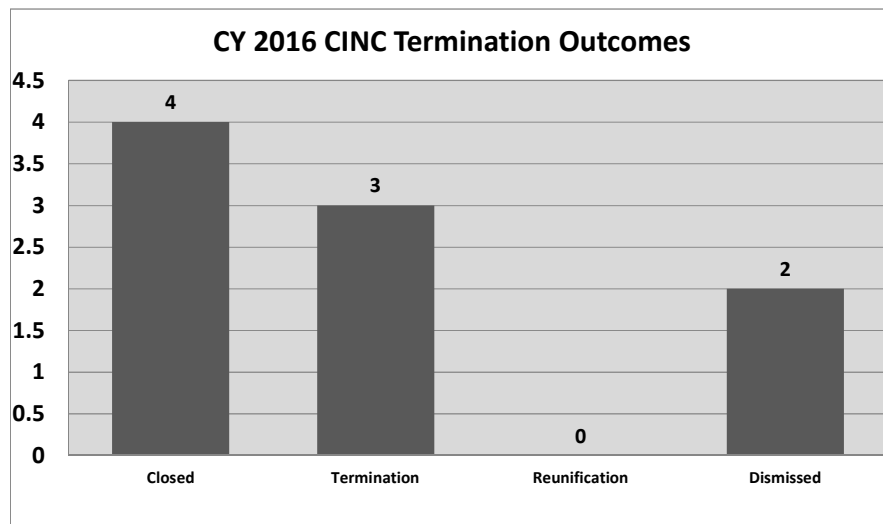
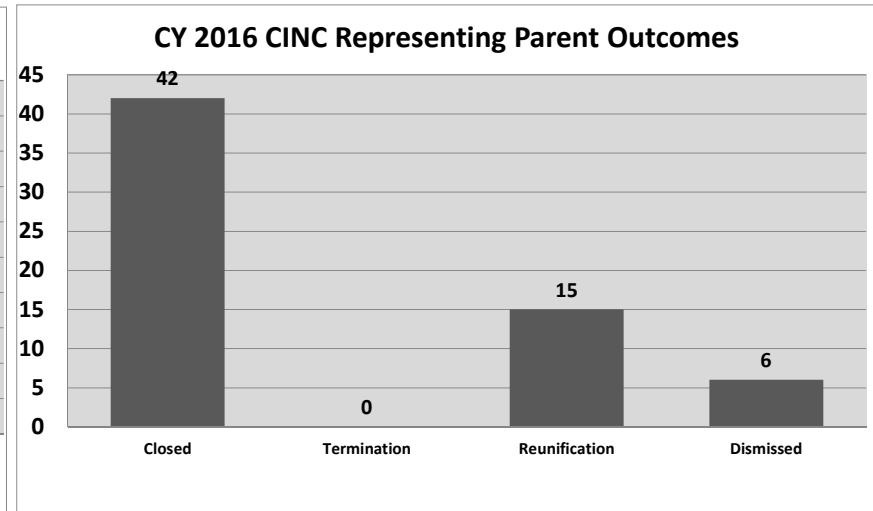
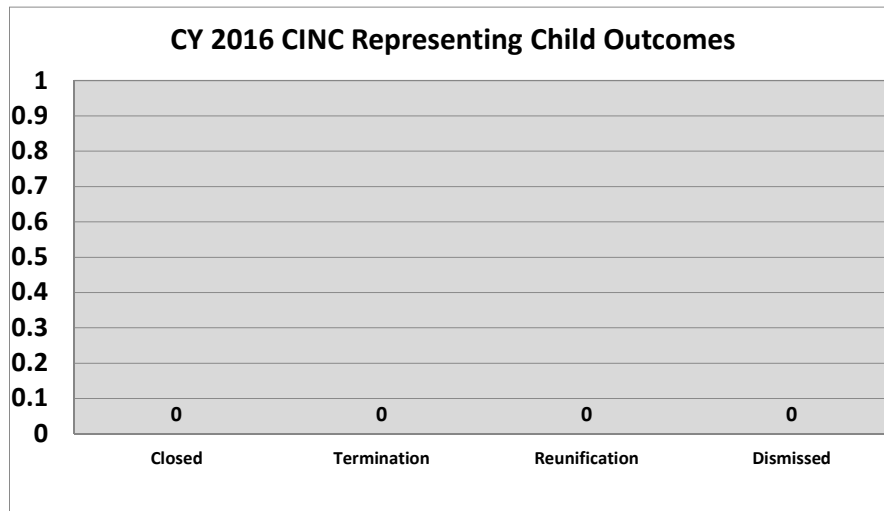
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	58	42	55	113	0	15	N/A	N/A	6	N/A	N/A	N/A	N/A	N/A	0
Termination	2	4	2	4	3	0	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	106	38	9	115	N/A	N/A	40	0	19	3	N/A	N/A	0	0	0
Delinquency Felony	74	28	8	82	N/A	N/A	20	5	2	4	N/A	N/A	0	0	0
Delinquency-Life	1	2	2	3	N/A	N/A	0	1	1	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	483	347	155	638	N/A	N/A	216	21	209	9	0	1	0	0	1
Adult Felony Non-LWOP**	421	424	291	712	N/A	N/A	136	88	168	25	1	0	1	0	2
Adult LWOP	2	3	6	8	N/A	N/A	12	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	22	24	5	27	N/A	N/A	0	0	2	0	N/A	N/A	N/A	N/A	0
PCR	1	2	1	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	1	2
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

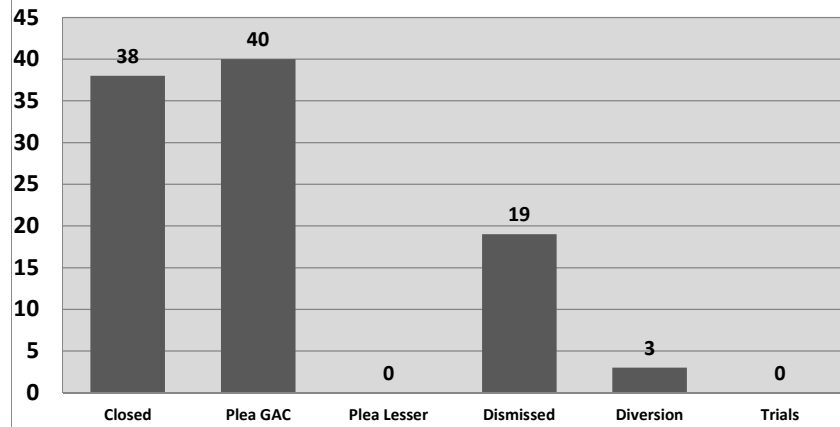
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

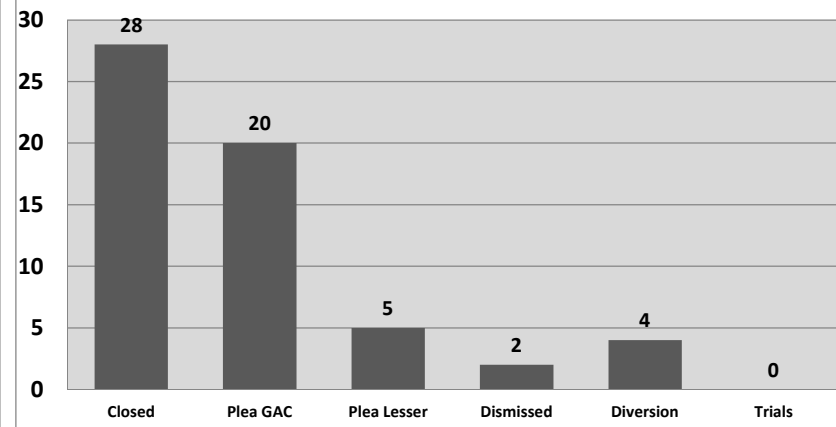
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



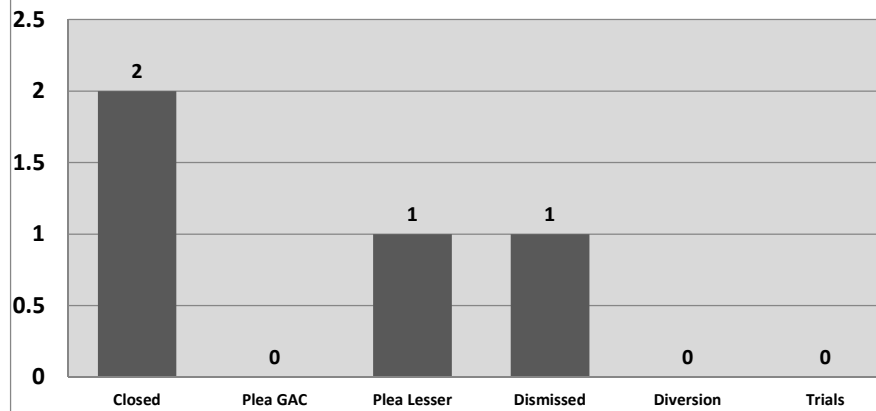
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



**CY 2016 Delinquency Felony-Grade Outcomes**

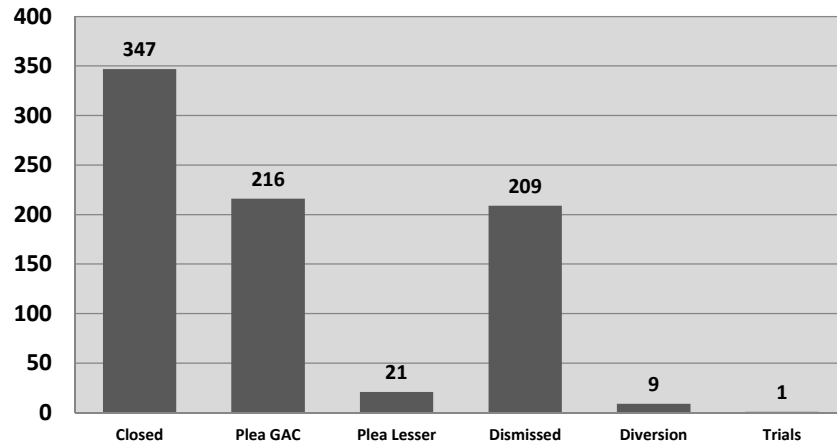


**CY 2016 Delinquency Life Outcomes**

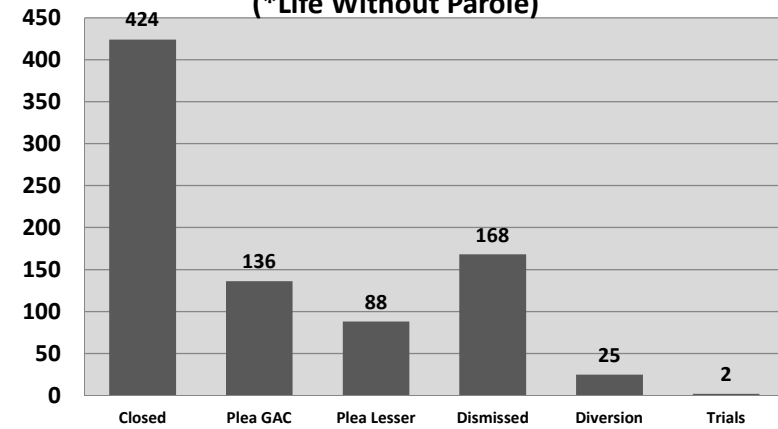




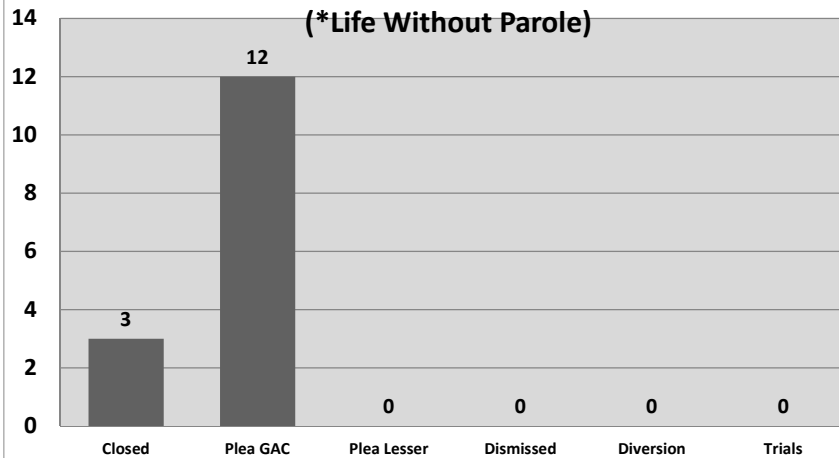
**CY 2016 Adult Misdemeanor Outcomes**



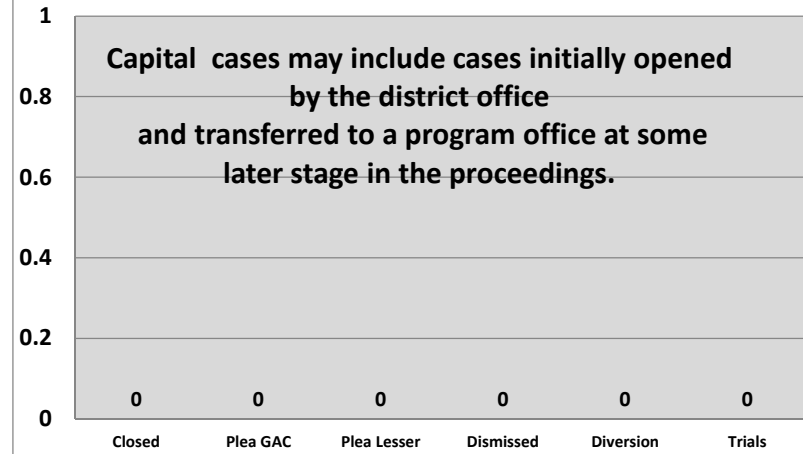
**CY 2016 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Capital Outcomes**

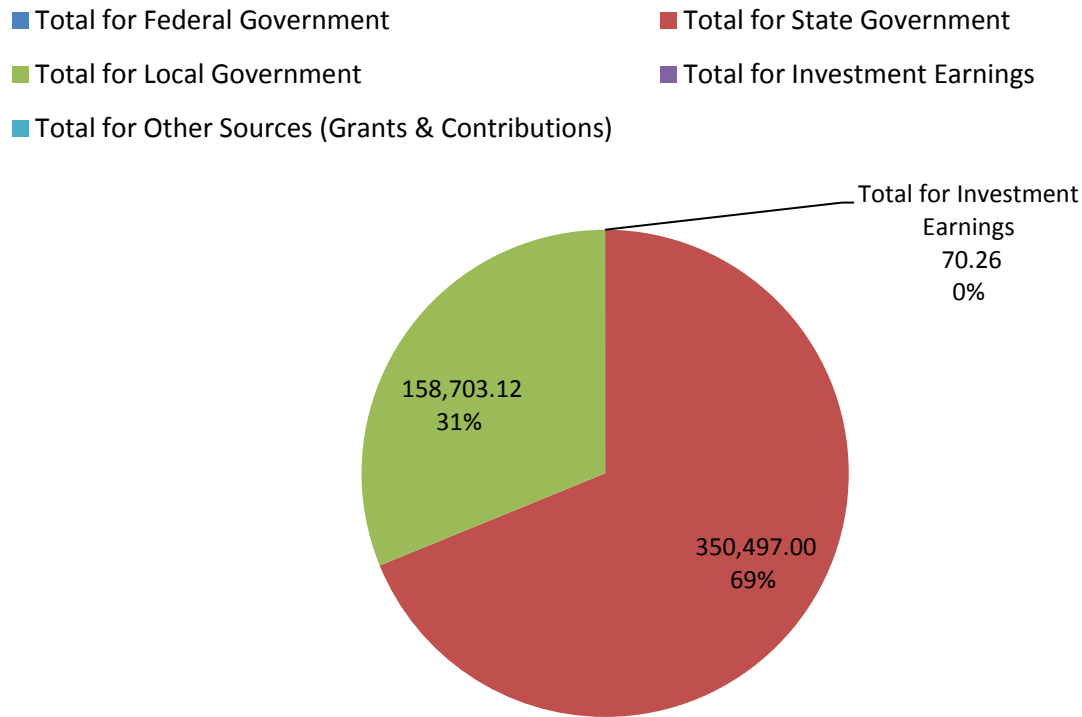


District 34 CY2016	Total CY2016
District Defender: Thomas Gernhauser	
REVENUE	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	17,921.00
District Assistance Fund (DAF)	308,745.00
Supplemental/Emergency Funds	23,831.00
Grants	-
Other State Income -List source(s)	-
Total for State Government	350,497.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	43,791.25
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	42,872.20
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	35,571.55
City & City-Ward Courts	-
Judicial District Courts	23,371.19
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	58,942.74
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	5,280.00
Partial Attorney Fees	
Reimbursements [as per 15:176]	7,789.93
Other Reimbursements	-
Other Local Income -List source(s)	27.00
Total for Charges For Services	13,096.93
Total for Local Government	158,703.12
Investment Earnings	
Interest Income	70.26
Other Investment Income - List source(s)	-
Total for Investment Earnings	70.26
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	509,270.38

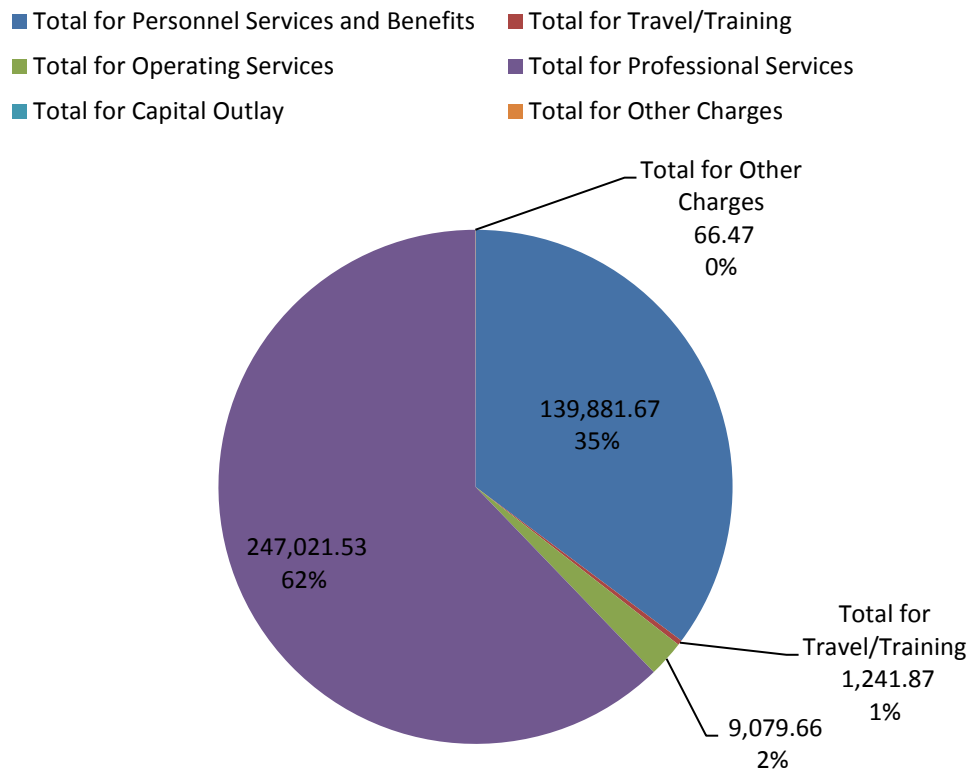
District 34 CY2016	Total CY2016
District Defender: Thomas Gernhauser	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	94,000.08
Accrued Leave	-
Payroll Taxes	30,587.13
Hospitalization and Disability Insurance	4,484.46
Retirement	10,810.00
Other	-
Total for Personnel Services and Benefits	139,881.67
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	1,241.87
Total for Travel/Training	1,241.87
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	2,169.00
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	255.40
Lease - Other	315.35
Office Repair and Maintenance	294.99
Office - Telephone/Utilities/Postage/Internet	663.74
Dues and Seminars	1,180.00
Law Library/Journals/Subscriptions	1,206.25
Office Supplies	2,994.93
Total for Operating Services	9,079.66
Professional Services	
Audit/Accounting Expense	8,500.00
Contract Clerical	11,225.00
Expert Witness	-
Investigators	11,416.64
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	23,222.23
Contract - Juvenile Attorneys or CINC	2,500.00
Misdemeanor Attorney Contracts	12,500.00
Contract Attorneys - all other	176,499.84
IT/Technical Support	1,157.82
Total for Professional Services	247,021.53
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	66.47
Total for Other Charges	66.47
Total for EXPENDITURES	397,291.20

NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





THE 35<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
GRANT (COLFAX)

DISTRICT DEFENDER: ROBERT L. KENNEDY  
352 SECOND STREET  
COLFAX, LA 71417  
(318) 627-3255

35TH JUDICIAL DISTRICT :  
GRANT PARISH

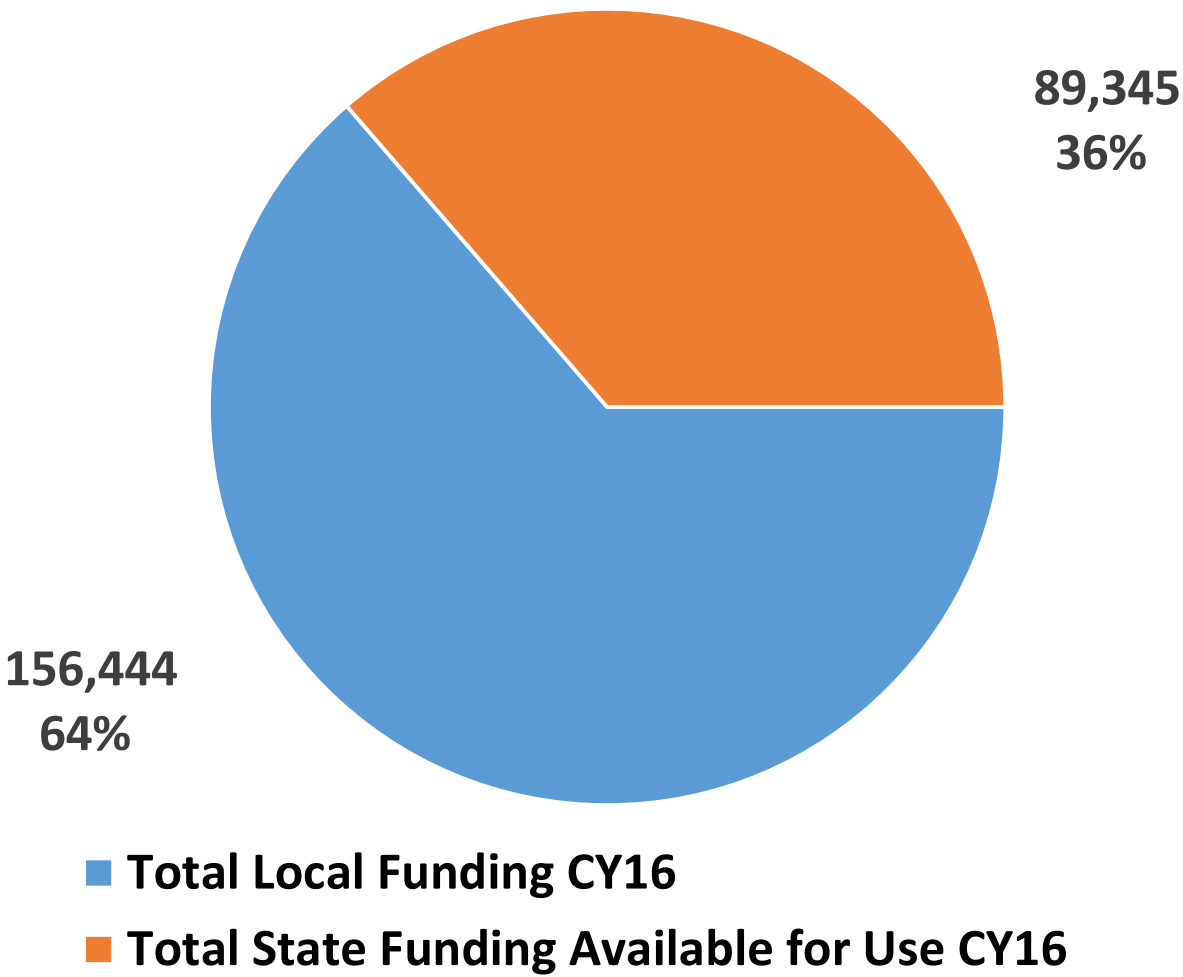
Robert L. Kennedy  
District Defender  
352 Second Street  
Colfax, LA 71417  
318-627-3255

During Calendar Year 2016, the 35th Judicial District Public Defenders Office handled 889 cases. The office received \$245,789 in total revenues to handle these cases, approximately 64% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

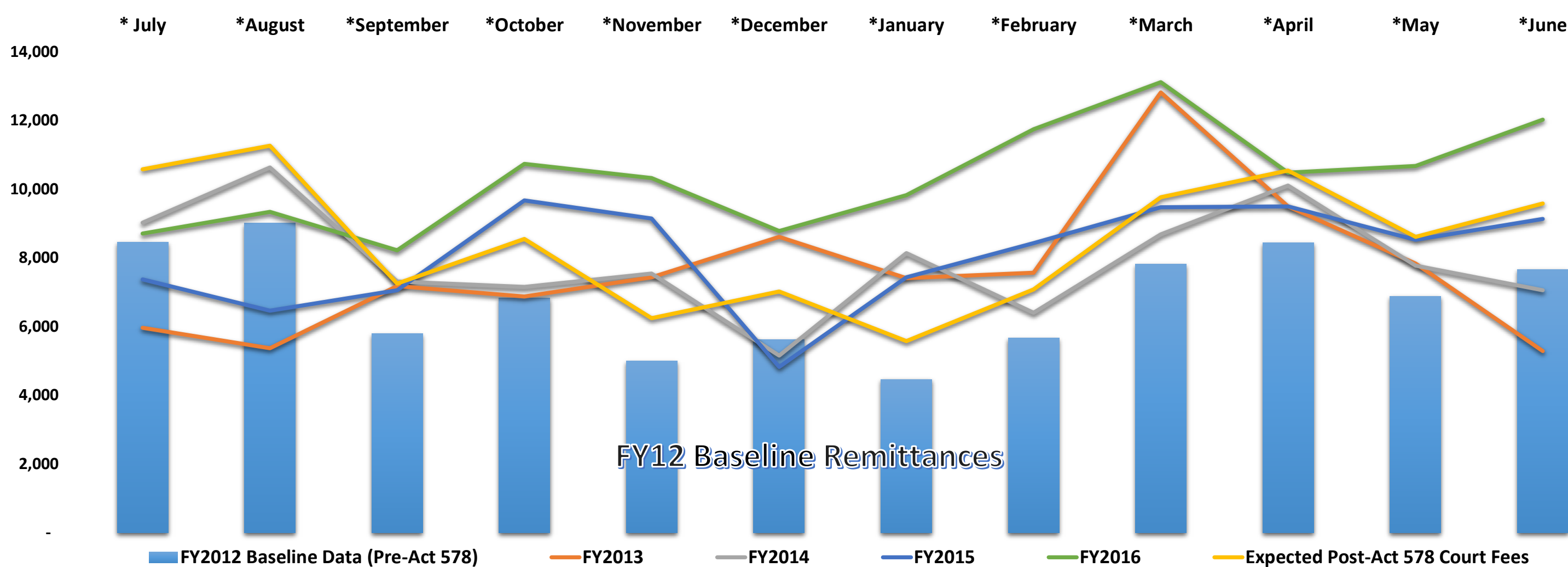
Historically, the 35th Judicial District public defender's office has failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated with Act 578 (2012). However, FY16 local revenues increased over previous years, it is too early to tell if FY16 represents an anomaly.

The 35th Judicial District office nearly exhausted its fund balance during FY14. However, increased local revenues and state supplemental assistance have allowed the office to remain solvent.

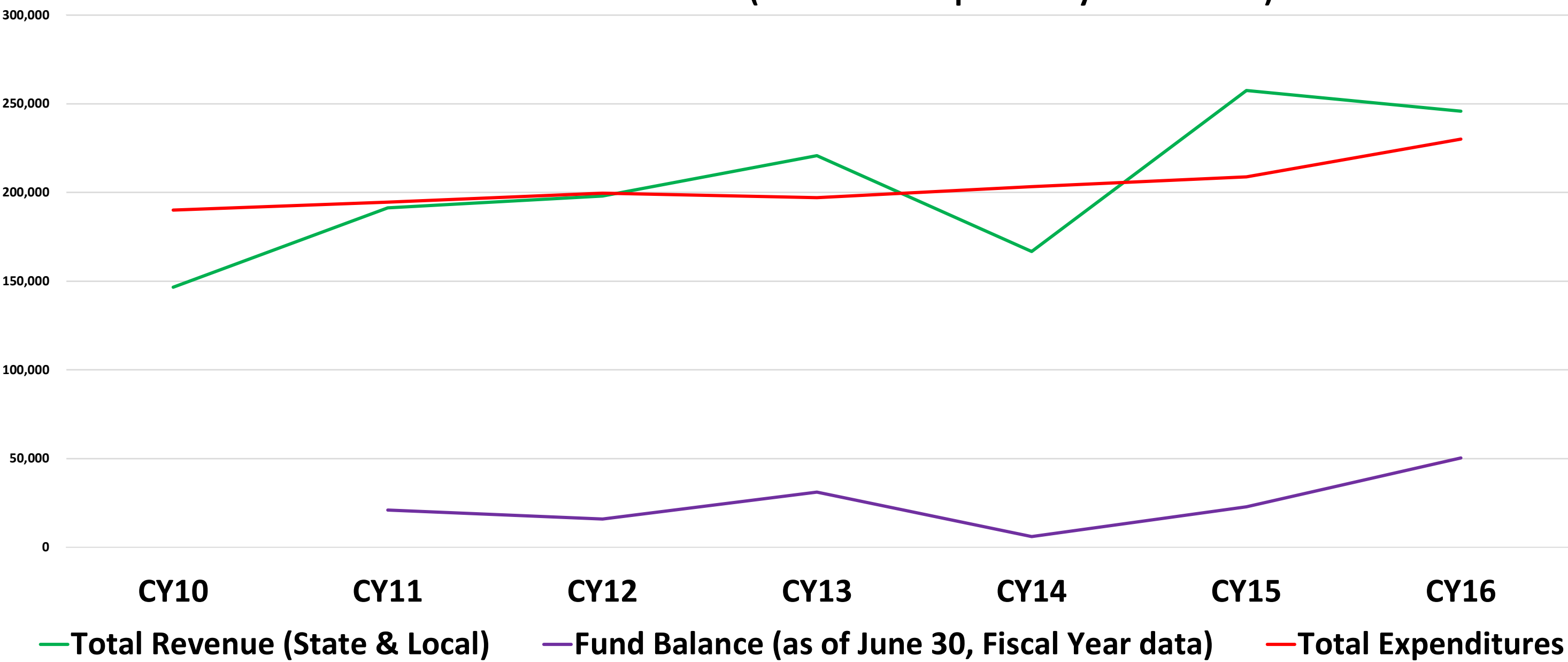
District 35 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 35 PDO

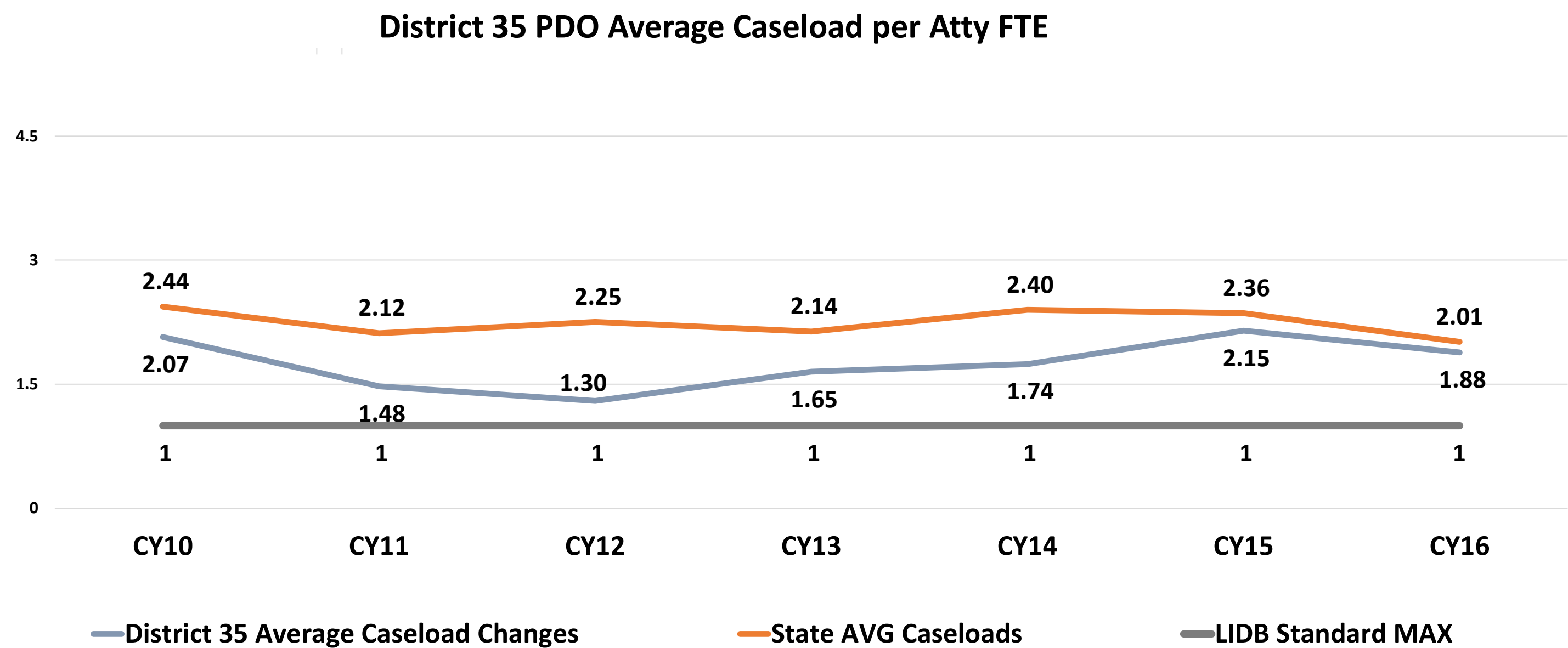


District 35 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



35TH JUDICIAL DISTRICT :  
GRANT PARISH

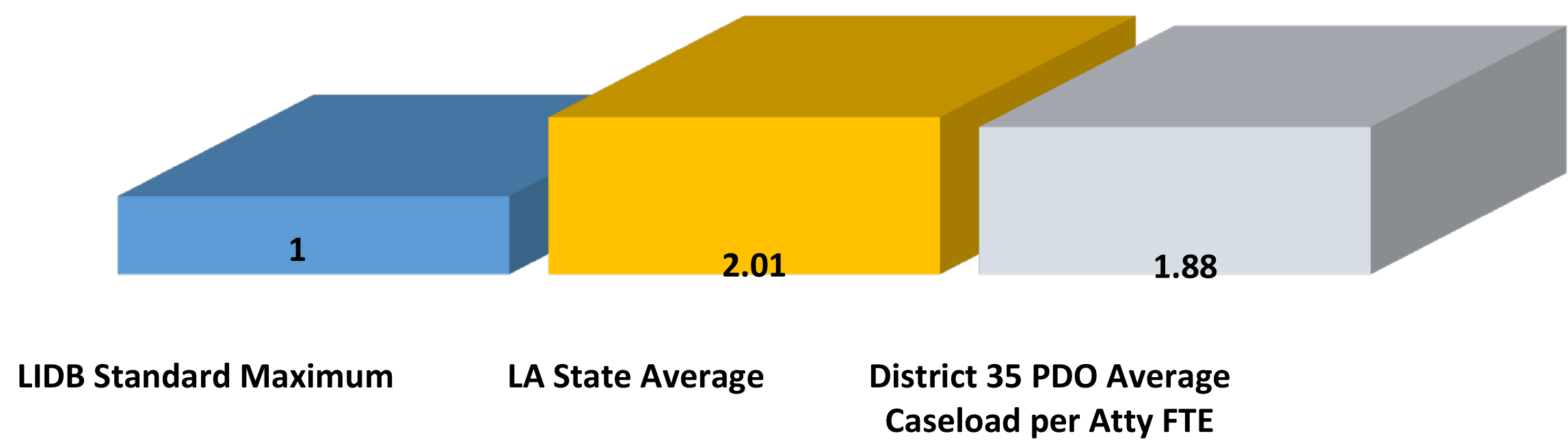
Robert L. Kennedy  
District Defender  
352 Second Street  
Colfax, LA 71417  
318-627-3255



In the 35th Judicial District, public defense attorneys maintain caseloads more than two times the recommended caseload limit for each attorney.

The 35th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.

District 35 PDO Average Caseloads Compared to State Average & State Standard Maximums



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 35<sup>TH</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Grant - Colfax
<b>Population</b>	22,343
<b>District Defender</b>	Robert L. Kennedy
<b>Years as District Defender</b>	Since inception of District Defender System.
<b>Years in Public Defense</b>	48.5
<b>Office Manager</b>	Bettye F. Wall
<b>Primary Office Street Address</b>	352 Second Street
<b>City</b>	Colfax
<b>ZIP</b>	71417
<b>Primary Phone</b>	318-627-3255
<b>Primary Mailing Address</b>	P.O. Box 222, Colfax, 71417
<b>Primary Fax Number</b>	318-627-2432
<b>Primary Emergency Contact</b>	Robert L. Kennedy
<b>Primary Emergency Phone</b>	318-792-7914 - cell
<b>Secondary Emergency Contact</b>	Brett Brunson
<b>Secondary Emergency Phone</b>	318-352-9311
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Robert L. Kennedy
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	None paid to Owner.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	35th Judicial District Court, 200 Main Street, Colfax LA 71417
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	One
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Cases are assigned to two part-time contract attorneys and District Defender who are on salary. If more than 3 co-defendants non-contract conflict attorneys are assigned who are paid by the case.
<b>Name of Adult Detention Facilities in This District</b>	Grant Parish Detention Facility
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles Parish Detention, Richland Parish Detention, Tensas Parish and Rapides Parish.



<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles and Rapides Parish
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Often persons are arrested and shipped before PDO is notified and they can be interviewed. When an attorney is appointed he has to expend extra time for travel to meet with the client.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No. The court has no shackling policy and procedure, however if a juvenile is brought to court in shackles, the public defender will request that the shackles be removed.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	James P. Lemoine
<b>Chief Judge of Criminal District Court</b>	Warren Willett
<b>Juvenile Court Judges (Specify District of City Court)</b>	Yes. Warren Willett
<b>Drug Court Judges</b>	No
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	No
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Chief Indigent Defender by application (see form attached)
<b>When is Assignment/Appointment of Counsel Made?</b>	Within 72 hours of arrest.
<b>What steps does your office take to ensure conflict – free representation</b>	The database is checked for conflicts. A list of co-defendants is maintained and checked. That attorneys notify the District Defender if a conflict is discovered and the case is reassigned.
<b>Brief Explanation of Intake Process</b>	Bettye Wall interviews when Chief is out of the office and unable to interview within above time period.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	435
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	1,505
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Louisiana Fee Collection
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	133,897

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Copy of court minutes is provided by the Clerk of Court.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	The Sheriff provides a print-out of their computer accounting each month.
<b>Who Remits the Court Fees Collected?</b>	Sheriff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The Sheriff provides a print-out of their computer accounting each month.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Standard fees: Felonies \$710.00. Misdemeanors \$310.00, both plus \$40.00 interview fee; Other categories remain the same.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Clerk of Court by providing copy of court minutes and Office of Probation and Parole.
<b>Who Collects the Assessed Partial Payments?</b>	Louisiana Fee Collection
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Provided by Louisiana Fee Collection
<b>Who Remits the Partial Payments Collected?</b>	Louisiana Fee Collection
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Louisiana Fee Collection shows on check stubs
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	17,430
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	No written policy
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Funding to avoid deficit and Restriction of Services

<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Funding
<b>Long-Term Critical Issue Areas</b>	Funding
<b>2016 Media Coverage and/or Major Accomplishments</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	N/A
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Thomas G. Wilson
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chief supervises attorney and non-attorneys.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	No
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	Daily interaction. I have a staff of one (1), the office manager.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Filed in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	None
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	None



## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Bettye F. Wall
<b>Legal Research Tools Used:</b>	
Lexis Nexis	No
Westlaw	No
Other (please list)	None
Number of Legal Research Licenses	None
Total Cost of Legal Research Software:	None
<b>SOFTWARE:</b>	
Mark an X in all that apply	
<b>Operating Systems Used:</b>	
Windows 10	x
Windows 8	
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b>Case Management System(s): Check all that apply</b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b>Productivity Suites Used:</b>	
Microsoft Office 2016 (Word, Excel, etc.)	x
Microsoft Office 2013	
Microsoft Office 2010	
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b>Accounting Software</b>	
QuickBooks	x
Quicken	
Intuit	

Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	x
Microsoft Edge	x
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of devices in your inventory.	
Television	
DVD	1
VCR	
Desktop PCs	2 (one obsolete and not used)
Laptops	1
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	2
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	1
No Internet Connection	
Connection Speed:	150KB/sec
Provider Name:	AT&T
Email Provider:	yahoo
Please list any software or computer equipment in which you need training:	

### 35th District Defender Office CY 2016 Caseloads & Outcomes

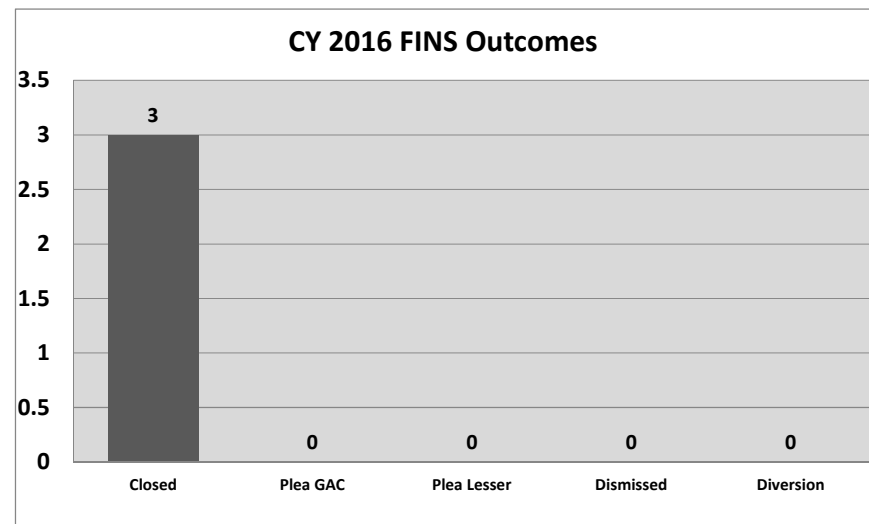
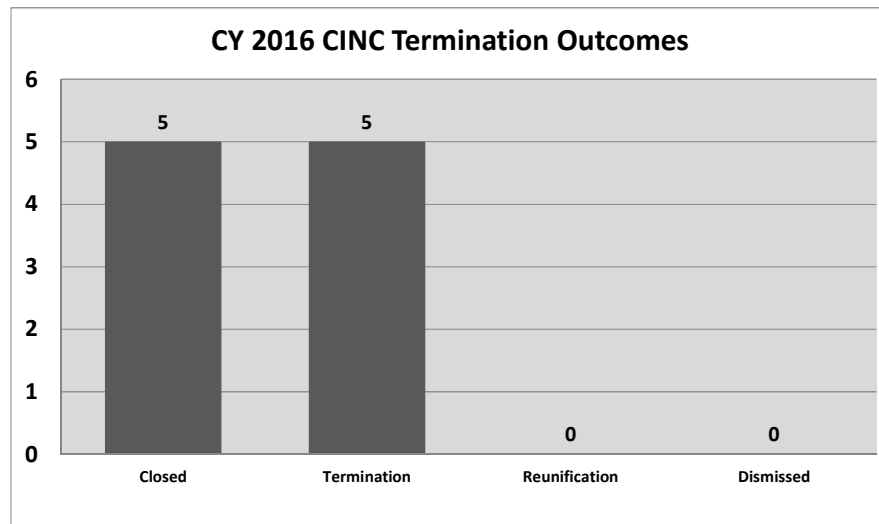
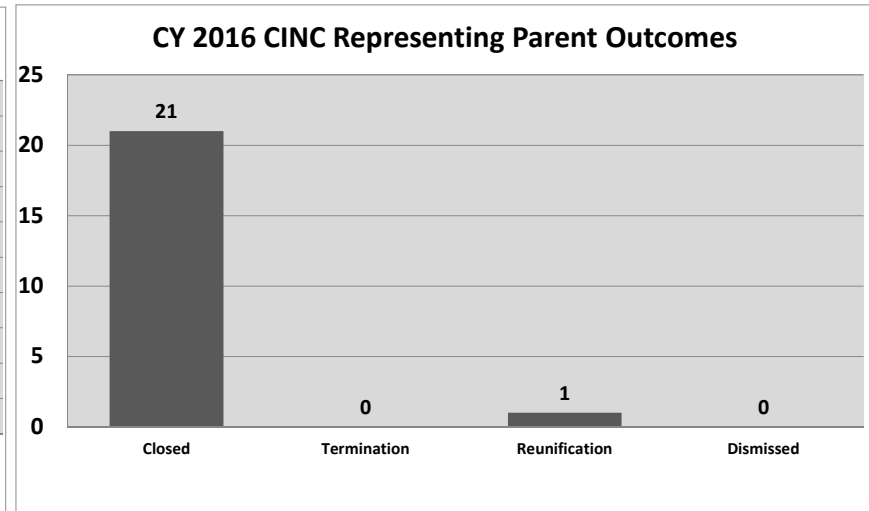
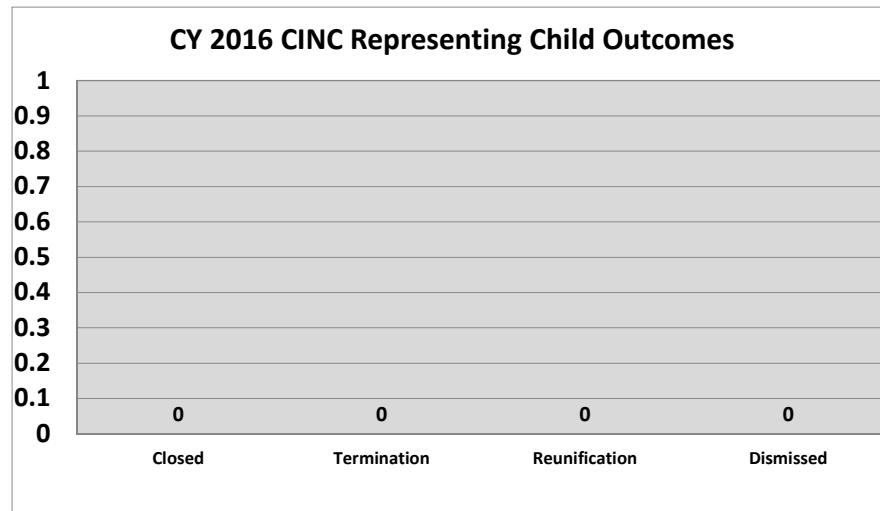
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	7	21	21	28	0	1	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	19	5	0	19	5	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	3	3	0	3	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	8	12	6	14	N/A	N/A	8	0	17	0	N/A	N/A	0	1	1
Delinquency Felony	6	7	3	9	N/A	N/A	4	0	17	1	N/A	N/A	0	2	2
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	131	129	52	183	N/A	N/A	34	3	193	0	0	0	0	0	0
Adult Felony Non-LWOP**	458	402	172	630	N/A	N/A	292	15	343	0	0	3	0	2	5
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	3	3	0	3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	3	0	3
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

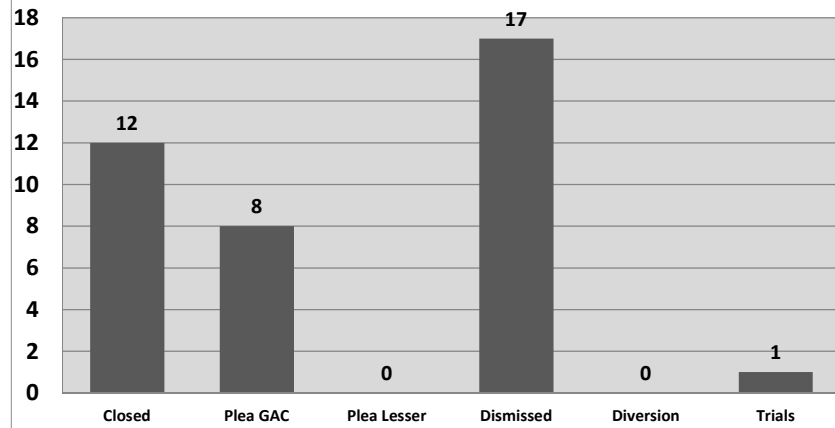
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

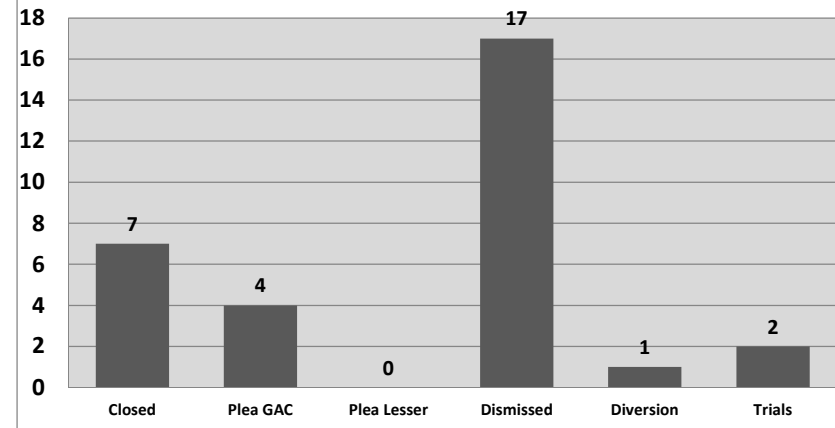




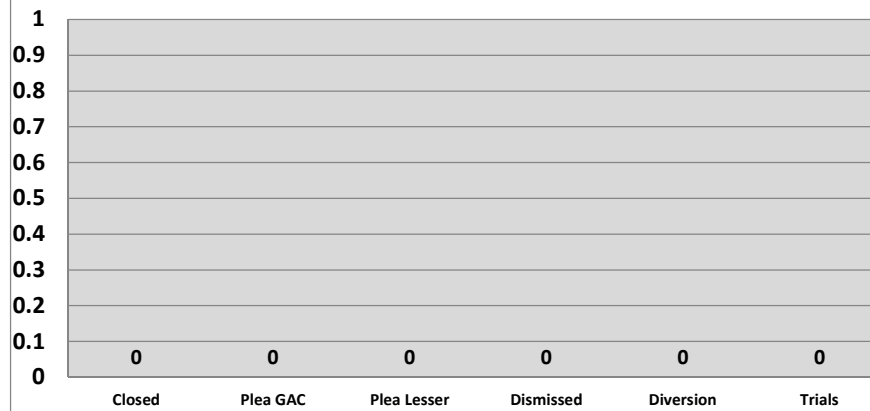
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

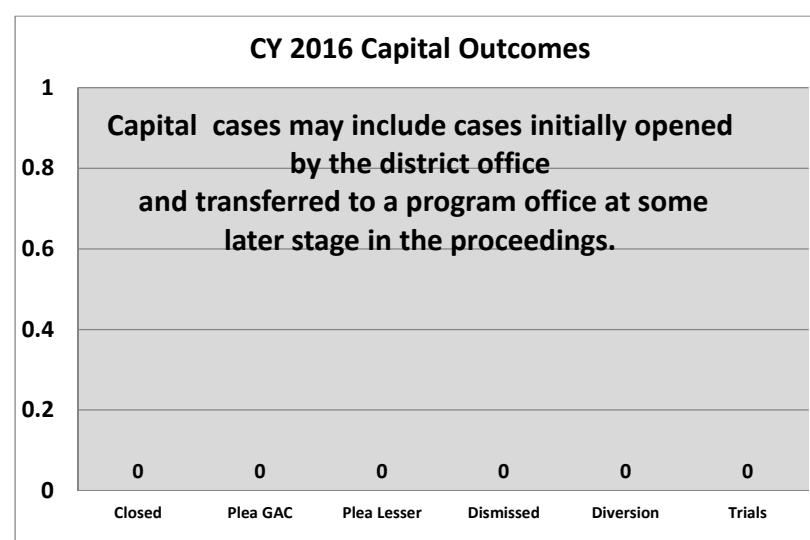
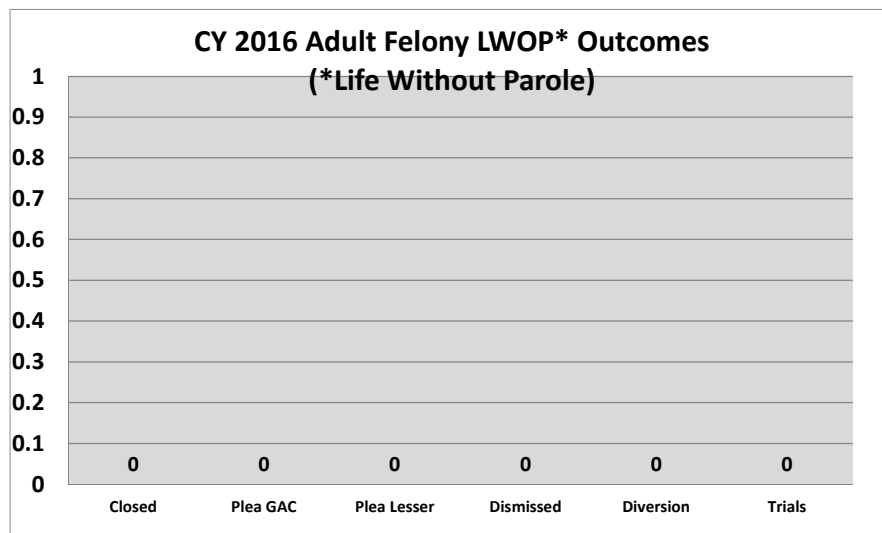
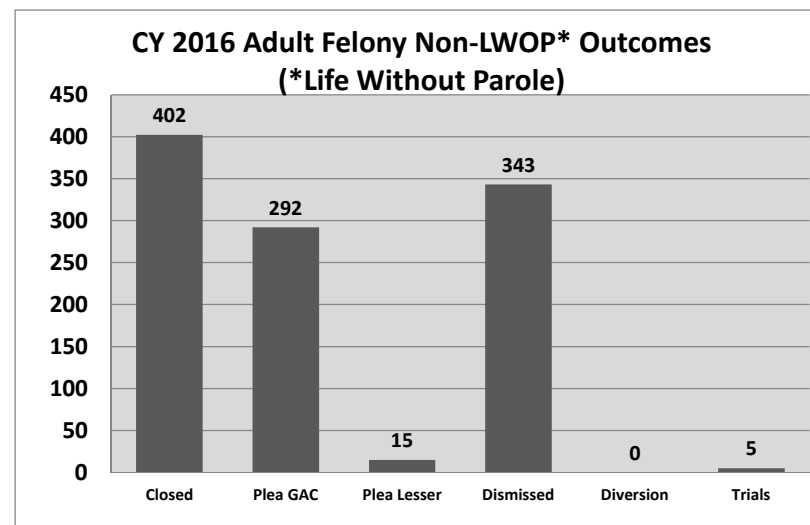
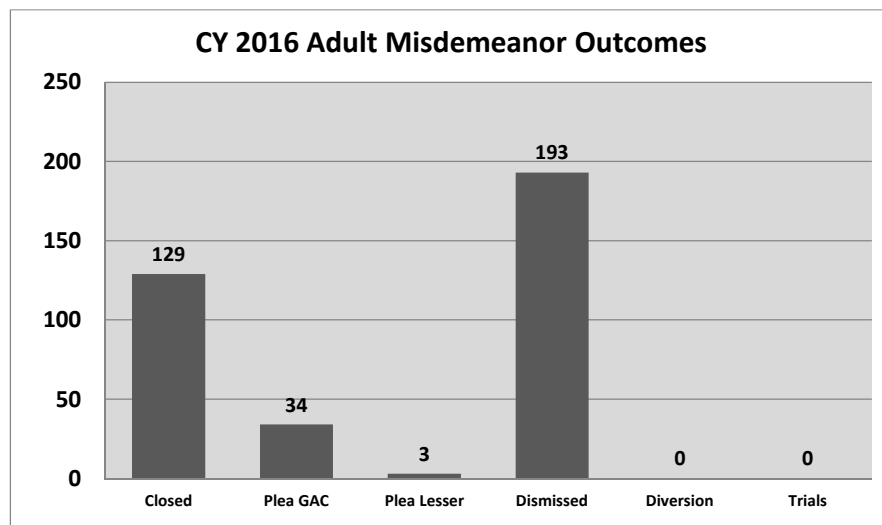


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**



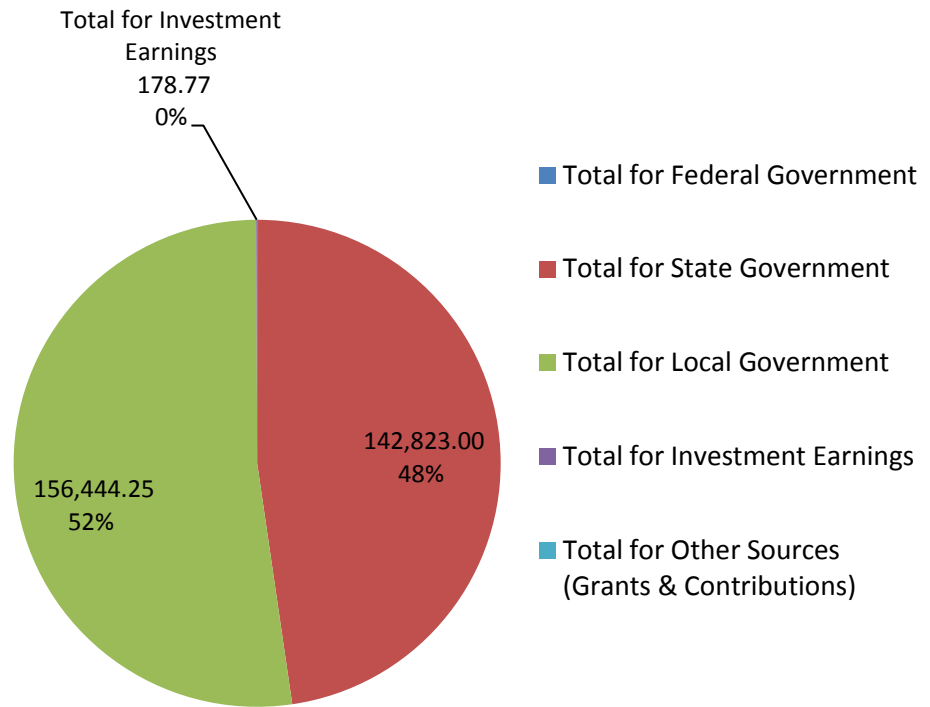


District 35 CY2016	Total CY2016
District Defender: Robert Kennedy	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	7,407.00
District Assistance Fund (DAF)	135,416.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	142,823.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	3,312.20
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	133,896.75
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	133,896.75
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	1,505.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	17,730.30
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	19,235.30
Total for Local Government	156,444.25
Investment Earnings	
Interest Income	178.77
Other Investment Income - List source(s)	-
Total for Investment Earnings	178.77
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	299,446.02

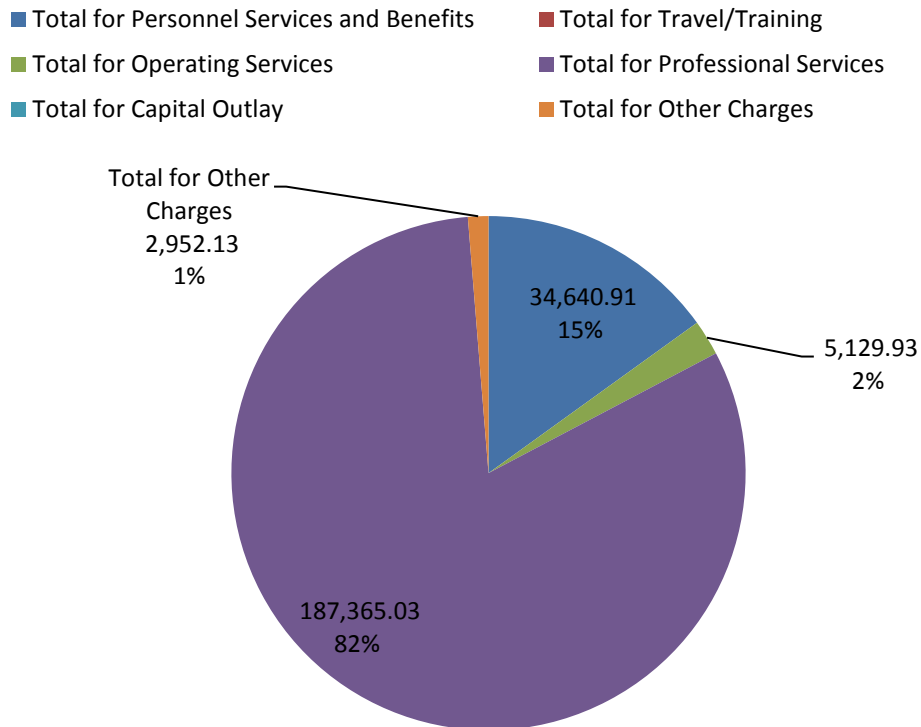
District 35 CY2016	Total CY2016
District Defender: Robert Kennedy	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	29,937.68
Accrued Leave	-
Payroll Taxes	4,703.23
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	34,640.91
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	-
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	1,911.42
Insurance - Auto/Physical Liability	-
Insurance - Other	2,000.00
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	96.00
Dues and Seminars	250.00
Law Library/Journals/Subscriptions	268.80
Office Supplies	603.71
Total for Operating Services	5,129.93
Professional Services	
Audit/Accounting Expense	2,871.11
Contract Clerical	-
Expert Witness	-
Investigators	3,000.00
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	5,650.00
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	175,089.04
IT/Technical Support	754.88
Total for Professional Services	187,365.03
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	2,952.13
Total for Other Charges	2,952.13
Total for EXPENDITURES	230,088.00

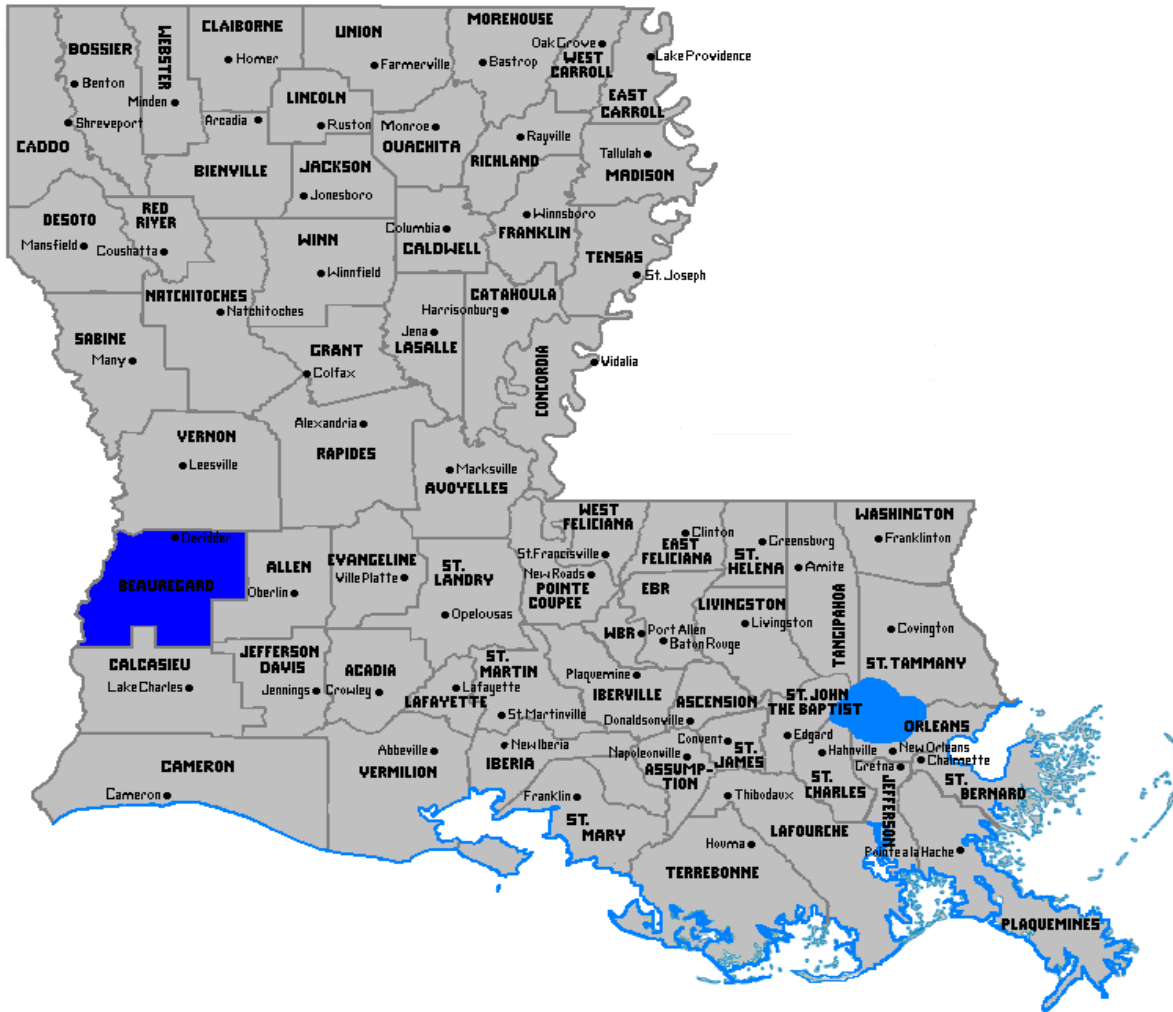
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





THE 36<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
BEAUREGARD (DERIDDER)

DISTRICT DEFENDER: DAVID L. WALLACE  
518 NORTH PINE STREET  
DERIDDER, LA 70634  
(337) 462-8891

36th JUDICIAL DISTRICT :  
BEAUREGARD PARISH

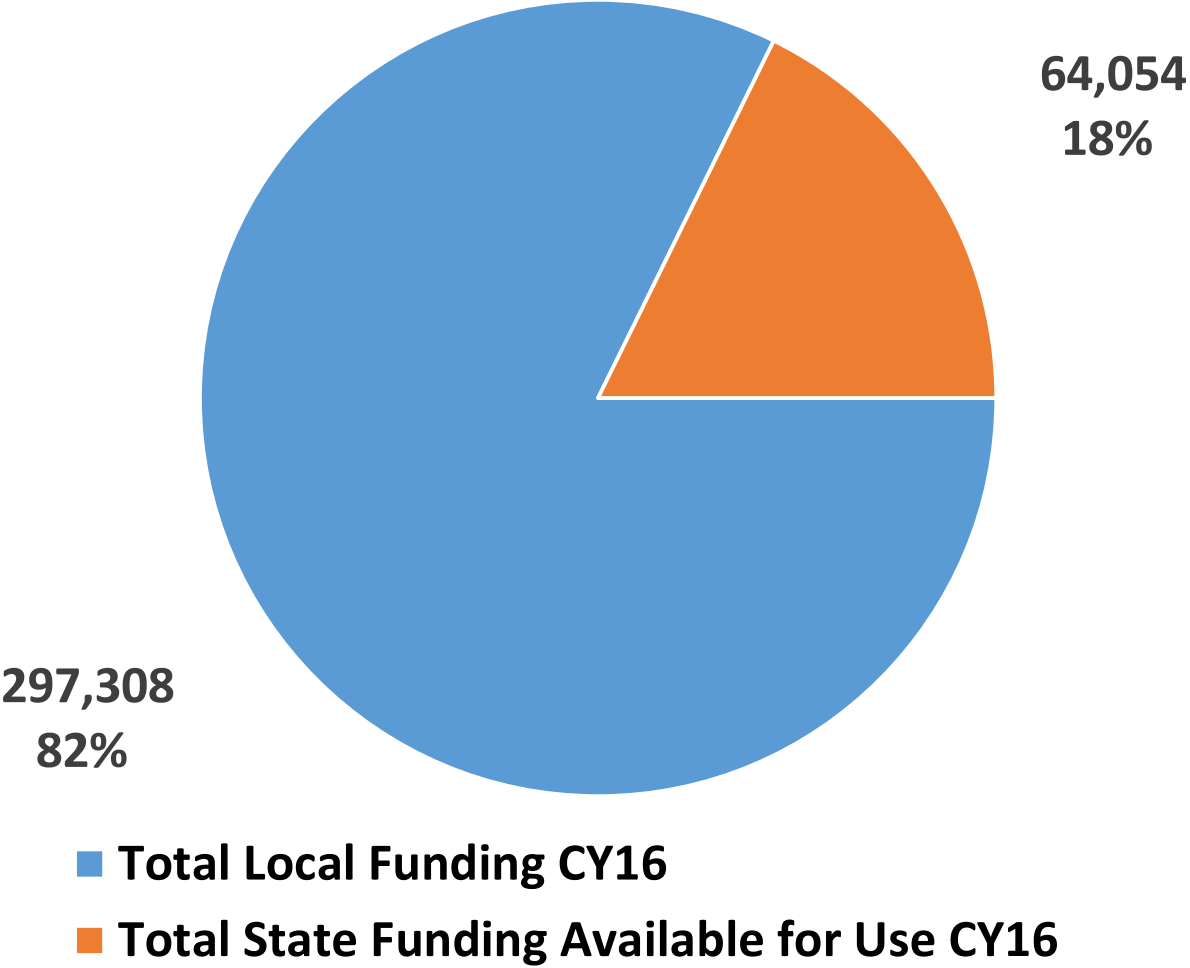
David L. Wallace  
District Defender  
518 North Pine Street  
DeRidder, LA 70634  
337-462-8891

During Calendar Year 2016, the 36th Judicial District Public Defenders Office handled 1,109 cases. The office received \$361,362 in total revenues to handle these cases, approximately 82% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

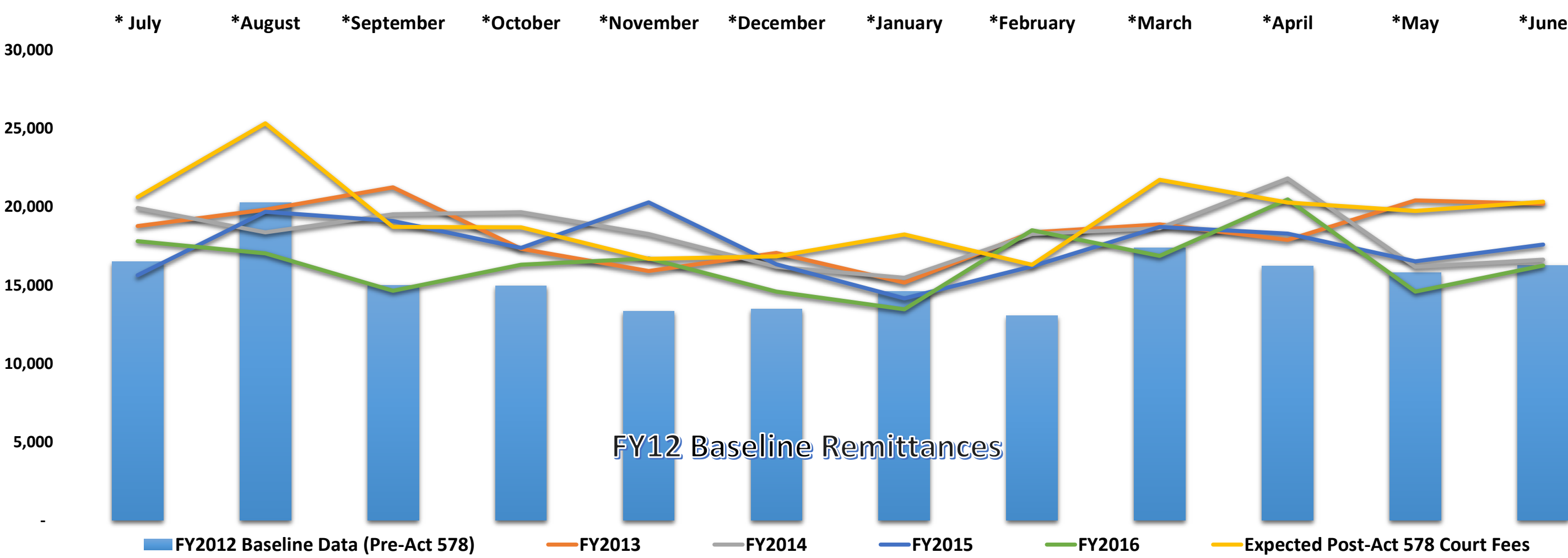
With the exception of a few anomalies, the 36th Judicial District has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated with Act 578 (2012).

Over the past four years, revenues have exceeded or kept pace with expenditures, and the fund balance has slightly increased since CY13.

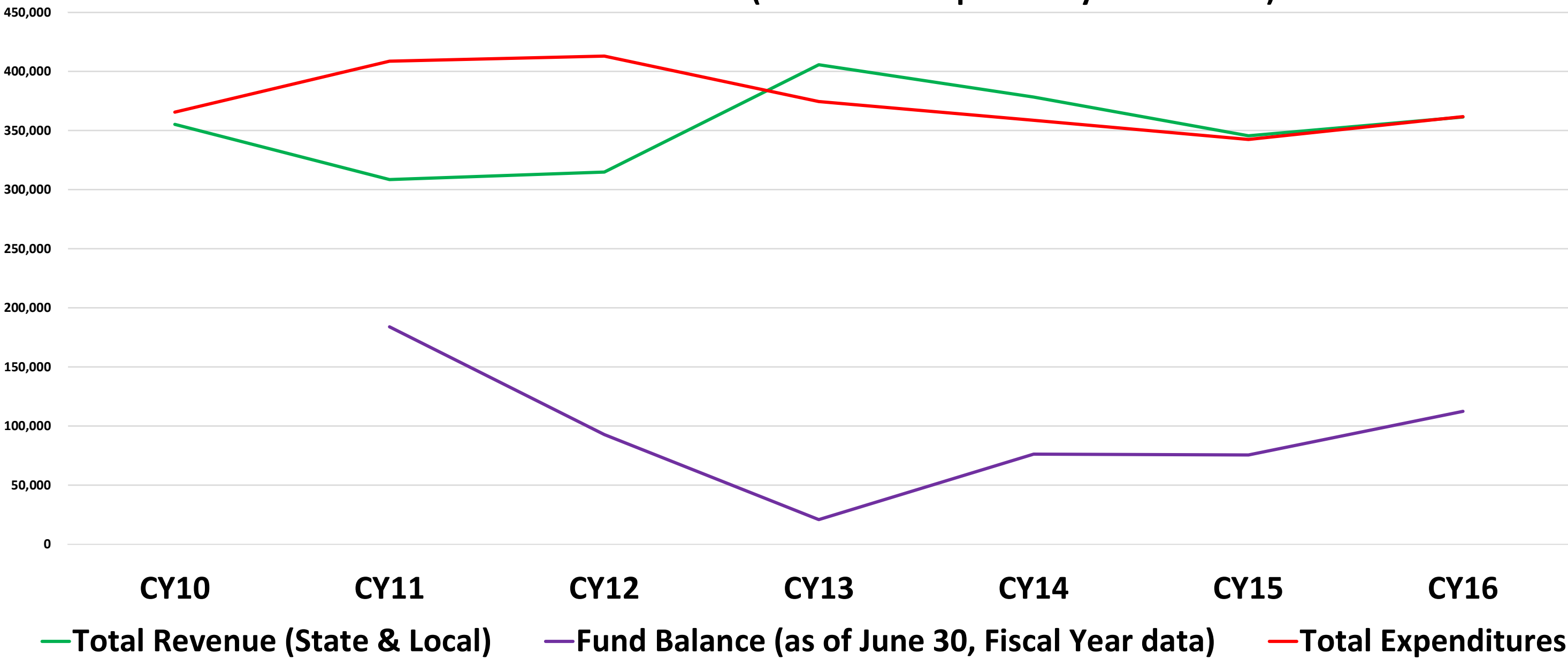
District 36 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 36 PDO

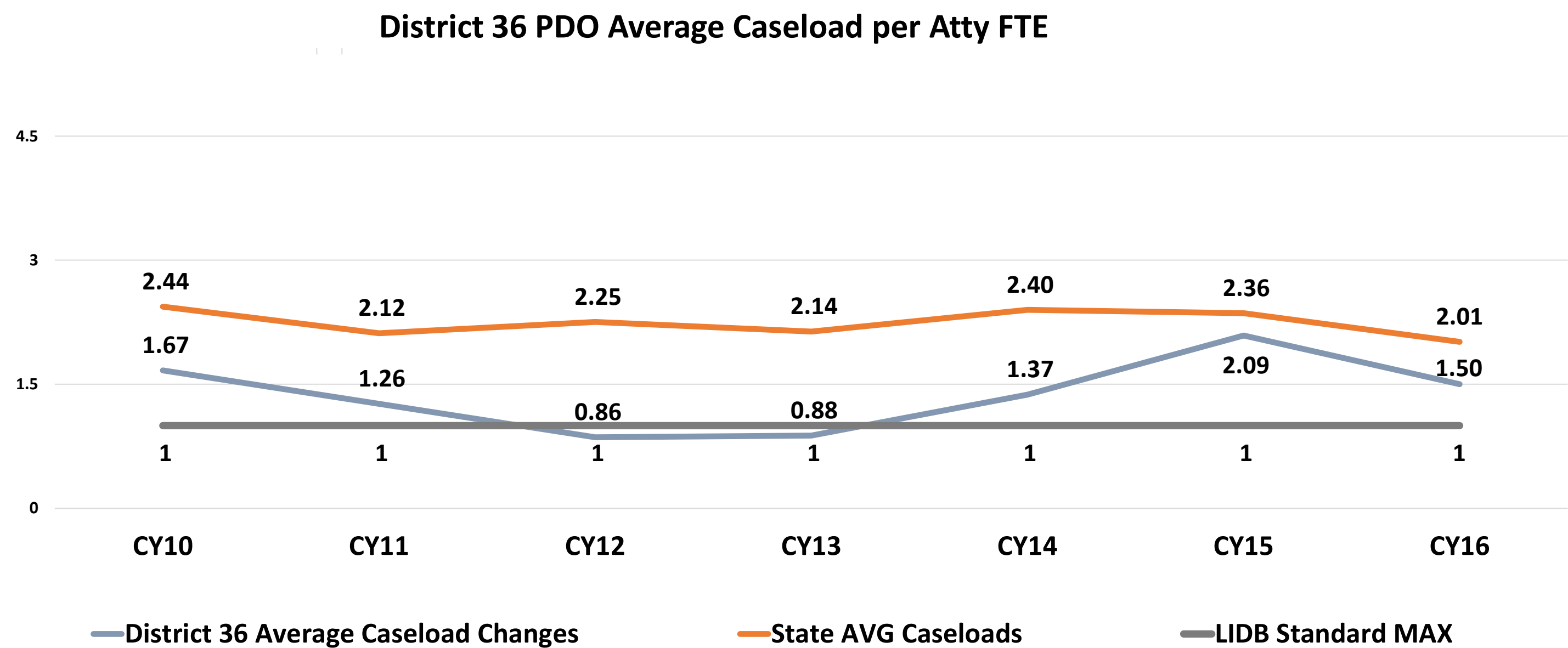


District 36 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



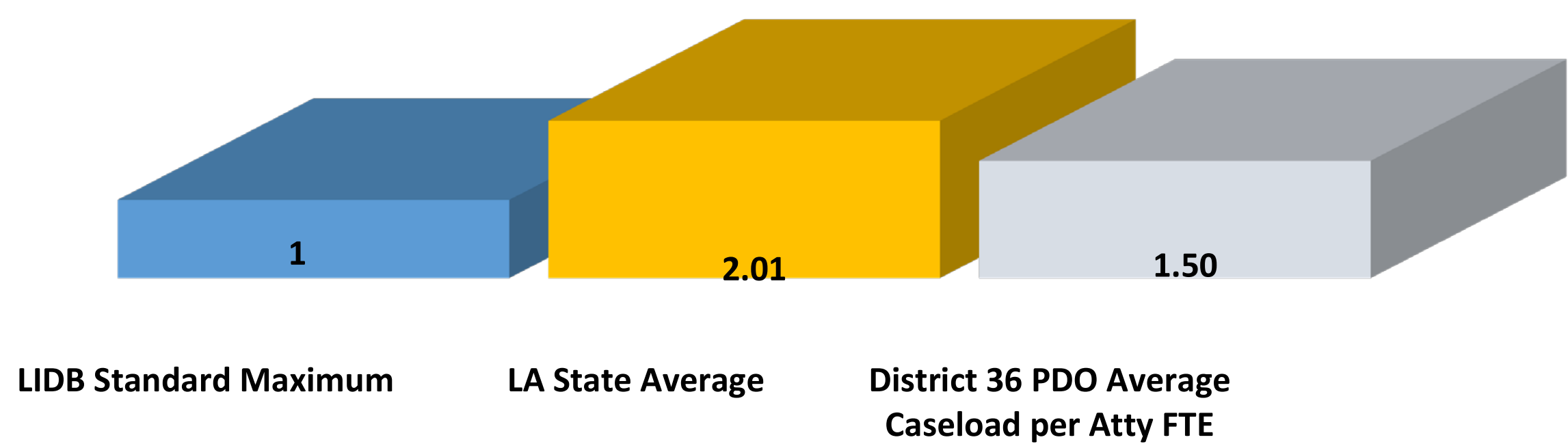
36th JUDICIAL DISTRICT :  
BEAUREGARD PARISH

David L. Wallace  
District Defender  
518 North Pine Street  
DeRidder, LA 70634  
337-462-8891



In the 36th Judicial District, public defense attorneys maintain caseloads one and a half times the recommended caseload limit for each attorney.

District 36 PDO Average Caseloads Compared to State Average & State Standard Maximums



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.





## THE 36TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Beauregard - DeRidder
<b>Population</b>	35,654
<b>District Defender</b>	David L. Wallace
<b>Years as District Defender</b>	8
<b>Years in Public Defense</b>	34
<b>Office Manager</b>	Rosie Kolarik
<b>Primary Office Street Address</b>	518 North Pine Street
<b>City</b>	DeRidder
<b>ZIP</b>	70634
<b>Primary Phone</b>	337-462-8891
<b>Primary Mailing Address</b>	PO Box 489, DeRidder, 70634
<b>Primary Fax Number</b>	337-462-3810
<b>Primary Emergency Contact</b>	David L. Wallace
<b>Primary Emergency Phone</b>	337-462-0473 office
<b>Secondary Emergency Contact</b>	337-462-8891 office
<b>Secondary Emergency Phone</b>	337-462-2144 office
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	David L. Wallace
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$300 Month (Utilities Only)
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes
<b>Courts and Locations</b>	36th Judicial District Court, Divisions A & B, P.O. Box 1148, DeRidder, 70634
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Two Divisions: Division A - Judge Martha A. O'Neal; Division B - Judge C. Kerry Anderson. Judges rotate on a monthly basis between civil and criminal dockets.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	The presiding Judge issues an Appointment of Counsel Order or Assigns the client to the PDO at the 72 hour hearing, which is noted on the "Notice of Custody Order" either of these are forwarded to the PDO for assignment of counsel on a rotational basis.
<b>Name of Adult Detention Facilities in This District</b>	C. Paul Phelps Correctional closed on 11/01/2013. The only adult facility in this parish is the Beauregard Parish Jail.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Avoyelles-Simmesport Women's Detention Ctr., Simmesport, LA Parish females are often housed there due to overcrowding.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center 3565 Highway 71 Coushatta, LA; Calcasieu Parish Juvenile Detention Center Lake Charles, LA; The District used the St. James Juvenile Detention Center until its closure in June, 2013, and since then juvenile clients have been housed in Bridge City Center for Youth in Bridge City, Louisiana.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	This causes lack of access to clients, as well as additional expense and time traveling to these facilities. Ware Youth Center – 225 miles roundtrip; Calcasieu Juv. Center – 105 miles roundtrip; St. James Youth Ctr – 430 miles roundtrip.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No. Officers are in court room and holding room if juveniles are in custody.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Upon arrest clients are only allowed one phone call to a bondsman only. Often clients are denied phone access and/or knowledge of bond amount if any has been set.
<b>District Attorney</b>	Jame R. Lestage
<b>Chief Judge of Criminal District Court</b>	Martha Ann O'Neal
<b>Juvenile Court Judges (Specify District of City Court)</b>	Same as above
<b>Drug Court Judges</b>	Same as above
<b>Mental Health Court Judges</b>	Same as above
<b>Other Specialty Court</b>	None
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Judge, based upon application completed by defendant and interview conducted by Judge.
<b>When is Assignment/Appointment of Counsel Made?</b>	Judge assigns PDO within 72 hours of arrest, at arraignment or other court hearing.
<b>What steps does your office take to ensure conflict – free representation</b>	Compares co-defendants and talks with clients to not allow for conflict. If conflict does occur, re-assignment of counsel is done ASAP.

<b>Brief Explanation of Intake Process</b>	Application completed by client, \$40 fee paid to Ms. Lopez at arraignment, or paid at office in person at a later time. Application is then presented to the Judge who interviews the client, determines indigency and amount of fees to be paid to the PDO. Judge then signs and forwards an "Appointment of Counsel Order" to the PDO. For incarcerated clients, Ms. Lopez meets with client at jail to complete the application; she submits the application to the presiding Judge at the time of the 72 hour hearing. Judge completes Notice of Custody Order to either deny or approve. Ms. Lopez brings the completed order to the PDO. PDO makes assignment and advises Ms. Lopez what attorney will represent what client. Ms. Lopez then meets with client within 24 hours to advise them who their attorney is as well as conducting the initial interview and advising client of their rights, and contact information for their counsel.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	811
<b>How Many Application Fees Were Waived?</b>	0
<b>How Many Application Fees Were Reduced?</b>	0
<b>Total Application Fee Dollars Collected in 2016</b>	10,315
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Probation & Parole collects fees after conviction of defendants.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	183,872
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Appointment of Counsel Order signed by Judge; notes the application fee as well as any ordered amount.
<b>Who Collects the Assessed Court Fees?</b>	State Probation Office if client placed on Felony Probation. Local office if misdemeanor case. Louisiana District Probation Offices forward collected fees to our office via U. S. mail.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Fees collected in office are given a written receipt as well as receipt from PDO database. Sheriff's Office, Civil Division.
<b>Who Remits the Court Fees Collected?</b>	District Attorney – Bond Forfeitures; Sheriff's Office provides a "break-down" of fees with each payment.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	District Attorney also provides name, total bond amount, and amount allotted to PDO with each payment.

<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	Determined by District Judge.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Application for court appointed counsel filled out by applications & final determination of fees by Judge(s).
<b>Who Collects the Assessed Partial Payments?</b>	PDO Office if paid before conviction. Probation & Parole after conviction.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Probation & Parole sends money orders from defendants.
<b>Who Remits the Partial Payments Collected?</b>	Defendants individually before conviction and Probation & Parole after conviction.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Letter from Probation & Parole along with payment.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	44,071
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted - yes; Criminal Practice - yes; Private Practice Policy - yes.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Not at this time.
<b>Primary Immediate Needs</b>	Funding for experts & all other expenses.
<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Unknown at this time.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Funding
<b>Long-Term Critical Issue Areas</b>	Funding

<b>2016 Media Coverage and/or Major Accomplishments</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, as needed or as requested.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	None
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Director, Individual Attorneys, Support Staff; Individual Defenders supervise their assistants in their offices.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	None regular, meetings held as needed
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	All referred to Appellate Counsel
<b>Number of Writs Your District Filed in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	All District Defenders are experienced in Juvenile Defense. Clients are assigned on a rotational basis just as adult cases are.
<b>Number of trial level Juvenile Life Without Parole (<u>Miller</u>) cases handled by your office in CY 2016</b>	One pending
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) cases pending in your office</b>	0
<b>Number of remanded Juvenile Life Without Parole (<u>Montgomery</u>) sentencing hearings conducted in your district in CY 2016</b>	0
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator – John R. Smith; Representative Dorothy S. Hill; Representative James K. Armes III; Representative Michael E. Danahay; Representative Brett F. Geymann.

<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	We constantly work to get bonds set on individuals (even misdemeanor) some may get set several days later, but the jail doesn't get them in and tell the client the amount so they can bond. Also, clients are only allowed one phone call and only to a bondsman. Clients are not allowed to contact a family or friend to assist them. PDO staff has to take the initiative to contact City PD or Sheriff, then Judge to try to get a bond set, this is even on Disturbing the Peace charges etc.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Our staff meets with the client within 24 hours of appointment to advise them of their rights, who their counsel is and how to contact him/her. Staff makes phone calls for client to contact family for bond assistance or to ask them to bring items the clients that are allowed at the jail.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
David L. Wallace	337-462-8891
Shanta Tomka Gilbert	337-202-1871
Kramar, Mark	337-208-8146
Bailey, Wes	337-404-7716
Simms, Jack Jr.	337-238-9393
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Rosie Kolarik	337-462-0473
Paul Lopez	337-463-4700
Cathy Lopez	337-462-8891

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Rosie Kolarik
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	No
Westlaw	Some attorneys have their own account w/Westlaw. some don't.
Other (please list)	lsba.org fastcase
Number of Legal Research Licenses	None. Only research tool available is through LSBA Fastcase (which is included in annual membership dues/fees).
Total Cost of Legal Research Software:	None - can't afford
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	x
Microsoft Office 2013	
Microsoft Office 2010	
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	

QuickBooks	
Quicken	
Intuit	
Other (list here):	
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	x
Firefox	
Google Chrome	x
Other	
<b>HARDWARE:</b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	2
Laptops	1
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	2
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	
No Internet Connection	
Connection Speed:	DSL
Provider Name:	AT&T
Email Provider:	AT&T
Please list any software or computer equipment in which you need training:	



### 36th District Defender Office CY 2016 Caseloads & Outcomes

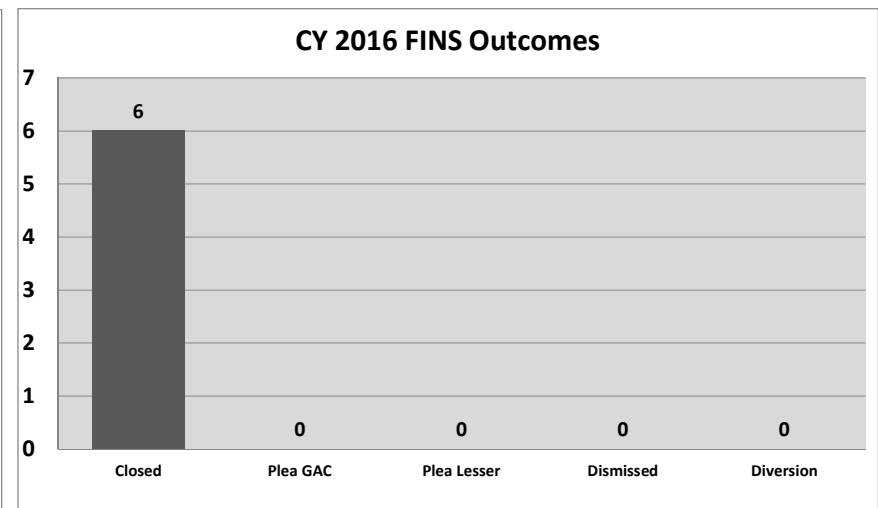
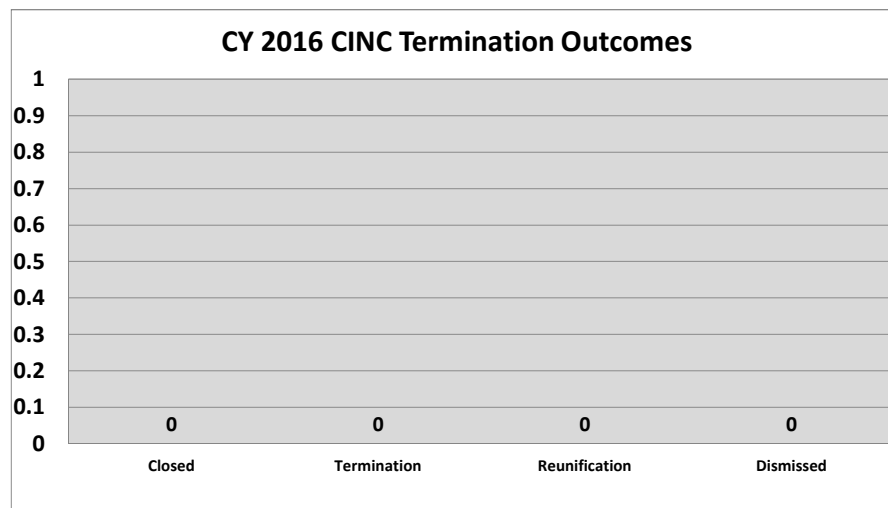
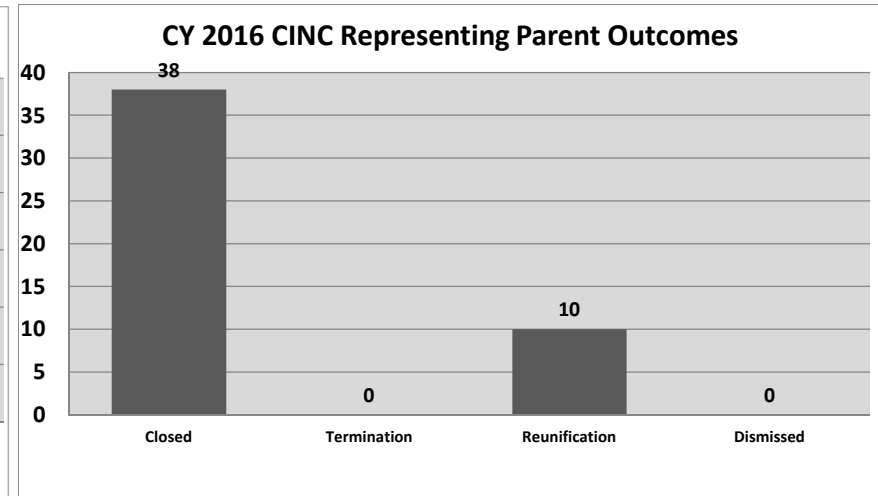
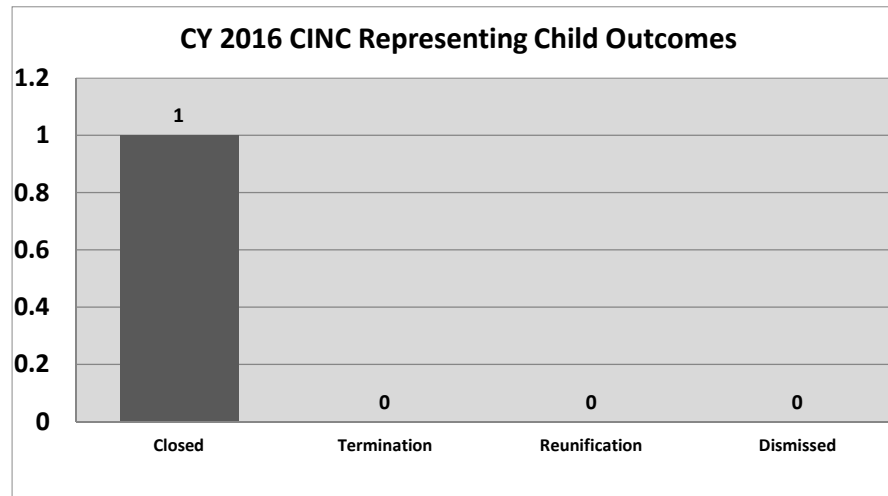
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	2	1	1	3	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	40	38	37	77	0	10	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	6	9	9	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	6	3	1	7	N/A	N/A	0	0	0	2	N/A	N/A	0	0	0
Delinquency Felony	4	6	3	7	N/A	N/A	13	2	5	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	349	296	128	477	N/A	N/A	224	33	146	5	0	1	0	1	2
Adult Felony Non-LWOP**	345	272	174	519	N/A	N/A	227	30	156	3	0	1	0	2	3
Adult LWOP	1	2	5	6	N/A	N/A	0	0	0	0	0	1	0	0	1
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	4	3	0	4	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

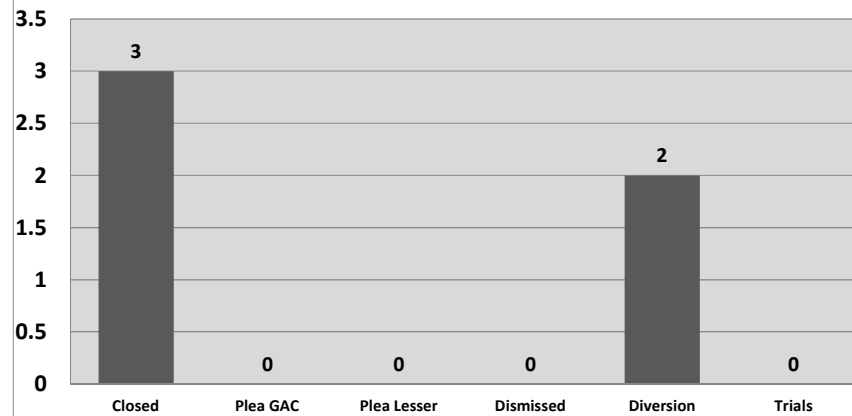
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

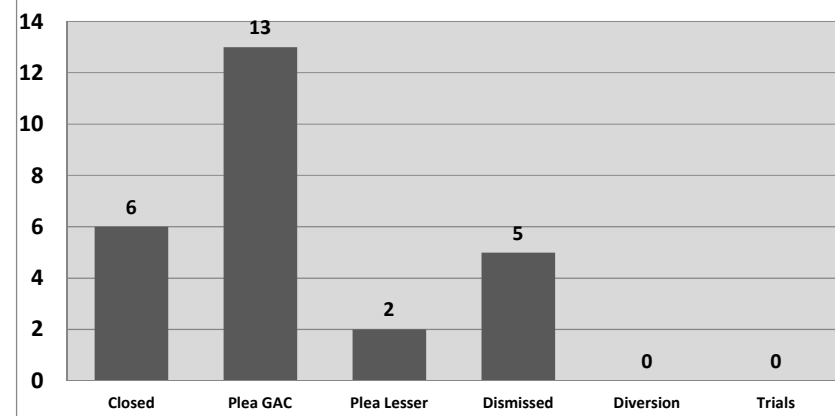
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



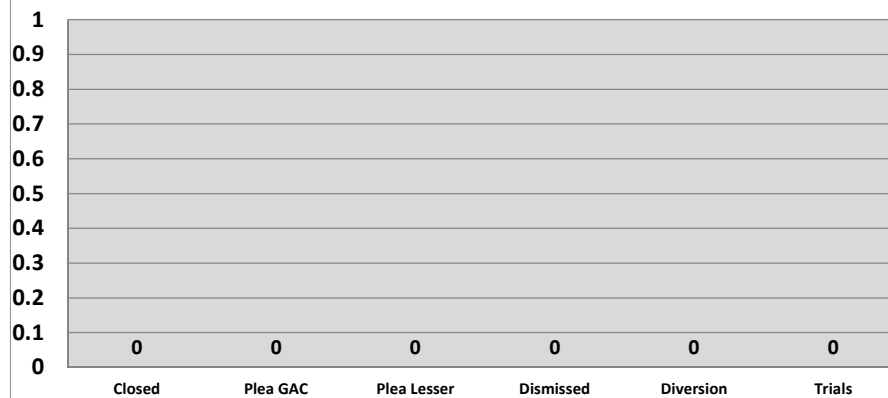
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

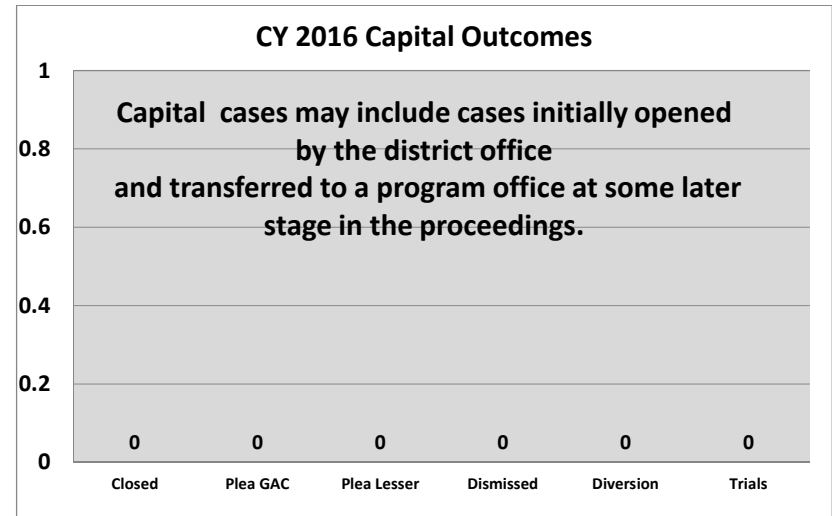
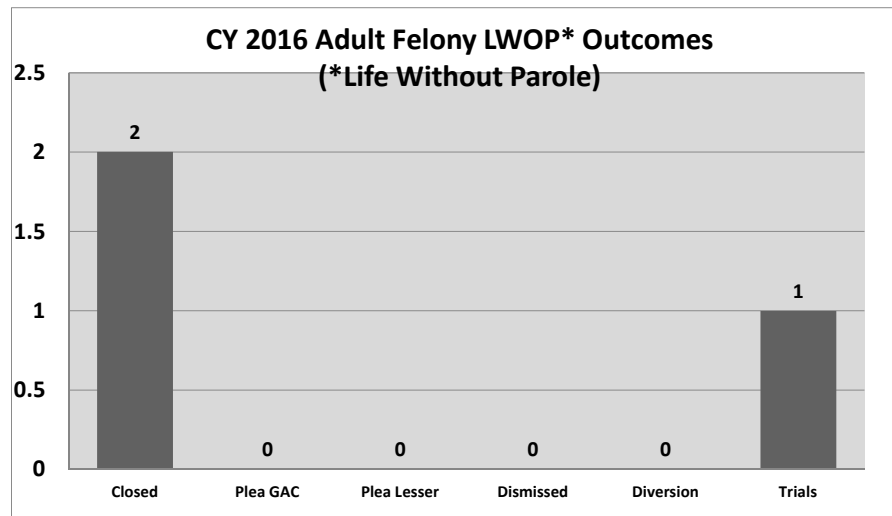
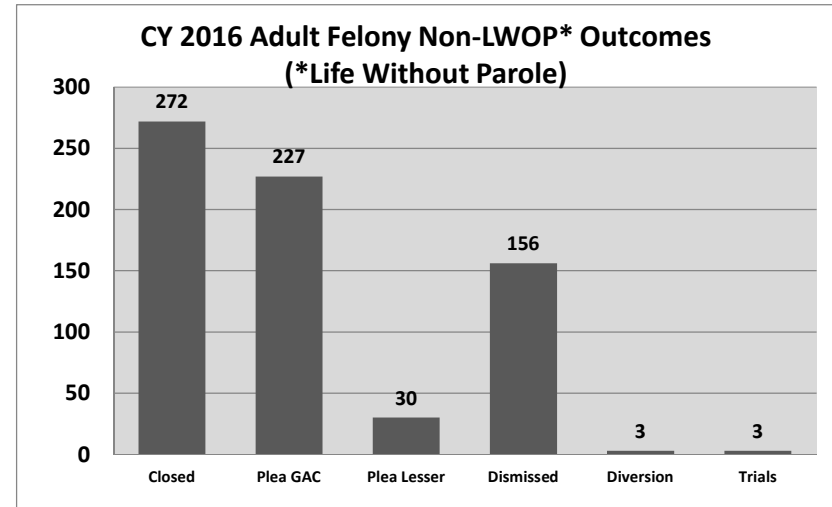
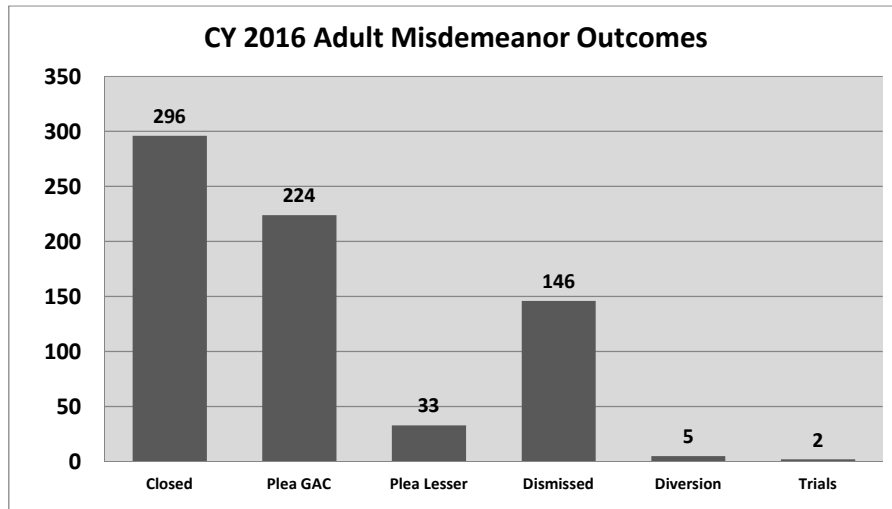


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**



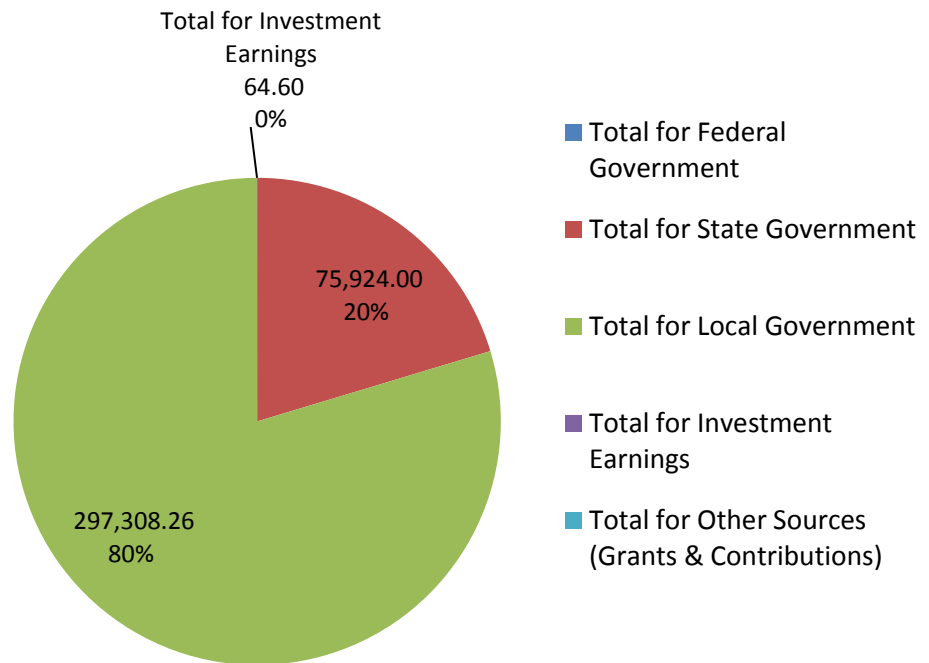


District 36 CY2016	Total CY2016
District Defender: David Wallace	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	9,797.00
District Assistance Fund (DAF)	66,127.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	75,924.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	17,362.88
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	34,313.29
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	35,722.74
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	148,149.00
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	183,871.74
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	10,315.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	44,071.20
Other Reimbursements	-
Other Local Income -List source(s)	7,374.15
Total for Charges For Services	61,760.35
Total for Local Government	297,308.26
Investment Earnings	
Interest Income	64.60
Other Investment Income - List source(s)	-
Total for Investment Earnings	64.60
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	373,296.86

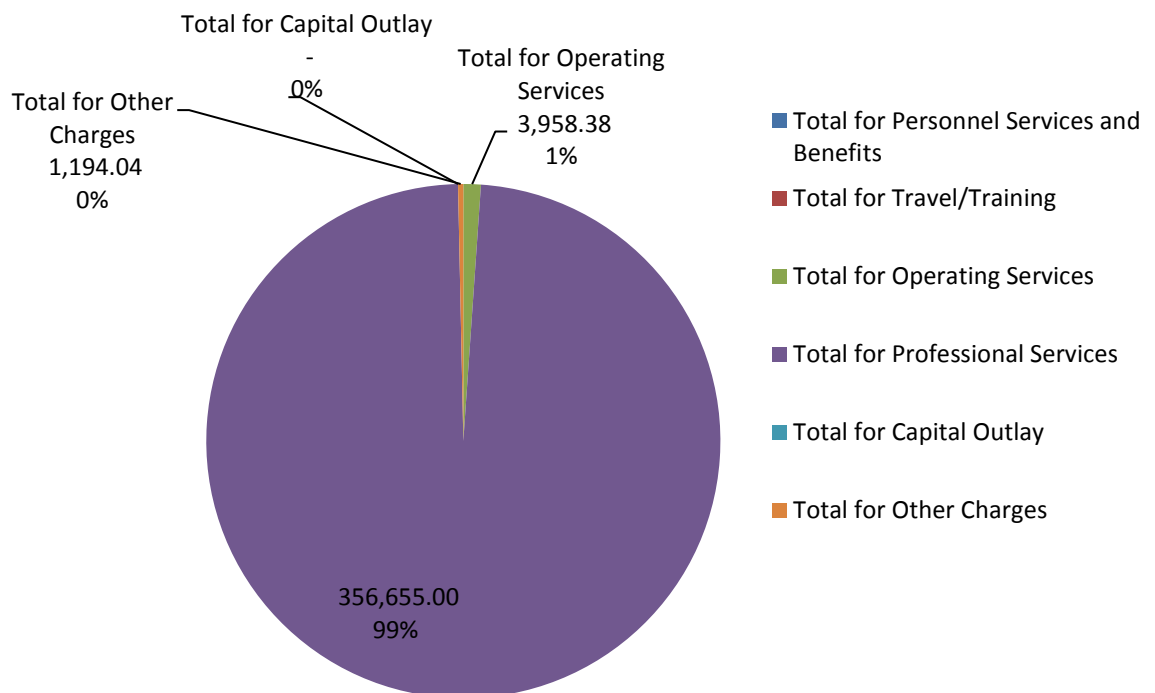
District 36 CY2016	Total CY2016
District Defender: David Wallace	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	-
Accrued Leave	-
Payroll Taxes	-
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	192.00
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	2,206.43
Dues and Seminars	350.00
Law Library/Journals/Subscriptions	-
Office Supplies	1,209.95
Total for Operating Services	3,958.38
Professional Services	
Audit/Accounting Expense	5,600.00
Contract Clerical	16,150.00
Expert Witness	-
Investigators	74,800.00
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	7,346.25
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	76,500.00
Contract Attorneys - all other	176,258.75
IT/Technical Support	-
Total for Professional Services	356,655.00
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	1,194.04
Total for Other Charges	1,194.04
Total for EXPENDITURES	361,807.42

NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures







## 37th JUDICIAL DISTRICT : CALDWELL PARISH

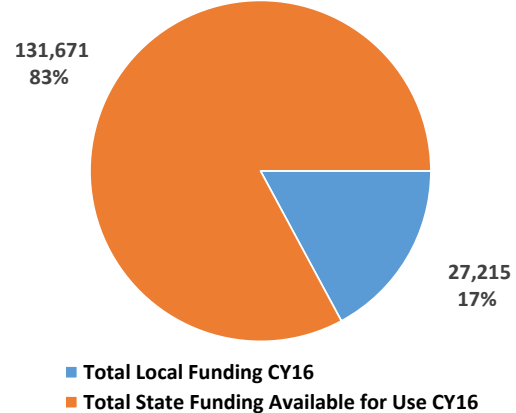
Louis Champagne  
District Defender  
301 Wall Street  
Columbia, LA 71418  
318-649-2626

During Calendar Year 2016, the 37th Judicial District Public Defenders Office handled 441 cases. The office received \$158,886 in total revenues to handle these cases. As local funding is largely insufficient, approximately 83% of revenues came from state funding compared to the statewide average of 35%.

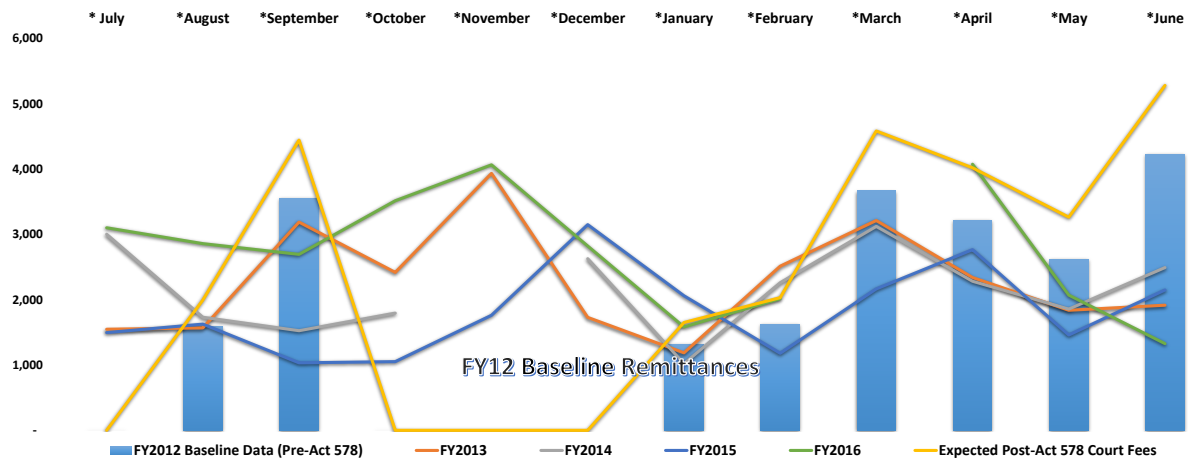
With the exception of those months when no local funds were remitted in the baseline year of 2012, the 37th has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated with Act 578 (2012). The fund balance has hovered near zero since CY11 leaving the district in need of emergency funding.

Without a reliable increase in revenues or reduction in expenditures, the 37th Judicial District office will deplete its relatively small fund balance and eventually become insolvent.

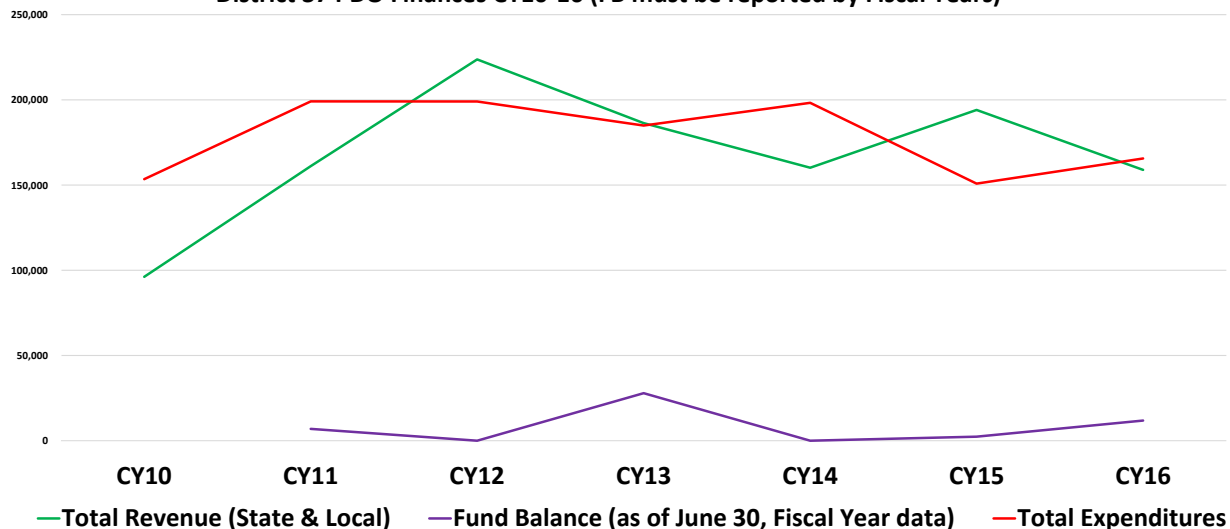
**District 37 PDO Revenue Sources CY16**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 37 PDO**



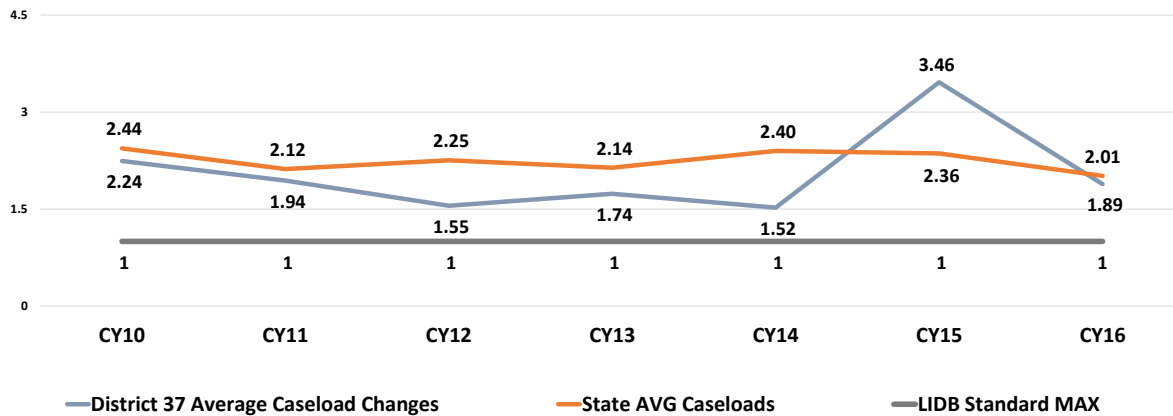
**District 37 PDO Finances CY10-16 (FB must be reported by Fiscal Years)**



## 37th JUDICIAL DISTRICT : CALDWELL PARISH

Louis Champagne  
District Defender  
301 Wall Street  
Columbia, LA 71418  
318-649-2626

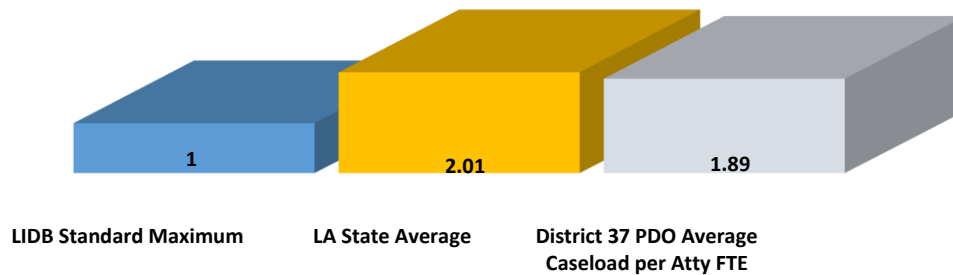
District 37 PDO Average Caseload per Atty FTE



In the 37th Judicial District, public defense attorneys maintain caseloads more than two times the recommended caseload limit for each attorney.

The 37th Judicial District is a rural district that handles only a small number of cases each year, making comparisons difficult. However, public defense attorneys have benefited from the training and supervision offered by LPDB.

District 37 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 37TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Caldwell - Columbia
<b>Population</b>	10,132
<b>District Defender</b>	Louis Champagne
<b>Years as District Defender</b>	15
<b>Years in Public Defense</b>	19
<b>Office Manager</b>	Terri L. Graves
<b>Primary Office Street Address</b>	301 Wall Street
<b>City</b>	Columbia
<b>ZIP</b>	71418
<b>Primary Phone</b>	318-649-2626
<b>Primary Mailing Address</b>	P.O. Box 1029, Columbia, 71418
<b>Primary Fax Number</b>	318-649-0212
<b>Primary Emergency Contact</b>	Louis Champagne
<b>Primary Emergency Phone</b>	318-649-2626
<b>Secondary Emergency Contact</b>	Terri L. Graves
<b>Secondary Emergency Phone</b>	318-649-7046
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	No other addresses or phone numbers.
<b>Other District Office Contact Personnel (Primary Only)</b>	None
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Louis Champagne owns 1/2 of the office building and the Estate of Governor John J. McKeithen, owns 1/2 of the office building. IDB doesn't pay any rent, utilities, or any other office expenses at this time.
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	1,400
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Day to day bookkeeping is handled in this office, however, our annual Audit is done by Mary Jo Finley, CPA.
<b>Courts and Locations</b>	37th Judicial District Court, Columbia, Louisiana
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	1
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Mixed Delivery
<b>Name of Adult Detention Facilities in This District</b>	Caldwell Correctional Center, Caldwell Parish Detention Center and Caldwell Parish Jail.

<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	As of June, 2016, all prisoners are held down at the Caldwell Correctional Center. The women are now housed back in Richland Detention Center. No prisoners are held at the Caldwell Parish Jail.
<b>Name of Juvenile Detention Facilities In This District</b>	Swanson Center for Youth at Columbia, this facility is located in Columbia, however, the Parish is not allowed to hold juveniles there.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Green Oaks - Ouachita Parish
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Very rarely. If they are being held in detention at the time of juvenile hearing, the Office of Juvenile Justice officer brings them and they are in handcuffs.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Brian Frazier is now the District Attorney for the Parish of Caldwell.
<b>Chief Judge of Criminal District Court</b>	Ashley Paul Thomas is now the District Court Judge for the 37th Judicial District.
<b>Juvenile Court Judges (Specify District of City Court)</b>	Ashley Paul Thomas is now the District Court Judge for the 37th Judicial District. He handles all Juveniles
<b>Drug Court Judges</b>	Ashley Paul Thomas is now the District Court Judge for the 37th Judicial District. He is handling one case in Drug Court. Judge Don Burns handles the previous clients in our Drug Court program.
<b>Mental Health Court Judges</b>	Ashley Paul Thomas is now the District Court Judge for the 37th Judicial District.
<b>Other Specialty Court</b>	No
<b>Name of Specialty and Brief Description:</b>	None
<b>Indigency Determined by Whom and How?</b>	Chief Defender, Information from IDB Application.
<b>When is Assignment/Appointment of Counsel Made?</b>	72 hour hearing and sometimes when person comes for arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	If a true conflict exists with our office, I refer the case to one of our conflict attorneys in a neighboring parish.
<b>Brief Explanation of Intake Process</b>	Billy Varnell handles all investigation and some intake. Terri L. Graves handles all intake and interviews with female prisoners.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	151
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	3,120

Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
Total Revenue from \$45/\$35 Special Costs Received in 2016	20,413
Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.	A monthly statement is provided by the Caldwell Parish Sheriff Office.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?	A monthly statement is provided by the Caldwell Parish Sheriff's Office.
Who Collects the Assessed Court Fees?	CPSO & DOC probation and parole.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	A monthly statement is provided by the CPSO and probation and parole.
Who Remits the Court Fees Collected?	CPSO & DOC probation and parole.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	A monthly statement is provided by the CPSO and probation and parole.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?	No
From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?	None
How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment	If ordered by the Judge - after a hearing to determine how much the defendant can afford. The Judge usually determines the amount owed to IDB.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?	There is no accounting documentation, other than my receipt.
Who Collects the Assessed Partial Payments?	Those fees are collected by this office.
What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?	There is no accounting documentation, other than my receipt.
Who Remits the Partial Payments Collected?	N/A
What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?	N/A
Amount, If Any, of Partial Indigence Payments Received by the Office in CY16	0

<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	IDB attorneys can have a private practice but must devote majority of their time to IDB based on caseload.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes
<b>Primary Immediate Needs</b>	Increase funding received to provide quality IDB defense.
<b>Was your office in ROS at any time during 2016</b>	No
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Our office is in constant communication regarding changes we need to make concerning our budget. As of this date, we trying to obtain local funding as well.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	There have been no staff terminated effective 2016; however, April, 2016, the 37th JD IDB Office took the Juvenile caseload back from the 4th JD IDB office.
<b>Immediate Critical Issue Areas</b>	None
<b>Long-Term Critical Issue Areas</b>	Having enough funding to provide quality IDB defense.
<b>2016 Media Coverage and/or Major Accomplishments</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, in office training on Motions, Trials, and all other aspects of legal representation is provided. The attorneys also meet to discuss cases.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Louis V. Champagne and Joey Grassi attended training in Monroe, LA, IDB office.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	None at this time.
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Louis meets with attorneys and staff on a daily basis to discuss status of cases and review work product.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Monitor cases for compliance with state guidelines.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, meet on weekly basis
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Filed in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	None

<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Dina Domangue no longer works in our office. She opened her own office sometime in the latter part of 2015. April, 2016, the 37th JD IDB Office now handles all juveniles.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	None
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	None
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	None
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Representative Steven E. Pylant and Senator Neil Riser.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	We believe LACE tickets are being given, however, the new District Attorney has not shared any of the proceeds from that program. There has been a new Sheriff elected and he will take over on July 1, 2016. Hopefully, this will dismiss any political turmoil between the Sheriff and the District Attorney.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Mandatory attendance to CLE provided by IDB.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Champagne, Louis V.	318-649-2626
Joseph W. Grassi	318-649-2626
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
None	
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Graves, Terri L.	318-649-2626
Varnell, Billy	318-649-2626

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Terri L. Graves
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	No
Westlaw	Yes
Other (please list)	
Number of Legal Research Licenses	2
Total Cost of Legal Research Software:	MR&C pays all the costs associated to any research and any law books which the attorney's need to perform their job.
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x Professional
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	Abacus
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	12
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	



Quicken	
Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	x
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	x
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	4
Laptops	3
Video Cameras	
Digital Cameras	1
Video Conferencing Systems	
B&W Laser Printers	4
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	2
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	IP DSL
No Internet Connection	
Connection Speed:	18 meg
Provider Name:	AT&T
Email Provider:	AT&T, America Online & Yahoo
Please list any software or computer equipment in which you need training:	None

### 37th District Defender Office CY 2016 Caseloads & Outcomes

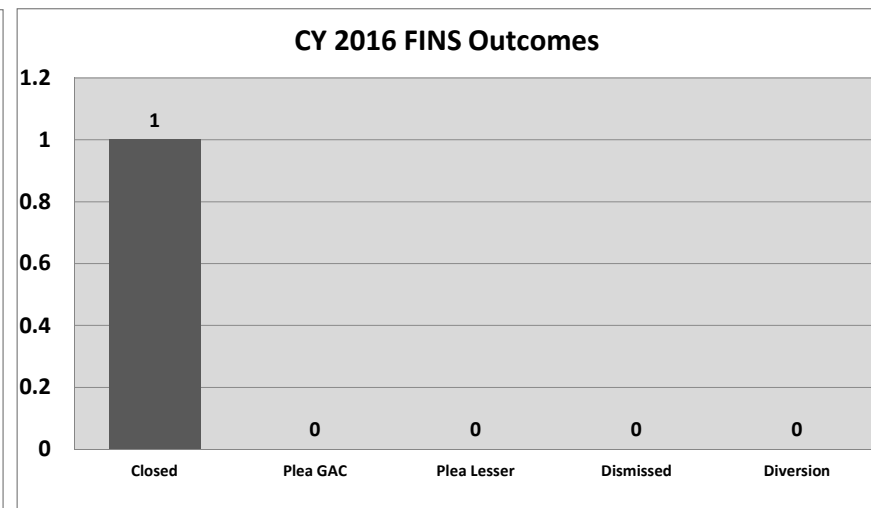
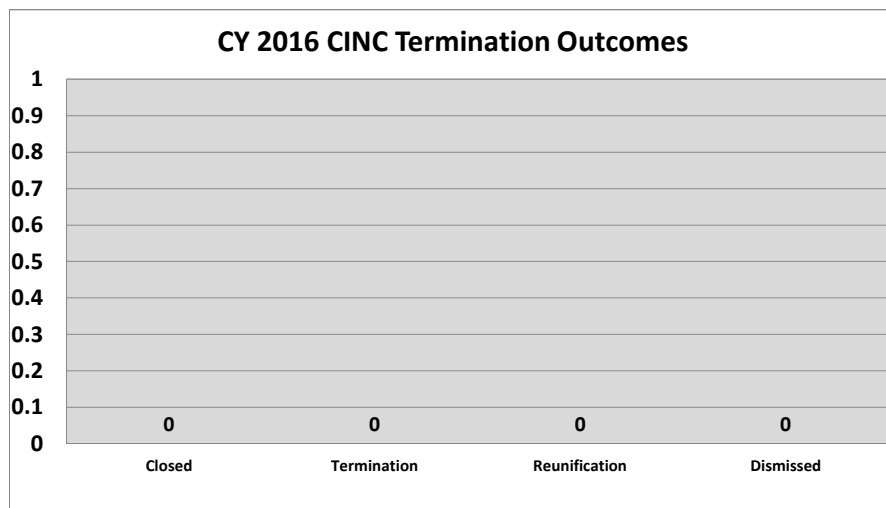
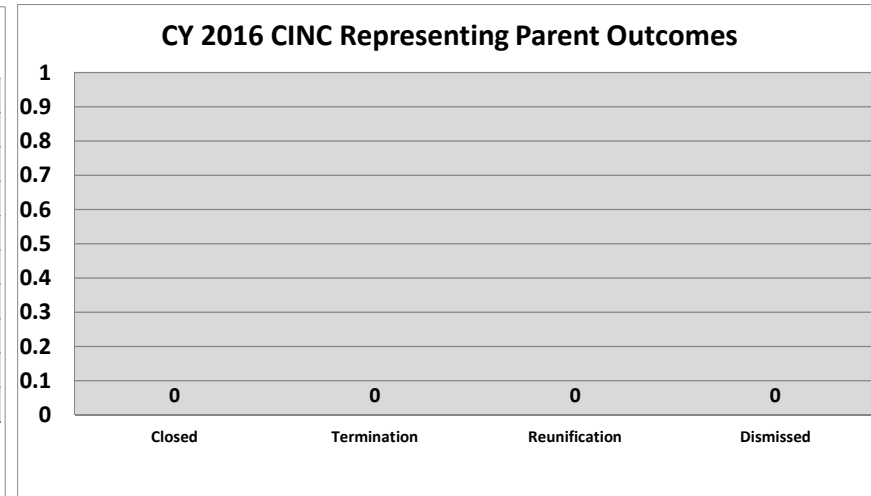
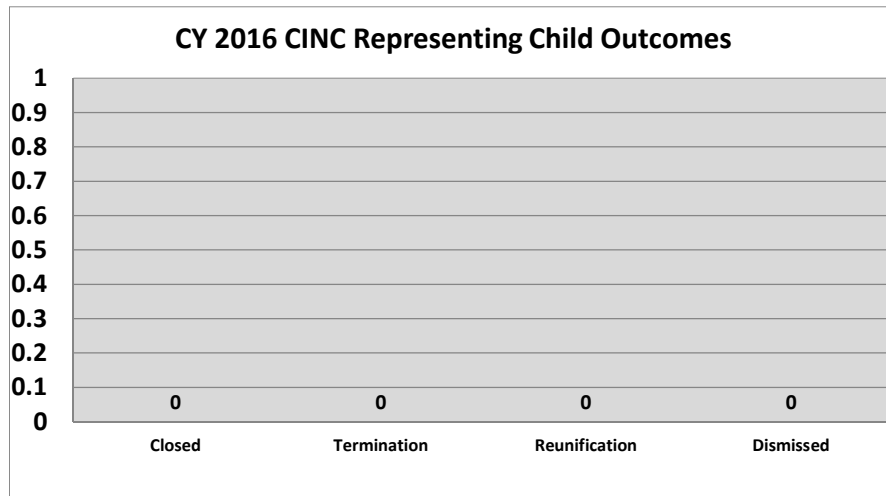
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	13	0	0	13	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	4	1	0	4	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	2	1	0	2	N/A	N/A	1	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	1	0	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	204	188	25	229	N/A	N/A	27	2	64	0	0	0	0	8	8
Adult Felony Non-LWOP**	133	110	59	192	N/A	N/A	34	9	76	0	0	0	0	4	4
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

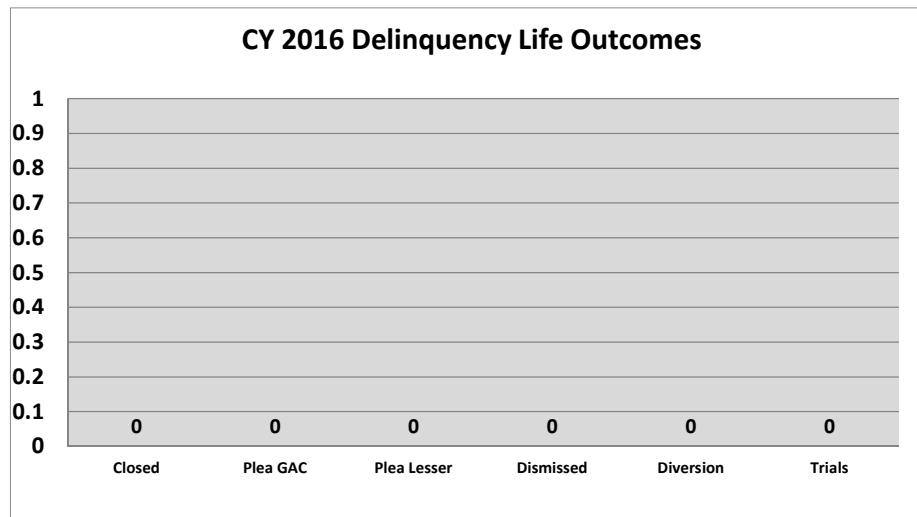
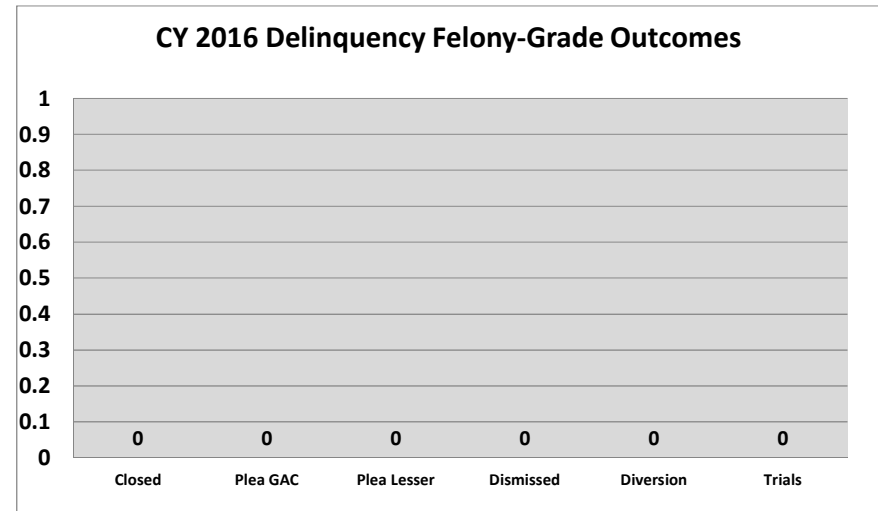
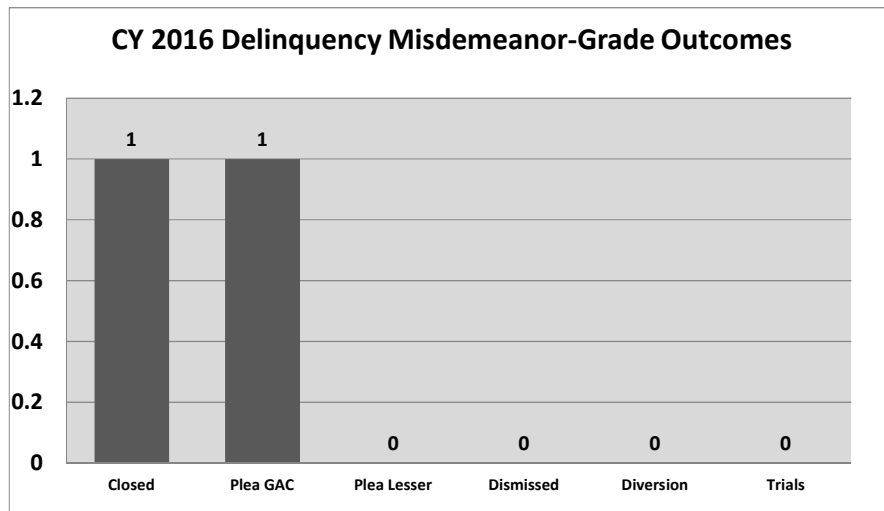
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

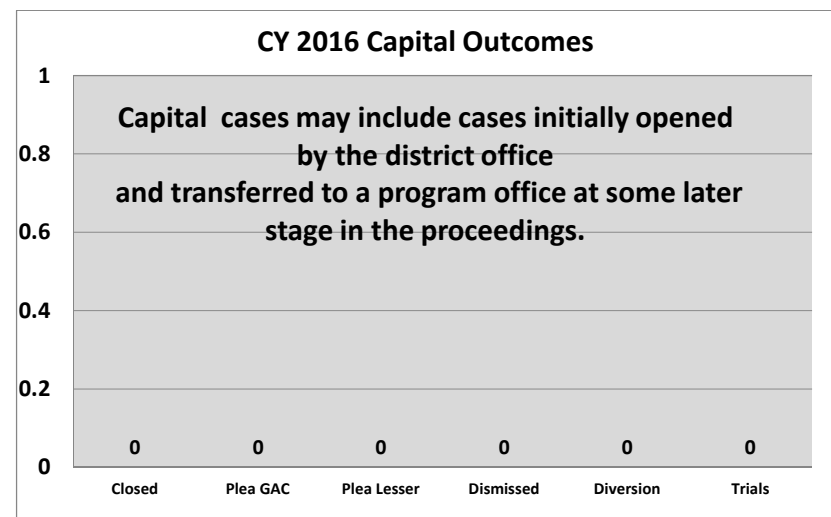
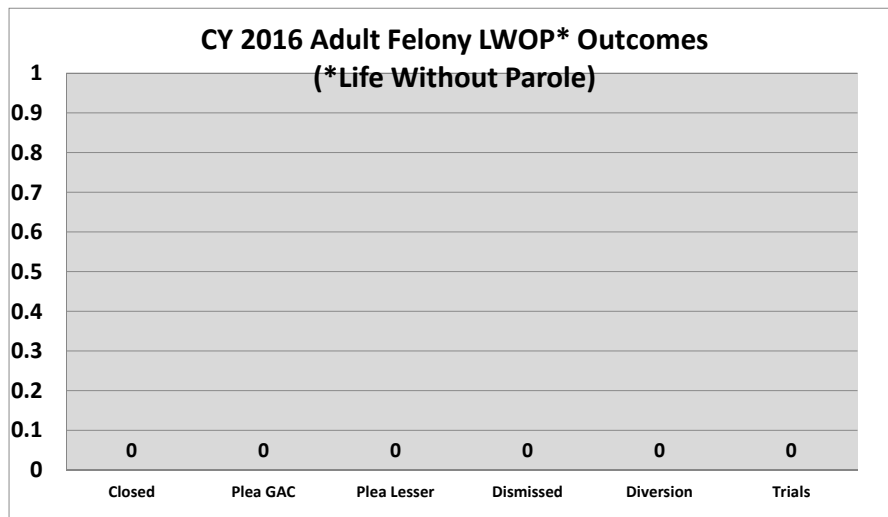
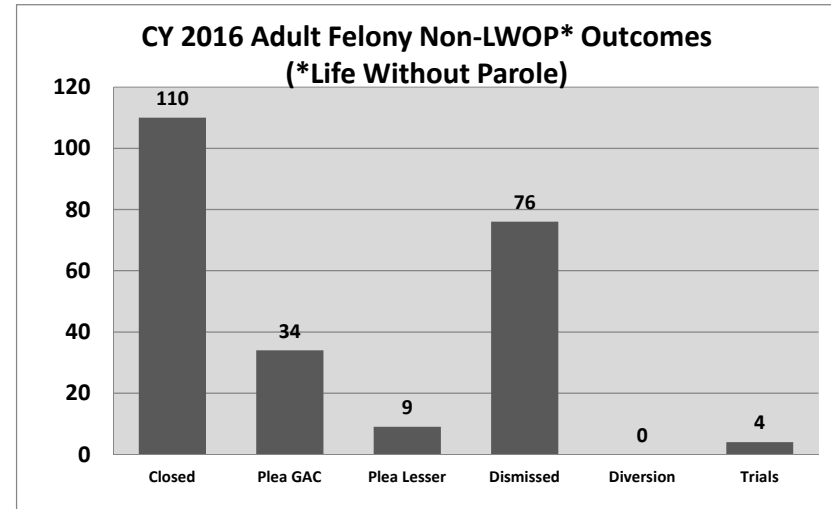
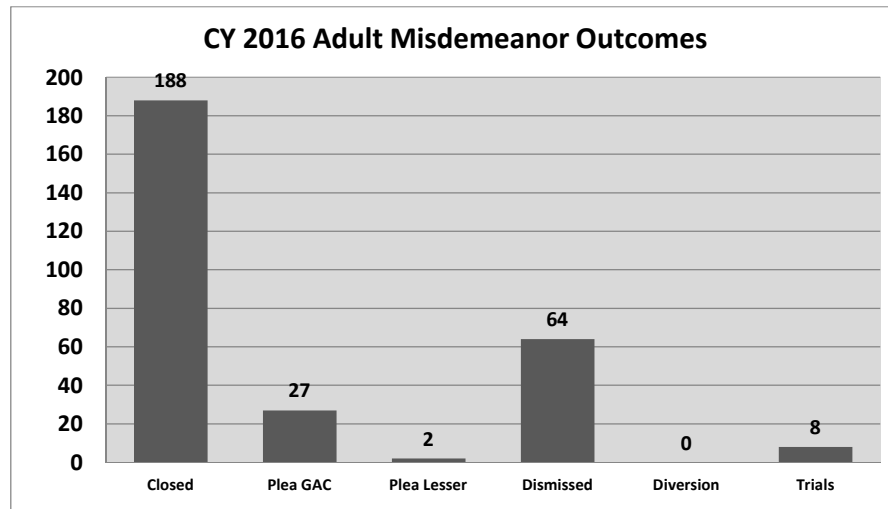
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.







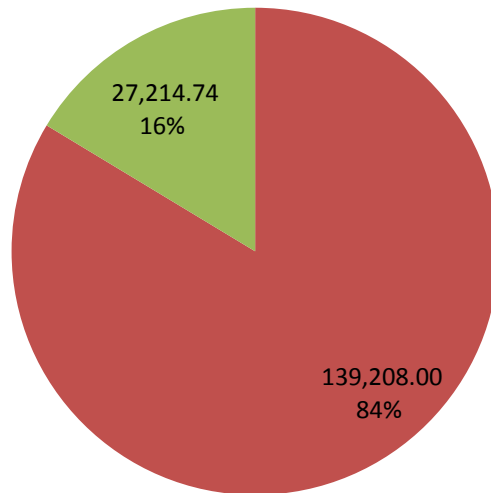
District 37 CY2016	Total CY2016
District Defender: Louis Champagne	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	3,345.00
District Assistance Fund (DAF)	135,863.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	139,208.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	1,982.11
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	-
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	1,200.00
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	20,412.63
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	20,412.63
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	3,120.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	500.00
Total for Charges For Services	3,620.00
Total for Local Government	27,214.74
Investment Earnings	
Interest Income	-
Other Investment Income - List source(s)	-
Total for Investment Earnings	
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	166,422.74

District 37 CY2016	Total CY2016
District Defender: Louis Champagne	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	15,000.00
Accrued Leave	-
Payroll Taxes	4,131.00
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	19,131.00
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
Total for Travel/Training	-
Operating Services	
Advertisements	-
Workers' Compensation	-
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	-
Dues and Seminars	170.00
Law Library/Journals/Subscriptions	-
Office Supplies	102.90
Total for Operating Services	272.90
Professional Services	
Audit/Accounting Expense	2,496.00
Contract Clerical	-
Expert Witness	-
Investigators	9,000.00
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	-
Contract - Juvenile Attorneys or CINC	7,000.00
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	127,691.08
IT/Technical Support	-
Total for Professional Services	146,187.08
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
Total for EXPENDITURES	165,590.98

NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

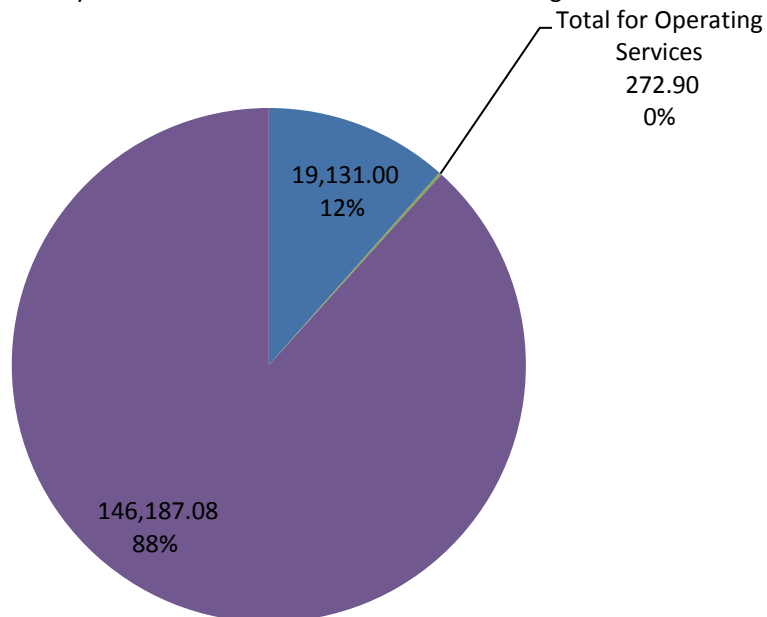
## Total CY16 Revenues

- Total for Federal Government
- Total for State Government
- Total for Local Government
- Total for Investment Earnings
- Total for Other Sources (Grants & Contributions)



## CY16 Expenditures

- Total for Personnel Services and Benefits
- Total for Travel/Training
- Total for Operating Services
- Total for Professional Services
- Total for Capital Outlay
- Total for Other Charges







38th JUDICIAL DISTRICT :  
CAMERON PARISH

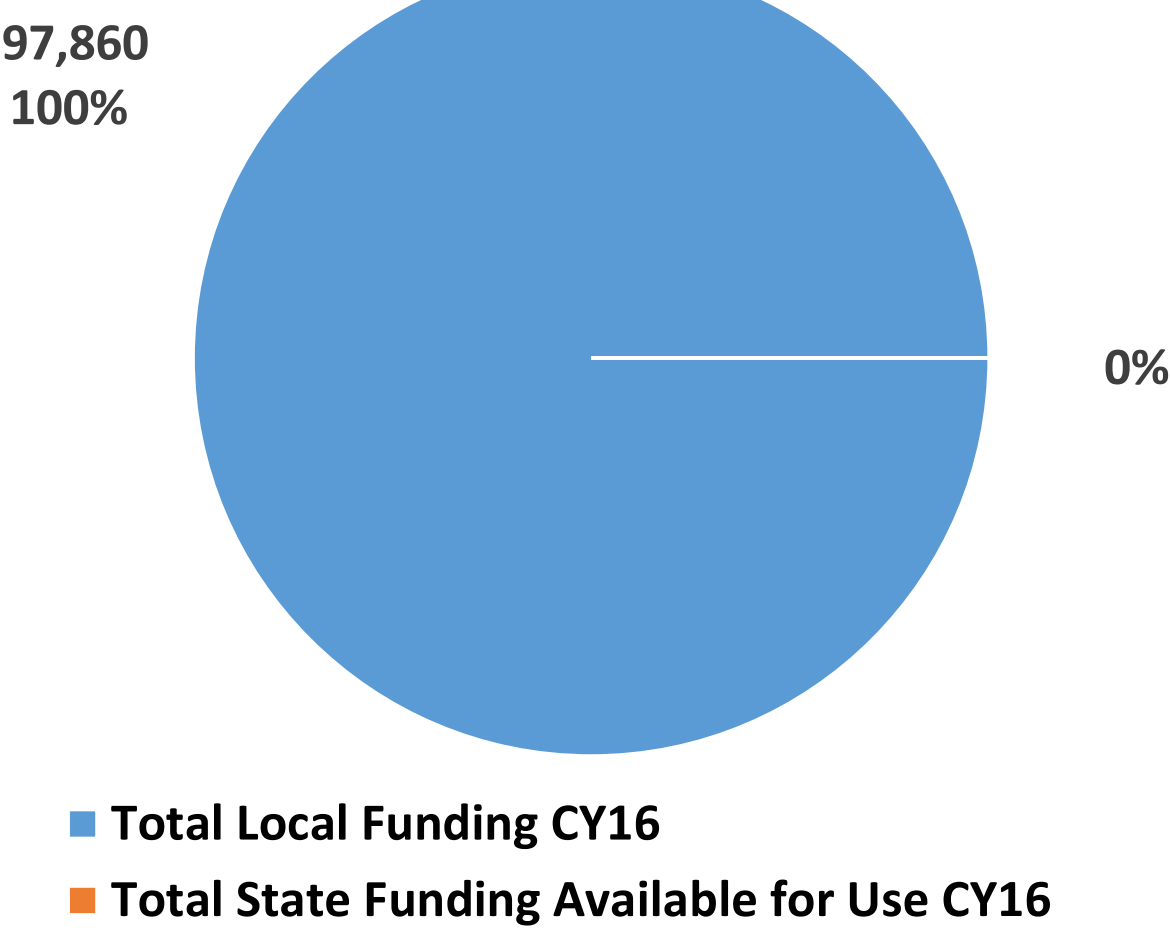
Harry Fontenot  
District Defender  
Cameron Parish Courthouse, 3rd Floor, 124 Smith  
Circle  
Cameron, LA 70631  
337-775-8131

During Calendar Year 2016, the 38th Judicial District Public Defenders Office handled 177 cases. The office received \$97,860 in total revenues to handle these cases, 100% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

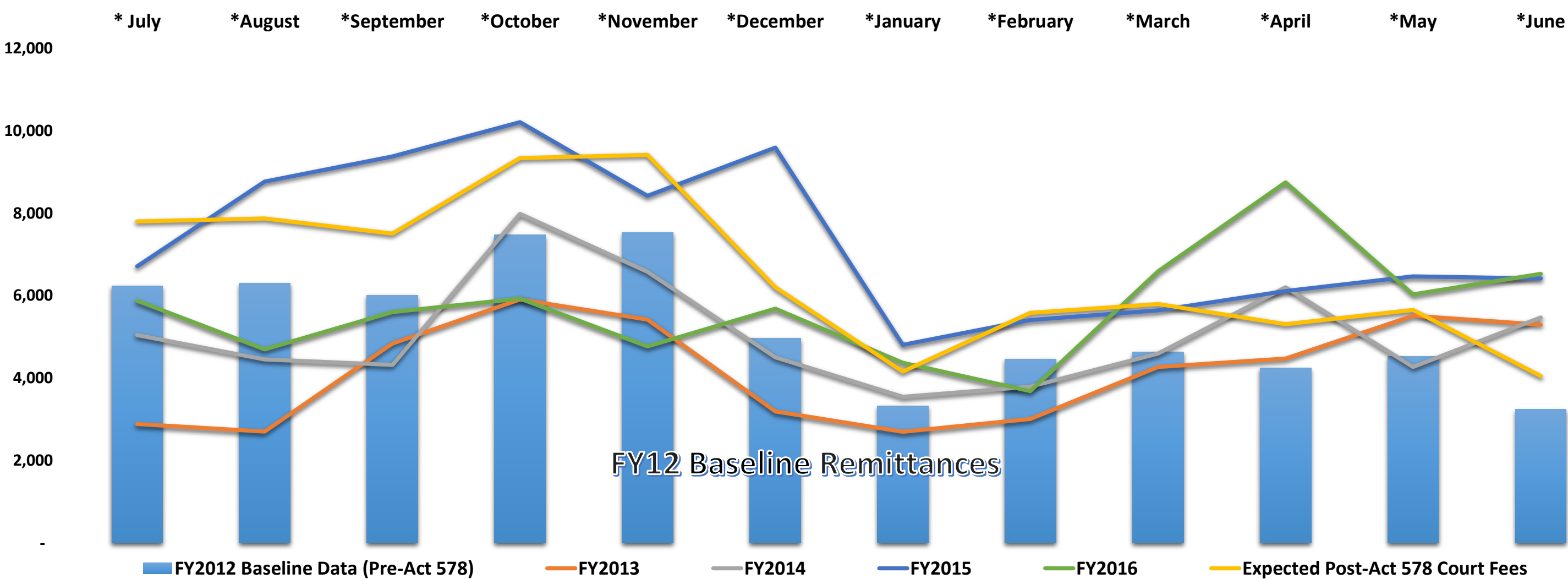
With the exception of Fiscal Year 2015, the office has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated with Act 578 (2012).

The 38th Judicial District office is not currently engaged in deficit spending and maintains a fund balance which exceeds annual expenditures.

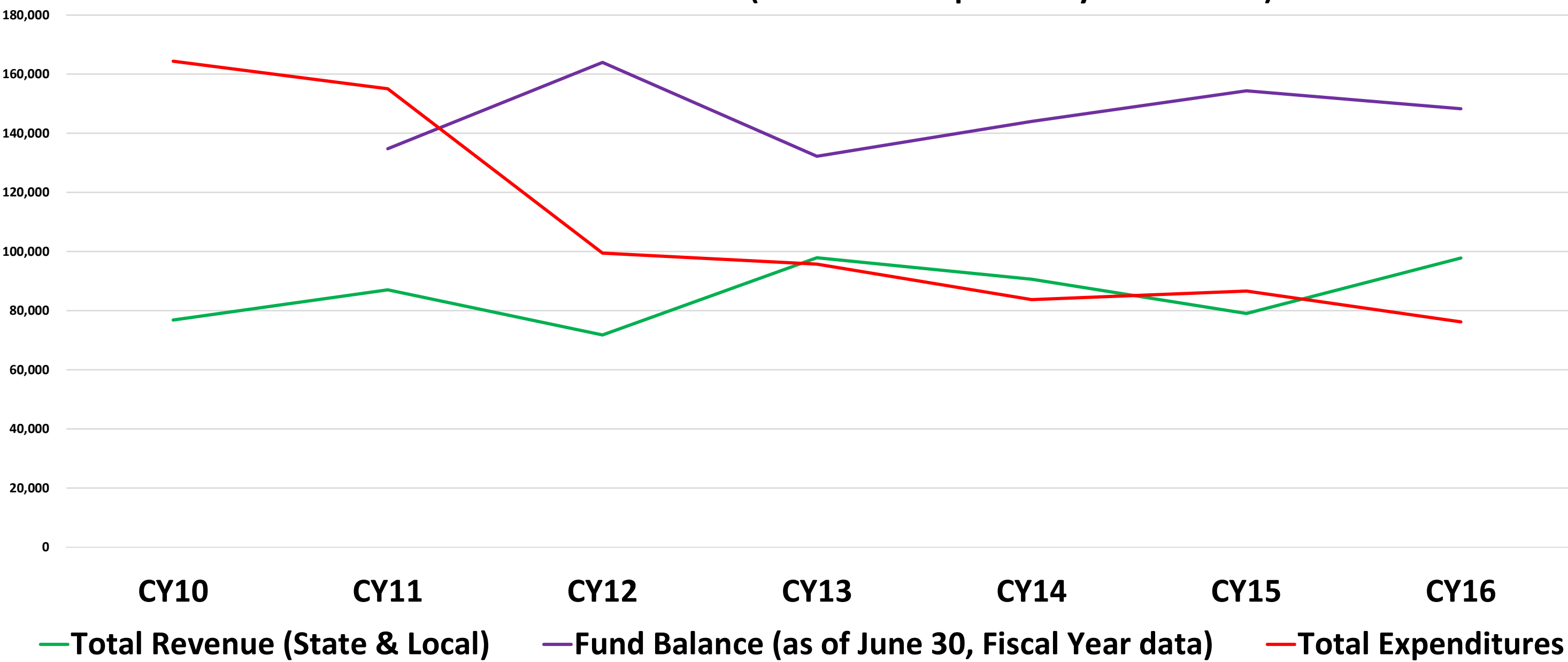
District 38 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 38 PDO

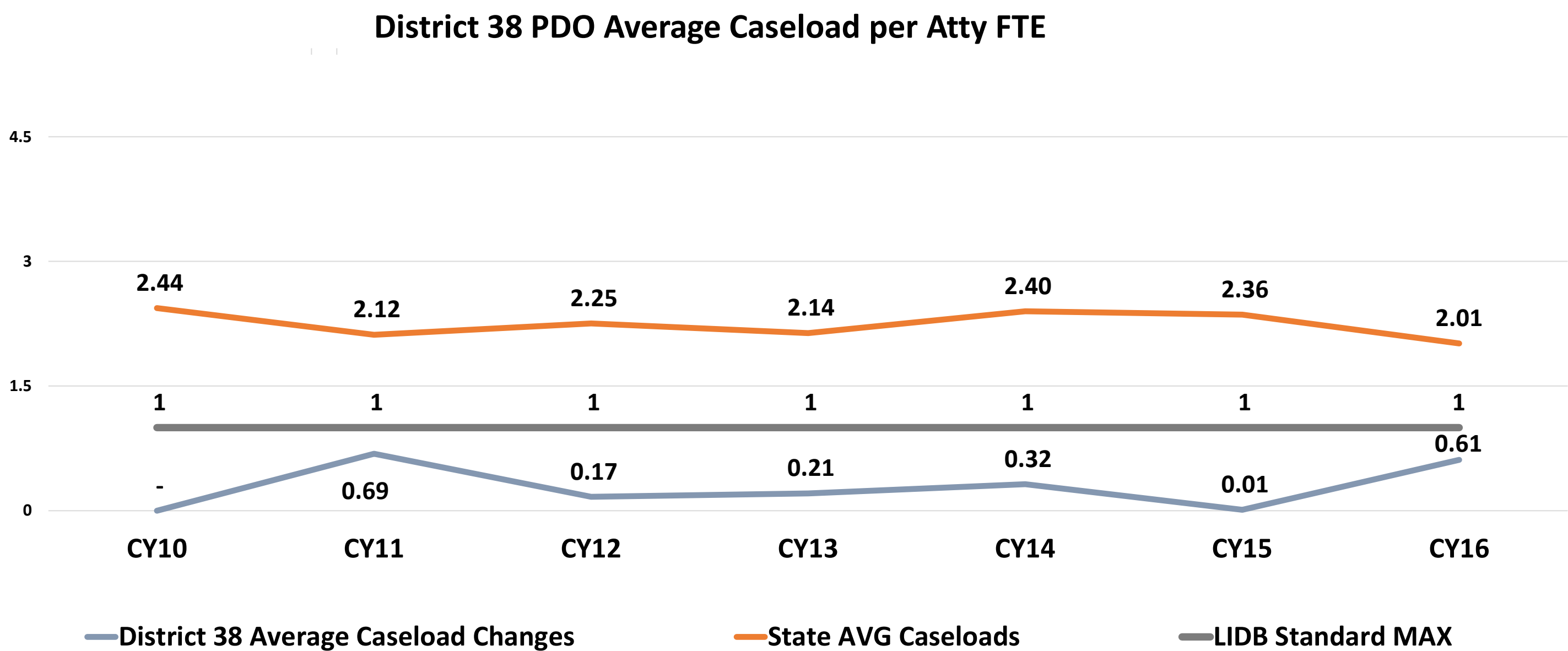


District 38 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



38th JUDICIAL DISTRICT :  
CAMERON PARISH

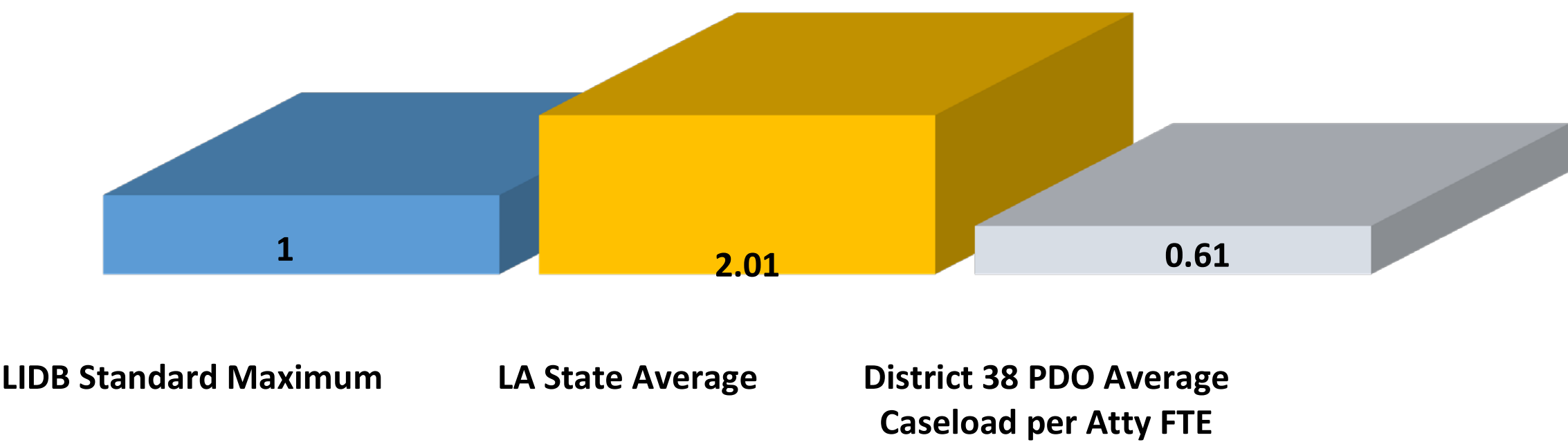
Harry Fontenot  
District Defender  
Cameron Parish Courthouse, 3rd Floor, 124 Smith  
Circle  
Cameron, LA 70631  
337-775-8131



In the 38th Judicial District, public defense attorneys maintain caseloads in compliance with recommended caseload limits for each attorney.

The 38th Judicial District is a rural district that handles only a small number of cases each year. However, public defense attorneys have benefited from the training and supervision offered by LPDB.

District 38 PDO Average Caseloads Compared to State Average & State Standard Maximums



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 38TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Cameron - Cameron
<b>Population</b>	6,839
<b>District Defender</b>	Harry Fontenot
<b>Years as District Defender</b>	4
<b>Years in Public Defense</b>	18
<b>Office Manager</b>	Mr. Thibodeaux resigned. His duties were assumed by Mr. Sheffield and Ms. Conner
<b>Primary Office Street Address</b>	Cameron Parish Courthouse, 3rd Floor, 124 Smith Circle
<b>City</b>	Cameron
<b>ZIP</b>	70631
<b>Primary Phone</b>	337-775-8131
<b>Primary Mailing Address</b>	Same
<b>Primary Fax Number</b>	337-775-8136
<b>Primary Emergency Contact</b>	Harry Fontenot
<b>Primary Emergency Phone</b>	337-405-9771
<b>Secondary Emergency Contact</b>	Robert Sheffield 337-405-8546
<b>Secondary Emergency Phone</b>	N/A
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	P.O. Box 3757, Lake Charles, LA 70602
<b>Other District Office Contact Personnel (Primary Only)</b>	Robert Sheffield 337-405-8546
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Cameron Parish Police Jury
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Space provided by parish at no cost.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Bonnie Connor, accountant for Cameron Parish.
<b>Courts and Locations</b>	38th JDC, Cameron, LA
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	One division with both adult and juvenile sections.
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Chief Defender is assigned all cases. If conflict arises, conflict counsel appointed.
<b>Name of Adult Detention Facilities in This District</b>	Cameron Parish Jail
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	N/A

<b>Name of Juvenile Detention Facilities In This District</b>	N/A
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	N/A
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No. Juveniles are usually not held in detention and appear with their parents for court. They are not shackled since they are not in custody.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Jennifer Jones
<b>Chief Judge of Criminal District Court</b>	Penelope Richard
<b>Juvenile Court Judges (Specify District of City Court)</b>	Penelope Richard
<b>Drug Court Judges</b>	N/A
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	By the Judge upon application. Defendant submits written application and they are questioned by Judge.
<b>When is Assignment/Appointment of Counsel Made?</b>	During 72-hour court or Arraignment.
<b>What steps does your office take to ensure conflict – free representation</b>	During initial interview Defendant is asked about co-defendants and witnesses. These names are checked for conflicts.
<b>Brief Explanation of Intake Process</b>	Defendant completes application and pays \$40 application fee. Application is given to Judge at arraignment. If Judge makes appointments at 72 hour hearing then no application fee is taken.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	96
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	2,720
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	Cameron Parish Sheriff's Office
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	86,880

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Fee is assessed as part of court costs.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Unknown
<b>Who Collects the Assessed Court Fees?</b>	Parish Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Unknown
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Department
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	The Sheriff's department sends a list every month of the fees collected and the person's name who paid the fees.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	The judge makes an assessment upon reviewing the application for services.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	N/A
<b>Who Collects the Assessed Partial Payments?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	None
<b>Who Remits the Partial Payments Collected?</b>	N/A
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	N/A
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted. Criminal practice permitted. No written private practice policy in place.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	No written contract.
<b>Primary Immediate Needs</b>	N/A
<b>Was your office in ROS at any time during 2016</b>	No

<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	No
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	N/A
<b>Long-Term Critical Issue Areas</b>	Funding
<b>2016 Media Coverage and/or Major Accomplishments</b>	N/A
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	I meet with new attorneys on conflict list to discuss procedures.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Harry Fontenot and Robert Sheffield.
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	No
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	The District Defender supervises all contract attorneys.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	None
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	None
<b>Regular Meetings for Any Staff, Please Describe</b>	Quarterly meetings are called for all contract attorneys.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Filed in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	N/A
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	0

<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	1
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	0
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Senator Dan "Blade" Morrish; Rep. Bob Hensgens
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	The population in the parish is small and dispersed.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Have established an office in Calcasieu which Cameron attorneys can use.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Harry Fontenot	337-405-9771
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Ben Cormier	337-564-6863
Claude Devall	337-439-5788
Bryan Gill	337-433-8116
Michael McHale	337-990-0093
Robert Sheffield	337-855-4887
Leslie Musso	337-433-1414
Brent Hawkins	337-502-5146
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Bonnie Conner	337-775-5718



## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Harry Fontenot
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	Lexis Nexis
Westlaw	N/A
Other (please list)	Fastcase
Number of Legal Research Licenses	N/A
Total Cost of Legal Research Software:	\$0 The Parish Law Library of provides use for free.
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	x
Windows 7	
Windows Vista	
Windows Server 2000/2003/2008	
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	
Microsoft Office 2007	
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	x
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	
Intuit	

Other (list here):	
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	
Other	
<b>HARDWARE:</b>	
Please enter the number of devices in your inventory.	
Television	
DVD	
VCR	
Desktop PCs	2
Laptops	
Video Cameras	
Digital Cameras	
Video Conferencing Systems	
B&W Laser Printers	1
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	256 kb
Provider Name:	Camtel
Email Provider:	gmail
Please list any software or computer equipment in which you need training:	

### 38th District Defender Office CY 2016 Caseloads & Outcomes

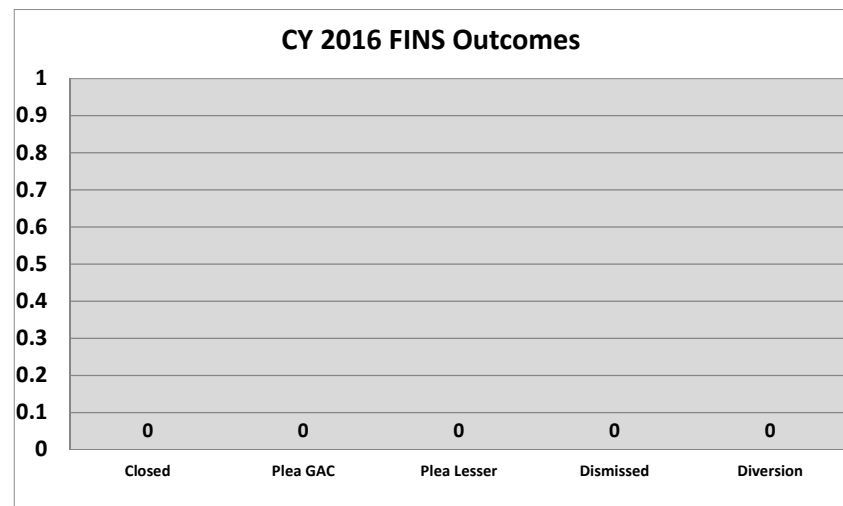
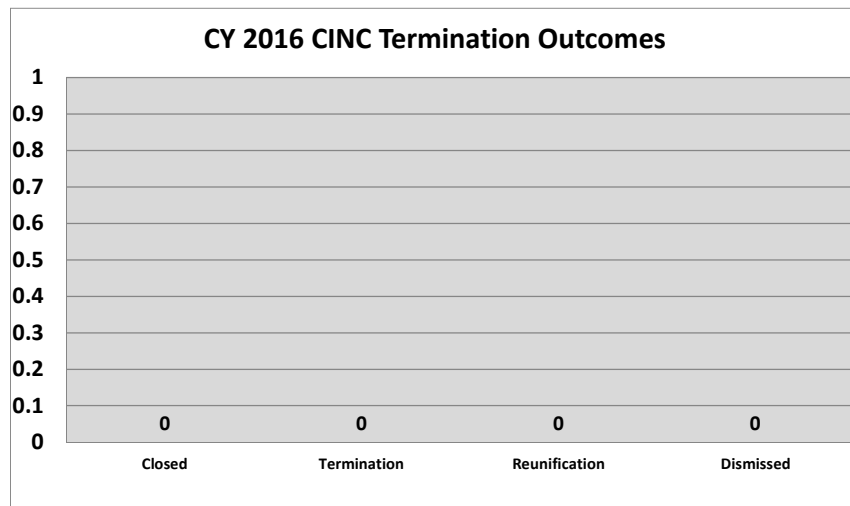
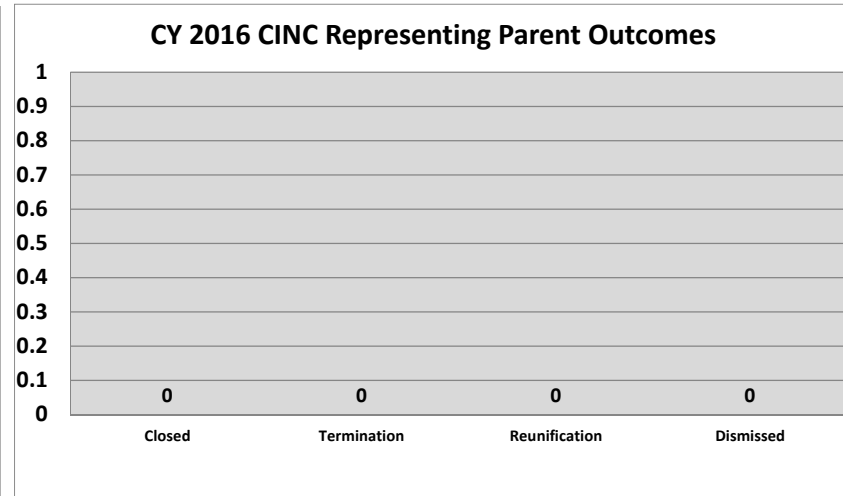
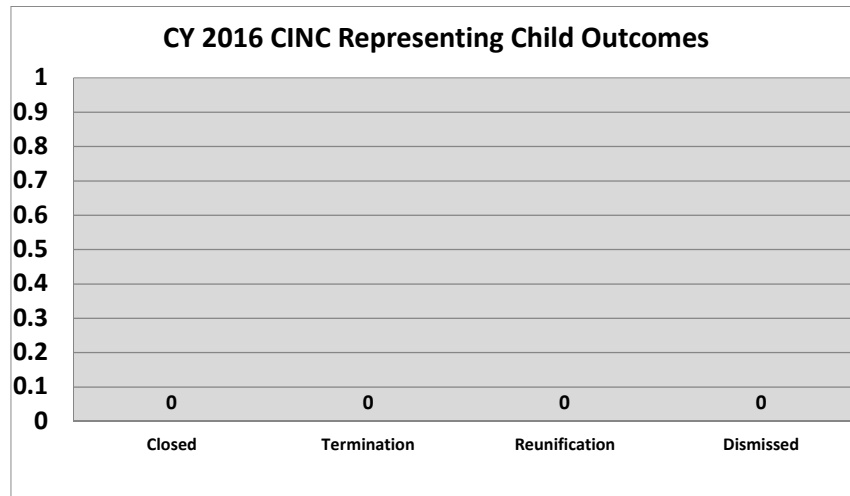
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	0	2	2	2	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	4	108	109	113	N/A	N/A	1	1	2	0	0	0	0	0	0
Adult Felony Non-LWOP**	0	59	59	59	N/A	N/A	1	0	0	0	0	0	0	0	0
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	0	3	3	3	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

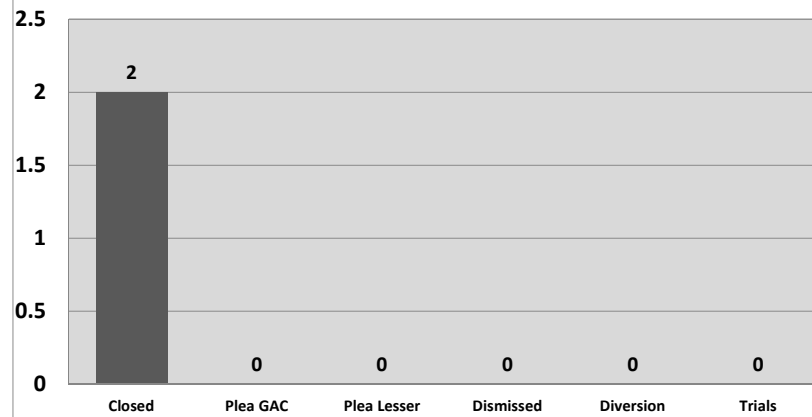
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

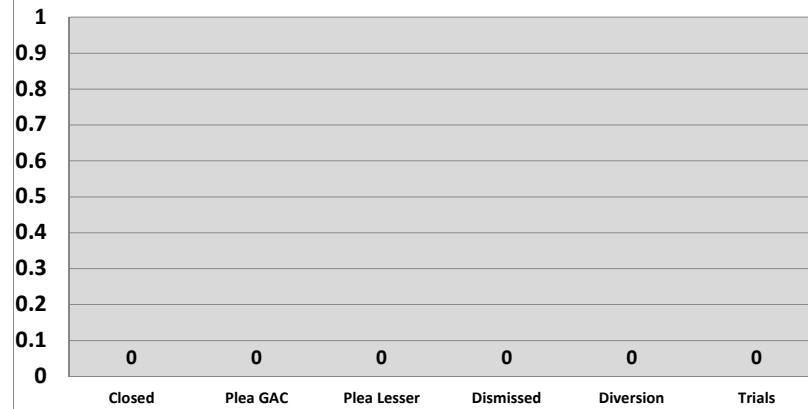
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



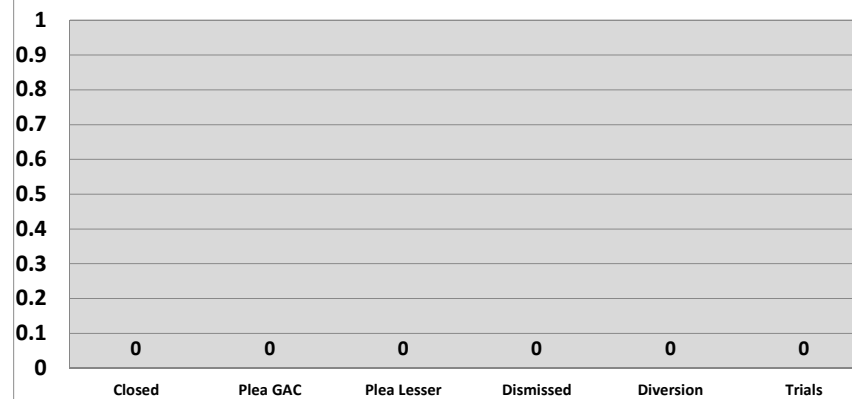
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

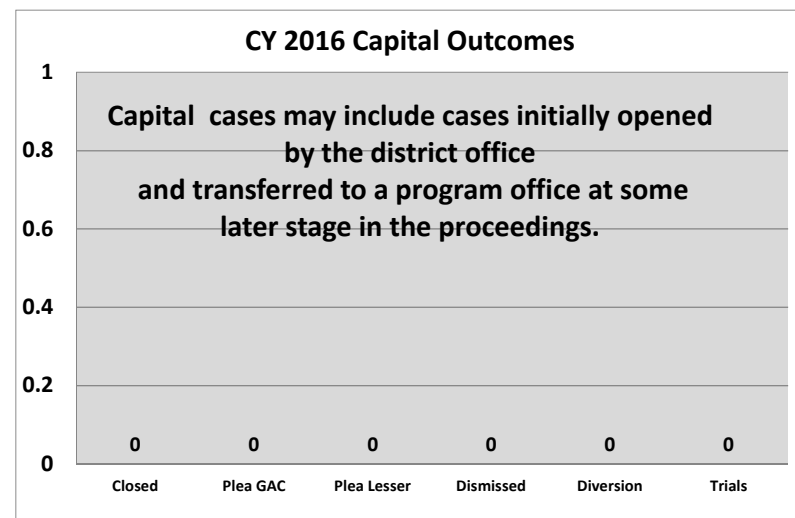
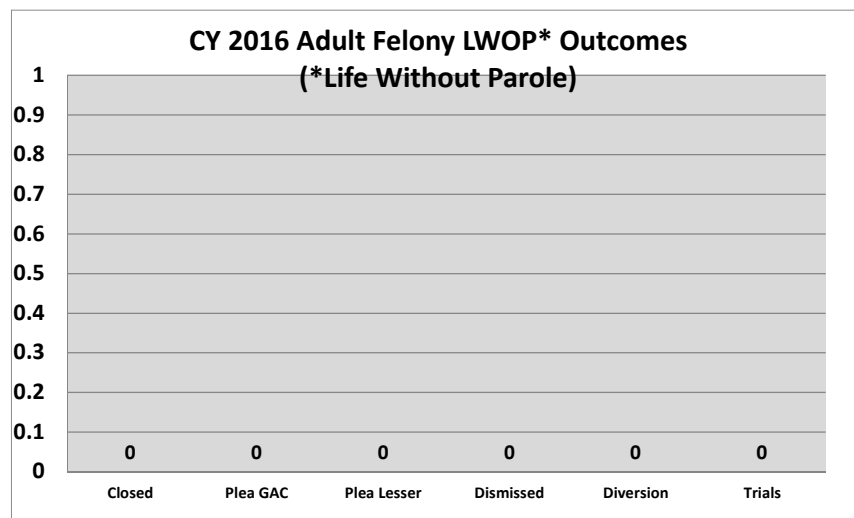
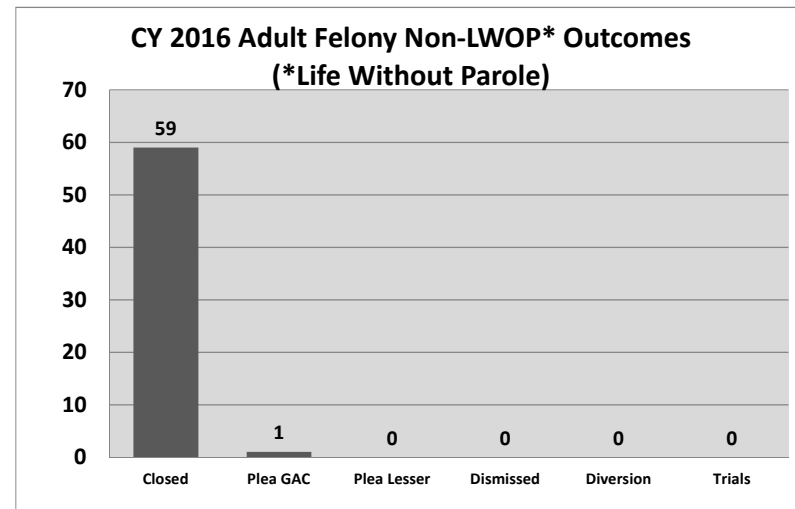
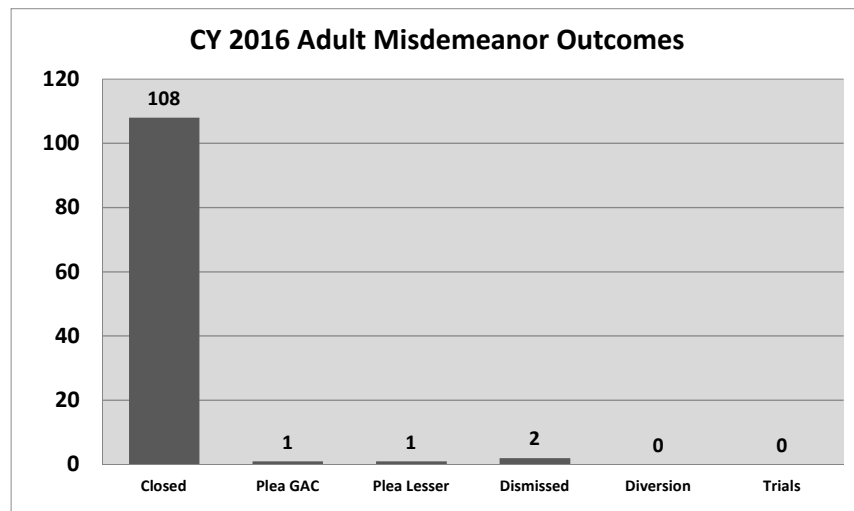


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**





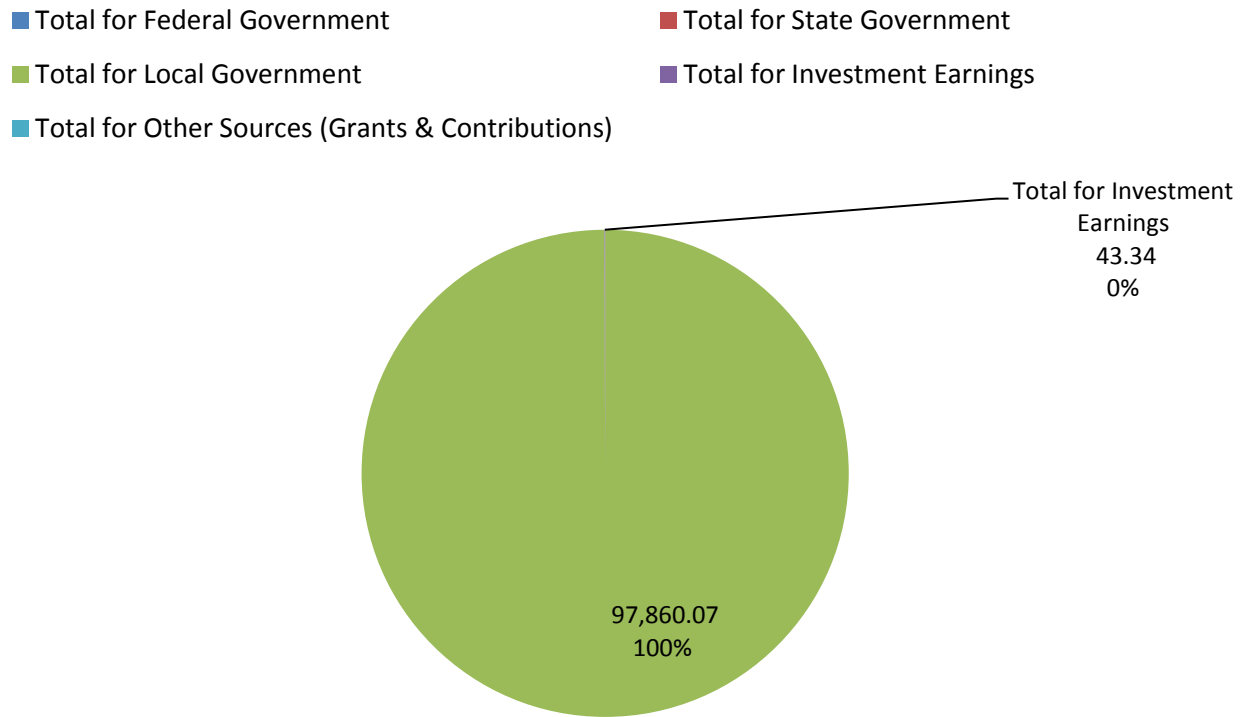
District 38 CY2016	Total CY2016
District Defender: Harry Fontenot	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	-
District Assistance Fund (DAF)	-
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	8,260.70
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	86,879.37
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	86,879.37
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	2,720.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	2,720.00
Total for Local Government	97,860.07
Investment Earnings	
Interest Income	43.34
Other Investment Income - List source(s)	-
Total for Investment Earnings	43.34
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	97,903.41

District 38 CY2016	Total CY2016
District Defender: Harry Fontenot	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	40,000.22
Accrued Leave	-
Payroll Taxes	580.06
Hospitalization and Disability Insurance	600.24
Retirement	5,200.00
Other	-
Total for Personnel Services and Benefits	46,380.52
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	3,330.30
Total for Travel/Training	3,330.30
Operating Services	
Advertisements	-
Workers' Compensation	528.58
Insurance - Malpractice	-
Insurance - Auto/Physical Liability	-
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	1,639.65
Dues and Seminars	55.00
Law Library/Journals/Subscriptions	-
Office Supplies	1,066.06
Total for Operating Services	3,289.29
Professional Services	
Audit/Accounting Expense	10,000.00
Contract Clerical	8,000.00
Expert Witness	2,500.00
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	2,743.01
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	-
IT/Technical Support	-
Total for Professional Services	23,243.01
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
Total for EXPENDITURES	76,243.12

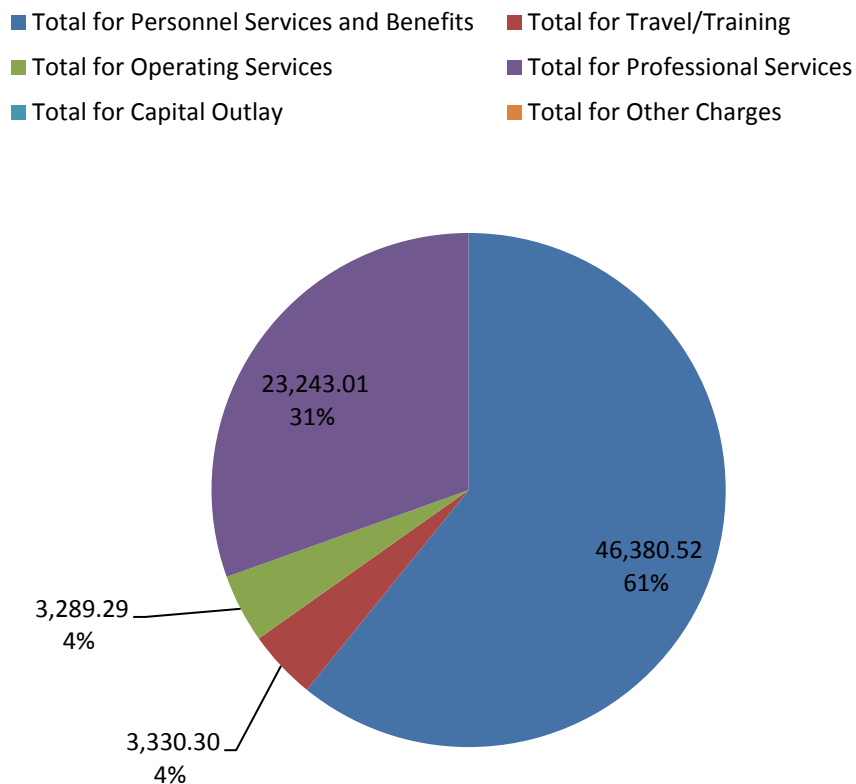
NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.



## Total CY16 Revenues



## CY16 Expenditures





-742-

39th JUDICIAL DISTRICT :  
RED RIVER PARISH

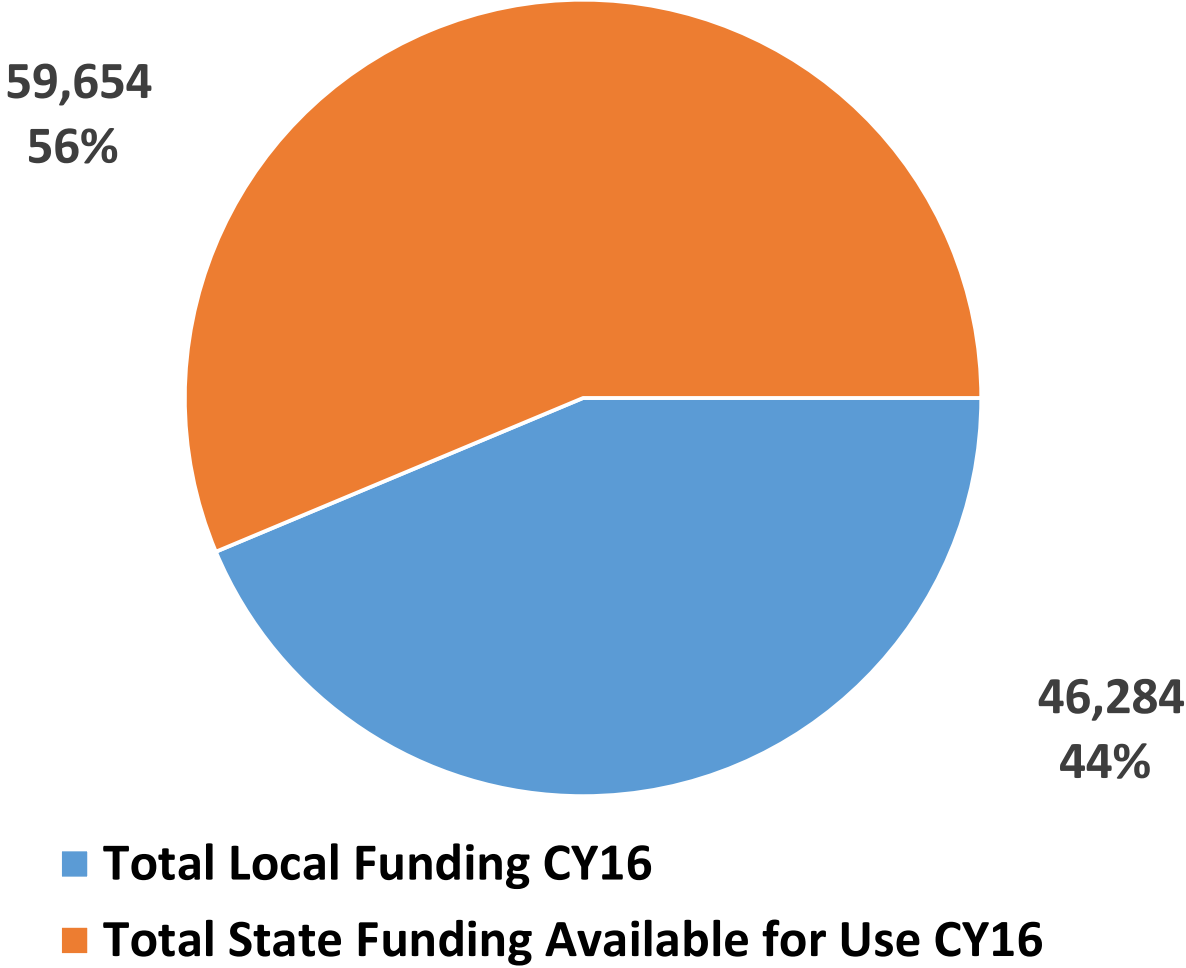
Brian McRae  
District Defender  
111 N. Washington St.  
Mansfield, LA 71052  
318-872-2973

During Calendar Year 2016, the 39th Judicial District Public Defenders Office handled 668 cases. The office received \$105,938 in total revenues to handle these cases, approximately 43% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs.

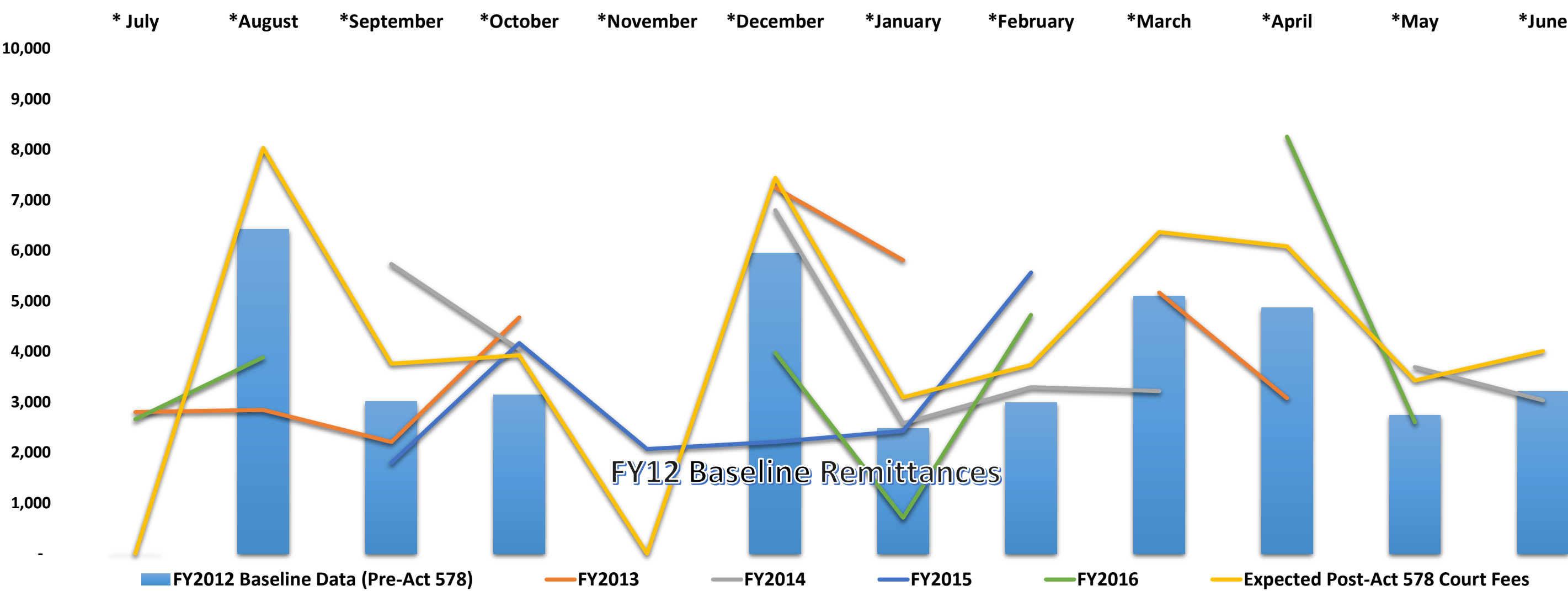
With the exception of a few anomalies, the 39th Judicial District has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated with Act 578 (2012).

The 39th Judicial District office has nearly exhausted its fund balance, however local criminal justice partners have pledged support which may provide additional resources. The district and state offices will continue to monitor the 39th Judicial District public defender's office.

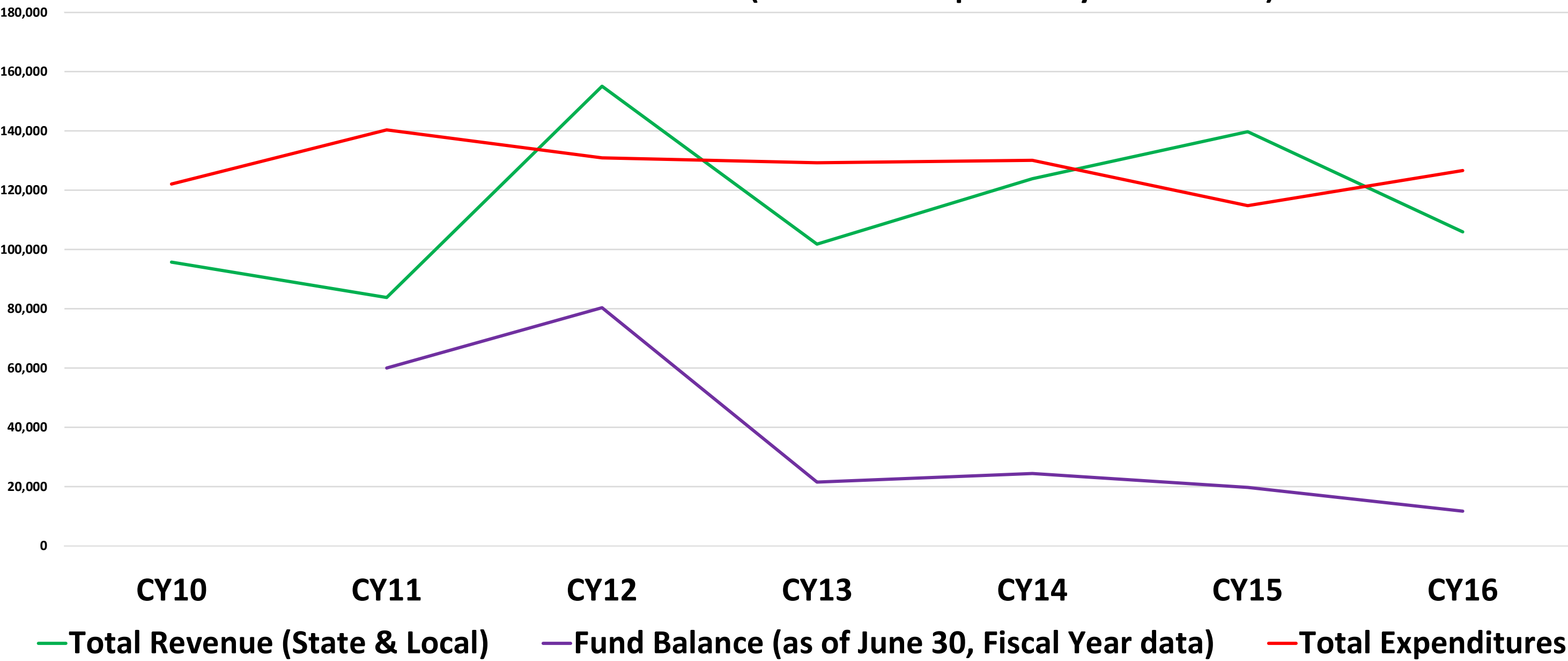
District 39 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 39 PDO

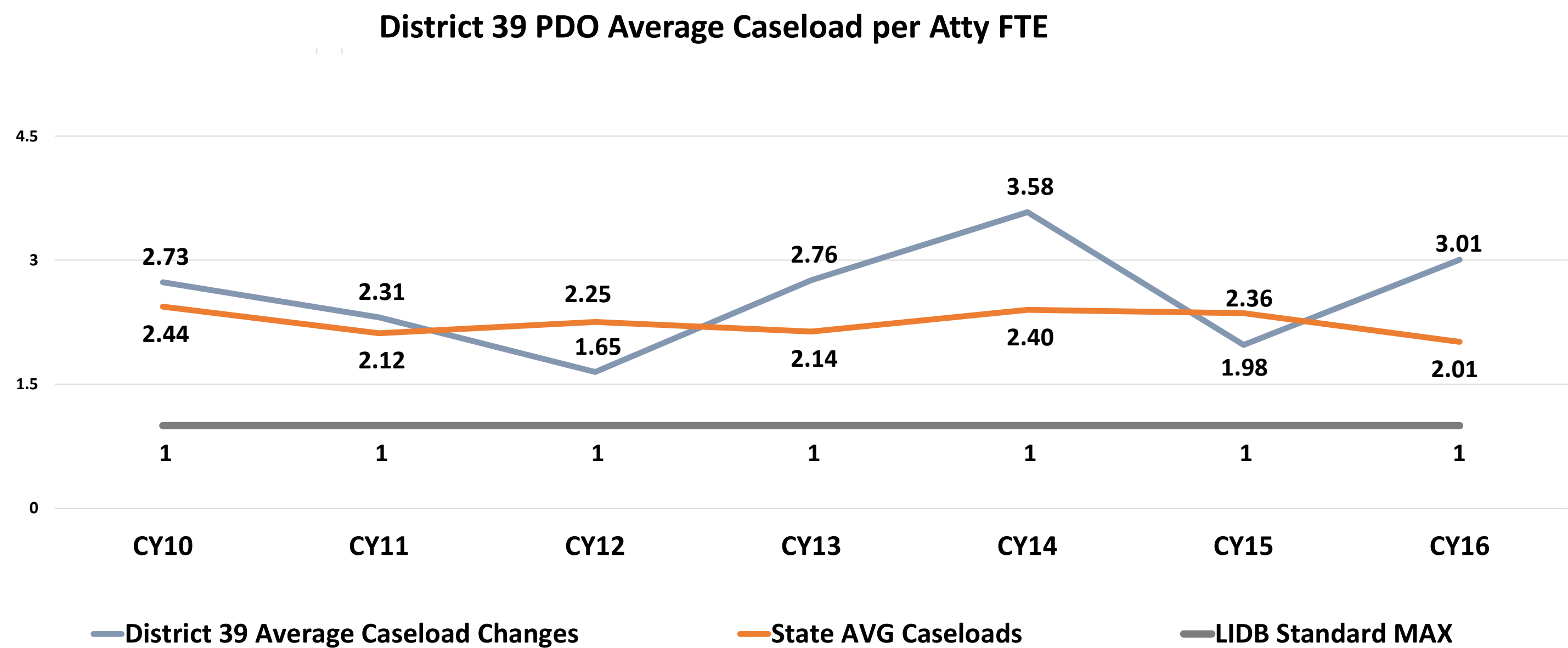


District 39 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



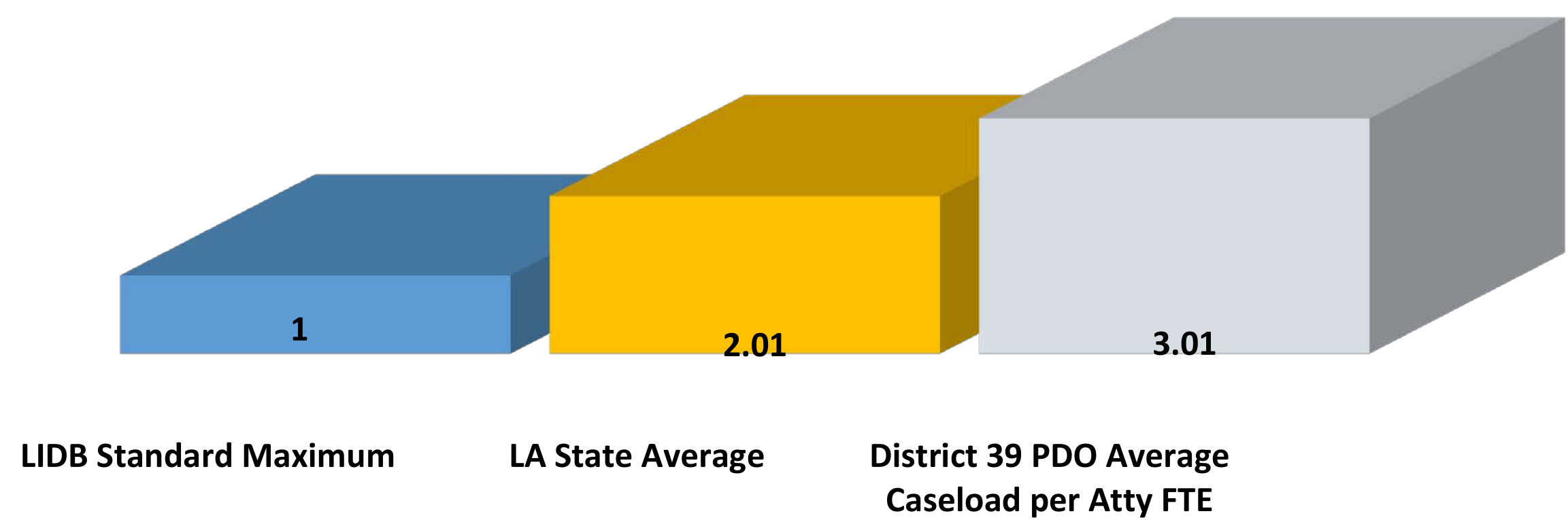
39th JUDICIAL DISTRICT :  
RED RIVER PARISH

Brian McRae  
District Defender  
111 N. Washington St.  
Mansfield, LA 71052  
318-872-2973



In the 39th Judicial District, public defense attorneys maintain caseloads three times the recommended caseload limit for each attorney.

District 39 PDO Average Caseloads Compared to State Average & State Standard...



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 39TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Red River - Coushatta
<b>Population</b>	9,091
<b>District Defender</b>	Brian McRae
<b>Years as District Defender</b>	7
<b>Years in Public Defense</b>	22
<b>Office Manager</b>	Cheri Sewell
<b>Primary Office Street Address</b>	111 N. Washington St.
<b>City</b>	Mansfield
<b>ZIP</b>	71052
<b>Primary Phone</b>	318-872-2973
<b>Primary Mailing Address</b>	P.O. Box 612 Mansfield La. 71052
<b>Primary Fax Number</b>	318-872-6262
<b>Primary Emergency Contact</b>	Brian McRae
<b>Primary Emergency Phone</b>	cell 318-286-2486 Brian McRae
<b>Secondary Emergency Contact</b>	Cheri Sewell
<b>Secondary Emergency Phone</b>	318-461-3218
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	Cheri Sewell
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Brian McRae
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Donated by Chief Public Defender Brian McRae
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Peggy McCoy
<b>Courts and Locations</b>	District, Coushatta
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	1
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	I have one contract attorney, Scott Kendrick. Cases are assigned once I receive a copy of the 72-hour, the client is interviewed via closed circuit TV and the interview sheet at 72 is forwarded to counsel.
<b>Name of Adult Detention Facilities in This District</b>	Red River Detention Center
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Women are housed in other parish's.

<b>Name of Juvenile Detention Facilities In This District</b>	Ware Youth Center, Coushatta
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	None
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	No
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Julie Jones
<b>Chief Judge of Criminal District Court</b>	Lewis Sams
<b>Juvenile Court Judges (Specify District of City Court)</b>	Lewis Sams
<b>Drug Court Judges</b>	No
<b>Mental Health Court Judges</b>	No
<b>Other Specialty Court</b>	No
<b>Name of Specialty and Brief Description:</b>	None
<b>Indigency Determined by Whom and How?</b>	Judge Sams, at 72-hour interview, poverty level of client.
<b>When is Assignment/Appointment of Counsel Made?</b>	At 72 Hour
<b>What steps does your office take to ensure conflict – free representation</b>	Careful review of indigence at 72 hour notice by DD, to identify conflicts. On going review of case developments.
<b>Brief Explanation of Intake Process</b>	Primarily by teleconference within 72 hours of notice of appointment.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	150
<b>How Many Application Fees Were Waived?</b>	None
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	760
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	31,085
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Form provided by Red River Sheriffs Department.
<b>Who Collects the Assessed Court Fees?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Sheriff's Office, per court minutes.
<b>Who Remits the Court Fees Collected?</b>	Sheriff's Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Form provided by Red River Sheriffs Office.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	District Defender makes determination.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Provided by Probations Office/ form.
<b>Who Collects the Assessed Partial Payments?</b>	Peggy McCoy
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Report from Probation Office.
<b>Who Remits the Partial Payments Collected?</b>	Probation Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Report from Probation Office.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	None
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Permitted - yes, Criminal Practice yes, Private Practice Policy - no. I have no policy prohibiting a contract attorney from private practice.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	None
<b>Primary Immediate Needs</b>	More Funding
<b>Was your office in ROS at any time during 2016</b>	No

<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	Now have access to additional local funds.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	More Funding
<b>Long-Term Critical Issue Areas</b>	More Funding
<b>2016 Media Coverage and/or Major Accomplishments</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, I pay for seminars and require attendance at LPDB training. I also work individually with attorneys about strategies and approach on particular cases. We also train on the data base. We have quarterly training as well.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	None
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Valerie Wells, deceased. Add Cheri Sewell.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	N/A
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, monthly for defenders. Weekly for office staff.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Filed in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	None
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	N/A
<b>Number of trial level Juvenile Life Without Parole (<u>Miller</u>) cases handled by your office in CY 2016</b>	Caddo Parish handles all Juvenile Cases in Red River



<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	Same as above
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	Same as above
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Gerald Long (Senator) Terry Brown and Kenny Cox (Representatives).
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	Inability to hire lawyers within the district.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Increased use of investigator services; More aggressive approach to addressing state's factual allegations.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Brian McRae	318-286-2486
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
D. Scott Kendrick	318-354-9146
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Peggy McCoy	318-932-6206
Cheri Sewell	318-872-2973
Pam Mathis	318-872-2973

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.

**Survey Completer's Name**

Cheri Sewell

**Legal Research Tools Used:**

Lexis Nexis

Westlaw

Other (please list)

Fastcase

Number of Legal Research Licenses

Total Cost of Legal Research Software:

No Cost

**SOFTWARE:**

Mark an X in all that apply

**Operating Systems Used:**

Windows 10

Windows 8

Windows 7

x

Windows Vista

Windows Server 2000/2003/2008

Windows XP

x

Mac OSX

**Case Management System(s): Check all that apply**

defenderData (LPDB statewide system)

x

Other System (please name)

**Productivity Suites Used:**

Microsoft Office 2016 (Word, Excel, etc.)

Microsoft Office 2013

Microsoft Office 2010

x

Microsoft Office 2007

x

Microsoft Office 2003

Previous Microsoft Office version

Corel Word Perfect

Other

**Accounting Software**

QuickBooks

x

Quicken

Intuit

Other (list here):	
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b>HARDWARE:</b>	
Please enter the number of devices in your inventory.	
Television	
DVD	0
VCR	
Desktop PCs	3
Laptops	1
Video Cameras	1
Digital Cameras	
Video Conferencing Systems	1
B&W Laser Printers	
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	High
Provider Name:	cp-tel
Email Provider:	AT&T, AOL
Please list any software or computer equipment in which you need training:	

### 39th District Defender Office CY 2016 Caseloads & Outcomes

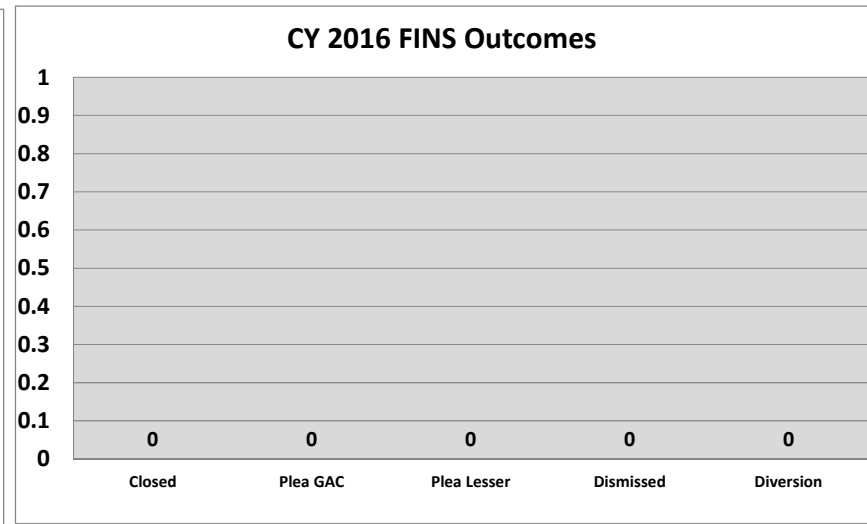
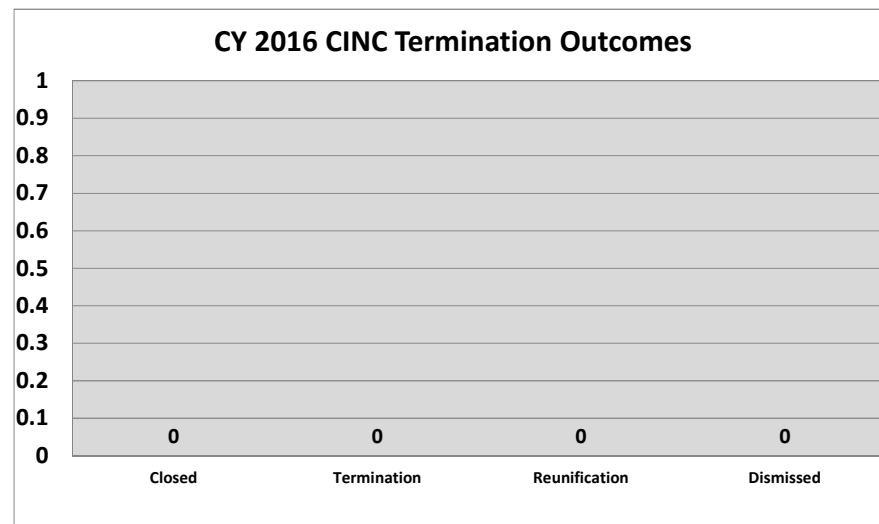
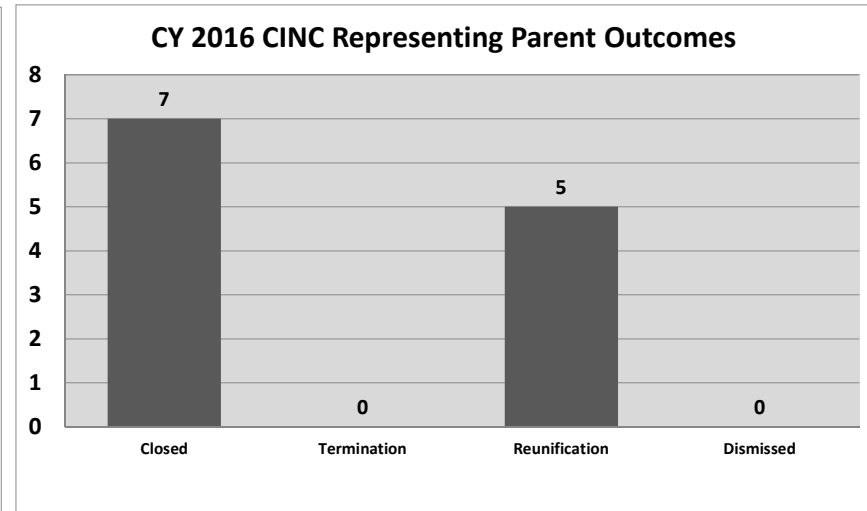
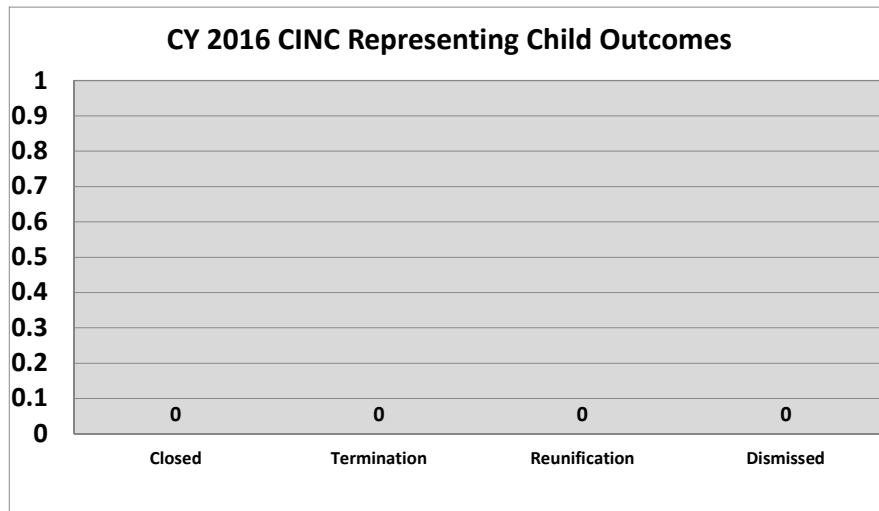
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	4	7	6	10	0	5	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency Felony	1	0	0	1	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	215	198	107	322	N/A	N/A	143	3	65	2	1	0	0	2	3
Adult Felony Non-LWOP**	163	147	98	261	N/A	N/A	86	17	28	1	1	0	0	0	1
Adult LWOP	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	0	0	0	0	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	47	60	27	74	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
PCR	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

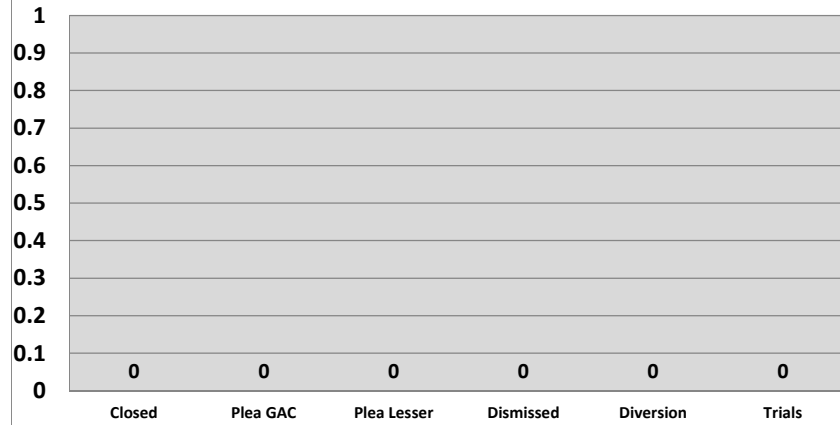
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

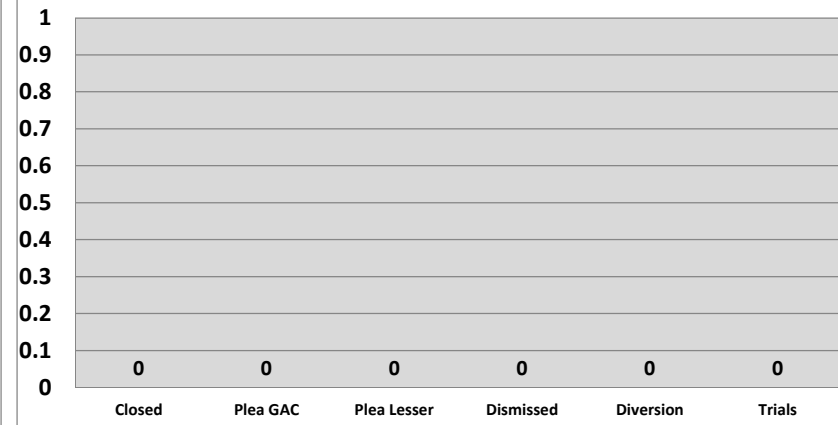
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



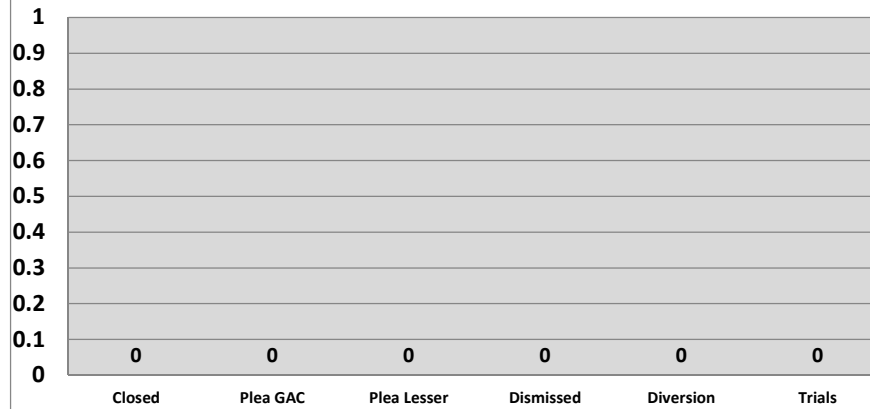
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



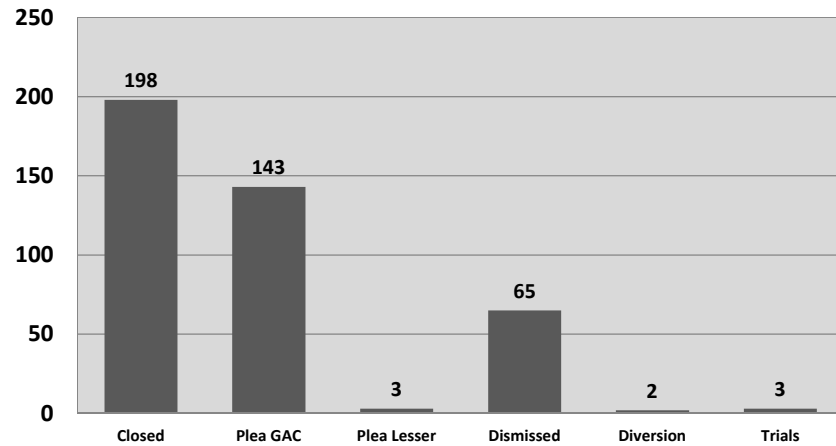
**CY 2016 Delinquency Felony-Grade Outcomes**



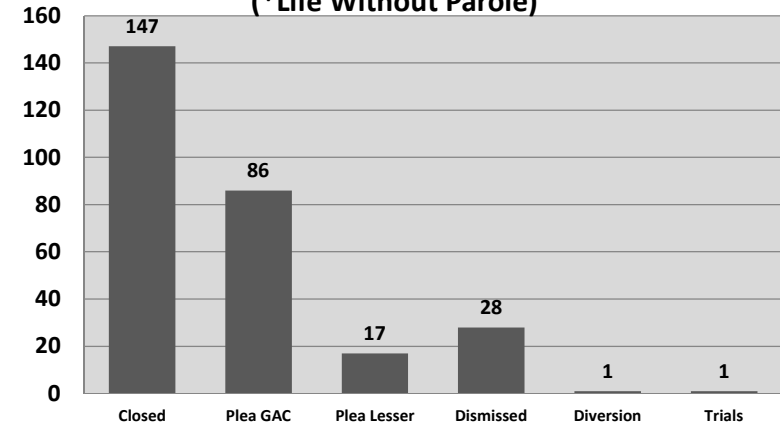
**CY 2016 Delinquency Life Outcomes**



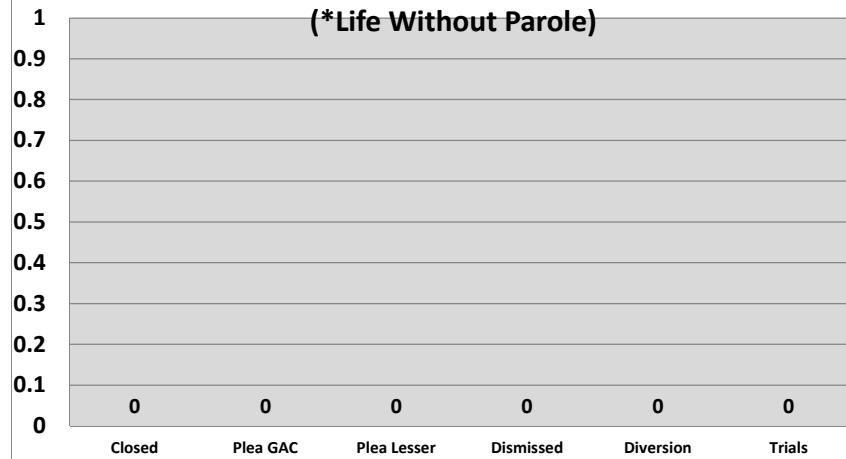
**CY 2016 Adult Misdemeanor Outcomes**



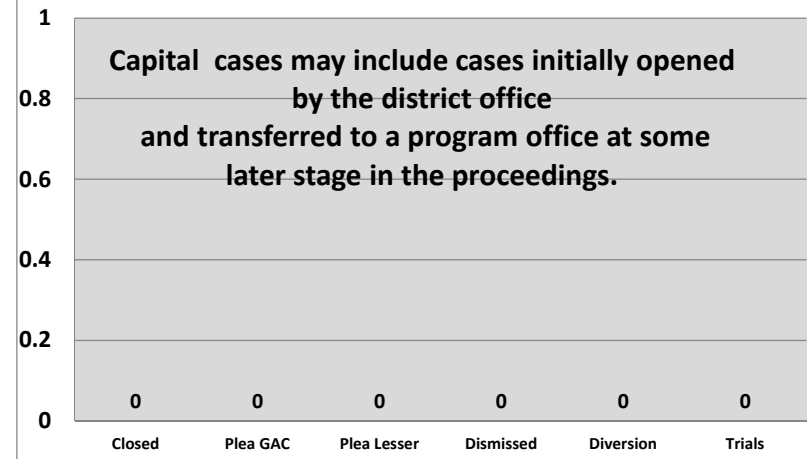
**CY 2016 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Capital Outcomes**



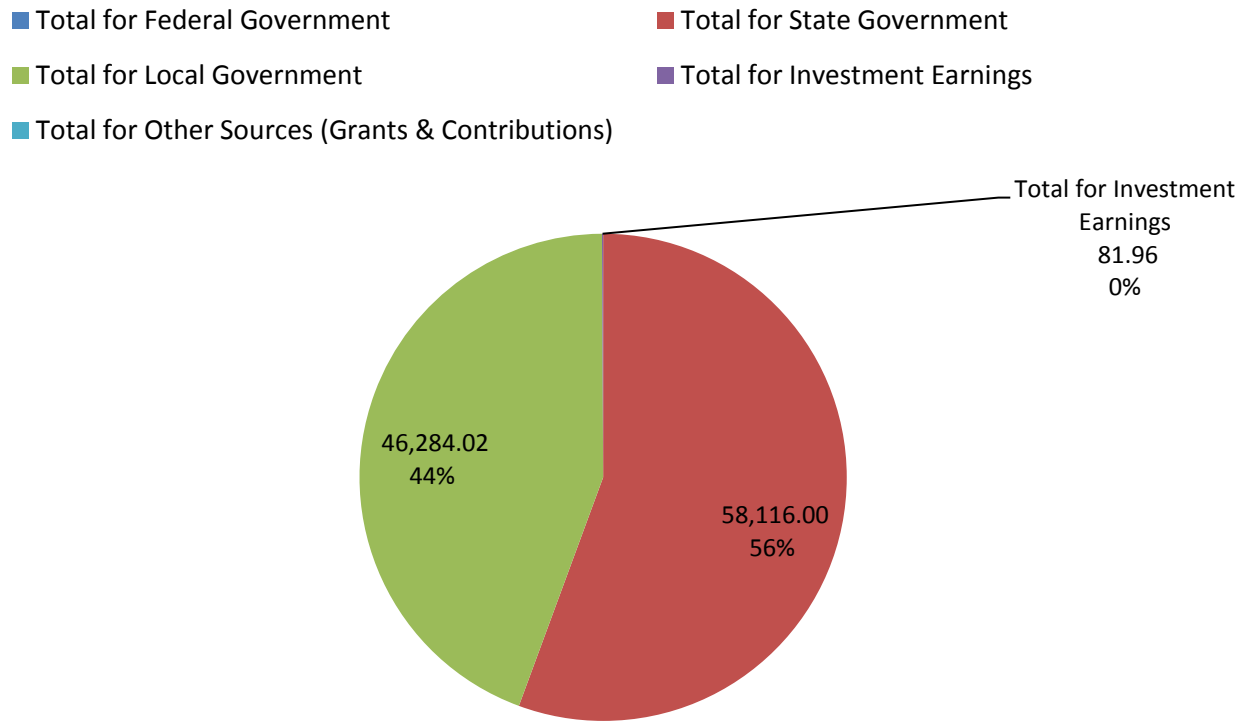
District 39 CY2016	Total CY2016
<b>District Defender: Brian McRae</b>	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
<b>Total for Federal Government</b>	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	1,673.00
District Assistance Fund (DAF)	56,443.00
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
<b>Total for State Government</b>	<b>58,116.00</b>
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	-
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	10,319.17
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
<b>\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs</b>	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	32,885.00
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
<b>Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs</b>	<b>32,885.00</b>
<b>Charges For Services</b>	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	1,060.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	-
Other Reimbursements	2,019.85
Other Local Income -List source(s)	-
<b>Total for Charges For Services</b>	<b>3,079.85</b>
<b>Total for Local Government</b>	<b>46,284.02</b>
<b>Investment Earnings</b>	
Interest Income	81.96
Other Investment Income - List source(s)	-
<b>Total for Investment Earnings</b>	<b>81.96</b>
<b>Other Sources (Grants &amp; Contributions)</b>	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
<b>Total for Other Sources (Grants &amp; Contributions)</b>	
<b>Total for REVENUE</b>	<b>104,481.98</b>



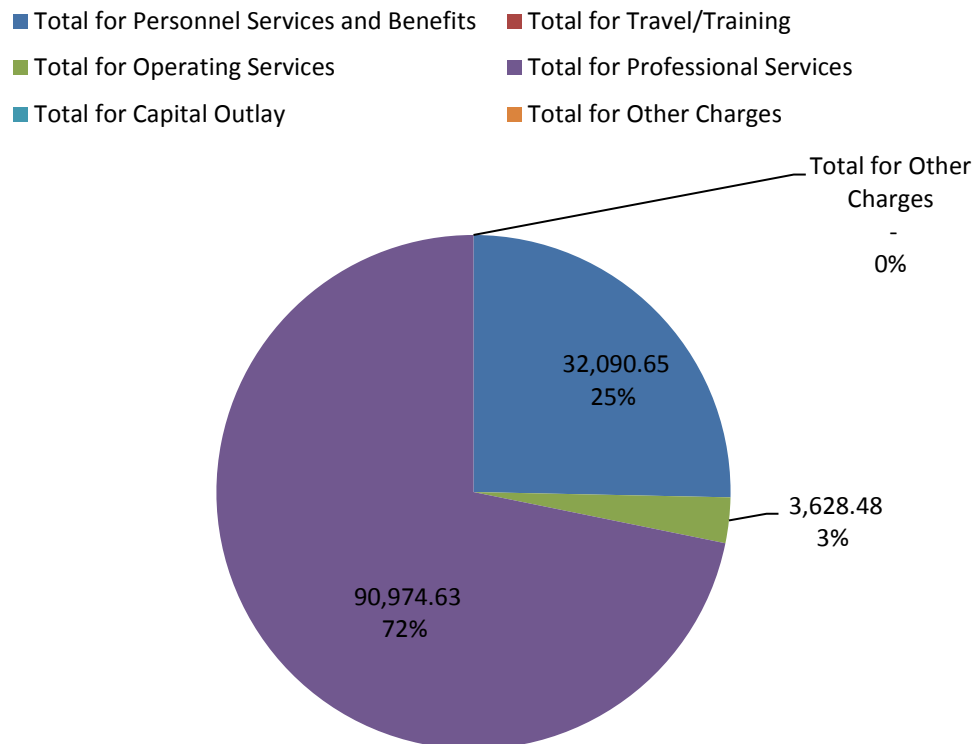
<b>District 39 CY2016</b>	<b>Total CY2016</b>
<b>District Defender: Brian McRae</b>	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	23,446.60
Accrued Leave	-
Payroll Taxes	8,644.05
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
<b>Total for Personnel Services and Benefits</b>	<b>32,090.65</b>
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	-
<b>Total for Travel/Training</b>	
Operating Services	
Advertisements	-
Workers' Compensation	400.00
Insurance - Malpractice	2,744.48
Insurance - Auto/Physical Liability	484.00
Insurance - Other	-
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	-
Dues and Seminars	-
Law Library/Journals/Subscriptions	-
Office Supplies	-
<b>Total for Operating Services</b>	<b>3,628.48</b>
Professional Services	
Audit/Accounting Expense	1,000.00
Contract Clerical	-
Expert Witness	-
Investigators	270.00
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	10,750.00
Contract - Juvenile Attorneys or CINC	-
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	76,800.00
IT/Technical Support	2,154.63
<b>Total for Professional Services</b>	<b>90,974.63</b>
Capital Outlay	
Major Acquisitions	-
<b>Total for Capital Outlay</b>	
Other Charges	
Other Operating Expenses	-
<b>Total for Other Charges</b>	
<b>Total for EXPENDITURES</b>	<b>126,693.76</b>

NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





THE 40<sup>TH</sup> JUDICIAL DISTRICT  
PUBLIC DEFENDERS' OFFICE  
ST. JOHN THE BAPTIST (EDGARD)

DISTRICT DEFENDER: RICHARD B. STRICKS  
75 DOMINICAN DRIVE, SUITE 202  
LAPLACE, LA 70068-3400  
(985) 651-6677 x 200

40th JUDICIAL DISTRICT :  
ST. JOHN PARISH

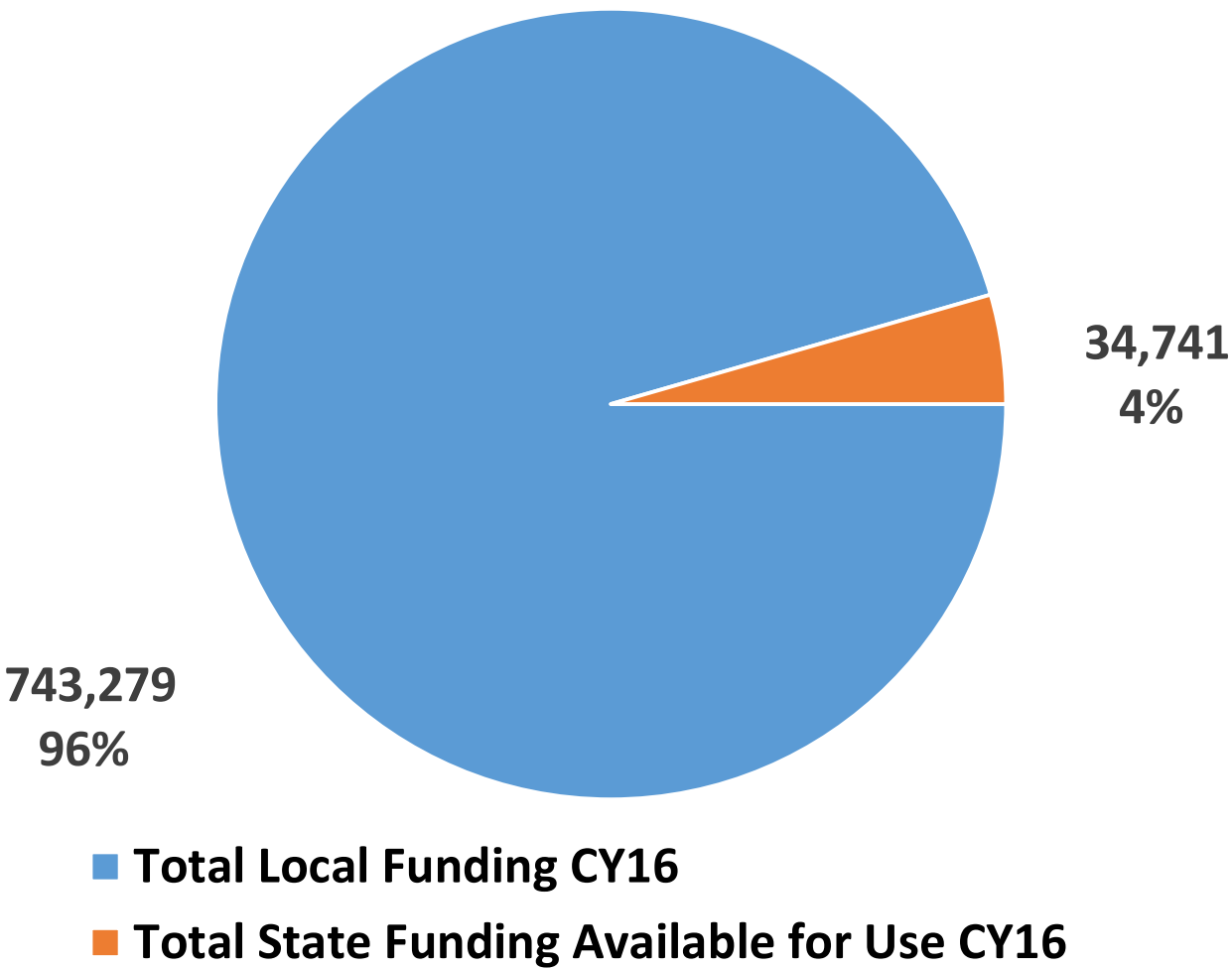
Richard B. Stricks  
District Defender  
75 Dominican Drive, Suite 202  
La Place, LA 70068  
985-651-6677

During Calendar Year 2016, the 40th Judicial District Public Defenders Office handled 2,928 cases. The office received \$778,019 in total revenues to handle these cases, approximately 96% of which came from local funding compared to the state average of 65%. This funding was derived primarily from traffic tickets and special court costs.

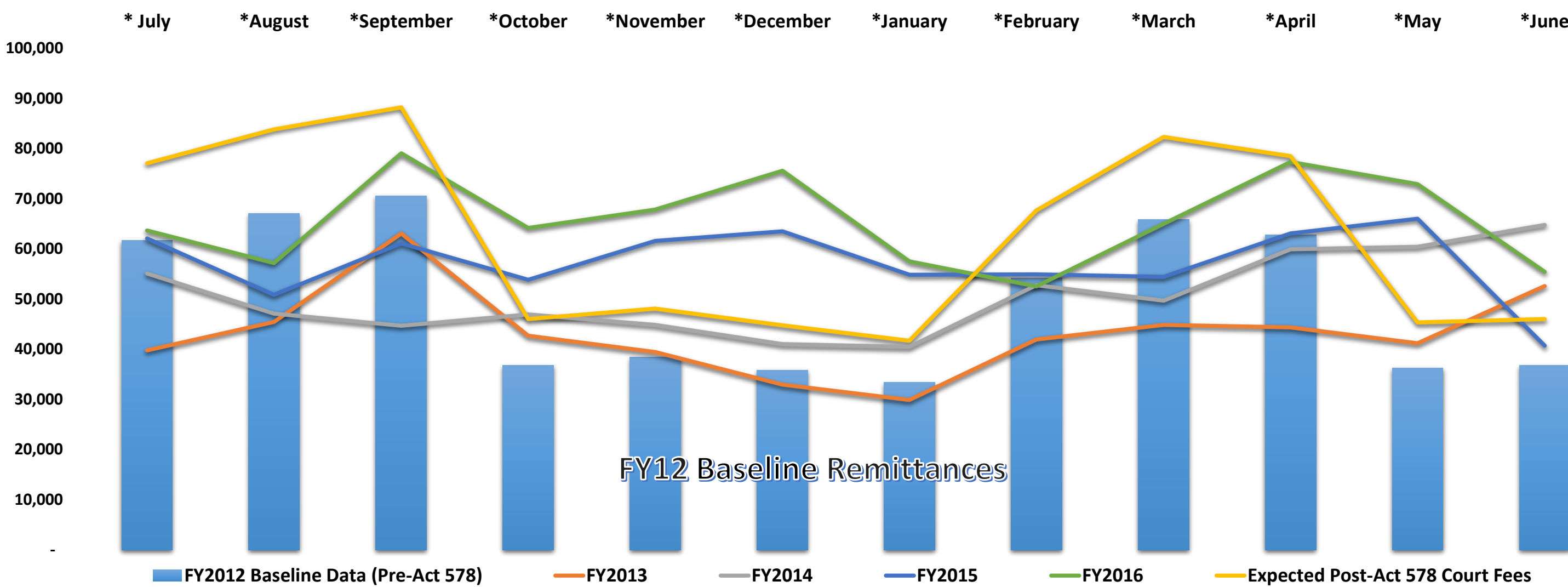
Since the passage of the \$10 increase in special court costs associated with Act 578 (2012) in the 40th Judicial District, the expected 25% increase in local revenues has generally failed to materialize .

Between CY11 and CY13, the 40th Judicial District Office’s local revenues decreased, falling well short of covering expenditures. Local revenues had decreased to the extent that in FY14, the State began providing an appropriation to help cover the gap between the district’s revenues and expenditures (which accounts for the increase in CY14 revenues). The state has continued to provide supplemental assistance to the district office.

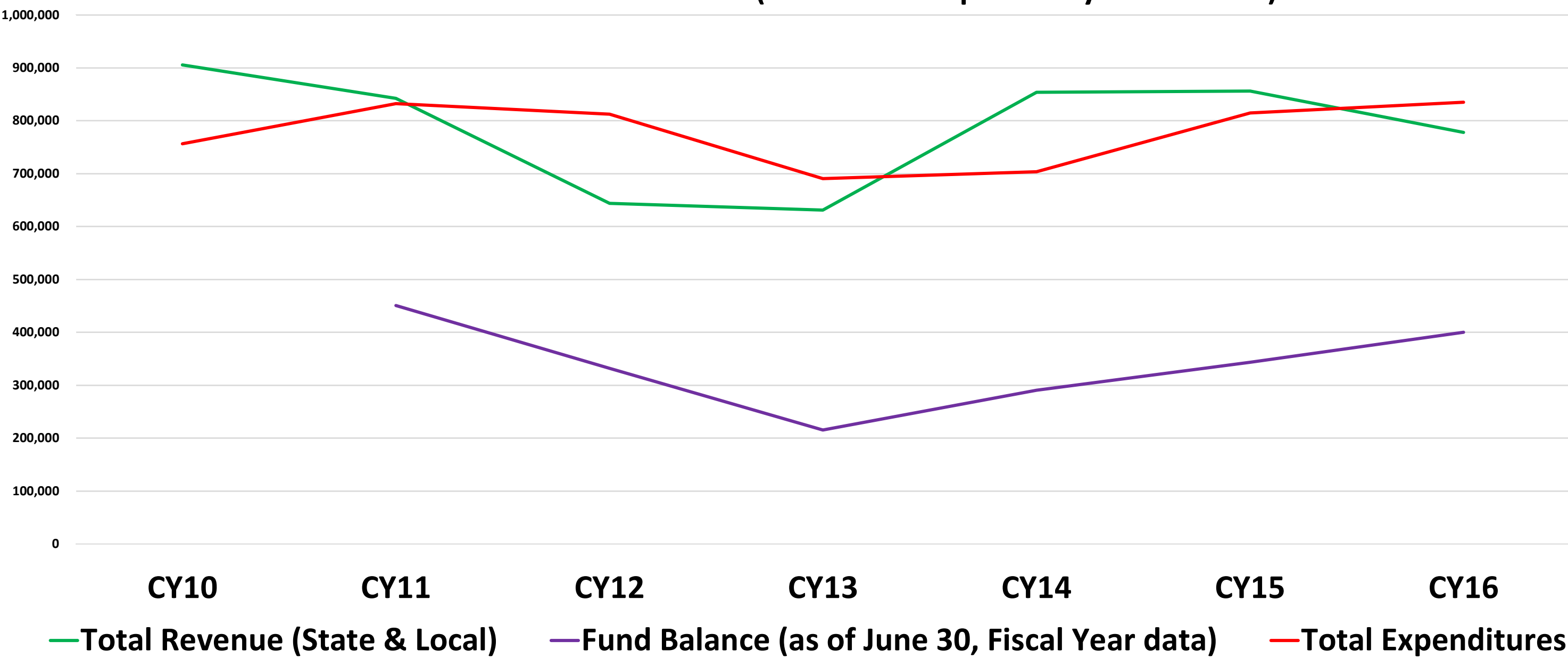
District 40 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 40 PDO

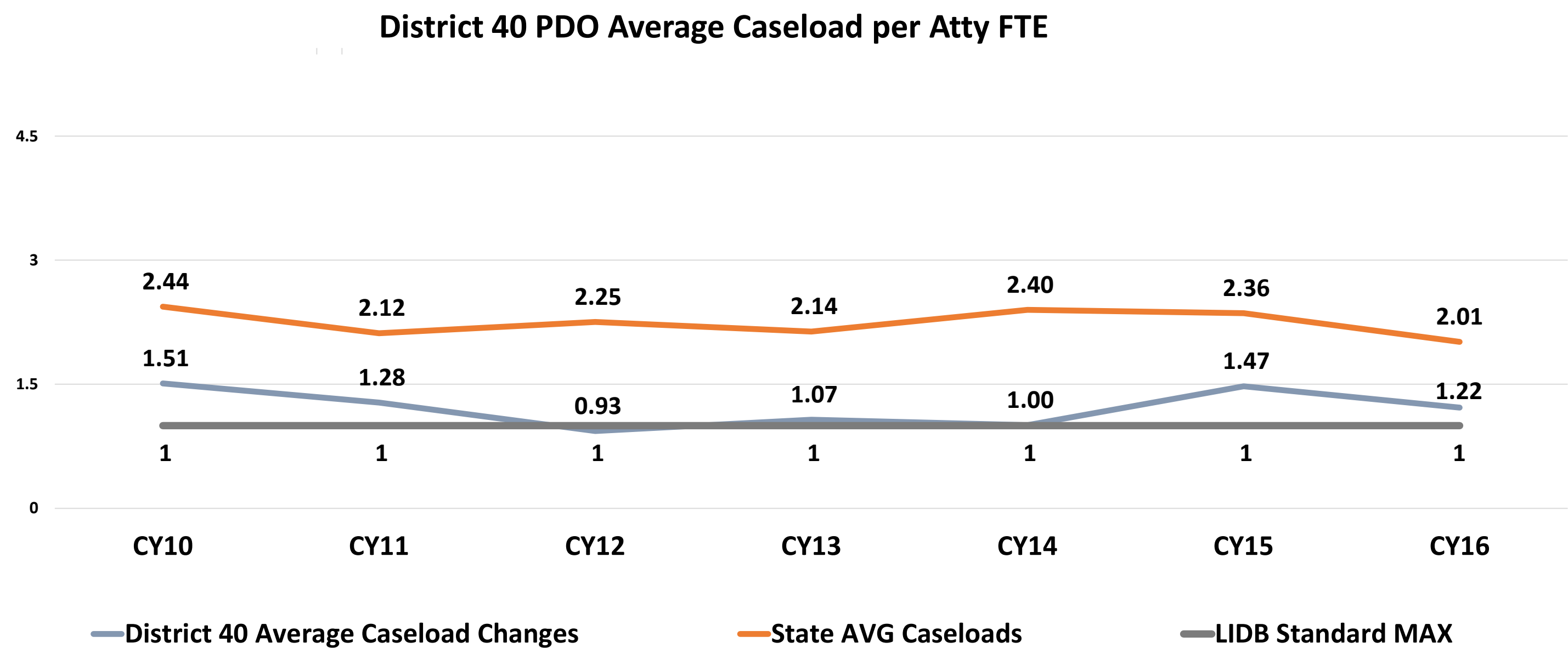


District 40 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



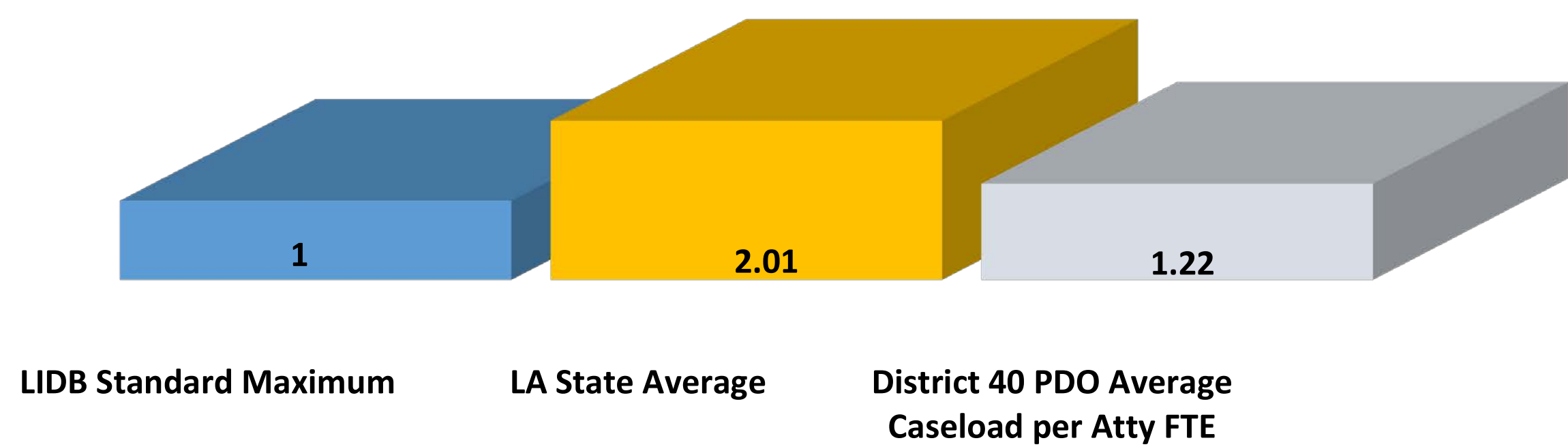
40th JUDICIAL DISTRICT :  
ST. JOHN PARISH

Richard B. Stricks  
District Defender  
75 Dominican Drive, Suite 202  
La Place, LA 70068  
985-651-6677



In the 40th Judicial District, public defense attorneys maintain caseloads near the recommended caseload limits for each attorney.

District 40 PDO Average Caseloads Compared to State Average & State Standard Maximums



CAPITAL REPRESENTATION

This PDO has no capitally certified counsel on staff, nor the financial means with which to contract with certified counsel. As such, the district has no capacity to handle a capital case and is wholly reliant on the non-profit-501(c)3 law offices with which LPDB contracts for capital representation.



## THE 40TH JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	St. John the Baptist - Edgard
<b>Population</b>	43,626
<b>District Defender</b>	Richard B. Stricks
<b>Years as District Defender</b>	21
<b>Years in Public Defense</b>	21
<b>Office Manager</b>	None
<b>Primary Office Street Address</b>	75 Dominican Drive, Suite 202
<b>City</b>	La Place
<b>ZIP</b>	70068-3400
<b>Primary Phone</b>	985-651-6677 ext. 200
<b>Primary Mailing Address</b>	Same as primary office street address.
<b>Primary Fax Number</b>	985-651-5800
<b>Primary Emergency Contact</b>	Richard B. Stricks
<b>Primary Emergency Phone</b>	cell: 504-559-1434
<b>Secondary Emergency Contact</b>	Ashley A. Bogac, Erica N. Carter, or Diana G. Tambunga
<b>Secondary Emergency Phone</b>	cell: 504-982-4001, cell: 504-813-2328, or cell: 504-462-8577
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	None
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Cypress Property Management, Henry W. Tatje III, Managing Partner (lessor).
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$1200 office space rent; \$135 file storage space rent; and \$530 utilities, including phone, long distance, electricity, postage, and internet connections.
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Yes; except that the annual audit is handled by Keith M. Rivere, CPA
<b>Courts and Locations</b>	District Court is located in Edgard (West Bank); Annex Courthouse is located in La Place (East Bank).
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Three Divisions of Court. Each Division holds court in both the District and Annex Courthouses.

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	According to a pre-set grid or table, the cases are generally divided among the lawyers based on the division of court and the last digit of the case number. Example: In each division of court, the cases that end in an odd digit are normally assigned to one attorney and those ending in an even digit are assigned to another. When a defendant has more than one case in a division of court, the same lawyer is assigned to all such cases. When there are more than two clients in any case, the lawyers who handle cases in another division of court are assigned according to that grid. A copy of the grid has been attached to the electronic version of the district narrative.
<b>Name of Adult Detention Facilities in This District</b>	1. Sherman Walker Correctional Center; 2. St. John the Baptist Parish Jail ("old jail"); Both are located in La Place.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	For reasons only known to the sheriff, some St. John inmates are housed in other parishes, including Nelson Coleman Correction Center in St. Charles Parish, Tangipahoa Parish Jail, Tensas Parish Detention Center, and Concordia Parish Correctional Center.
<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Assumption Parish Youth Detention Center; Napoleonville, Louisiana - closed towards the end of 2016; Terrebonne Parish Juvenile Justice Complex; Gray, Louisiana
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes; to get to the Youth Detention Center in Napoleonville from the Public Defenders Office requires approximately 2 hours and is a 85.2 miles round trip. The housing of adult inmate clients in other parishes puts a great strain on the lawyers who wish to visit their client. Those round trips take all day.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No; due to the efforts of the juvenile Public Defenders, this practice has stopped. The juveniles are transported to the courthouse shackled, but they are unshackled for the court appearances.
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Yes; Attorney/Client visitation areas are very unsatisfactory. They are noisy and communications between attorneys and clients can be heard outside of the immediate area. The hours for attorney visitation are restricted, limited to only 6 hours per day, 3 hours in the morning and 3 hours in the afternoon, with a 2 hour break in between. Attorney visitation during weekends and holidays is also restricted and requires advanced permission from the warden. Inexplicably, the sheriff prohibits lawyers from using cell phones in the visiting area. Also, the housing of clients in Concordia and Tensas parishes puts great strain on lawyers who wish to visit their clients. Those round trips take all day.

<b>District Attorney</b>	Bridget Dinvaut
<b>Chief Judge of Criminal District Court</b>	Rotates annually; 2016 = Judge J. Sterling Snowdy; 2017 = Judge Madeline Jasmine; 2018 = Judge Jeffrey Perilloux
<b>Juvenile Court Judges (Specify District of City Court)</b>	Division A- Judge Madeline Jasmine; Division B= Judge Mary Hotard Becnel who resigned at the end of 2016. Jeffrey Perilloux has been elected in Division B; Division C= Judge Sterling J. Snowdy; All are District Court Judges
<b>Drug Court Judges</b>	Judge Madeline Jasmine
<b>Mental Health Court Judges</b>	None
<b>Other Specialty Court</b>	Yes
<b>Name of Specialty and Brief Description:</b>	Truancy Court. The judge reviews the attendance of juveniles registered in schools of St. John the Baptist Parish, including absences and tardiness. Nearly 80% of cases are resolved during the initial stage, where the judge orders that both the juvenile and the parent comply with the attendance policy of the school. At a subsequent date, if the juvenile is not in compliance, the FINS coordinator files a truancy petition alleging that the juvenile is either not attending school or has a substantial amount of tardiness. If the District Attorney determines that the parent is at fault, a misdemeanor charge of improper supervision may be filed against him/her and a trial may be held in truancy or misdemeanor court. Judge Mary Hotard Becnel presides over Truancy Court.
<b>Indigency Determined by Whom and How?</b>	Every Thursday, during office hours, the Public Defender Office takes applications from persons who are not incarcerated and who are seeking a public defender. The applicant is questioned using a standardized application form, which may be longer depending on the financial circumstances. The sworn application is reviewed by the District Defender who then either assigns counsel or files a certification of ineligibility. Both the "Affidavit of Poverty and Application for Public Defender Services" (short form) and the "Application for Public Defender Services" (long form) have been attached to the electronic version of the district narrative. Also the "Notice of Assignment of Counsel" and the "Certification Regarding Eligibility for the Services of a Public Defender" have been attached to the electronic version of the district narrative.



<b>When is Assignment/Appointment of Counsel Made?</b>	Within 72 hours after arrest, the duty judge speaks to the inmates by telephone or by video. An order appointing counsel is faxed to the PDO. The District Public Defender is appointed by name to all cases. He or an investigator does the initial jail visit to assign a line defender, generally within 3 judicial days. The incarcerated client is given a paper with information about applying for services upon release on bail and the name and phone number (free, not collect, calls) of the line defender who is assigned. That information is also filed into the court record. For those who post bail, counsel is assigned after a formal application is made (see previous answer).
<b>What steps does your office take to ensure conflict – free representation</b>	At intake, item numbers are cross-checked to determine whether more than one party is charged. We review police documents for names of witnesses and victims to see if they are charged in cases assigned to the PDO. We require that the lawyers immediately report if they perceive a conflict of any type. Members of the private bar, have in the past, agreed to accept cases when the District Defender anticipates a conflict requiring "outside counsel."
<b>Brief Explanation of Intake Process</b>	The lawyers have access to a multi-page interview sheet to use when conducting client interviews at the jail. The first jail visit is done by the District Defender, after which the data is entered into the database and notes are made. A line defender is assigned by the District Defender. A copy of the interview sheet has been attached to the electronic version of the district narrative, labeled Exhibit A.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	Approximately 399
<b>How Many Application Fees Were Waived?</b>	Unknown; the requirements that applications be made and application fees be paid are waived while defendants are incarcerated. It is also waived when a defendant has applied and been approved in an open, pending case, and is subsequently charged in a new case. Only then is the fee waived in the second case.
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	\$9,727
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No; except when reported as delinquent debt to the Office of Debt Recovery. Only then is the application fee collected by the Louisiana Department of Revenue.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	662,094

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes; except in some cases, where a term of incarceration, without suspension, is actually imposed. If a client is arrested for failing to appear in court to prove that they have paid the court costs, the appointed lawyer may request credit for time served, in lieu of payment, in which case, the money is not collected. However, lately, the DA opposes this and the judges will then not grant the request.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	In those cases handled by a Public Defender, information is received from the line defender or by review of the court minutes, which is routinely done by the clerical staff. Ordered fees, over and above the mandatory \$45 court fee, are entered into the database from this information. A collection letter is then sent out to the client and followed up by a report to the Louisiana Department of Revenue's Office of Debt Recovery if said fees are not paid in a timely manner.
<b>Who Collects the Assessed Court Fees?</b>	As to the mandatory \$45 court fee, the sheriff collects the funds and distributes them monthly. Other court ordered fees are collected directly from the clients at the Public Defender Office or by a probation officer.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	As to the mandatory \$45 court fee, a monthly statement is received from the sheriff specifying the amount collected. The Sheriff provides a form similar to that created by the LPDB. The District Attorney provides a print-out of costs collected in connection with bond forfeitures.
<b>Who Remits the Court Fees Collected?</b>	Court Costs, including the mandatory \$45 court fee, are distributed by the sheriff.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	As to the mandatory \$45 court fee, a monthly statement is received from the sheriff specifying the amount distributed. Ordered fees, over and above the mandatory \$45 court fee, are entered into the database when received.

<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	At the time of application, if the answers to the financial inquiries indicate that the defendant is partially indigent, he/she is requested by the District Defender to pay a set amount based on the type of case (\$550 for a felony, \$250 for a misdemeanor) to defray the costs of representation by the PDO, if that can be paid without creating a substantial financial hardship to him/herself or to his/her dependent(s).
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	A record is made at the time of the application and certification is submitted to the judge. If the judge orders the payment, it is entered into the database as an ordered fee by either Ashley A. Bogac, Erica N. Carter, or Diana G. Tambunga.
<b>Who Collects the Assessed Partial Payments?</b>	The PDO staff collects the assessed partial payments.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	A receipt is given and the payment is entered into the database by PDO staff.
<b>Who Remits the Partial Payments Collected?</b>	The clients, either in person or by mail, remit the payments.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	See above.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	36,690
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Yes; Yes.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes. Copies of the "Independent Contractor Agreement" effective July 1, 2016 and the "Guidelines for District Personnel Associated with the 40th Judicial District Public Defender Office" effective July 1, 2016 have been attached to the electronic version of the district narrative, both labeled Exhibit B.
<b>Primary Immediate Needs</b>	Reinstatement of expert testing funds for all felonies, increasing traffic ticket issuances and collections to July (2016) levels.
<b>Was your office in ROS at any time during 2016</b>	No

<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	N/A
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Yes; an investigator's contract was amended from a flat fee to an hourly rate; we did not renew a contract under the same terms for one attorney, who subsequently put in her 2 weeks notice.
<b>Immediate Critical Issue Areas</b>	Sustained decline of locally generated funds since July 1, 2016, particularly court cost (special assessments) and expert funding for cases involving Charles McQuarter III and Dracier Dewey.
<b>Long-Term Critical Issue Areas</b>	Sustained decline of locally generated funds, particularly court cost (special assessments).
<b>2016 Media Coverage and/or Major Accomplishments</b>	2016 media coverage due to the sheriff suddenly and without warning, terminating his participation in the L.A.C.E. program; graduate of phase 1 of Gideon's Promise Program
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	Yes, principally on a case by case basis and at monthly meetings of the District Personnel.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Annika K. Mengisen, Eric R. Goza, Fontella Baker, Kevin L. Ambres, Lisa M. Parker
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	In addition to the District Defender, Lisa M. Parker has been given additional supervisory and administrative duties.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	The District Defender has agreed to limit Lisa M. Parker's caseload during 2016.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	In 2016, none. All dental and medical insurance benefits were eliminated. There was no employer contribution for health insurance in 2016. Effective January 1, 2017, this will change and will be reflected on next years annual district narrative.
<b>Regular Meetings for Any Staff, Please Describe</b>	There is a meeting of the District Personnel usually on the last Wednesday of each month, ten months of the year (excluding November and December).
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	0
<b>Number of Writs Your District Filed in 2016</b>	3
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	0

<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Initially juvenile defenders are assigned; they coordinate with the adult defenders.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	6
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	0
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	0
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	State Representatives: Clay Schexnayder, District 81, Gregory A. Miller, District 56, Randal L. Gaines, District 57; State Senators: Troy Brown, District 2, Gary Smith, District 19
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	With only one closed attorney booth at the jail, there is a lack of private facilities for more than one attorney to interview clients at the jail. Also, there are restrictive time limitations at the jail for the attorneys to meet with their clients. Elimination of the Reserve/Edgard Ferry now requires a 48 mile round trip to the Edgard court house from the office. Also, the housing of too many inmates outside of the parish contributes to our funding issues. Additionally, the building where the PDO is currently located is insufficient for our purposes due to the deterioration of the air conditioning system and unreliable elevator service. The air conditioning system fails several times each year and the elevator was out of service for 5 months in 2016. Negotiations have begun with the parish to relocate the PDO to a parish-owned building, but suitable premises may not be available until the end of 2017.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Monthly monitoring of Sheriff's Office activity regarding traffic ticket issuance and jail visitation conditions; meeting monthly with the District Attorney regarding a broad range of issues including finances and individual cases; and attempting to divide caseload between attorneys based on skill and experience. Additionally, in November 2016, discussions began with the chief financial officer, the parish president, and parish council to have parish funds from a rededicated Juvenile Justice tax assist the PDO in paying the attorneys who represent children in juvenile court. On December 13, 2016, the District Defender appeared before the parish council to make a brief presentation regarding the need and availability of funds from the rededicated tax. At their final meeting on December 27, 2016, the parish council approved 25% of the requested funding for legal services for children represented by the PDO, commencing January 2017.

[illegible]

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Richard B. Stricks
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	N/A
Westlaw	N/A
Other (please list)	Fast case
Number of Legal Research Licenses	N/A
Total Cost of Legal Research Software:	Fast case is a research engine provided by the Louisiana Bar Association and the costs associated are included in the mandatory dues accessed by LSBA.
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	x
Windows 8	x
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	x
Previous Microsoft Office version	
Corel Word Perfect	x
Other	x - Microsoft Office 365
<b><u>Accounting Software</u></b>	

QuickBooks	x
Quicken	
Intuit	
Other (list here):	
<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	x
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	x
Microsoft Edge	x
Firefox	x
Google Chrome	x
Other	
<b>HARDWARE:</b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	0; some laptops and all desktops have DVD player capabilities.
VCR	
Desktop PCs	8
Laptops	14
Video Cameras	
Digital Cameras	
Video Conferencing Systems	3
B&W Laser Printers	2
Color Printers	2
Wireless Cards	
Smartphones (Funded by Office)	
iPad/Tablets (Funded by Office)	1
	1 B&W Inkjet Printer
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	download speed: 35.49 Mbps; upload speed: 2.35 Mbps
Provider Name:	Reserve Telecommunications (RTC)
Email Provider:	GoDaddy.com
Please list any software or computer equipment in which you need training:	Excel & Database training



### 40th District Defender Office CY 2016 Caseloads & Outcomes

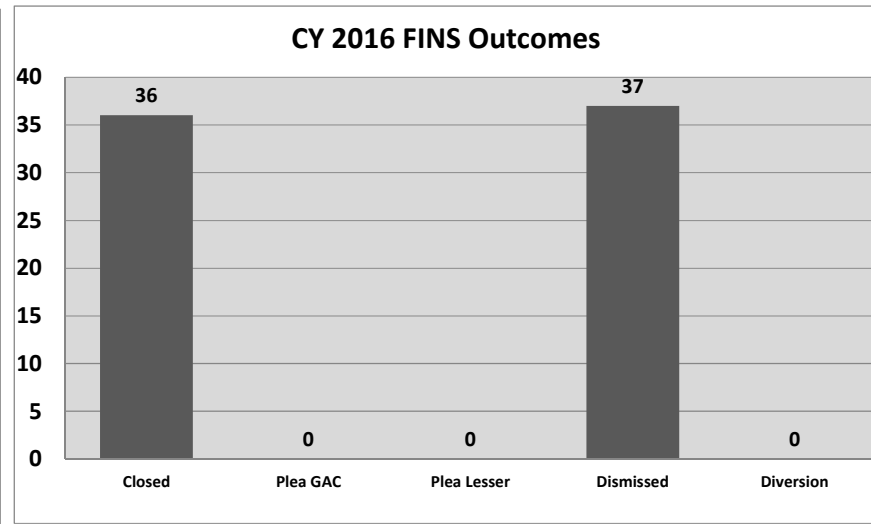
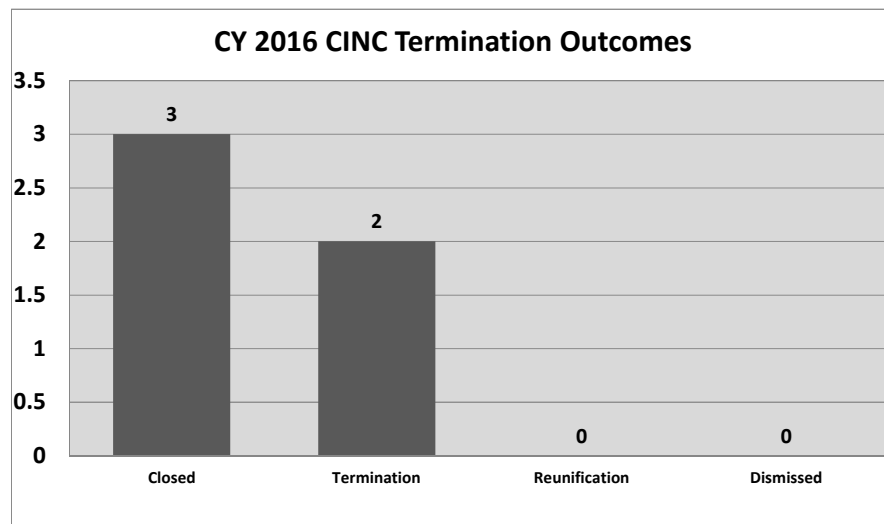
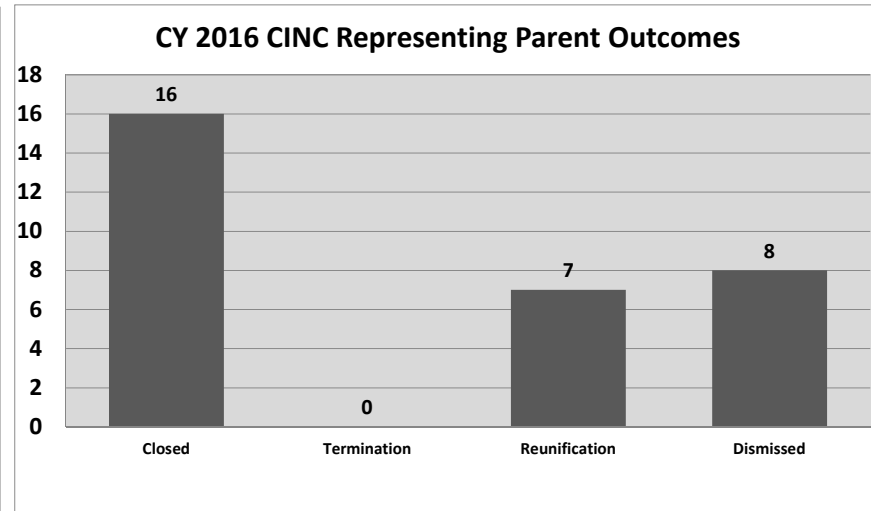
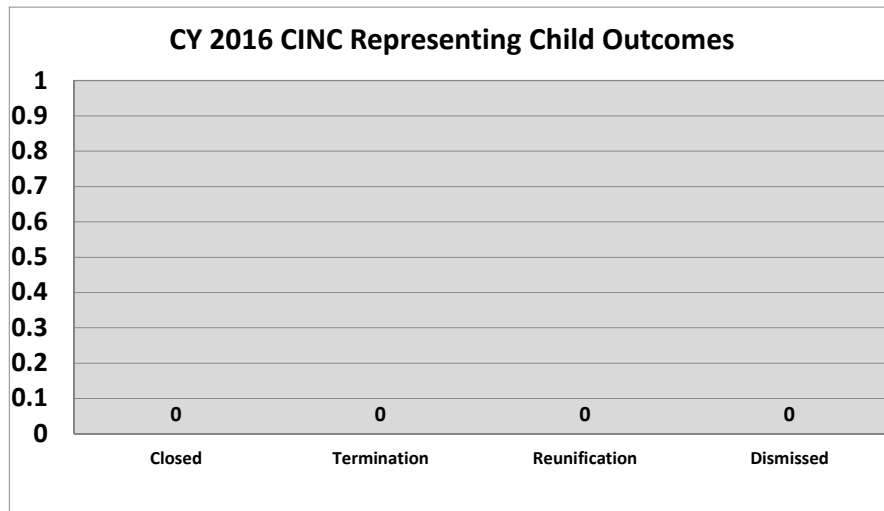
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	28	46	26	54	N/A	N/A	N/A	N/A	17	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	22	16	17	39	0	7	N/A	N/A	8	N/A	N/A	N/A	N/A	N/A	0
Termination	4	3	11	15	2	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	34	36	28	62	N/A	N/A	0	0	37	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	109	120	96	205	N/A	N/A	8	2	188	29	N/A	N/A	0	0	0
Delinquency Felony	13	36	49	62	N/A	N/A	1	0	54	8	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	989	812	518	1507	N/A	N/A	285	24	687	0	0	0	0	2	2
Adult Felony Non-LWOP**	489	306	408	897	N/A	N/A	93	56	188	0	1	1	0	0	2
Adult LWOP	0	4	7	7	N/A	N/A	0	1	0	0	0	2	0	0	2
Capital***	0	0	2	2	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	53	67	19	72	N/A	N/A	0	0	4	0	N/A	N/A	N/A	N/A	0
PCR	2	2	4	6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2	0	2
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

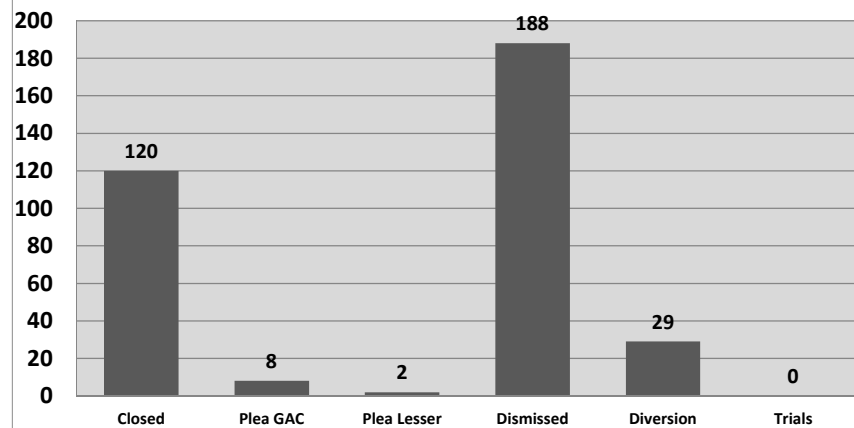
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

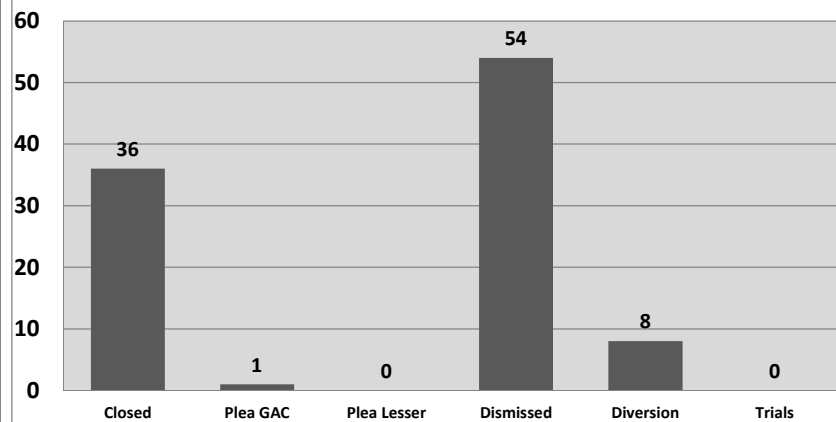
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



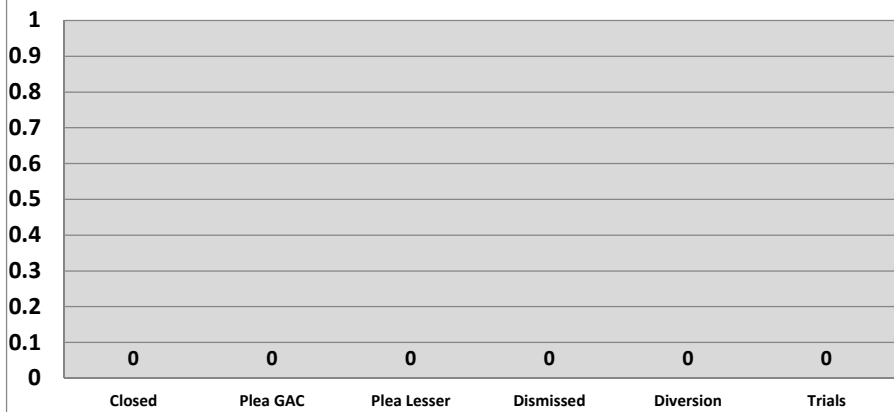
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



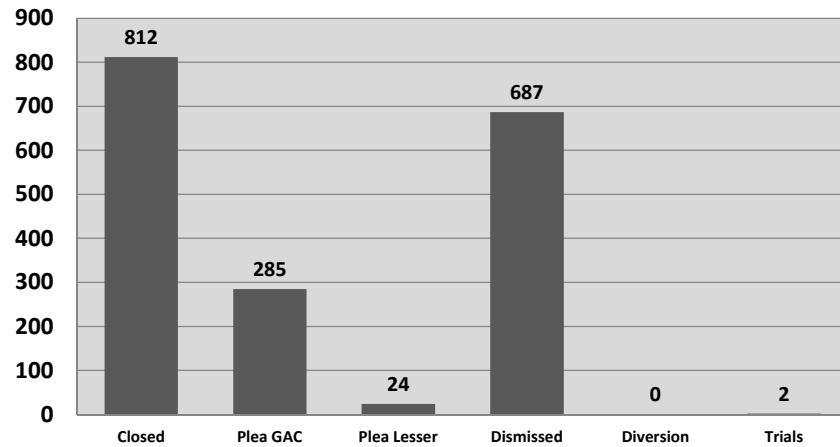
**CY 2016 Delinquency Felony-Grade Outcomes**



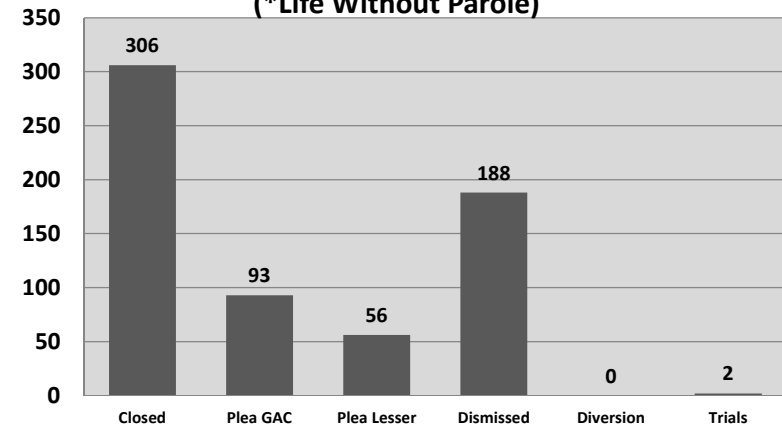
**CY 2016 Delinquency Life Outcomes**



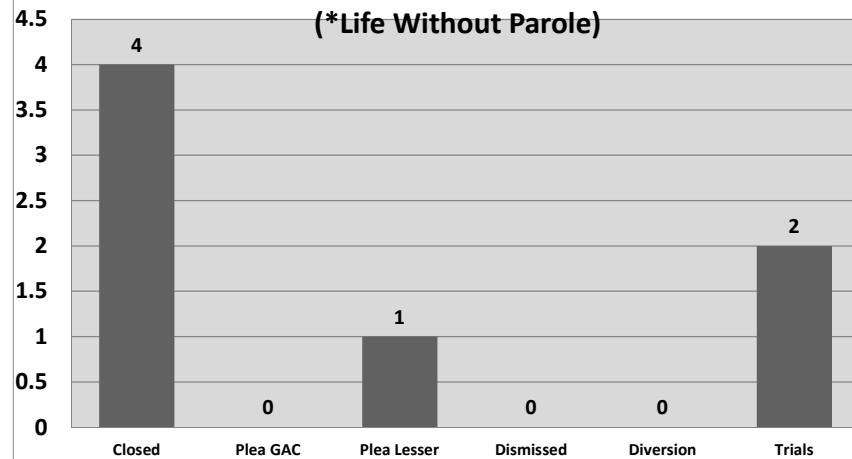
**CY 2016 Adult Misdemeanor Outcomes**



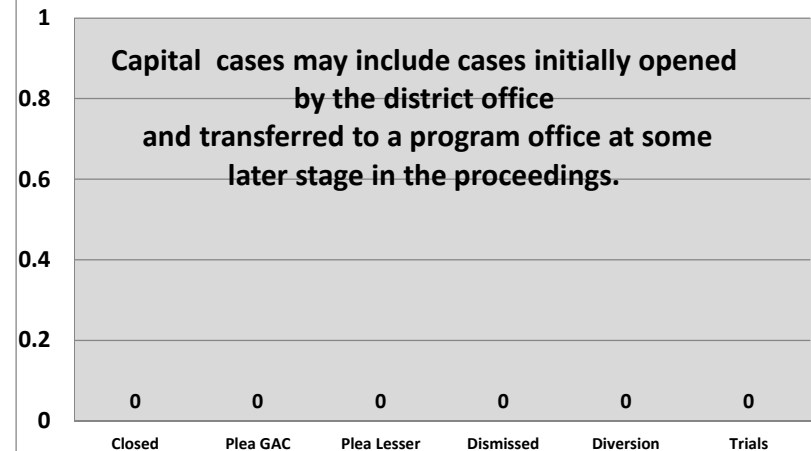
**CY 2016 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Capital Outcomes**

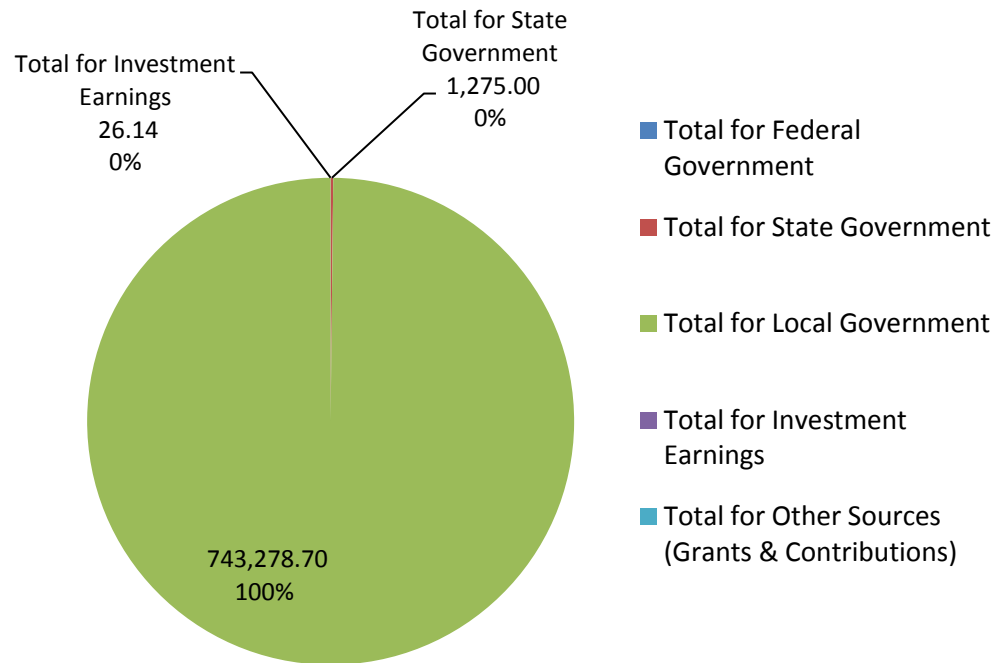


District 40 CY2016	Total CY2016
District Defender: Richard Stricks	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	-
District Assistance Fund (DAF)	-
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	1,275.00
Total for State Government	1,275.00
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	36,777.46
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	32,680.00
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	493,229.37
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	168,864.88
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	662,094.25
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	9,894.99
Partial Attorney Fees	-
Reimbursements [as per 15:176]	1,832.00
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	11,726.99
Total for Local Government	743,278.70
Investment Earnings	
Interest Income	26.14
Other Investment Income - List source(s)	-
Total for Investment Earnings	26.14
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	-
Total for Other Sources (Grants & Contributions)	
Total for REVENUE	744,579.84

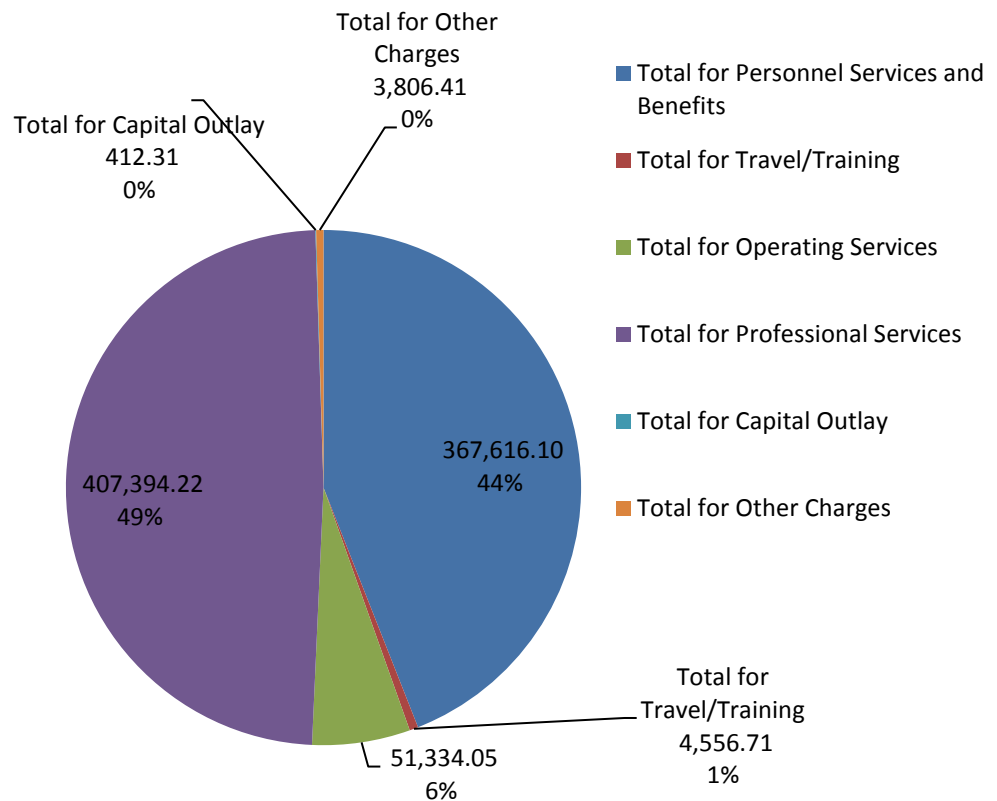
District 40 CY2016	Total CY2016
District Defender: Richard Stricks	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	341,551.47
Accrued Leave	-
Payroll Taxes	26,064.63
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	367,616.10
Travel/Training	
Parking/Auto Tolls	324.75
Travel/Lodging/Per Diem/Mileage	4,231.96
Total for Travel/Training	4,556.71
Operating Services	
Advertisements	59.80
Workers' Compensation	1,667.00
Insurance - Malpractice	7,657.20
Insurance - Auto/Physical Liability	2,216.54
Insurance - Other	-
Lease - Office	14,400.00
Lease - Auto/Equipment	3,113.29
Lease - Other	1,760.00
Office Repair and Maintenance	1,825.89
Office - Telephone/Utilities/Postage/Internet	6,370.36
Dues and Seminars	6,959.05
Law Library/Journals/Subscriptions	2,601.12
Office Supplies	2,703.80
Total for Operating Services	51,334.05
Professional Services	
Audit/Accounting Expense	7,200.00
Contract Clerical	-
Expert Witness	-
Investigators	21,156.25
Interpreters	-
Social Workers	-
Capital Representation	-
Conflict	3,508.50
Contract - Juvenile Attorneys or CINC	104,290.00
Misdemeanor Attorney Contracts	17,150.00
Contract Attorneys - all other	250,408.60
IT/Technical Support	3,680.87
Total for Professional Services	407,394.22
Capital Outlay	
Major Acquisitions	412.31
Total for Capital Outlay	412.31
Other Charges	
Other Operating Expenses	3,806.41
Total for Other Charges	3,806.41
Total for EXPENDITURES	835,119.80

NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





# THE 41<sup>ST</sup> JUDICIAL DISTRICT PUBLIC DEFENDERS' OFFICE ORLEANS (NEW ORLEANS)

DISTRICT DEFENDER: DERWYN D. BUNTON  
2601 TULANE AVENUE, STE. 700  
NEW ORLEANS, LA 70119  
(504) 821-8101



41ST JUDICIAL DISTRICT :  
ORLEANS PARISH

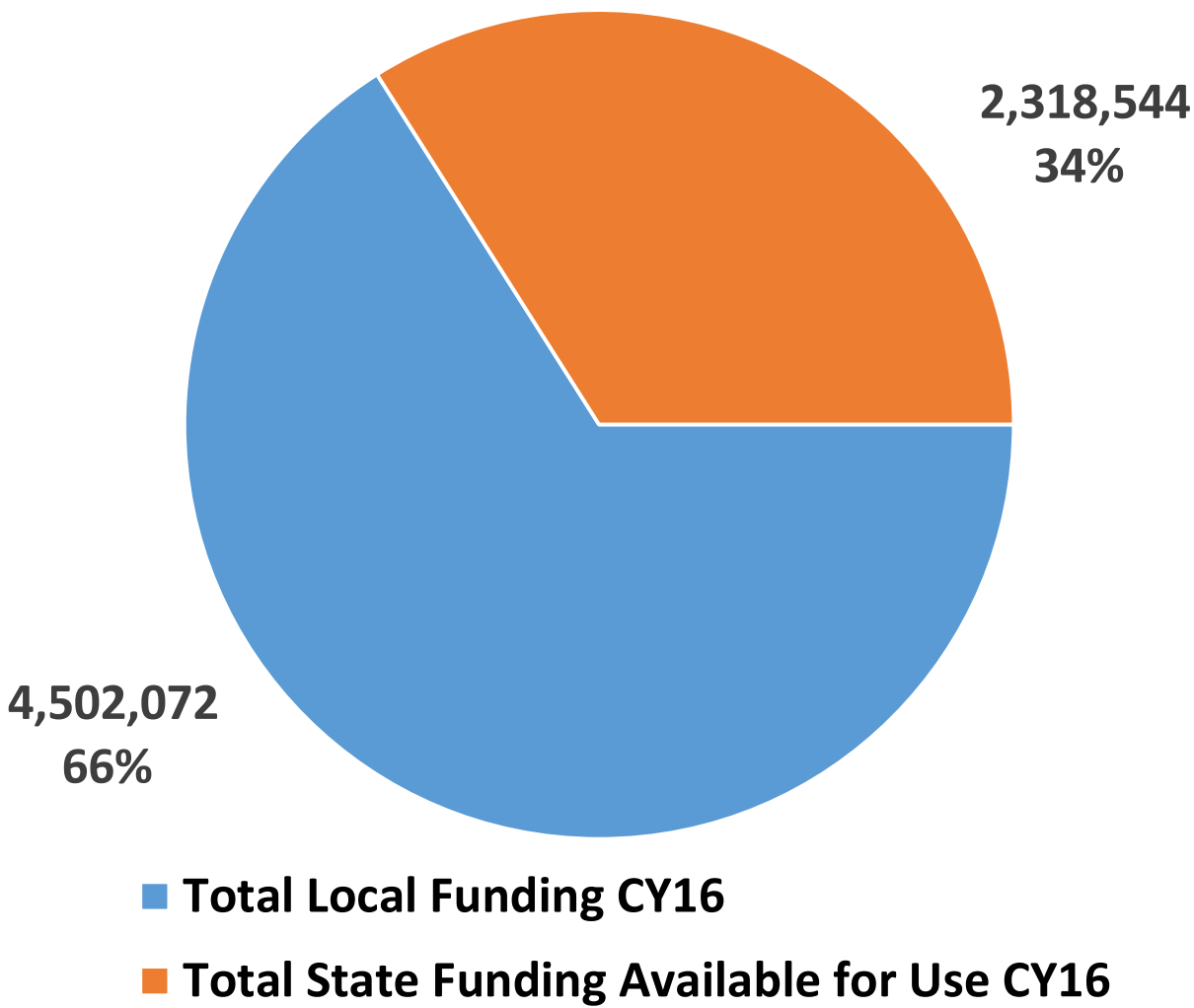
Derwyn D. Bunton  
District Defender  
2601 Tulane Avenue; Suite 700  
New Orleans, LA 70119  
504-821-8101

During Calendar Year 2016, the 41st Judicial District Public Defenders Office handled 21,174 cases. The office received \$6,820,616 in total revenues to handle these cases, approximately 66% of which came from local funding. This funding was derived primarily from traffic tickets and special court costs, as well as a significant investment from the City of New Orleans in the form of a non-statutorily-required appropriation.

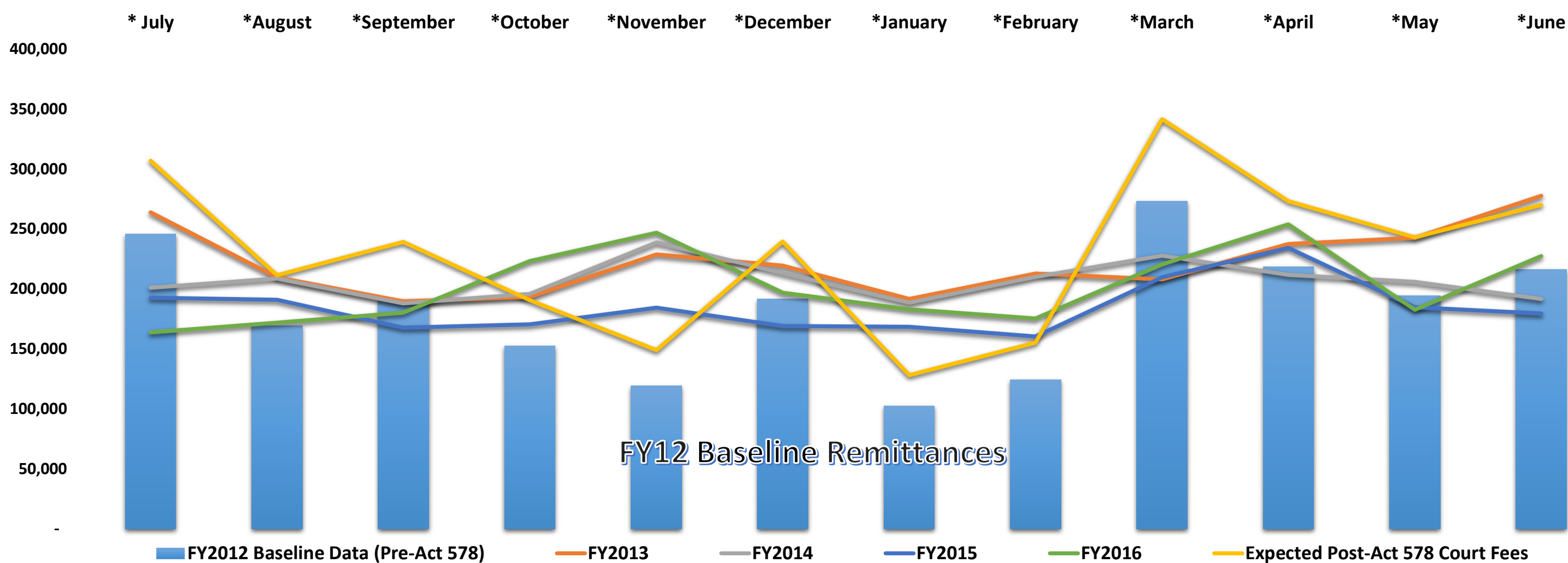
With the exception of a few anomalies, the 41st Judicial District has generally failed to realize the 25% increase in local funds that was expected to materialize as a result of the \$10 increase in special court costs associated with Act 578 (2012).

Despite significant investments made by the City of New Orleans, the 41st Judicial District office nearly exhausted its fund balance and was forced to officially begin restricting services on December 1, 2015.

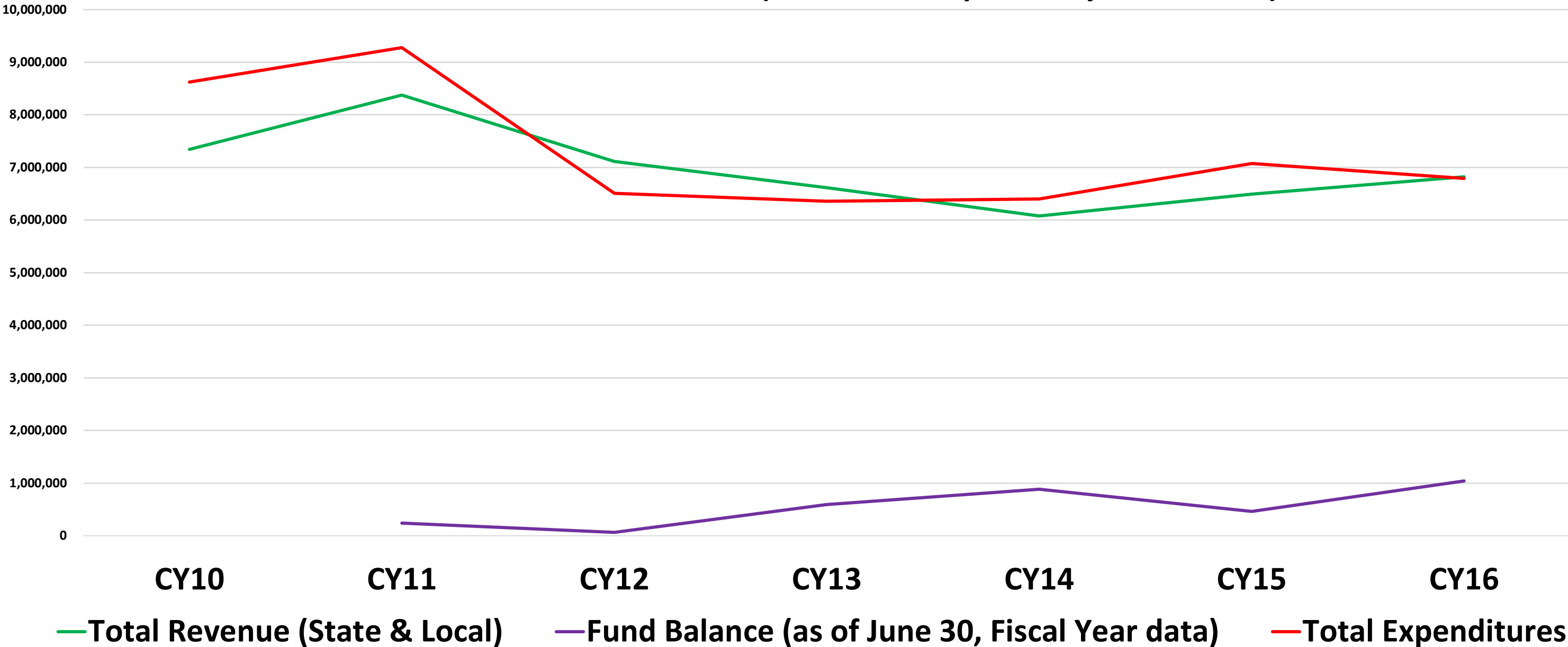
District 41 PDO Revenue Sources CY16



IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 41 PDO



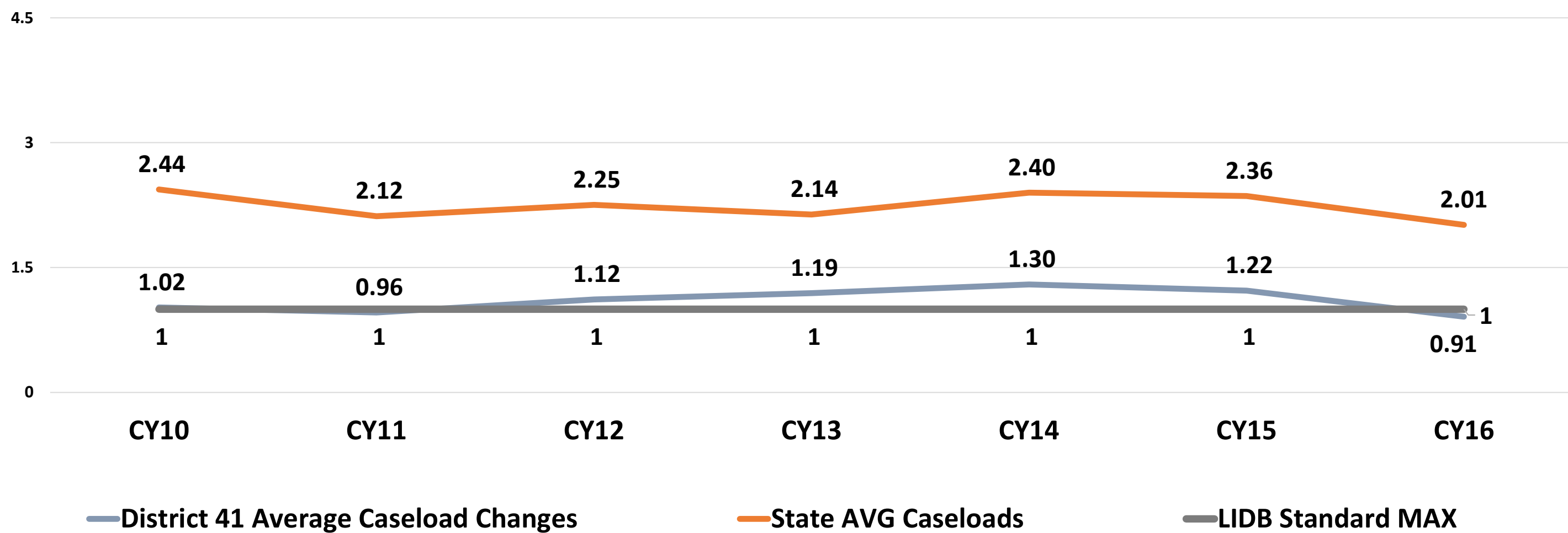
District 41 PDO Finances CY10-16 (FB must be reported by Fiscal Years)



# 41ST JUDICIAL DISTRICT : ORLEANS PARISH

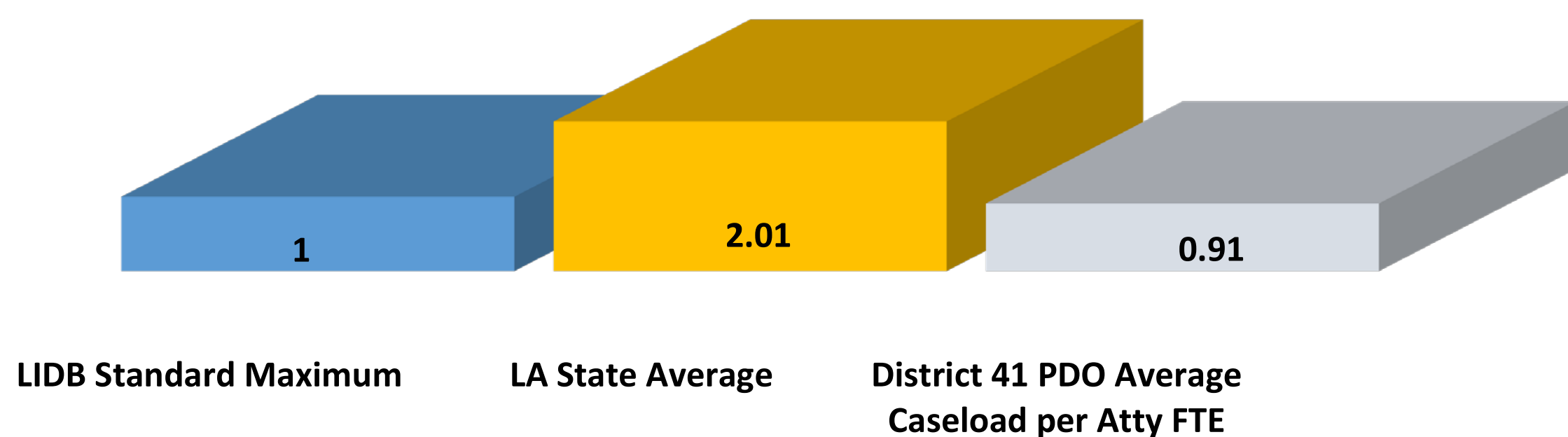
Derwyn D. Bunton  
District Defender  
2601 Tulane Avenue; Suite 700  
New Orleans, LA 70119  
504-821-8101

**District 41 PDO Average Caseload per Atty FTE**



The 41st Judicial District Public Defenders Office designates attorney representation based on attorney practice level. The office's fiscal crisis has led to significant attrition amongst the office's most experienced attorneys. While as an agency, the average attorney caseload is compliant with LIDB standard maximums, the most experienced attorneys exceed both caseload and workload standards as the 41st district has the highest trial rate in the state. Attrition has forced the office to develop a wait list in some of the district's more serious felony cases to ensure ethical representation as there are simply not enough qualified attorneys to handle these cases. Additionally, caseload averages do not account for the one felony life without parole, 44 felony, eleven misdemeanor and 16 Municipal Court cases received during CY16 which were still on the office's waitlist in January 2017.

**District 41 PDO Average Caseloads Compared to State Average & State Standard Maximums**



## CAPITAL REPRESENTATION

This PDO has limited capacity to accept capital cases as it does not have two certified counsel or otherwise does not have capacity to provide core team members as required by the Capital Performance Standards. Further, the Board passed a Resolution in 2015 to prohibit districts in restriction of services from accepting new capital appointments. As a result, all capital cases in this high-volume capital prosecution districts fall to the state to supply capital representation because the district is facing Restriction of Services.



## THE 41<sup>ST</sup> JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	Orleans - New Orleans
<b>Population</b>	389,617
<b>District Defender</b>	Derwyn D. Bunton
<b>Years as District Defender</b>	8
<b>Years in Public Defense</b>	11
<b>Office Manager</b>	Dannielle Berger, Chief Administrative Officer
<b>Primary Office Street Address</b>	2601 Tulane Avenue; Suite 700
<b>City</b>	New Orleans
<b>ZIP</b>	70119
<b>Primary Phone</b>	504-821-8101
<b>Primary Mailing Address</b>	2601 Tulane Avenue; Suite 700; , New Orleans, LA 70119
<b>Primary Fax Number</b>	504-821-5285
<b>Primary Emergency Contact</b>	Derwyn D. Bunton
<b>Primary Emergency Phone</b>	504-224-0958
<b>Secondary Emergency Contact</b>	Dannielle Berger, Chief Administrative Officer
<b>Secondary Emergency Phone</b>	504-338-3356
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	N/A
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Karen Glaser (Tulane Towers)
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	\$24,500/month
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Accounting Services are handled in house. Annual financial and compliance audit provided by Bruno & Tervalon CPA's. Semi-monthly payroll provided by ADP, Inc.
<b>Courts and Locations</b>	Criminal District Court - 2700 Tulane Avenue, New Orleans, 70119; Juvenile Court, 1100 Milton Street, New Orleans, LA 70112; Municipal Court, 727 South Broad, New Orleans, 70119; Traffic Court, 727 South Broad, New Orleans, 70119; Magistrate Court, 2700 Tulane Avenue, New Orleans, 70119.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Criminal District Court (12); Juvenile Court (5); Municipal Court (4); Traffic Court (4); Criminal Magistrate Court (1); Criminal Commissioners (4).

<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	Once appointed to the case by a judicial officer, after an initial conflict analysis, OPD assigns the case. In 2016, OPD closed its conflicts division. Additionally, in 2016, some cases were waitlisted due to Restriction of Services. Any non-conflict, non-waitlisted case was assigned to an individual attorney in the OPD Trial Division. Conflict cases that were not waitlisted were assigned to individual attorneys on the OPD conflict panel. Once assigned, cases are assigned to an individual attorney based on the type of case/charge, practice level of the attorney, and the allotted section of court. OPD continued to staff Municipal Court through a rotation of attorneys in their first year of practice as well as a full time Municipal lawyer. All Traffic Court cases are handled by one attorney assigned to all Traffic Court sections. In Juvenile Court, non-conflict cases have been handled by the Louisiana Center for Children's Rights (LCCR). Juvenile conflict cases are assigned either to the OPD Trial Division or to OPD's juvenile conflict panel. Most Child in Need of Service (CINC) cases are assigned to one full time CINC attorney. Conflict CINC cases are assigned to a panel attorney.
<b>Name of Adult Detention Facilities in This District</b>	The Orleans Justice Complex houses Orleans males, females, and juveniles that have been transferred to adult court.
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	Many incarcerated clients of OPD were housed in the East Carroll Parish jail (approximately five hours away). Incarcerated clients of OPD have also been placed in the Hunt Correctional facility (approximately one hour away) and at the St. Charles Parish jail (approximately 45 minutes away). In 2016, this continued to create significant resource strains and hardship for OPD staff. The placement of significant numbers of OPD clients out of parish also greatly impacted attorney/client consultation.
<b>Name of Juvenile Detention Facilities In This District</b>	Youth Study Center and the Orleans Justice Center.
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	N/A
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	In 2016, OPD was not able to adequately represent clients held at facilities outside Orleans Parish. The quality of representation was significantly impaired. In addition, the time necessary to travel out of parish to visit clients has taxed already thin staff resources and added budget costs for travel.

<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	Yes
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	Overall, there are now significantly more attorneys competing for more limited client visitation space at OJC. There are only two attorney-client consultation areas in the jail complex, one of which has three booths and the other two contact visit rooms. Additionally, gender, youth, and other constraints lead to limited access to inmates, as inmates in one classification group often cannot be brought to the visitation area while inmates from another classification group are present.
<b>District Attorney</b>	Hon. Leon Cannizzaro
<b>Chief Judge of Criminal District Court</b>	Hon. Laurie A. White
<b>Juvenile Court Judges (Specify District of City Court)</b>	Judges: Ernestine Gray, Candice Bates-Anderson (Chief Judge), Desiree Cook-Calvin, Mark Doherty, Tammy Stewart.
<b>Drug Court Judges</b>	Judges: Byron Williams "G", Benedict Willard "C", Camille Buras "H", Franz Ziblich "L."
<b>Mental Health Court Judges</b>	Judge Karen Herman "I", Judge Desiree Charbonnet "C" Municipal Court.
<b>Other Specialty Court</b>	Re-entry Court, Judge Laurie White "A"; Veteran's Court, Judge Authur Hunter "K"; and Homeless Court, Judge Paul Sens "A" Municipal Court.
<b>Name of Specialty and Brief Description:</b>	The Re-entry Court is designed to assist clients returning to the community after longer term incarceration in State correctional facilities. Veterans Court is designed to assist military veterans gain access to programming and support designed to assist them and prevent criminal involvement. Homeless Court is designed to assist the homeless receive much needed treatment and services.
<b>Indigency Determined by Whom and How?</b>	In Criminal District Court, the judicial officer at first appearance determines indigency for arrestees - often with the assistance of information gathered by interviews of the arrestee by New Orleans Pretrial Services. Often, there is also a colloquy between the arrestee and the judicial officer before the determination is made. If an arrestee has not been deemed indigent at first appearances, the arrestee is then set for a hearing to determine counsel (HTDC) within a week. If the arrestee is still incarcerated at the HTDC, and has not secured private counsel, the arrestee is deemed indigent and appointed to OPD. In Criminal District Court, judges routinely revisit indigency determinations at arraignment. In Municipal Court, first appearance and arraignment occur simultaneously. Incarcerated arrestees are presumed indigent by the court. After consultation with OPD in 2015 regarding indigency determination process, most Municipal Courts changed their process. Those not in custody who cannot afford to hire attorneys are preliminary assessed by the Court and if deemed indigent, are referred to OPD staff, who conduct an application for OPD services.

<b>When is Assignment/Appointment of Counsel Made?</b>	OPD assigns counsel after an indigency and appointment determination is made by the Court. For the majority of assignments, OPD assigns an attorney to the case on the same day OPD is assigned to the case. When appointment is made at night or weekends, OPD assigns the case to an attorney within 24 hours.
<b>What steps does your office take to ensure conflict – free representation</b>	OPD maintains a conflict panel. Before an OPD trial division attorney is assigned a case, a conflict review is done by administrative staff. If a case is deemed a conflict for the trial division, the case is assigned to the conflict panel. If a potential conflict appears or is discovered after initial assignment, a query is sent to either the Litigation Director, Deputy Chief Defender, or Chief Defender, who then determines whether the conflict exists. If deemed a conflict, the case is reassigned to a conflict panel attorney.
<b>Brief Explanation of Intake Process</b>	OPD and the judges of the Orleans Parish Criminal District Court entered into an agreement to work cooperatively to carry out the mandates of La. R.S. 15:1758. On June 3, 2011, the judges met en banc and approved a plan to assist OPD in the collection of the \$40.00 application fee. If a defendant is deemed to be indigent at arraignment, the judge will order the defendant to pay the application fee of \$40 to the cashier on the first floor of Criminal District Court, who then remits payment to OPD. In Municipal Court, any application fee is paid to OPD staff.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes, the OPD collects the application fee in Municipal Court. No, the OPD does not collect the application fee in Criminal District Court. The fee is paid to the CDC's cashier.
<b>How Many Applications for Services Were Received?</b>	Once the court determines a defendant to be indigent and appoints OPD to represent the defendant, there is no additional application that the defendant must complete in order to receive representation. The defendant may complete a brief client questionnaire with contact information, medical issues, and other issues the defendant may want to bring to the attention of the assigned attorney.
<b>How Many Application Fees Were Waived?</b>	Pursuant to an agreement entered into with the Criminal District Court, the court will not order pretrial detained, indigent defendants to pay the \$40 application fee. In other words, the fee is practically waived for incarcerated, indigent defendants.
<b>How Many Application Fees Were Reduced?</b>	Pursuant to an agreement entered into with the Criminal District Court, the application fee is not reduced. The defendant must pay the full \$40.
<b>Total Application Fee Dollars Collected in 2016</b>	\$20,117
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	OPD does not physically collect the \$40 fee from the indigent defendant in Criminal District Court. The defendants are ordered by the court to pay the fee to the Cashier's Office in the Criminal District Court. The defendants are provided with a payment slip which they are to bring to the Cashier's Office. The Criminal District Court charges a 25% collection fee.
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	\$2,106,336

<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Every time there is a conviction, judges assess court costs. Included in the court costs is the mandatory special cost. Many judges do not specify on the record that they are assessing the mandatory special cost. Thus, the understanding is the special cost is included in the total court costs that is assessed to each convicted defendant.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	In a monthly remittance from Traffic, Municipal and Criminal District Court, a payment summary is included with the payment. The payment summary includes: the defendants name, section and case number, date the costs are assessed and collected, amount of assessment and actual collection.
<b>Who Collects the Assessed Court Fees?</b>	The Cashier's Offices in the courts collect all court fines, fees and costs.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	The Judicial Administrators are responsible for providing documentation to OPD on a monthly basis.
<b>Who Remits the Court Fees Collected?</b>	The Judicial Administrator's Office under the direction of the judges en banc.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	In a monthly remittance from Traffic Court, Municipal Court, the Sheriff's office (quarterly) and Criminal District Court, a payment summary is included with the payment. The payment summary includes: the defendants name, section and case number, date the costs are assessed and collected, amount of assessment and actual collection.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	N/A
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	The judges will determine whether a defendant is indigent or partially indigent. If the defendant is partially indigent, the judges will assess a representation fee to the defendant. The judges do not provide any documentation to the defendant but orders the defendant to pay the Indigent Defender Fund either by the next court date or by the end of the case.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	N/A
<b>Who Collects the Assessed Partial Payments?</b>	The defendant is ordered to pay the Indigent Defender Fund directly. The defendant then comes to OPD and makes a payment or a payment arrangement with the administrative staff.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Since this fee is collected by OPD directly, OPD is responsible for accounting this money.
<b>Who Remits the Partial Payments Collected?</b>	Again, since this fee is collected by OPD directly, OPD is responsible for accounting this money from collection to remittance.



<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Again, since this fee is collected by OPD directly, OPD is responsible for accounting this money from collection to remittance.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	100
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	OPD doesn't allow private practice for its full-time staff attorneys.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes. The contract is attached.
<b>Primary Immediate Needs</b>	Increased funding to provide effective representation to the indigent and experienced legal staff.
<b>Was your office in ROS at any time during 2016</b>	Yes
<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	OPD implemented a number of cost-cutting measures during FY 2016 (which included the first 6 months of CY2016). These measures include: a hiring freeze and cuts to operational expenditures.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	Yes. Effective July 1, 2015, OPD instituted a hiring freeze in response to a severe funding gap. The following staff terminated 01/01/2016-06/30/2016 were not replaced until FY 2017. Forrester, Catherine: Client and Court Support Administrator; Samuel, Lindsay: Supervising Attorney, Municipal Court; Murell, Christopher: Staff Attorney, Capital Division; Gumina, Maximilian: Staff Attorney, Municipal Court; Holladay, Ashley: Staff Investigator; Lampkin, Keith: Staff Investigator, Conflict Division; Flanagan, Anne: Client and Court Support Administrator, Capital Division; Green, Kendall: Chief of Trials (replaced with existing staff - the deputy Chief of Trials); Blume, Taryn: Youth Advocate; Early, Marya: Supervising Client and Court Support Administrator; Jobe, Phillip: Staff Investigator
<b>Immediate Critical Issue Areas</b>	Data management, training, funding technology (hardware and software) and staff.
<b>Long-Term Critical Issue Areas</b>	Stable adequate funding, training and staff.



<b>2016 Media Coverage and/or Major Accomplishments</b>	<p>AWARDS: Retired Chief of Trial Kenny Green honored with Proclamation from the City of New Orleans for excellence and dedication to public defense and equal justice; Supervising Attorney Will Snowden named New Leaders Council fellow; CINC Supervising Attorney Nzinga Hill received the Catherine Lafleur: Legal Advocacy for Children and Families Award from Juvenile Court Chief Judge Ernestine Gray. ACCOMPLISHMENTS: \$600,000 appropriation increase from the City Council after successful community advocacy campaign; Award of 4th annual Clyde Merritt Award to former investigator Taryn Blume; Overwhelming success and community support and engagement at the inaugural Second Line for Equal Justice; Successful launch of Defender Dialogues community storytelling event; Highest sales in individual philanthropy campaign through Screens for Good; Derwyn Bunton invited as keynote speaker for GRITS conference in Austin; Derwyn Bunton an invited panelist for MacArthur Justice Center conference. Exponential growth in social media engagement on Facebook, Twitter and YouTube, nearly doubling the number of unique followers on Twitter in the last year and Facebook in the last 3 years. Continued creation of original content. MEDIA: 2016 was a substantial year for media with 175 individual media articles, interviews, mentions and inclusions, nearly all neutral to positive of OPD. Major national press included Vice, Salon, Esquire, CityLab, Huffington Post, BuzzFeed, Marshall Project, NPR, New York Times, The Nation, Economist, Mother Jones, LA Times, Reveal News, BET, including a viral Op-Ed from Derwyn Bunton in the New York Times, and even international coverage in The Guardian, the Daily Mail and BBC Newshour. Continued increase in local news coverage as well as outreach as expert legal opinions. Appearance on local talk show Spotlight New Orleans and regular invited appearances on local radio stations WBOK, WHIV and WWL.</p>
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	<p>Yes. OPD provides training designed by our Training Director. Newly admitted attorney hires receive approximately 5 weeks of training prior to representing clients autonomously and then weekly training during their first year of practice. Additionally, the Training Director provides intensive supervision, including review of written preparation, courtroom observation, and regular meetings to discuss the new attorneys' development.</p>
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	<p>Nzinga Hill, CINC attorney</p>
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	<p>Yes</p>
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	<p>OPD is divided into supervisory groups, led by supervising attorneys and leadership staff.</p>
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	<p>When staff attorneys reach a certain level, they are taken out of the normal case pick up schedule and given time to work down their existing workload. Supervisors have a half case-load to enable them to better carry out their supervisor duties.</p>
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	<p>OPD offers Blue Cross Medical and Dental Insurance. OPD pays 100% percent of the monthly health premium. The employee pays 100% of the monthly dental premium.</p>
<b>Regular Meetings for Any Staff, Please Describe</b>	<p>Quarterly All-Staff Meetings; Monthly Management Meeting; Weekly Leadership Meetings.</p>

<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	OPD handled 6 appeals.
<b>Number of Writs Your District Filed in 2016</b>	OPD filed 153 Writs.
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	Based on OPD's case management system, during 2016, 36 children under the age of 17 were transferred to Adult Court.
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	OPD is unaware of any case(s) wherein a transfer was denied by the Juvenile Court.
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	During 2016, OPD primarily assigned transferred Trial Division juvenile cases to one attorney experienced in juvenile representation. When LCCR is unable to represent a juvenile due to a conflict, OPD provided an attorney with several years of experience and extensive training in juvenile representation to handle transferrable cases at the continued custody/transfer hearing. If a conflict prevented OPD Trial Division from representing a juvenile at the continued custody hearing, then the case is assigned to a conflict panel attorney. Once an assignment is made, the assigned OPD attorney then stays on the case through disposition.
<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	During 2016, OPD has handled six (6) Miller cases.
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	During 2016, OPD has been appointed to nineteen (19) Montgomery clients.
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	During 2016, OPD represented seven clients in Montgomery hearings where the state did not oppose a life with parole sentence. Due to Restriction of Services, OPD has not been able to conduct any contradictory Montgomery hearings where the state opposes a life with parole sentence.
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	See: <a href="http://house.louisiana.gov/H_Reps/By_Deleg/H_Reps_Deleg_Orleans.asp">http://house.louisiana.gov/H_Reps/By_Deleg/H_Reps_Deleg_Orleans.asp</a>
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	2016 has been a year of continuing Restriction of Services. While the hiring freeze ended during 2016, OPD has had to fill numerous vacant positions. Excessive caseloads and depleted staff continue to be the biggest obstacles regarding our representation. In addition, the District Attorney accepts a significantly higher number of cases than other parishes and pursues harsh multiple bill sentences even for non-violent offenders. There is still an ongoing issue regarding jail visitation (and out of parish detention of OPD clients) that affects delivery of services. An unprofessional and hostile climate, especially in the presence of our clients, has also had an affect in delivery of services. The inability to meaningfully consult with and interview clients before first appearances and after appointment continues to affect our advocacy for our clients. Additionally, the District Attorney decided to relocate state misdemeanors from Municipal Court to Criminal District Court, causing OPD staffing resources stress.

<p><b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b></p>	<p>During the middle of 2016, OPD was able to lift its hiring freeze. While this brought some relief, much of 2016 was marked by vacant staff positions and significant resource challenges. In order to streamline resources, OPD closed its conflict division and increased its conflict panel. OPD was able to apply for and receive outside funding for client advocates and social workers in its Client Services Division. OPD has also partnered with the City of New Orleans with the MacArthur Foundation Safety and Justice Project to increase bond advocacy. OPD has continued with its overall bond review project to increase bond advocacy and pre-trial release advocacy for low risk clients. OPD has also dramatically increased its alternatives to incarceration in Municipal Court. One highlight of OPD Municipal Court's efforts has been the Municipal Court in the Mission project to reduce attachments and assist homeless clients.</p>
<b>Staff Directory:</b>	
<u>Staff Name</u>	<u>Contact Information</u>
Ackerman, John	504-827-8221
Anderson, Lauren	504-827-8190
Anderson, Mary Soo	504-827-8178
Anzalone, Grace	504-827-8181
Balfe, Mark	504-827-7059
Barksdale, Chasity	504-827-8179
Barksdale, Russell	504-827-7049
Benusa, Elise	504-827-7047
Berger, Dannielle	504-827-8200
Bixby, Laura	504-827-7051
Brar, Mehtab	504-827-8172
Brockway, James	504-571-8919
Bunton, Derwyn	504-827-8204
Burgess, Tiffani	504-827-8219
Chernow, Alexis	504-571-8920
Collins, Sean	504-827-8229
Corley, Jاليا	504-571-8912
Cousins, Adrienne	504-827-8177
DeMouy, Ashley	504-827-8233
Duffey, Dylan	504-827-8250
Ellis, Carrie	504-827-8222
Engelberg, Daniel	504-827-8186
Fennell, Janet	504-827-8191
Fiol, Juan	504-827-7049
Flores, Edward	504-827-8171
Frampton, Thomas	504-827-8165
Fraser, Amanda	504-827-8205
Garcia, Laura	504-571-8924
Griffin, Quintrell	504-571-8914
Hall, Lucy	504-827-8252
Hardin, Kenneth	504-827-8227
Heisser, Nicole	504-827-8175
Hill, Nzinga	504-827-8215

Hinton, Lena	504-827-8253
Holder, Mariah	504-827-8173
Hortenstine, Jr., Barksdale	504-827-8207
Hortenstine, Lindsey	504-827-8169
Howard, Kiah	504-827-8163
Hull, Jennifer	504-827-8249
Jeffrey, Lindsay	504-827-8170
Jones, Dominique	504-827-8247
Jones, Sara	504-827-8174
Kerrin, Marie	504-571-8926
Kilbane Myers, Therese	504-571-8925
Leblanc, April	504-827-8254
Lindner, Rachel	504-827-8246
Lloyd, Malcolm	504-827-8231
Lommers-Johnson, Hannah	504-827-8244
Lu, Han	504-827-8185
Luyre, Max	504-827-8211
Markel, Lindsay	504-827-8197
McCarty, Jacob	504-658-9765
McFadden, Fiona	504-827-7053
McNeil, Brandi	504-827-8189
Meltzer, Eliza	504-827-8256
Miller, James	504-827-8214
Miller, Jared	504-571-8921
Minter, Dede	504-827-8226
Mitchell, Allie	504-571-8917
Moroz, Stanislav	504-571-8918
Muse, Jack	504-571-8922
New, Emily	504-827-8176
O'Brien, Sarah	504-827-7045
Orjuela, Zachary	504-827-8257
Orzechowski, Karen	504-821-8103
Oshin, Zachary	504-827-8210
Parsons, Vera	504-827-8182
Pavord, William	504-827-8213
Peng, Tina	504-827-8251
Pettingill, Norman	504-658-9691
Pichon, Joshua	504-827-8239
Pourciau, Christopher	504-827-8258
Rabinovitz, Chana Rose	504-827-8183
Redman, Chasity	504-827-8224
Reeds, Laura	504-827-8240
Reingold, Colin	504-827-8220
Robinson, Steven	504-571-8930
Roche, Leon	504-827-8209
Rowe, Arthur	504-827-8188
Ryan, Virginia	504-827-8206
Seanehia, Esinam	504-827-8208
Sgro, Elisabeth	504-827-8218
Shlomi, Eden	504-571-8913

Snowden, William	504-827-8225
Studer, Brandi	504-827-8236
Thomas, Molly	504-827-7048
Thompson, Sierra	504-827-8196
Thorp, Joseph	504-827-8187
Vogel, Matthew	504-571-8923
Winfield, Lawyer	504-827-8235
Woods, Brian	504-827-7058
Zagory, Aaron	504-827-8230

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.

**Survey Completer's Name** Dannielle Berger

**Legal Research Tools Used:**

Lexis Nexis	x
Westlaw	x
Other (please list)	
Number of Legal Research Licenses	70
Total Cost of Legal Research Software:	32,500

**SOFTWARE:**

Mark an X in all that apply

**Operating Systems Used:**

Windows 10	x
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	
Mac OSX	

**Case Management System(s): Check all that apply**

defenderData (LPDB statewide system)	x
Other System (please name)	

**Productivity Suites Used:**

Microsoft Office 2016 (Word, Excel, etc.)	x
Microsoft Office 2013	x
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	

**Accounting Software**

QuickBooks	x
Quicken	
Intuit	
Other (list here):	

<b>Internet Browsers Used:</b>	
Internet Explorer 6	
Internet Explorer 7	
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	x
Microsoft Edge	x
Firefox	x
Google Chrome	x
Other	
<b>HARDWARE:</b>	
Please enter the number of devices in your inventory.	
Television	1
DVD	1
VCR	1
Desktop PCs	12
Laptops	105
Video Cameras	1
Digital Cameras	13
Video Conferencing Systems	
B&W Laser Printers	15
Color Printers	5
Wireless Cards	
Smartphones (Funded by Office)	10
iPad/Tablets (Funded by Office)	
<b>INTERNET SERVICES:</b>	
Dialup	
Broadband	x
No Internet Connection	
Connection Speed:	100down/25up
Provider Name:	Cox Communications
Email Provider:	Office 365
Please list any software or computer equipment in which you need training:	
Laptop computers.	

### 41st District Defender Office CY 2016 Caseloads & Outcomes

Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilty Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	65	44	21	86	0	8	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	0
Termination	6	6	4	10	5	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	32	18	8	40	N/A	N/A	0	0	2	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	122	114	84	206	N/A	N/A	53	0	19	0	N/A	N/A	0	0	0
Delinquency Felony	357	351	308	665	N/A	N/A	201	17	83	1	N/A	N/A	0	14	14
Delinquency-Life	3	9	13	16	N/A	N/A	4	2	1	0	N/A	N/A	0	0	0
Juvenile Revocations	2	19	0	2	N/A	N/A	0	0	0	N/A	N/A	N/A	N/A	N/A	0
Adult Misdemeanor	9148	7027	1413	10561	N/A	N/A	3562	293	2756	0	1	1	109	18	129
Adult Felony Non-LWOP	4907	4202	2100	7007	N/A	N/A	2121	982	366	23	12	13	11	13	49
Adult LWOP	55	63	111	166	N/A	N/A	32	22	13	0	0	2	0	0	2
Capital	1	1	2	3	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	2182	2103	230	2412	N/A	N/A	1	0	13	0	N/A	N/A	N/A	N/A	0
PCR	0	1	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

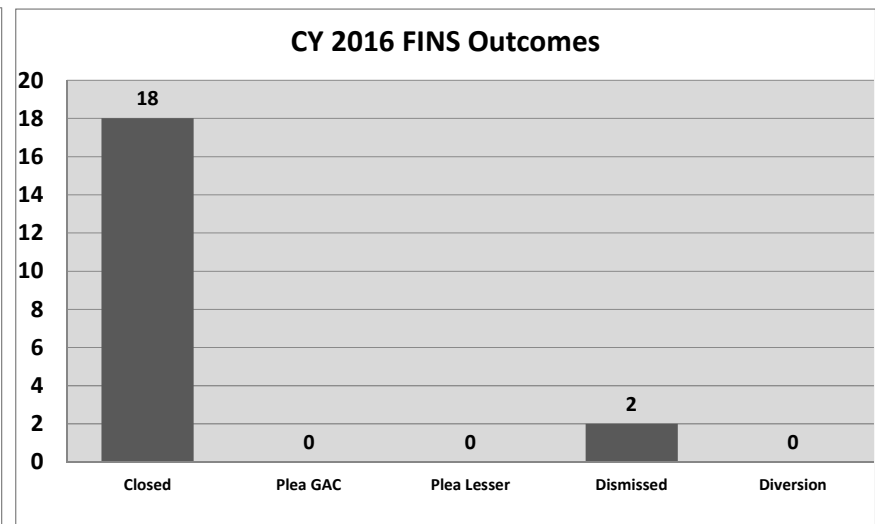
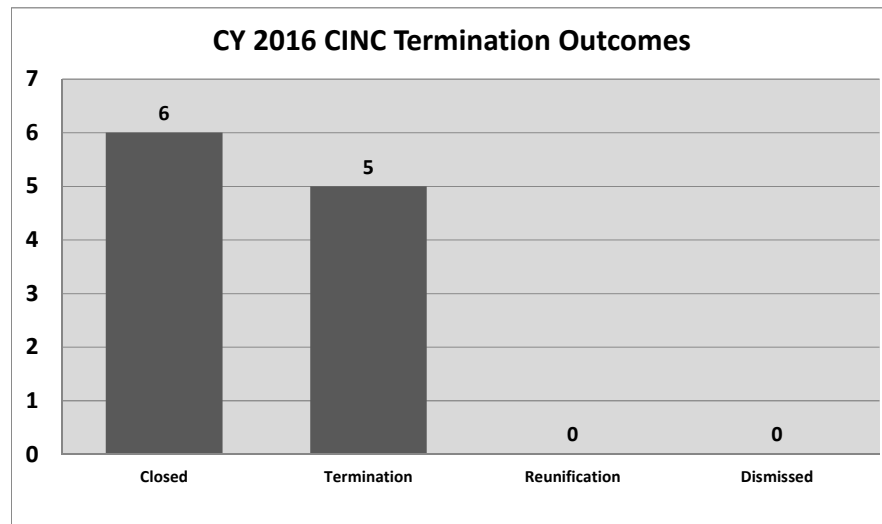
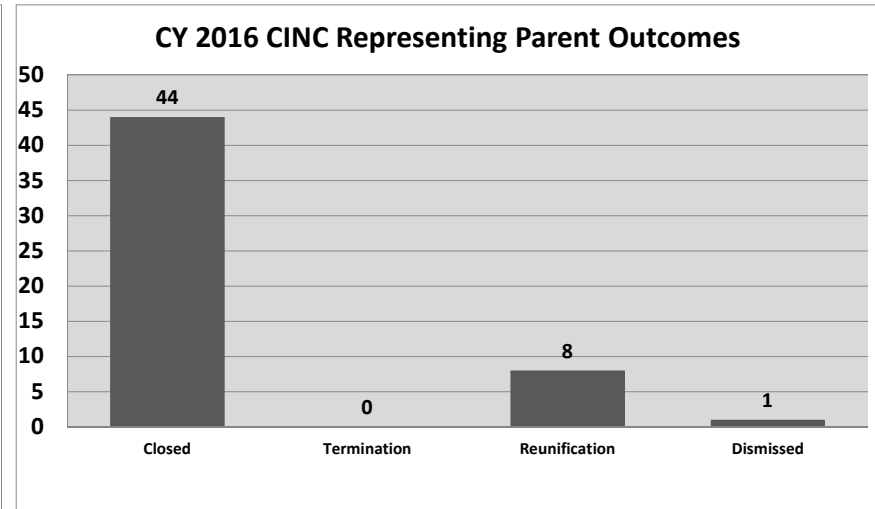
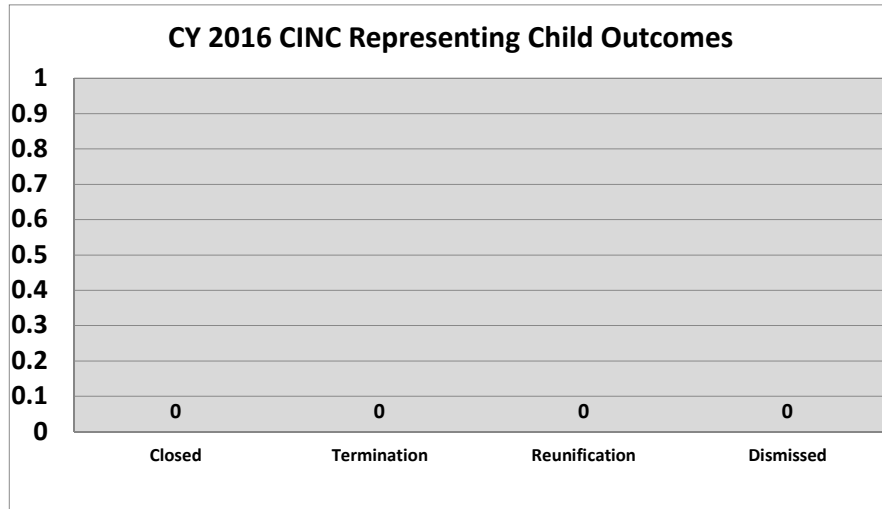
NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

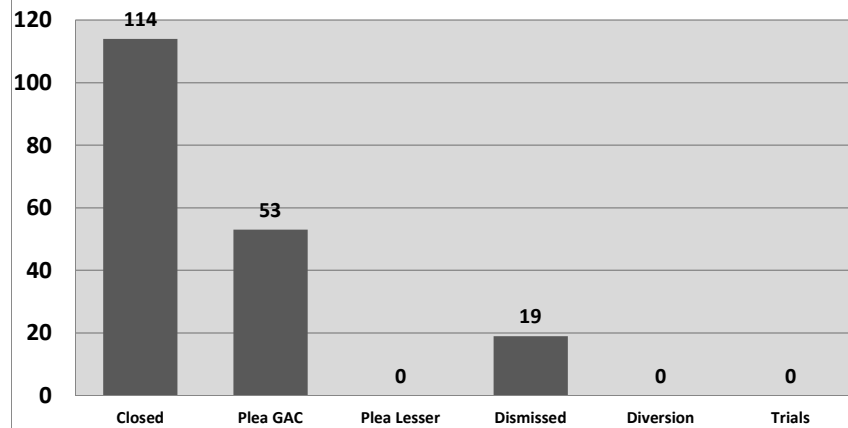
\*\*Life Without Parole

\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.

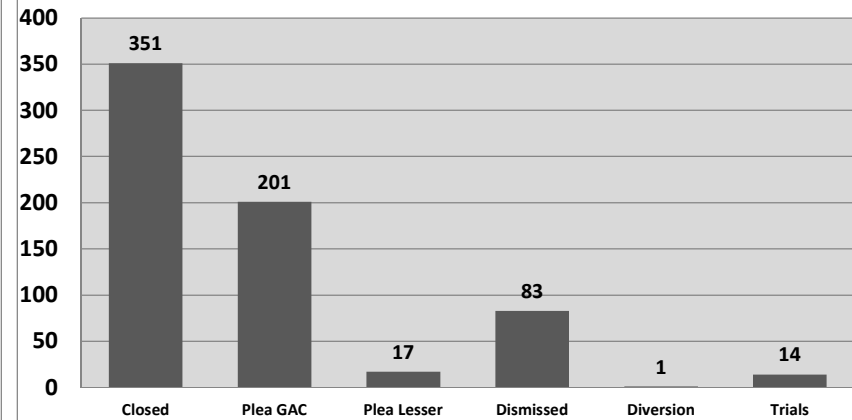




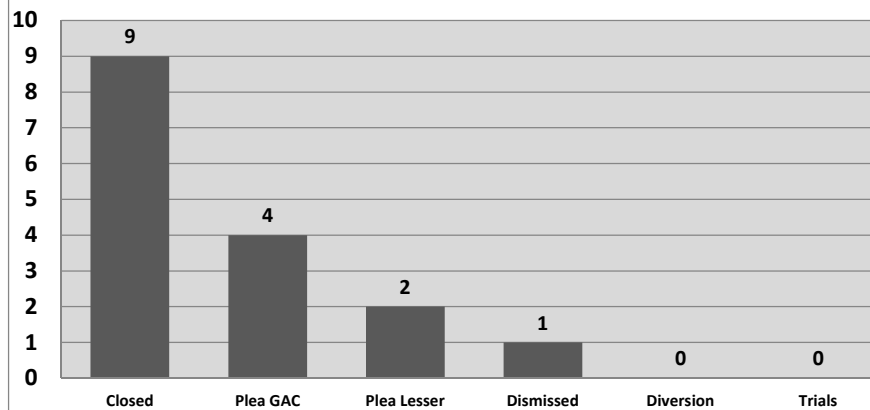
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**



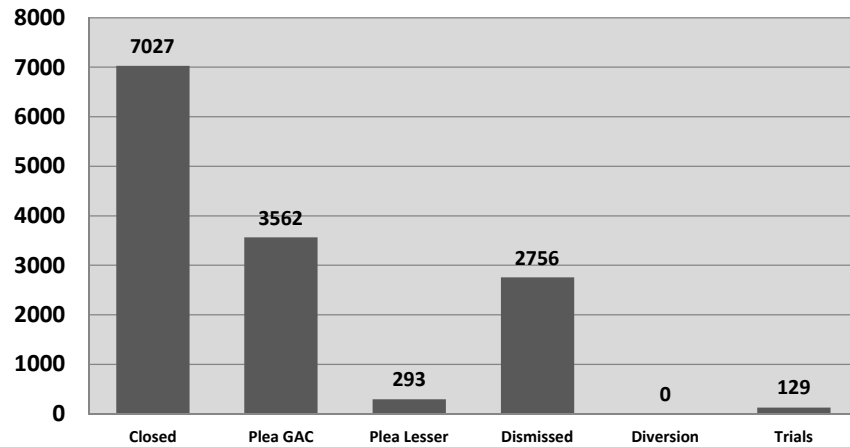
**CY 2016 Delinquency Felony-Grade Outcomes**



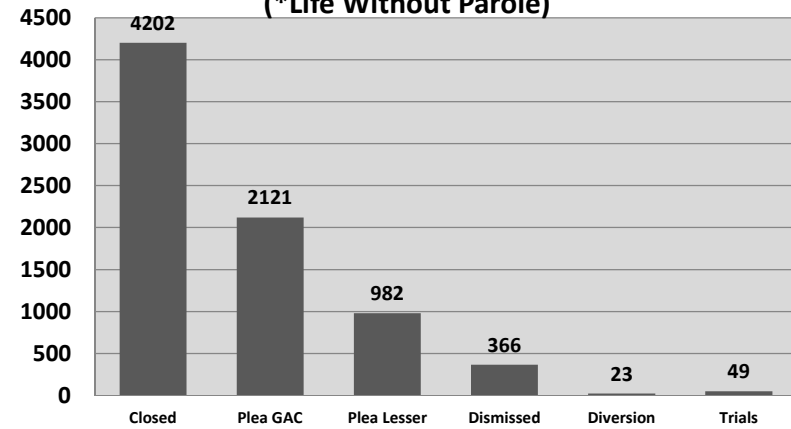
**CY 2016 Delinquency Life Outcomes**



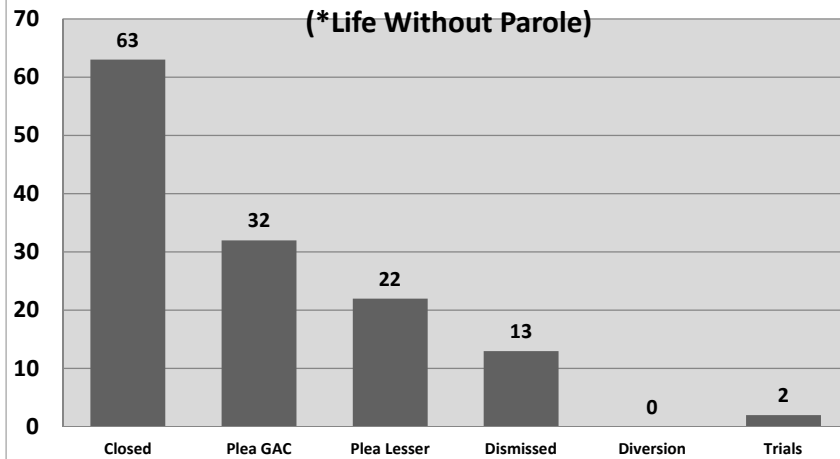
**CY 2016 Adult Misdemeanor Outcomes**



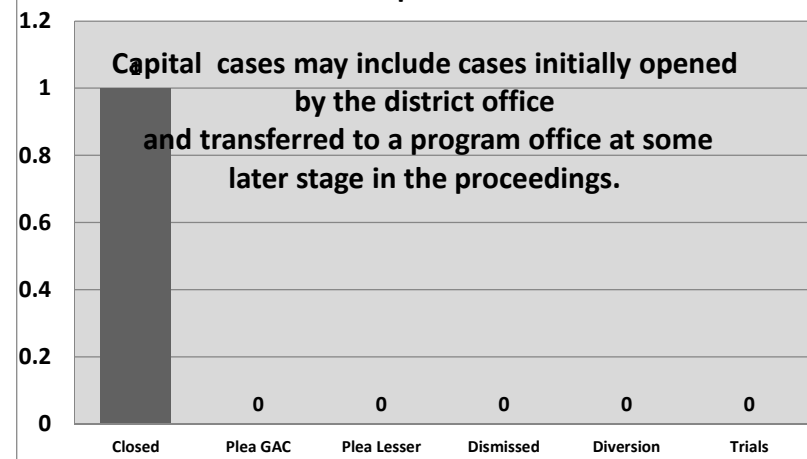
**CY 2016 Adult Felony Non-LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Adult Felony LWOP\* Outcomes  
(\*Life Without Parole)**



**CY 2016 Capital Outcomes**

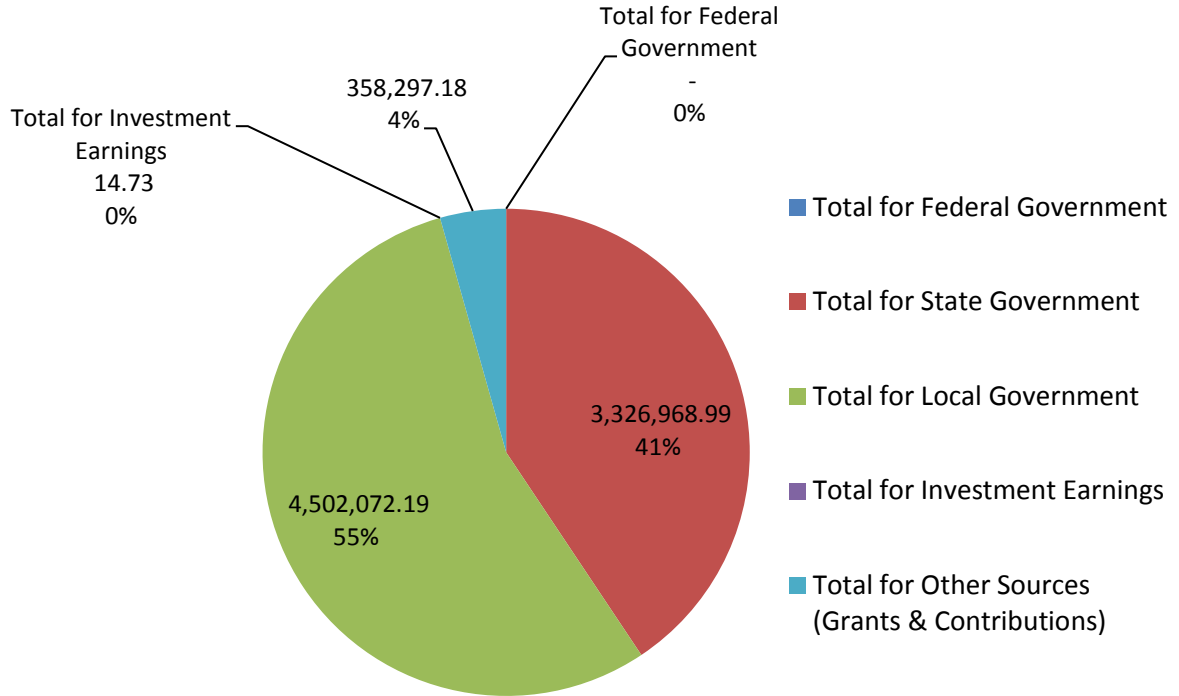


District 41 CY2016	Total CY2016
District Defender: Derwyn Bunton	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	24,611.00
District Assistance Fund (DAF)	3,212,064.00
Supplemental/Emergency Funds	52,450.00
Grants	37,843.99
Other State Income -List source(s)	-
Total for State Government	3,326,968.99
Local Government	
Appropriations - General	1,513,623.00
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	1,640.00
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	199,097.49
Traffic Camera	767,380.00
Grants	144,606.14
Other Local Income -List source(s)	192,655.62
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	
Criminal District Court	59,347.73
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	127,475.50
Parish Courts	-
Traffic Court	1,316,264.41
Non-itemized, lump sum collected and remitted by all courts	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	1,503,087.64
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	22,247.00
Partial Attorney Fees	100.00
Reimbursements [as per 15:176]	157,635.30
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	179,982.30
Total for Local Government	4,502,072.19
Investment Earnings	
Interest Income	14.73
Other Investment Income - List source(s)	-
Total for Investment Earnings	14.73
Other Sources (Grants & Contributions)	
Non-Profit Organizations	5,500.00
Private Organizations	335,090.68
Corporate	-
Other - List source(s)	17,706.50
Total for Other Sources (Grants & Contributions)	358,297.18
Total for REVENUE	8,187,353.09

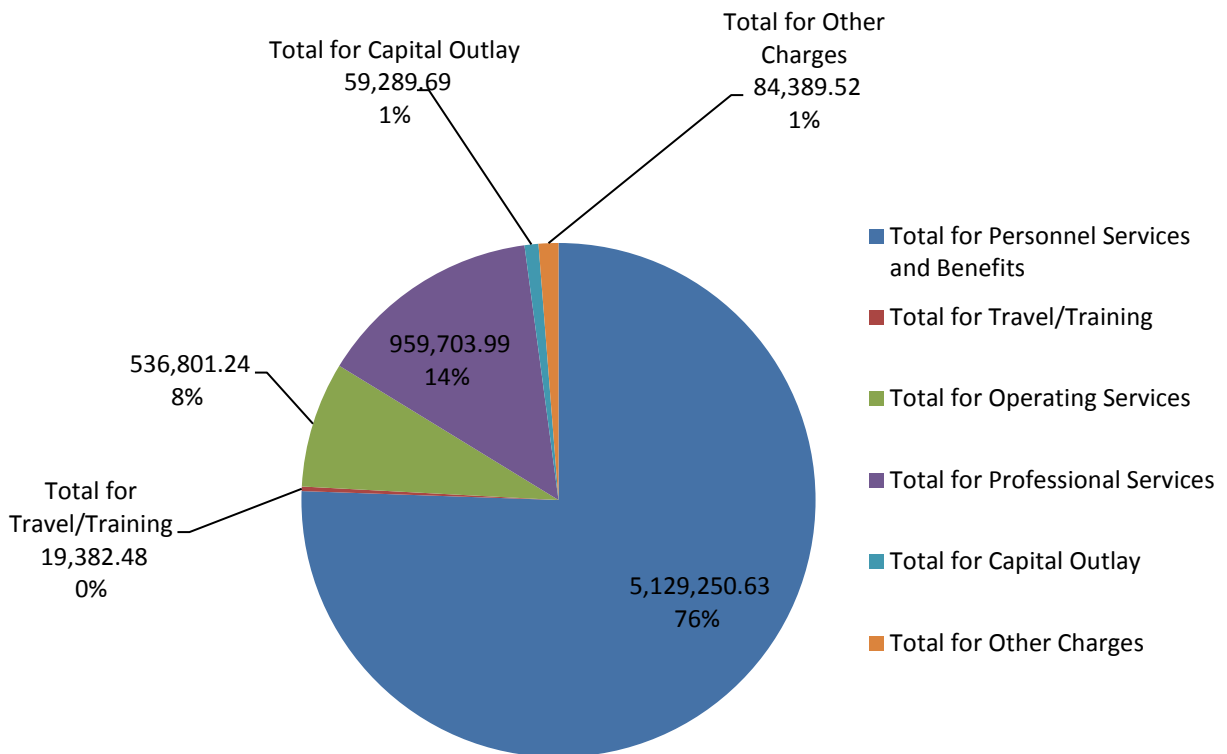
District 41 CY2016	Total CY2016
District Defender: Derwyn Bunton	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	4,270,815.34
Accrued Leave	22,204.00
Payroll Taxes	334,461.86
Hospitalization and Disability Insurance	501,769.43
Retirement	-
Other	-
Total for Personnel Services and Benefits	5,129,250.63
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	19,382.48
Total for Travel/Training	19,382.48
Operating Services	
Advertisements	-
Workers' Compensation	4,966.00
Insurance - Malpractice	49,964.29
Insurance - Auto/Physical Liability	8,619.87
Insurance - Other	-
Lease - Office	269,500.00
Lease - Auto/Equipment	8,883.75
Lease - Other	25,308.57
Office Repair and Maintenance	8,893.86
Office - Telephone/Utilities/Postage/Internet	53,680.07
Dues and Seminars	29,959.08
Law Library/Journals/Subscriptions	34,582.21
Office Supplies	42,443.54
Total for Operating Services	536,801.24
Professional Services	
Audit/Accounting Expense	37,328.53
Contract Clerical	-
Expert Witness	40,013.07
Investigators	-
Interpreters	-
Social Workers	-
Capital Representation	241,303.50
Conflict	497,163.50
Contract - Juvenile Attorneys or CINC	71,549.97
Misdemeanor Attorney Contracts	-
Contract Attorneys - all other	-
IT/Technical Support	72,345.42
Total for Professional Services	959,703.99
Capital Outlay	
Major Acquisitions	59,289.69
Total for Capital Outlay	59,289.69
Other Charges	
Other Operating Expenses	84,389.52
Total for Other Charges	84,389.52
Total for EXPENDITURES	6,788,817.55

NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



## CY16 Expenditures





## 42nd JUDICIAL DISTRICT : DESOTO PARISH

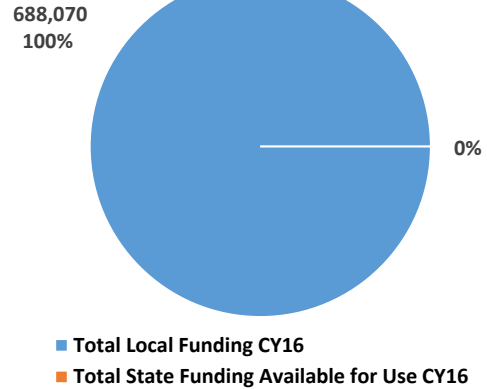
Steven R. Thomas  
District Defender  
111 North Washington  
Mansfield, LA 71052  
318-872-6250

During Calendar Year 2016, the 42nd Judicial District Public Defenders Office handled 1,349 cases. Traditionally self-reliant, the 42nd PDO's local revenues have slowly increased since FY11, primarily from traffic tickets and special court costs.

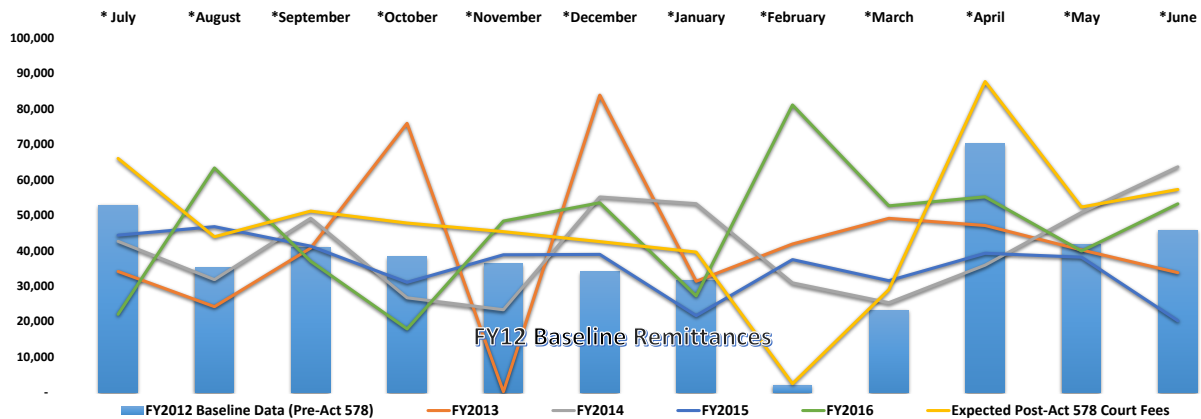
By virtue of a Cooperative Endeavor Agreement with the 11th PDO following the creation of the 42nd, the fund balance of both districts are shared. With the exception of CY16, the shortfalls in the 11th have depleted gains in the 42nd.

Since the passage of legislation that increased special court costs by \$10 (Act 578, 2012), aside from a few anomalies, the 42nd Judicial District public defender's office has generally failed to realize the 25% increase in local revenues that was expected to materialize as a result of Act 578.

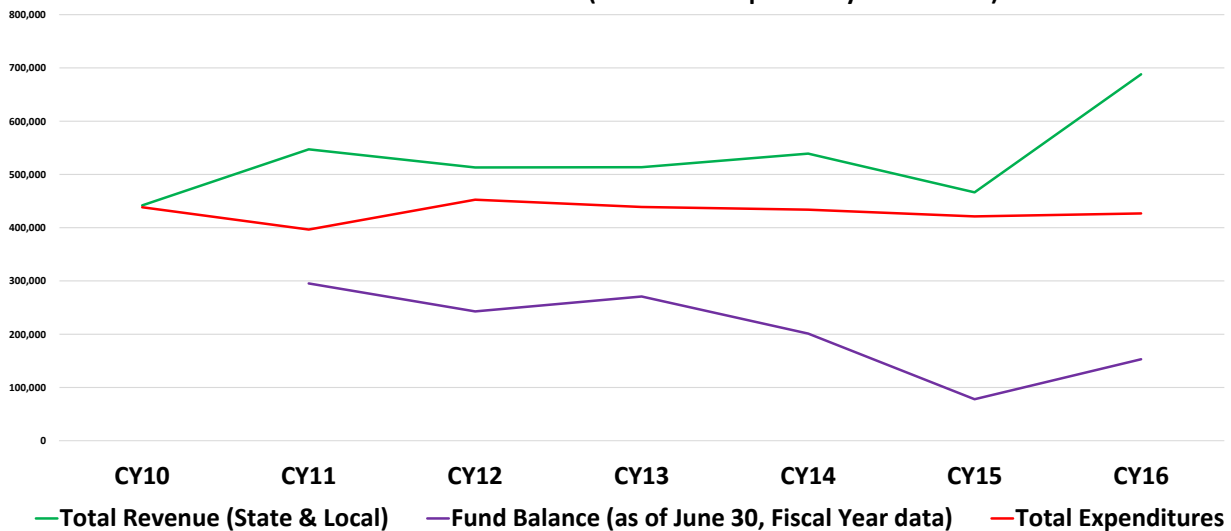
**District 42 PDO Revenue Sources CY16**



**IMPACT OF PRE- AND POST ACT 578 \$10-INCREASE ON DISTRICT 42 PDO**



**District 42 PDO Finances CY10-16 (FB must be reported by Fiscal Years)**

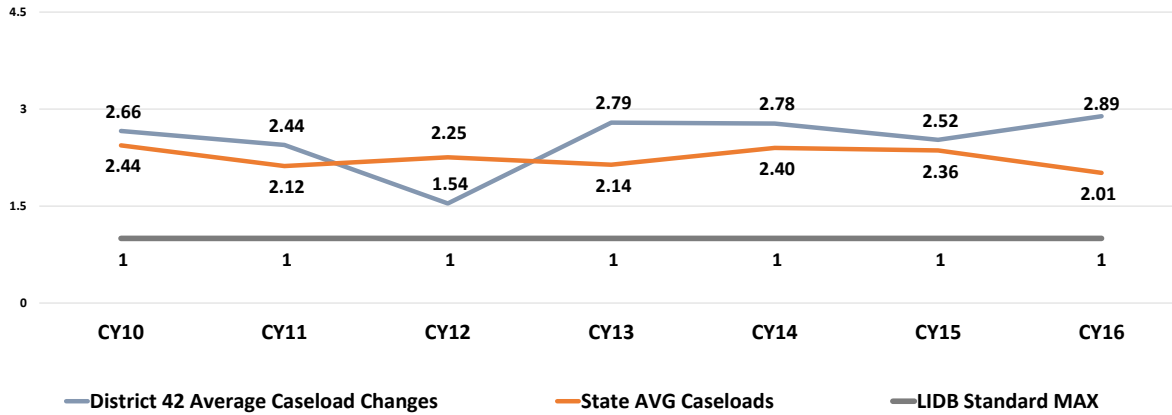




## 42nd JUDICIAL DISTRICT : DESOTO PARISH

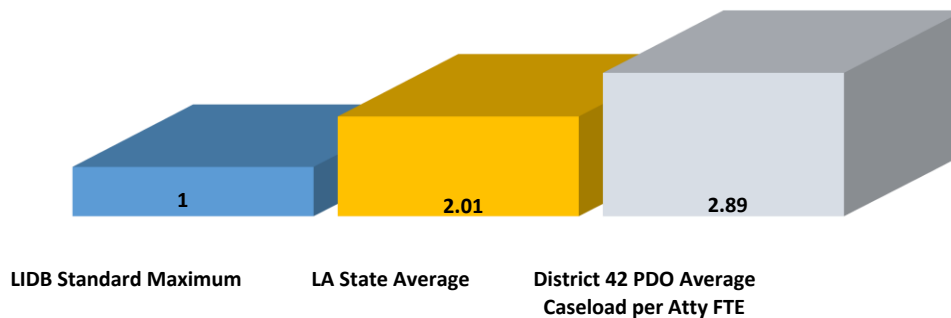
Steven R. Thomas  
District Defender  
111 North Washington  
Mansfield, LA 71052  
318-872-6250

District 42 PDO Average Caseload per Atty FTE



In the 42nd Judicial District, public defense attorneys maintain caseloads almost three times the recommended caseload limits for each attorney.

District 42 PDO Average Caseloads Compared to State Average & State Standard Maximums



### CAPITAL REPRESENTATION

This PDO has capitally certified counsel on contract to handle the cases that arise in the district, however, the Board passed a Resolution in 2015 to prohibit districts in restriction of services from accepting new capital appointments. As a result, the responsibility for staffing capital cases in this district is transferred to the State, until such time as the district exits Restriction of Services.



## THE 42ND JDC PUBLIC DEFENDERS' OFFICE

<b>Parish(es) &amp; Seat(s)</b>	DeSoto - Mansfield
<b>Population</b>	26,656
<b>District Defender</b>	Steven R. Thomas
<b>Years as District Defender</b>	17
<b>Years in Public Defense</b>	36
<b>Office Manager</b>	Cheri Sewell
<b>Primary Office Street Address</b>	111 North Washington
<b>City</b>	Mansfield
<b>ZIP</b>	71052
<b>Primary Phone</b>	318-872-6250
<b>Primary Mailing Address</b>	P.O. Box 1004 Mansfield La. 71052
<b>Primary Fax Number</b>	318-872-6262
<b>Primary Emergency Contact</b>	Steven R. Thomas
<b>Primary Emergency Phone</b>	Cell 318-465-7001
<b>Secondary Emergency Contact</b>	Brian McRae
<b>Secondary Emergency Phone</b>	cell 318-286-2486
<b>Other District Office(s) Physical and Mailing Addresses and Phone Numbers</b>	N/A
<b>Other District Office Contact Personnel (Primary Only)</b>	Brian McRae cell 318-286-2486
<b>Name of Owner(s) of Office(s)/Building (i.e., Lessor)</b>	Steven R. Thomas
<b>Approximate Monthly Rent/Mortgage +Utilities Expenses Incurred by Defender Office</b>	Donated by Steven R. Thomas
<b>Are Your Office Accounting Services Handled In-House? (If not, name the third party who provides these services)</b>	Deborah Dees CPA
<b>Courts and Locations</b>	42nd JDC Desoto Parish, Mansfield, Juvenile and Mayor's court in Mansfield, Stonewall and Logansport, La.
<b>Number of Divisions/Sections of Criminal Court for Each Court in District (Include City Court, Municipal Court, etc.)</b>	Two CDC Divisions; Three Mayor's Court- Mansfield, Logansport, Stonewall
<b>Explain District's Method of Assigning Lawyers to Cases in Courts/Sections</b>	All 72 hour hearing forms are sent to District Defender who assigns attorneys.
<b>Name of Adult Detention Facilities in This District</b>	DeSoto Parish Detention Center, 205 Franklin Mansfield La. 71052
<b>Name of Adult Detention Facilities Outside the District Which Hold Clients</b>	N/A

<b>Name of Juvenile Detention Facilities In This District</b>	None
<b>Name of Juvenile Detention Facilities Outside the District Which Hold Clients</b>	Ware Youth Center, Coushatta La.
<b>Does the Location of Detention Facilities Affect Quality of Representation or Budget? If So, How?</b>	Yes, distance from clients impacts access and greatly increases costs for attorneys, mileage, etc.
<b>Do your courts routinely bring juveniles before the judge in shackles if they are being held in detention or secure custody at the time of the hearing? If not, please describe your courts' shackling policy and procedure.</b>	No
<b>Has Your District Experienced Any Difficulty Accessing Detained Clients at Any Detention Facility? If So, Please Describe</b>	No
<b>District Attorney</b>	Gary Evans takes office 1/12/15
<b>Chief Judge of Criminal District Court</b>	Robert Burgess
<b>Juvenile Court Judges (Specify District of City Court)</b>	Robert Burgess
<b>Drug Court Judges</b>	N/A
<b>Mental Health Court Judges</b>	N/A
<b>Other Specialty Court</b>	N/A
<b>Name of Specialty and Brief Description:</b>	N/A
<b>Indigency Determined by Whom and How?</b>	Initially by the Judge.. Subsequently, reviewed after questionnaire by DD.
<b>When is Assignment/Appointment of Counsel Made?</b>	Within 72 hours of Notice to PD office.
<b>What steps does your office take to ensure conflict – free representation</b>	Careful review of indigence at 72 hour notice by DD, to identify conflicts. On going review of case developments.
<b>Brief Explanation of Intake Process</b>	Primarily by teleconference within 72 hours of Notice of appointment.
<b>\$40 Application Fees (per R.S. 14:175)</b>	
<b>Does the Office Collect the \$40 Application Fee?</b>	Yes
<b>How Many Applications for Services Were Received?</b>	371
<b>How Many Application Fees Were Waived?</b>	167
<b>How Many Application Fees Were Reduced?</b>	None
<b>Total Application Fee Dollars Collected in 2016</b>	8,520
<b>Does Another Agency Collect This Fee On Your Office's Behalf? If So, Which Agency Collects These Fees?</b>	No
<b>\$45/\$35 Special Cost (Court Fees, per R.S.15:168 )</b>	
<b>Total Revenue from \$45/\$35 Special Costs Received in 2016</b>	645,097
<b>Does the Court Assess the Mandatory Special Cost (Court Fee) in Every Case Resulting in Conviction? If Not, Explain.</b>	Yes

<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it provided?</b>	Form provided by Desoto Sheriffs Department.
<b>Who Collects the Assessed Court Fees?</b>	Desoto Sheriffs Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Check stub from Desoto Sheriffs Department and copy of disbursement form.
<b>Who Remits the Court Fees Collected?</b>	Desoto Parish Sheriff
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Check stub from Desoto Parish Sheriff and disbursement form.
<b>Optional \$20 Mayor Court Fee (per La. R.S. 33:441(a)(2))</b>	
<b>Did you receive any funding from the optional \$20 court costs provisions for Mayor's Courts?</b>	No
<b>From which Mayor Courts did you receive funds from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>How much funding did you receive from the optional \$20 court costs provisions for Mayor's Courts?</b>	None
<b>Partial Indigence Payments (per R.S.15:175/Ch.C.Art. 321)</b>	
<b>Method for Determining Reduced Rate Charged For Legal Services if Client is Deemed Capable of Partial Payment</b>	District Defender makes determination.
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Assessed and by Whom is it Provided?</b>	Provided by probation office/form.
<b>Who Collects the Assessed Partial Payments?</b>	Probation Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Collected and by Whom is it Provided?</b>	Report from Probation Office
<b>Who Remits the Partial Payments Collected?</b>	Probation Office
<b>What, If Any, Accounting Documentation is Provided to You Regarding Fees Remitted to You and by Whom is it Provided?</b>	Report from probation office.
<b>Amount, If Any, of Partial Indigence Payments Received by the Office in CY16</b>	8,664
<b>Does Your Office Have a Private Practice Policy? If So, Is the Policy in Writing?</b>	Private practice is permitted for contract attorneys. No it is not in writing.
<b>For the Contract Attorneys in Your District, Is There a Written Contract For His/Her Services? If So, Please Provide a Blank Copy of the Standard Contract</b>	Yes (see attached).
<b>Primary Immediate Needs</b>	More funding.
<b>Was your office in ROS at any time during 2016</b>	No

<b>If you were not in ROS in 2016, do you foresee the possibility of the district entering a Restriction of Services in the coming year, and if so, what are your initial preparatory steps to address this issue?</b>	I do not foresee ROS if our revenue stream can remain constant . I have regular meetings with the Sheriff and staff, DA and staff to discuss this issue.
<b>In CY16, have you instituted any downsizing of staff in response to a revenue-expenditure gap your district may have anticipated? If so, please list staff terminated.</b>	No
<b>Immediate Critical Issue Areas</b>	Uncertainty in revenue source makes it difficult to plan and impossible to grow/improve my program. Poor revenue from Sabine is getting progressively worse and any reduction in DAF would force us to reconsider the fairness of the agreement and the practical/moral basis for continuing it.
<b>Long-Term Critical Issue Areas</b>	More funding.
<b>2016 Media Coverage and/or Major Accomplishments</b>	None
<b>Do You Provide Training, Coaching, or Mentoring for New Attorneys? If So, Describe</b>	We have quarterly training.
<b>Please identify all public defenders in your office who completed six hours of training relevant to the representation of juveniles this year</b>	Angela Waltman
<b>Does Your District Office Provide Employee Manuals or Handbooks? (Yes or No - Do Not Attach)</b>	Yes
<b>Describe Supervisory Structure in Your District (For Attorneys and Non-Attorneys)</b>	Chief Defender- Steven R. Thomas, Assistant District Defender- Brian C. McRae, and staff contract attorneys.
<b>Any Policy for Caseload/Workload Reduction for Supervisory Staff, Please Describe</b>	Supervisory staff has reduced caseload.
<b>Medical Benefits for Any Staff, Please Describe, Noting Who Pays For the Benefit</b>	No
<b>Regular Meetings for Any Staff, Please Describe</b>	Yes, quarterly training, staff meetings for attorneys, bi-monthly staff meetings for support staff.
<b>Number of Appeals Your District Handled in 2016 (As Opposed to Those Cases Transferred to CAP or LAP for Appellate Representation)</b>	None
<b>Number of Writs Your District Filed in 2016</b>	3
<b>Number of Cases Involving Children Under Age 17 in Your District That Were Directly Filed in Adult Court or Transferred to Adult Court in 2016</b>	0
<b>Number of Cases Involving Children Under Age 17 in Your District in Which a Transfer of a Child to Adult Court Was Denied</b>	None
<b>Please Describe Any Procedures That Are in Place For Assigning Attorneys Experienced With Juvenile Defendants to Transferable or Transferred Cases</b>	Both attorneys responsible for representation in juvenile delinquency cases also handle adult felonies. The case stays with them.

<b>Number of trial level Juvenile Life Without Parole (Miller) cases handled by your office in CY 2016</b>	1
<b>Number of remanded Juvenile Life Without Parole (Montgomery) cases pending in your office</b>	0
<b>Number of remanded Juvenile Life Without Parole (Montgomery) sentencing hearings conducted in your district in CY 2016</b>	0
<b>Please Provide the Names of All State Representatives and Senators from Your District</b>	Larry Bagley- State Representative. Senator- John Milkovich.
<b>Other than funding issues, what External Factors (outside of your control) Negatively Affect the Delivery of Services in Your District?</b>	There seems to be little or no balance between the 307 board and staff's ever increasing demand for reports and data, micro management and recognition that these increase time and demands that should be devoted to representing indigent accused people. This increases attorney's dissatisfaction.
<b>What Changes Have You Implemented in Your District Office in 2016 That Have Improved the Delivery of Public Defender Services?</b>	Improved in house training for attorney's and staff.
<b>Staff Directory:</b>	
<b><u>Full-Time Staff Attorneys</u></b>	<b><u>Contact Information</u></b>
Steven R. Thomas	318-465-7001
<b><u>Part-Time Contract Attorneys</u></b>	<b><u>Contact Information</u></b>
Brooks Greer	318-671-4360
Charles H. Kammer, III	318-222-0293
Pugh H. Huckaby, III	318-222-0293
Angela Waltman	318-865-3899
<b><u>Non Attorney Employees and Contractors and Other Staff</u></b>	<b><u>Contact Information</u></b>
Maura Dees	318-872-3007
Cheri Sewell	318-872-6250
Pam Mathis	318-872-6250

## 2016 District Office Technology Survey

The following questions refer to equipment and technology in the main Public Defender Office or if no such office exists, the equipment and technology in the Chief Defender's Office.	
<b>Survey Completer's Name</b>	Cheri Sewell
<b><u>Legal Research Tools Used:</u></b>	
Lexis Nexis	
Westlaw	
Other (please list)	Fastcase
Number of Legal Research Licenses	
Total Cost of Legal Research Software:	No Cost
<b><u>SOFTWARE:</u></b>	
Mark an X in all that apply	
<b><u>Operating Systems Used:</u></b>	
Windows 10	
Windows 8	
Windows 7	x
Windows Vista	
Windows Server 2000/2003/2008	x
Windows XP	x
Mac OSX	
<b><u>Case Management System(s): Check all that apply</u></b>	
defenderData (LPDB statewide system)	x
Other System (please name)	
<b><u>Productivity Suites Used:</u></b>	
Microsoft Office 2016 (Word, Excel, etc.)	
Microsoft Office 2013	
Microsoft Office 2010	x
Microsoft Office 2007	x
Microsoft Office 2003	
Previous Microsoft Office version	
Corel Word Perfect	
Other	
<b><u>Accounting Software</u></b>	
QuickBooks	
Quicken	

Intuit	
Other (list here):	
<b><u>Internet Browsers Used:</u></b>	
Internet Explorer 6	
Internet Explorer 7	x
Internet Explorer 8	
Internet Explorer 9	
Internet Explorer 10	
Internet Explorer 11	
Microsoft Edge	
Firefox	x
Google Chrome	x
Other	
<b><u>HARDWARE:</u></b>	
Please enter the number of	
devices in your inventory.	
Television	
DVD	0
VCR	
Desktop PCs	4
Laptops	2
Video Cameras	
Digital Cameras	
Video Conferencing Systems	2
B&W Laser Printers	
Color Printers	
Wireless Cards	
Smartphones (Funded by Office)	1
iPad/Tablets (Funded by Office)	
<b><u>INTERNET SERVICES:</u></b>	
Dialup	
Broadband	
No Internet Connection	
Connection Speed:	High
Provider Name:	CP-Tel
Email Provider:	AT&T
Please list any software or computer equipment in which you need training:	



## 42nd District Defender Office CY 2016 Caseloads & Outcomes

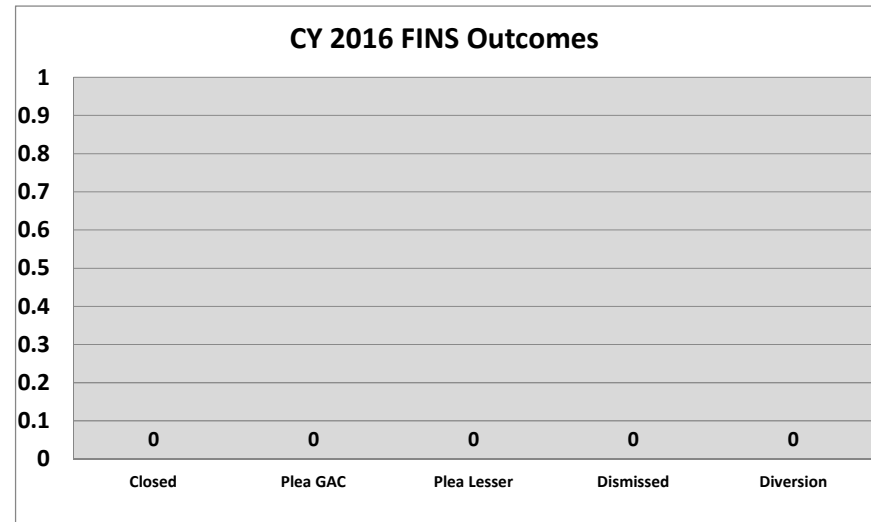
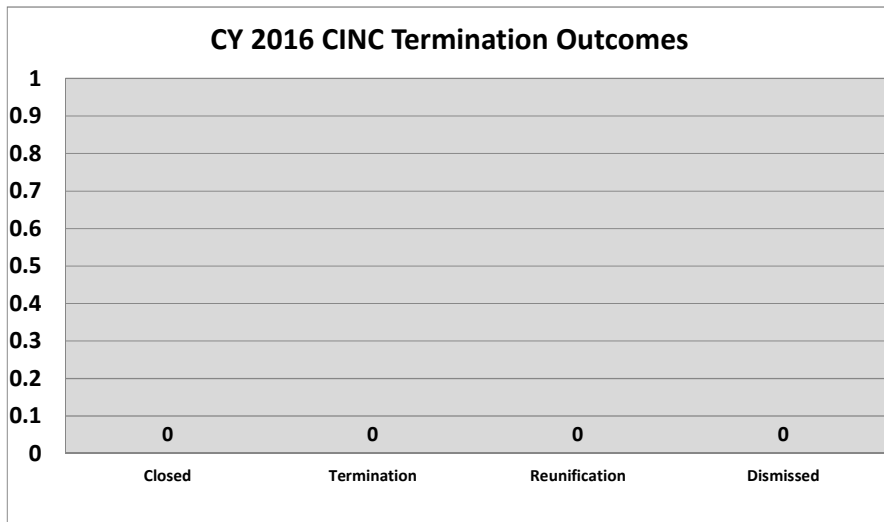
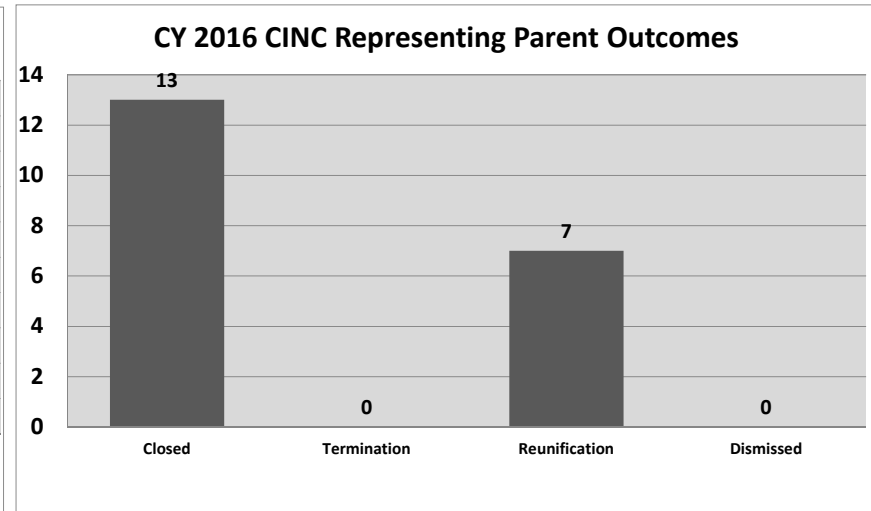
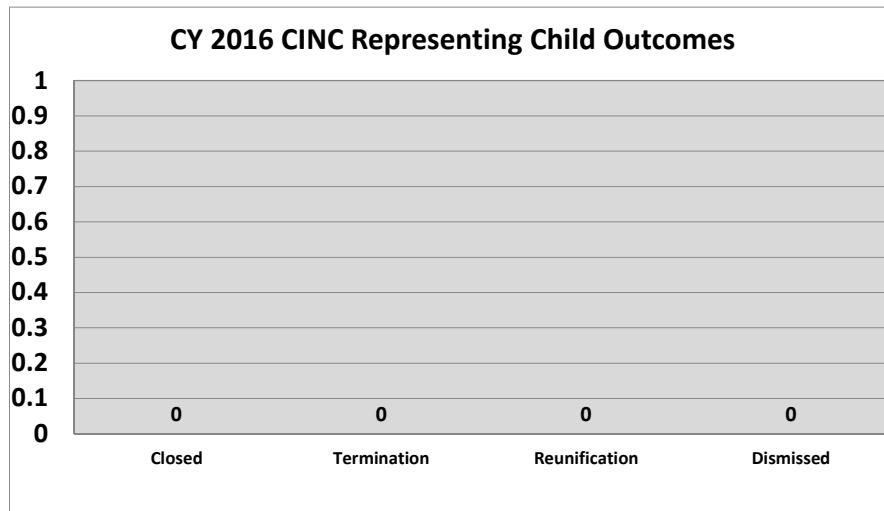
Case Type	New Cases 01/1/2016- 12/31/2016	Closed Cases 01/1/2016- 12/31/2016	Pending Cases* (# of Cases pending on 12/31/2015)	# of Cases pending on 12/31/2015 plus New Cases Received 01/1/2016- 12/31/2016	# Cases Resulting in Termination of Parental Rights	# Cases Resulting in Reunification	# Charges with Admit/Guilt y Plea to Current Offense	# Charges with Plea of Guilty to Lesser Charge	# Charges Resulting in Dismissal	# Charges Resulting in Diversion or Deferred Disposition	# Jury Trials: Found Not Guilty	# Jury Trials: Found Guilty	# Judge Trials: Found Not Guilty	# Judge Trials: Found Guilty	Total Trials
Child Support	0	0	0	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Child	1	0	1	2	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
CINC-Parent	14	13	14	28	0	7	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
Termination	0	0	0	0	0	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
FINS	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Delinquency Misdemeanor	19	28	12	31	N/A	N/A	12	1	1	11	N/A	N/A	0	1	1
Delinquency Felony	21	22	3	24	N/A	N/A	19	2	0	0	N/A	N/A	0	0	0
Delinquency-Life	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	0	0	0
Juvenile Revocations	0	0	0	0	N/A	N/A	0	0	0	0	N/A	N/A	N/A	N/A	0
Adult Misdemeanor*	466	524	226	692	N/A	N/A	323	36	373	8	0	1	6	12	19
Adult Felony Non-LWOP**	311	325	135	446	N/A	N/A	153	52	246	0	0	5	0	4	9
Adult LWOP	1	0	0	1	N/A	N/A	0	0	0	0	0	0	0	0	0
Capital***	1	0	0	1	N/A	N/A	0	0	0	0	0	0	0	0	0
Revocations	97	92	26	123	N/A	N/A	1	0	12	0	N/A	N/A	N/A	N/A	0
PCR	0	0	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
SOAP	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

NOTE: Charges columns include all charges filed in association with a particular Case Type, regardless of each charge's severity.

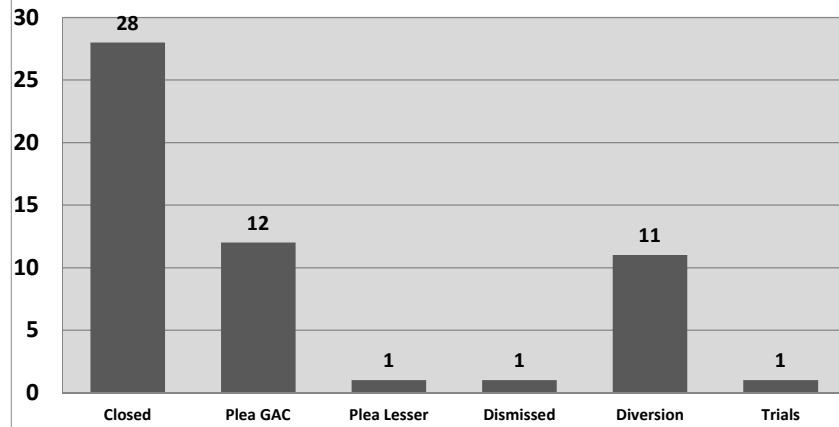
\*Includes Traffic, Parish/Municipal Ordinances, Extradition and Unclassified Cases

\*\*Life Without Parole

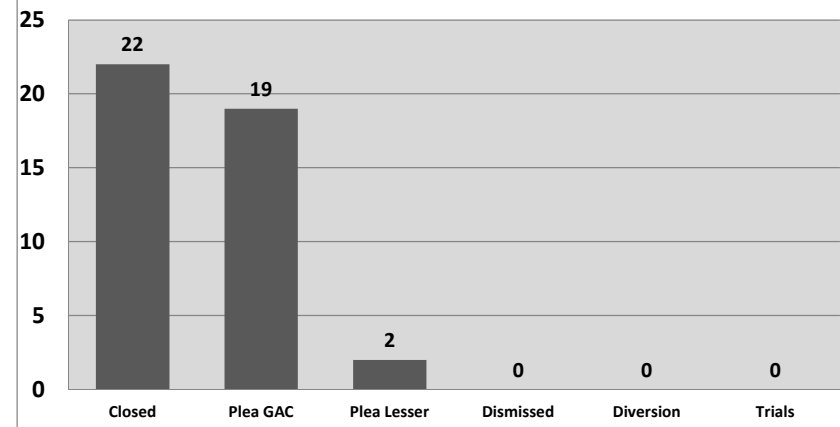
\*\*\*Capital cases may include cases initially opened by the district office and transferred to a program office at some later stage in the proceedings.



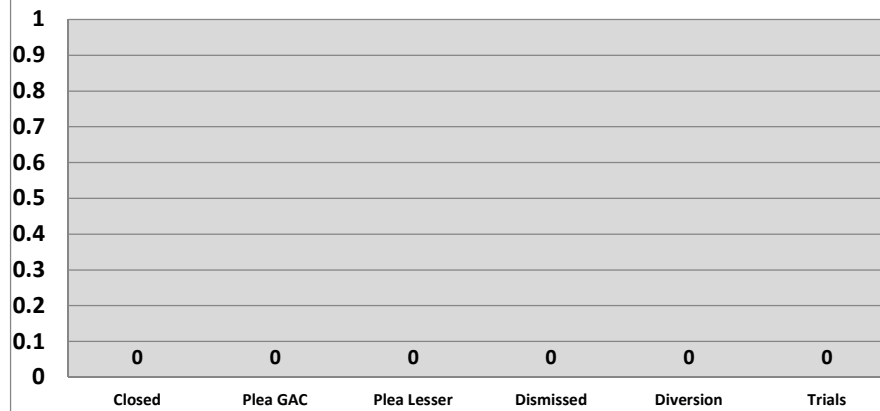
**CY 2016 Delinquency Misdemeanor-Grade Outcomes**

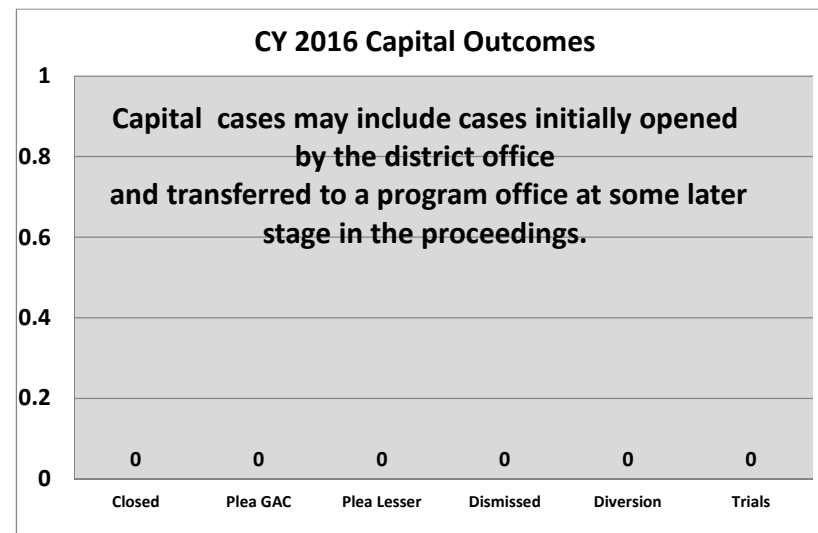
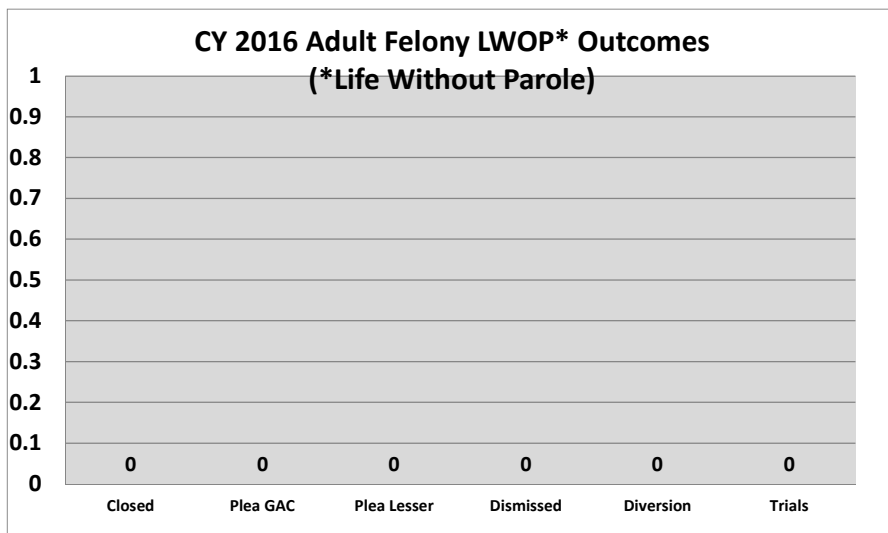
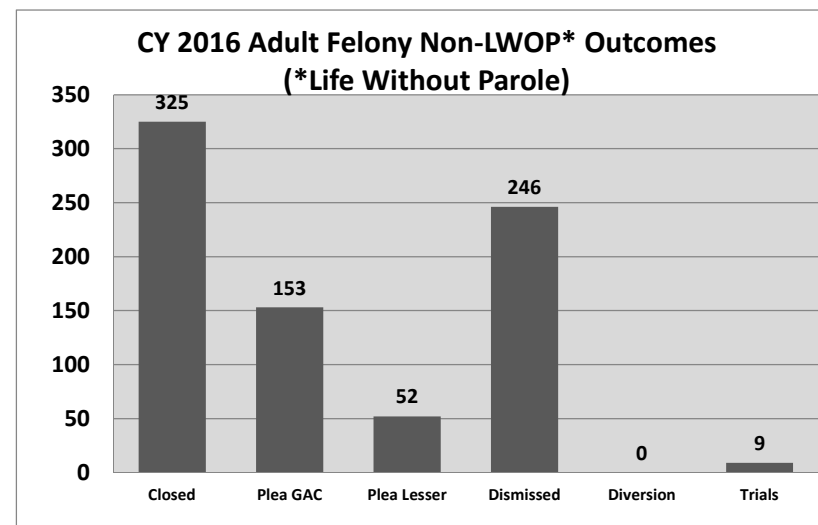
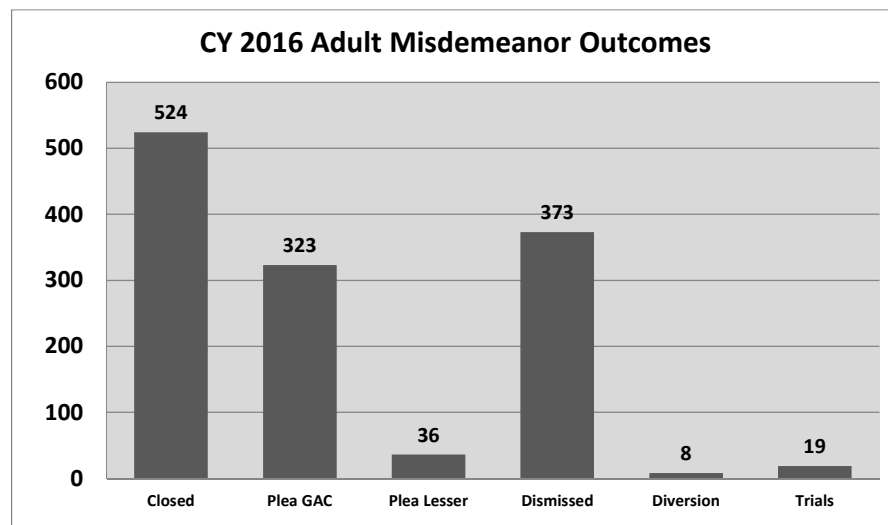


**CY 2016 Delinquency Felony-Grade Outcomes**



**CY 2016 Delinquency Life Outcomes**



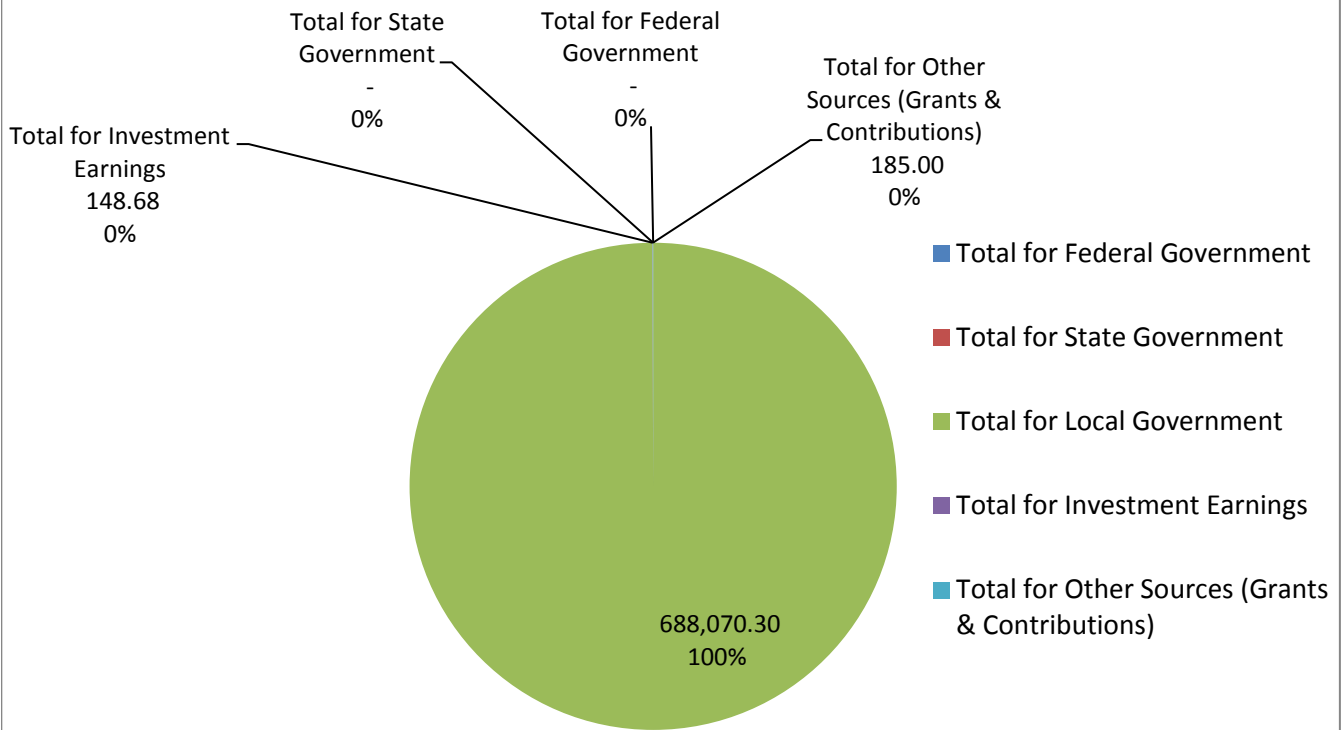


District 42 CY2016	Total CY2016
District Defender: Steven Thomas	
<b>REVENUE</b>	
Federal Government	
Grants - Direct	-
Grants - Indirect (pass thru State)	-
Total for Federal Government	-
State Government	
Department of Corrections	-
Child in Need of Care (CINC)	-
District Assistance Fund (DAF)	-
Supplemental/Emergency Funds	-
Grants	-
Other State Income -List source(s)	-
Total for State Government	-
Local Government	
Appropriations - General	-
Appropriations - Special	-
Taxes - Millages, Sales, Special, & Other	-
Condition of Probation	4,065.00
Criminal Bond Fees [\$2 per bonded case as per 15:85.1] and Surety Bond Licensing Fees [per 22:822 B]	21,754.97
Traffic Camera	-
Grants	-
Other Local Income -List source(s)	-
\$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	-
Criminal District Court	-
City & City-Ward Courts	-
Judicial District Courts	-
Juvenile Court	-
Mayor's Court (\$35 Special Court Costs for Mayor's Court Only)	-
Magistrates' Courts	-
Municipal Court	-
Parish Courts	-
Traffic Court	-
Non-itemized, lump sum collected and remitted by all courts	645,066.50
Non-Itemized lump sum assessed by the court; collected and remitted by the Sheriff(s)	-
Non-Itemized lump sum assessed by the court; collected and remitted by the Police Juries	-
Total for \$45 Special Court Costs [R.S.15:168.B(1)] and \$35 Mayor's Court Costs	645,066.50
Charges For Services	
\$40 Indigent Defense Application Fees [as per 15:175 A (1)(f)]	8,520.00
Partial Attorney Fees	-
Reimbursements [as per 15:176]	8,663.83
Other Reimbursements	-
Other Local Income -List source(s)	-
Total for Charges For Services	17,183.83
Total for Local Government	688,070.30
Investment Earnings	
Interest Income	148.68
Other Investment Income - List source(s)	-
Total for Investment Earnings	148.68
Other Sources (Grants & Contributions)	
Non-Profit Organizations	-
Private Organizations	-
Corporate	-
Other - List source(s)	185.00
Total for Other Sources (Grants & Contributions)	185.00
Total for REVENUE	688,403.98

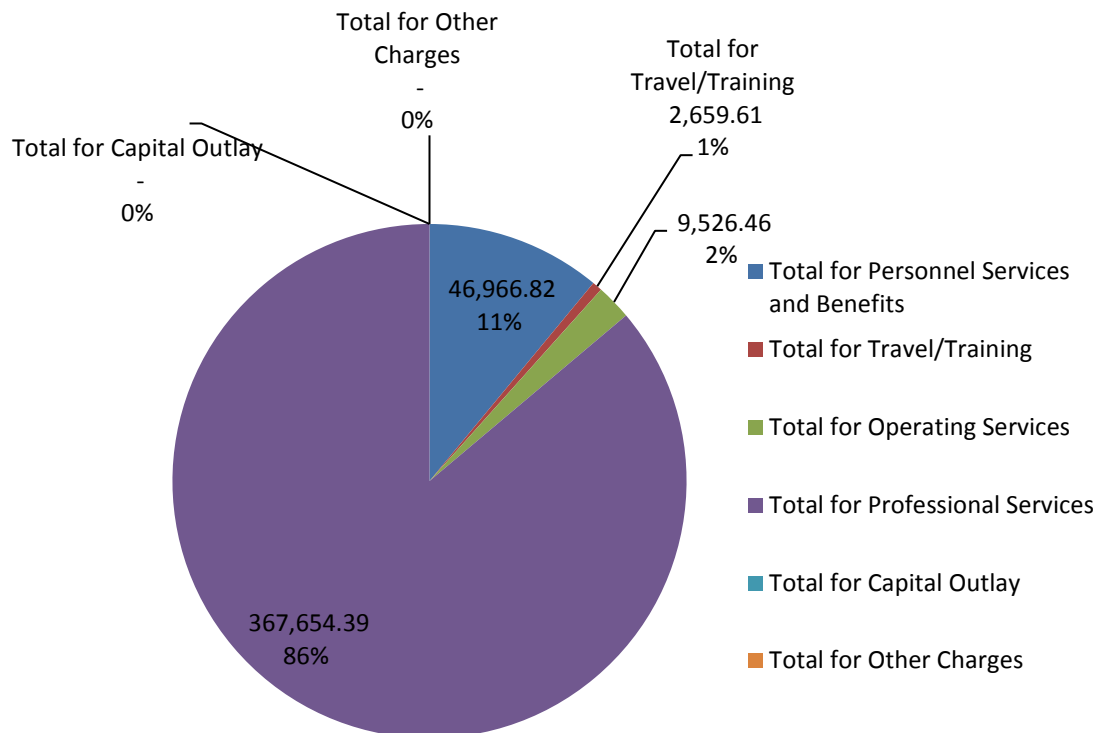
District 42 CY2016	Total CY2016
District Defender: Steven Thomas	
<b>EXPENDITURES</b>	
Personnel Services and Benefits	
Salaries	43,629.23
Accrued Leave	-
Payroll Taxes	3,337.59
Hospitalization and Disability Insurance	-
Retirement	-
Other	-
Total for Personnel Services and Benefits	46,966.82
Travel/Training	
Parking/Auto Tolls	-
Travel/Lodging/Per Diem/Mileage	2,659.61
Total for Travel/Training	2,659.61
Operating Services	
Advertisements	170.60
Workers' Compensation	293.50
Insurance - Malpractice	2,201.33
Insurance - Auto/Physical Liability	-
Insurance - Other	1,025.82
Lease - Office	-
Lease - Auto/Equipment	-
Lease - Other	-
Office Repair and Maintenance	-
Office - Telephone/Utilities/Postage/Internet	3,302.02
Dues and Seminars	361.12
Law Library/Journals/Subscriptions	651.41
Office Supplies	1,520.66
Total for Operating Services	9,526.46
Professional Services	
Audit/Accounting Expense	7,287.50
Contract Clerical	-
Expert Witness	800.00
Investigators	2,620.00
Interpreters	100.00
Social Workers	-
Capital Representation	-
Conflict	15,500.00
Contract - Juvenile Attorneys or CINC	30,000.00
Misdemeanor Attorney Contracts	12,000.00
Contract Attorneys - all other	298,684.10
IT/Technical Support	662.79
Total for Professional Services	367,654.39
Capital Outlay	
Major Acquisitions	-
Total for Capital Outlay	-
Other Charges	
Other Operating Expenses	-
Total for Other Charges	-
Total for EXPENDITURES	426,807.28

NOTE: The difference between "Total for REVENUE" on the preceding page and the total funding presented in the pie chart in the summary above labelled "District PDO Revenue Sources in CY16" is an artifact of using parts of two different fiscal year disbursements to derive a single calendar year report.

## Total CY16 Revenues



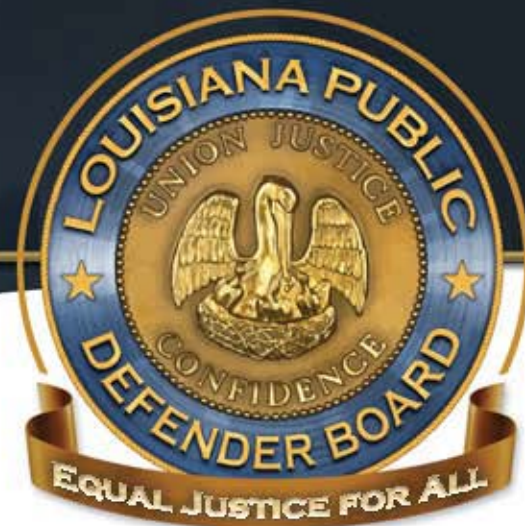
## CY16 Expenditures





LOUISIANA PUBLIC DEFENDER BOARD

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## **Louisiana Public Defender Board Trial Court Performance Standards**

*Note: The entire Trial Court Performance Standards can be found  
in Chapter 7, Part XV of Title 22 of the Louisiana Administrative Code  
also available online at: <http://doa.louisiana.gov/OSR/>*

**Spring 2010**

**Louisiana Public Defender Board**  
500 Laurel Street, Suite 300, Baton Rouge, LA 70801  
(225) 219-9305 (office) (225) 219-9326 (fax)



# **Louisiana Public Defender Board Trial Court Performance Standards**

**Spring 2010**

**Louisiana Public Defender Board**  
500 Laurel Street, Suite 300 Baton Rouge, LA 70801  
(225) 219-9305 (office) (225) 219-9326 (fax)  
**[www.lpdb.la.gov](http://www.lpdb.la.gov)**



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“Equal justice under law is not merely a caption on the facade of the Supreme Court building, it is perhaps the most inspiring ideal of our society. It is one of the ends for which our entire legal system exists...it is fundamental that justice should be the same, in substance and availability, without regard to economic status.”

— *Justice Lewis Powell, Jr., United States Supreme Court*



## **Mission**

### *Mission:*

In pursuit of equal justice, the Louisiana Public Defender Board advocates for clients, supports practitioners and protects the public by continually improving the services guaranteed by the constitutional right to counsel.

Through its commitment to performance standards, ethical excellence, data-driven practices and client-centered advocacy, the Louisiana Public Defender Board oversees the delivery of high quality legal services affecting adults, children and families, and supports community well-being across Louisiana.





## **Executive Staff**

Jean M. Faria  
State Public Defender

Julie Kilborn  
Deputy Public Defender  
Director of Training

H. Clay Walker  
Deputy Public Defender  
Director of Juvenile Services

Kristy Z. Boxberger  
Juvenile Justice Compliance Officer

Marianne Buchanan  
Budget Officer

John Di Giulio  
Trial-Level Compliance Officer

Heather H. Hall  
Special Projects Advisor

Erik A. Stilling, Ph.D.  
Information Technology & Management Officer



## Board of Directors

Frank X. Neuner, Jr., Chairman  
 1001 West Pinhook Road, Suite 200  
 Lafayette, LA 70503  
 Term: 11/03/2008 – 11/02/2012  
 Appointed by: Governor

James E. Boren  
 830 Main Street  
 Baton Rouge, LA 70802  
 Term: 12/03/2008 – 12/02/2010  
 Appointed by: President, Louisiana State Bar Association

Judge Robert J. Burns (Retired)  
 4513 Taft Park  
 Metairie, LA 70002  
 Term: 08/19/2008 – 12/31/2010  
 Appointed by: Chief Justice, Louisiana Supreme Court

Cleveland R. Coon  
 Southern University Law Center  
 Post Office Box 9294  
 Baton Rouge, LA 70813  
 Term: 02/11/2009 - 02/10/2013  
 Appointed by: Governor, representing Southern University Law Center

Addison K. Goff  
 Post Office Box 2050  
 Ruston, LA 71273  
 Term: 2/2010 – confirmation pending  
 Appointed by: Speaker of the House of Representatives

Leo Hamilton  
 1 American Place, Suite 2300  
 Post Office Box 3197  
 Baton Rouge, 70821  
 Term: 08/19/2008 – 01/31/2010

C. Frank Holthaus  
 619 Main Street  
 Baton Rouge, LA 70801  
 Term: 02/02/2010 - confirmation pending  
 Appointed by: President of the Senate

Reverend Dan Krutz  
527 North Boulevard, 4th Floor  
Baton Rouge, LA 70802  
Term: 01/01/2006 – 12/31/2009  
Appointed by: Executive Director, Louisiana Interchurch Conference

Luceia LeDoux  
400 Poydras Street, Suite 2950  
New Orleans, LA 70130  
Term: 08/15/2007 – 12/31/2009  
Appointed by: Chief Justice, Louisiana Supreme Court

Christine Lipsey  
McGlinchey Stafford, PLLC  
One American Place, 301 Main Street, 14<sup>th</sup> Floor  
Baton Rouge, LA 70825  
Term: 06/24/2009 – 01/21/2011  
Appointed by: President, Louisiana State Bar Association

Lucy S. McGough  
Paul M. Hebert School of Law  
Louisiana State University  
Baton Rouge, LA 70803  
Term: 07/01/2008 – 01/30/2012  
Appointed by: Governor, representing Paul M. Hebert Law Center

Pamela Metzger  
Tulane University School of Law  
6329 Freret Street  
New Orleans, LA 70118  
Term: 08/10/2009 – 08/09/2013  
Appointed by: Governor, representing Tulane University School of Law

Prof. D. Majeeda Snead  
Loyola University School of Law  
7214 St. Charles Avenue, Box 902  
New Orleans, LA 70118  
Term: 03/29/2009 – 03/28/2012  
Appointed by: Governor, representing Loyola University School of Law

Gina Womack  
1600 Oretha Castle Haley Blvd.  
New Orleans, LA 70113  
Term: 06/21/2008 – 06/20/2012  
Appointed by: Louis A. Martinet Society

Judge Robert Brinkman  
3553 Hwy 152  
Opelousas, LA 70570  
Term: *Ex Officio*  
Appointed by: Louisiana Public Defenders' Association

Rebecca Hudsmith  
102 Versailles Blvd., Suite 816  
Lafayette, LA 70501  
Term: *Ex Officio*  
Appointed by: Louisiana Association of Criminal Defense Lawyers



## **Trial Court Performance Standards**

*Note: The entire Trial Court Performance Standards can be found in Chapter 7, Part XV of Title 22 of the Louisiana Administrative Code, also available online at: <http://doa.louisiana.gov/OSR/>*

### **Part I Duties and Obligations of Defense Counsel**

#### **§701. Purpose**

- A. The standards are intended to serve several purposes, first and foremost to encourage public defenders, assistant public defenders and appointed counsel to perform to a high standard of representation and to promote professionalism in the representation of indigent defendants.
- B. The standards are intended to alert defense counsel to courses of action that may be necessary, advisable, or appropriate, and thereby to assist attorneys in deciding upon the particular actions that must be taken in each case to ensure that the client receives the best representation possible. The standards are also intended to provide a measure by which the performance of individual attorneys and district public defender offices may be evaluated, and to assist in training and supervising attorneys.
- C. The language of these standards is general, implying flexibility of action which is appropriate to the situation. Use of judgment in deciding upon a particular course of action is reflected by the phrases “should consider” and “where appropriate.” In those instances where a particular action is absolutely essential to providing quality representation, the standards use the words “should” or “shall.” Even where the standards use the words “should” or “shall,” in certain situations the lawyers’ best informed professional judgment and discretion may indicate otherwise.
- D. These standards are not criteria for the judicial evaluation of alleged misconduct of defense counsel to determine the validity of a conviction. The standards may or may not be relevant to such a judicial determination, depending upon all of the circumstances of the individual case.

#### **§703. Obligations of Defense Counsel**

- A. The primary and most fundamental obligation of a criminal defense attorney is to provide zealous and effective representation for his or her clients at all stages of the criminal process. The defense attorney’s duty and responsibility is to promote and protect the best interests of the client. If personal matters make it impossible for the defense counsel to fulfill the duty of zealous representation, he or she has a duty to refrain from representing the client. Attorneys also have an obligation to uphold the ethical standards of the Louisiana Rules of Professional Conduct and to act in accordance with the Louisiana Rules of Court.

#### **§705. Training and Experience of Defense Counsel**

- A. In order to provide quality legal representation, counsel must be familiar with the substantive criminal law and the law of criminal procedure and its application in the state of Louisiana. Counsel has a con-

tinuing obligation to stay abreast of changes and developments in the law.

- B. Prior to agreeing to undertake representation in a criminal matter, counsel should have sufficient experience or training to provide effective representation.
- C. Attorneys who are being considered for appointment to represent individuals who are charged with capital offenses in which the state is seeking death must meet the special criteria as adopted by the Supreme Court of Louisiana.

#### **§707. General Duties of Defense Counsel**

- A. Before agreeing to act as counsel or accepting appointment by a court, counsel has an obligation to make sure that counsel has available sufficient time, resources, knowledge and experience to offer effective representation to a defendant in a particular matter. If it later appears that counsel is unable to offer effective representation in the case, counsel should move to withdraw.
- B. Counsel must be alert to all potential and actual conflicts of interest that would impair counsel's ability to represent a client. When appropriate, counsel may be obliged to seek an advisory opinion on any potential conflicts.
- C. Counsel has the obligation to keep the client informed of the progress of the case.
- D. If a conflict develops during the course of representation, counsel has a duty to notify the client and the court in accordance with the Louisiana Rules of Court and in accordance with the Louisiana Rules of Professional Conduct.
- E. When counsel's caseload is so large that counsel is unable to satisfactorily meet these performance standards, counsel shall inform the district defender for counsel's judicial district and, if applicable, the regional director, the court or courts before whom counsel's cases are pending. If the district defender determines that the caseloads for his entire office are so large that counsel is unable to satisfactorily meet these performance standards, the district defender shall inform the court or courts before whom cases are pending and the state public defender.

#### **§709. Obligations of Counsel Regarding Pretrial Release**

- A. Counsel or a representative of counsel have an obligation to meet with incarcerated defendants within 72 hours of appointment, and shall take other prompt action necessary to provide quality representation including:
  - 1. Counsel shall invoke the protections of appropriate constitutional provisions, federal and state laws, statutory provisions, and court rules on behalf of a client, and revoke any waivers of these protections purportedly given by the client, as soon as practicable via a notice of appearance or other pleading filed with the state and court.
  - 2. Where possible, counsel shall represent an incarcerated client at the La.C.Cr.P. Art. 230.1 First Appearance hearing (*County of Riverside v. McLaughlin*, 500 U.S. 44 (1991)) in order to contest probable cause for a client arrested without an arrest warrant, to seek bail on favorable terms (after taking into consideration the adverse impact, if any, such efforts may have upon exercising the client's right to a full pretrial release hearing at a later date), to invoke constitutional and statutory protections on behalf of the client, and otherwise advocate for the interests of the client.
- B. Counsel has an obligation to attempt to secure the pretrial release of the client.



## Part II Investigation and Preparation

### §711. Counsel's Initial Interview with Client

#### A. Preparing for the Initial Interview

1. Prior to conducting the initial interview the attorney should, where possible:
  - a. Be familiar with the elements of the offense(s) and the potential punishment(s), where the charges against the client are already known; and
  - b. Obtain copies of any relevant documents which are available, including copies of any charging documents, recommendations and reports made by bail agencies concerning pretrial release, and law enforcement reports that might be available.
2. In addition, where the client is incarcerated, the attorney should:
  - a. Be familiar with the legal criteria for determining pretrial release and the procedures that will be followed in setting those conditions;
  - b. Be familiar with the different types of pretrial release conditions the court may set and whether private or public agencies are available to act as a custodian for the client's release; and
  - c. Be familiar with any procedures available for reviewing the trial judge's setting of bail.

#### B. Conducting the Interview

1. The purpose of the initial interview is to acquire information from the client concerning the case, the client and pre-trial release, and also to provide the client with information concerning the case. Counsel should ensure at this and all successive interviews and proceedings that barriers to communication, such as differences in language or literacy, be overcome. In addition, counsel should obtain from the client all release forms necessary to obtain client's medical, psychological, education, military, prison and other records as may be pertinent.
2. Information that should be acquired from the client, includes, but is not limited to:
  - a. The facts surrounding the charges leading to the client's arrest, to the extent the client knows and is willing to discuss these facts;
  - b. The client's version of arrest, with or without warrant; whether client was searched and if anything was seized, with or without warrant or consent; whether client was interrogated and if so, was a statement given; client's physical and mental status at the time the statement was given; whether any exemplars were provided and whether any scientific tests were performed on client's body or body fluids;
  - c. The names and custodial status of all co-defendants and the name of counsel for co-defendants (if counsel has been appointed or retained);
  - d. The names and locating information of any witnesses to the crime and/or the arrest; regardless of whether these are witnesses for the prosecution or for the defense; the existence of any tangible evidence in the possession of the state (when appropriate, counsel should take steps to insure this evidence is preserved);
  - e. The client's ties to the community, including the length of time he or she has lived at the current and former addresses, any prior names or alias used, family relationships, immigration status (if applicable), employment record and history, and Social Security number;
  - f. The client's physical and mental health, educational, vocational and armed services history;
  - g. The client's immediate medical needs including the need for detoxification programs and/or substance abuse treatment;
  - h. The client's past criminal record, if any, including arrests and convictions for adult and juvenile offenses and prior record of court appearances or failure to appear in court; counsel should also determine whether the client has any pending charges or outstanding warrants from other jurisdictions or agencies and also whether he or she is on probation (including the nature of

- the probation, such as “first offender”) or parole and the client’s past or present performance under supervision;
- i. The names of individuals or other sources that counsel can contact to verify the information provided by the client (counsel should obtain the permission of the client before contacting these individuals);
  - j. The ability of the client to meet any financial conditions of release (for clients who are incarcerated); and
  - k. Where appropriate, evidence of the client’s competence to stand trial and/or mental state at the time of the offense, including releases from the client for any records for treatment or testing for mental health or mental retardation.
3. Information to be provided to the client, includes, but is not limited to:
    - a. A general overview of the procedural progression of the case, where possible;
    - b. An explanation of the charges and the potential penalties;
    - c. An explanation of the attorney-client privilege and instructions not to talk to anyone about the facts of the case without first consulting with the attorney; and
    - d. The names of any other persons who may be contacting the client on behalf of counsel.
  4. For clients who are incarcerated:
    - a. An explanation of the procedures that will be followed in setting the conditions of pretrial release;
    - b. An explanation of the type of information that will be requested in any interview that may be conducted by a pretrial release agency and also an explanation that the client should not make statements concerning the offense; and
    - c. Warn the client of the dangers with regard to the search of client’s cell and personal belongings while in custody and the fact that telephone calls, mail, and visitations may be monitored by jail officials.
- C. Counsel must be alert to a potential plea based on client’s incompetency, insanity, mental illness or mental retardation. If counsel or the client raises a potential claim based on any of these conditions, counsel should consider seeking an independent psychological evaluation. Counsel should be familiar with the legal criteria for any plea or defense based on the defendant’s mental illness or mental retardation, and should become familiar with the procedures related to the evaluation and to subsequent proceedings.
1. Counsel should be prepared to raise the issue of incompetency during all phases of the proceedings, if counsel’s relationship with the client reveals that such a plea is appropriate.
  2. Where appropriate, counsel should advise the client of the potential consequences of the plea of incompetency, the defense of insanity, or a plea of guilty but mentally ill or guilty but mentally retarded. Prior to any proceeding, counsel should consider interviewing any professional who has evaluated the client, should be familiar with all aspects of the evaluation and should seek additional expert advice where appropriate.
- D. If special conditions of release have been imposed (e.g., random drug screening) or other orders restricting the client’s conduct have been entered (e.g., a no contact order), the client should be advised of the legal consequences of failure to comply with such conditions.

### **§713. Counsel’s Duty in Pretrial Release Proceedings**

- A. Counsel should be prepared to present to the appropriate judicial officer a statement of the factual circumstances and the legal criteria supporting release and, where appropriate, to make a proposal concerning conditions of release.

- B. Where the client is not able to obtain release under the conditions set by the court, counsel should consider pursuing modification of the conditions of release under the procedures available.
- C. If the court sets conditions of release which require the posting of a monetary bond or the posting of real property as collateral for release, counsel should make sure the client understands the available options and the procedures that must be followed in posting such assets. Where appropriate, counsel should advise the client and others acting in his or her behalf how to properly post such assets.

#### **§715. Counsel's Duties at Preliminary Hearing**

- A. Where the client is entitled to a preliminary hearing, the attorney should take steps to see that the hearing is conducted in a timely fashion unless there are strategic reasons for not doing so.
- B. In preparing for the preliminary hearing, the attorney should become familiar with:
  - 1. The elements of each of the offenses alleged;
  - 2. The law of the jurisdiction for establishing probable cause;
  - 3. Factual information which is available concerning probable cause; and
  - 4. The subpoena process for obtaining compulsory attendance of witnesses at preliminary hearing and the necessary steps to be taken in order to obtain a proper recordation of the proceedings.

#### **§717. Duty of Counsel to Conduct Investigation**

- A. Counsel has a duty to conduct a prompt investigation of each case. Counsel should, regardless of the client's wish to admit guilt, insure that the charges and disposition are factually and legally correct and the client is aware of potential defenses to the charges.
- B. Sources of investigative information may include the following.
  - 1. Arrest warrant, accusation and/or indictment documents, and copies of all charging documents in the case should be obtained and examined to determine the specific charges that have been brought against the accused. The relevant statutes and precedents should be examined to identify:
    - a. The elements of the offense(s) with which the accused is charged;
    - b. The defenses, ordinary and affirmative, that may be available;
    - c. Any lesser included offenses that may be available; and
    - d. Any defects in the charging documents, constitutional or otherwise, such as statute of limitations or double jeopardy.
  - 2. Information from the Defendant. If not previously conducted, an in-depth interview of the client should be conducted as soon as possible and appropriate after appointment of counsel. The interview with the client should be used to obtain information as described above under the performance standards applicable to the initial interview of the client. Information relevant to sentencing should also be obtained from the client, when appropriate.
  - 3. Interviewing Witnesses. Counsel should consider the necessity to interview the potential witnesses, including any complaining witnesses and others adverse to the accused, as well as witnesses favorable to the accused. Interviews of witnesses adverse to the accused should be conducted in a manner that permits counsel to effectively impeach the witness with statements made during the interview, either by having an investigator present or, if that is not possible, by sending the investigator to conduct the interview.
  - 4. The Police and Prosecution Reports and Documents. Counsel should make efforts to secure information in the possession of the prosecution or law enforcement authorities, including police reports. Where necessary, counsel should pursue such efforts through formal and informal discovery unless sound tactical reasons exist for not doing so. Counsel should obtain NCIC or other states

criminal history records for the client and for the prosecution witnesses.

5. **Physical Evidence.** Where appropriate, counsel should make a prompt request to the police or investigative agency for any physical evidence or expert reports relevant to the offense or sentencing. Counsel should examine any such physical evidence.
6. **The Scene of the Incident.** Where appropriate, counsel should attempt to view the scene of the alleged offense as soon as possible after counsel is appointed. This should be done under circumstances as similar as possible to those existing at the time of the alleged incident (e.g., weather, time of day, and lighting conditions).
7. **Securing the Assistance of Experts.** Counsel should secure the assistance of experts where it is necessary or appropriate to:
  - a. The preparation of the defense;
  - b. Adequate understanding of the prosecution's case; or
  - c. Rebut the prosecution's case.

#### **§719. Formal and Informal Discovery**

- A. Counsel has a duty to pursue as soon as practicable, discovery procedures provided by the rules of the jurisdiction and to pursue such informal discovery methods as may be available to supplement the factual investigation of the case. In considering discovery requests, counsel should take into account that such requests may trigger reciprocal discovery obligations.
- B. Counsel should consider seeking discovery, at a minimum, of the following items:
  1. Potential exculpatory information;
  2. Potential mitigating information;
  3. The names and addresses of all prosecution witnesses, their prior statements, and criminal record, if any;
  4. All oral and/or written statements by the accused, and the details of the circumstances under which the statements were made;
  5. The prior criminal record of the accused and any evidence of other misconduct that the government may intend to use against the accused;
  6. All books, papers, documents, photographs, tangible objects, buildings or places, or copies, descriptions, or other representations, or portions thereof, relevant to the case;
  7. All results or reports of relevant physical or mental examinations, and of scientific tests or experiments, or copies thereof;
  8. Statements of co-defendants;
  9. All investigative reports by all law enforcement and other agencies involved in the case; and
  10. All records of evidence collected and retained by law enforcement.

#### **§721. Development of a Theory of the Case**

- A. During investigation and trial preparation, counsel should develop and continually reassess a theory of the case. Counsel, during the investigatory stages of the case preparation must understand and develop strategies for advancing the appropriate defenses on behalf of the client.

## Part III Pretrial Motions

### §723. The Duty to File Pretrial Motions

- A. Counsel should consider filing an appropriate motion whenever there exists a good-faith reason to believe that the defendant is entitled to relief which the court has discretion to grant.
- B. The decision to file pretrial motions should be made after considering the applicable law in light of the known circumstances of each case.
- C. Among the issues that counsel should consider addressing in a pretrial motion are:
  1. The pretrial custody of the accused;
  2. The constitutionality of the implicated statute or statutes;
  3. The potential defects in the charging process;
  4. The sufficiency of the charging document;
  5. The propriety and prejudice of any joinder of charges or defendants in the charging document;
  6. The discovery obligations of the prosecution and the reciprocal discovery obligations of the defense;
  7. The suppression of evidence gathered as a result of violations of the Fourth, Fifth or Sixth Amendments to the United States Constitution, or corresponding state constitutional provisions, including:
    - a. The fruits of illegal searches or seizures;
    - b. Involuntary statements or confessions;
    - c. Statements or confessions obtained in violation of the accused's right to counsel or privilege against self-incrimination;
    - d. Unreliable identification evidence which would give rise to a substantial likelihood of irreparable misidentification;
  8. Suppression of evidence gathered in violation of any right, duty or privilege arising out of state or local law;
  9. Access to resources which, or experts, who may be denied to an accused because of his or her indigence;
  10. The defendant's right to a speedy trial;
  11. The defendant's right to a continuance in order to adequately prepare his or her case;
  12. Matters of trial evidence which may be appropriately litigated by means of a pretrial motion in limine;
  13. Matters of trial or courtroom procedure.
- D. Counsel should withdraw or decide not to file a motion only after careful consideration, and only after determining whether the filing of a motion may be necessary to protect the defendant's rights, including later claims of waiver or procedural default. In making this decision, counsel should remember that a motion has many objectives in addition to the ultimate relief requested by the motion. Counsel thus should consider whether:
  1. The time deadline for filing pretrial motions warrants filing a motion to preserve the client's rights, pending the results of further investigation;
  2. Changes in the governing law might occur after the filing deadline which could enhance the likelihood that relief ought to be granted;
  3. Later changes in the strategic and tactical posture of the defense case may occur which affect the significance of potential pretrial motions.

**§725. Preparing, Filing, and Arguing Pretrial Motions**

- A. Motions should be filed in a timely manner, should comport with the formal requirements of the court rules and should succinctly inform the court of the authority relied upon. In filing a pretrial motion, counsel should be aware of the effect it might have upon the defendant's speedy trial rights.
- B. When a hearing on a motion requires the taking of evidence, counsel's preparation for the evidentiary hearing should include:
  - 1. Investigation, discovery and research relevant to the claim advanced;
  - 2. The subpoenaing of all helpful evidence and the subpoenaing and preparation of all helpful witnesses;
  - 3. Full understanding of the burdens of proof, evidentiary principles and trial court procedures applying to the hearing, including the benefits and potential consequences of having the client testify; and
  - 4. Familiarity with all applicable procedures for obtaining evidentiary hearings prior to trial.

**§727. Continuing Duty to File Pretrial Motions**

- A. Counsel should be prepared to raise during the subsequent proceedings any issue which is appropriately raised pretrial, but could not have been so raised because the facts supporting the motion were unknown or not reasonably available. Further, counsel should be prepared to renew a pretrial motion if new supporting information is disclosed in later proceedings.

**Part IV Disposition without Trial****§729. Performance Standard 6.A Duty of Counsel in Plea Negotiation Process**

- A. Counsel should explore with the client the possibility and desirability of reaching a negotiated disposition of the charges rather than proceeding to a trial and in doing so should fully explain the rights that would be waived by a decision to enter a plea and not to proceed to trial.
- B. Counsel should keep the client fully informed of any continued plea discussion and negotiations and promptly convey to the accused any offers made by the prosecution for a negotiated settlement.
- C. Counsel shall not accept any plea agreement without the client's express authorization.
- D. The existence of ongoing tentative plea negotiations with the prosecution should not prevent counsel from taking steps necessary to preserve a defense nor should the existence of ongoing plea negotiations prevent or delay counsel's investigation into the facts of the case and preparation of the case for further proceedings, including trial.

**§731. The Process of Plea Negotiations**

- A. In order to develop an overall negotiation plan, counsel should be aware of, and make sure the client is aware of:
  - 1. The maximum term of imprisonment and fine or restitution that may be ordered, and any mandatory punishment or sentencing guideline system; and counsel should make the client aware that a guilty plea may have adverse impact upon;
  - 2. The possibility of forfeiture of assets;
  - 3. Other consequences of conviction including but not limited to deportation, the forfeiture of professional licensure, the ineligibility for various government programs including student loans, the prohibition from carrying a firearm, the suspension of a motor vehicle operator's license, the loss

of the right to vote, the loss of the right to hold public office; and the registration and notification requirements for sexual offenders;

4. Any possible and likely sentence enhancements or parole consequences.
- B. In developing a negotiation strategy, counsel should be completely familiar with:
  1. Concessions that the client might offer the prosecution as part of a negotiated settlement, including, but not limited to:
    - a. Not to proceed to trial on merits of the charges;
    - b. To decline from asserting or litigating any particular pretrial motions;
    - c. An agreement to fulfill specified restitution conditions and/or participation in community work or service programs, or in rehabilitation or other programs; and
    - d. Providing the prosecution with assistance in prosecuting or investigating the present case or other alleged criminal activity;
  2. Benefits the client might obtain from a negotiated settlement, including, but not limited to an agreement:
    - a. That the prosecution will not oppose the client's release on bail pending sentencing or appeal;
    - b. To dismiss or reduce one or more of the charged offenses either immediately, or upon completion of a deferred prosecution agreement;
    - c. That the defendant will not be subject to further investigation or prosecution for uncharged alleged criminal conduct;
    - d. That the defendant will receive, with the agreement of the court, a specified sentence or sanction or a sentence or sanction within a specified range;
    - e. That the prosecution will take, or refrain from taking, at the time of sentencing and/or in communications with the preparer of the official pre-sentence report, a specified position with respect to the sanction to be imposed on the client by the court;
    - f. That the prosecution will not present, at the time of sentencing and/or in communications with the preparer of the official pre-sentence report, certain information; and
    - g. That the defendant will receive, or the prosecution will recommend, specific benefits concerning the accused's place and/or manner of confinement and/or release on parole and he information concerning the accused's offense and alleged behavior that may be considered in determining the accused's date of release from incarceration;
  3. The position of any alleged victim with respect to conviction and sentencing. In this regard, counsel should:
    - a. Consider whether interviewing the alleged victim or victims is appropriate and if so, who is the best person to do so and under what circumstances;
    - b. Consider to what extent the alleged victim or victims might be involved in the plea negotiations;
    - c. Be familiar with any rights afforded the alleged victim or victims under the Victim's Rights Act or other applicable law; and
    - d. Be familiar with the practice of the prosecutor and/or victim-witness advocate working with the prosecutor and to what extent, if any, they defer to the wishes of the alleged victim.
- C. In conducting plea negotiations, counsel should be familiar with:
  1. The various types of pleas that may be agreed to, including but not limited to a plea of guilty, not guilty by reason of insanity, a plea of nolo contendere, a conditional plea of guilty, (*State v. Crosby*, 338 So.2d 584 (La. 1976)), and a plea in which the defendant is not required to personally acknowledge his or her guilt (*North Carolina v. Alford* plea);
  2. The advantages and disadvantages of each available plea according to the circumstances of the

case; and

3. Whether the plea agreement is binding on the court and prison and parole authorities.
- D. In conducting plea negotiations, counsel should attempt to become familiar with the practices and policies of the particular jurisdiction, judge and prosecuting authority, and probation department which may affect the content and likely results of negotiated plea bargains.

### **§733. The Decision to Enter a Plea of Guilty**

- A. Counsel should inform the client of any tentative negotiated agreement reached with the prosecution, and explain to the client the full content of the agreement, and the advantages and disadvantages of the potential consequences of the agreement.
- B. The decision to enter a plea of guilty rests solely with the client, and counsel should not attempt to unduly influence that decision.
- C. If the client is a juvenile, consideration should be given to the request that a guardian be appointed to advise the juvenile if an adult family member is not available to act in a surrogate role.
- D. A negotiated plea should be committed to writing whenever possible.

### **§735. Entering the Negotiated Plea before the Court**

- A. Prior to the entry of the plea, counsel should:
  1. Make certain that the client understands the rights he or she will waive by entering the plea and that the client's decision to waive those rights is knowing, voluntary and intelligent;
  2. Make certain that the client receives a full explanation of the conditions and limits of the plea agreement and the maximum punishment, sanctions and collateral consequences the client will be exposed to by entering a plea;
  3. Explain to the client the nature of the plea hearing and prepare the client for the role he or she will play in the hearing, including answering questions of the judge and providing a statement concerning the offense; and
  4. Make certain that if the plea is a non-negotiated plea, the client is informed that once the plea has been accepted by the court, it may not be withdrawn after the sentence has been pronounced by the court.
- B. When entering the plea, counsel should make sure that the full content and conditions of the plea agreement are placed on the record before the court.
- C. After entry of the plea, counsel should be prepared to address the issue of release pending sentencing. Where the client has been released pretrial, counsel should be prepared to argue and persuade the court that the client's continued release is warranted and appropriate. Where the client is in custody prior to the entry of the plea, counsel should, where practicable, advocate for and present to the court all reasons warranting the client's release on bail pending sentencing.

## **Part V Trial**

### **§737. Counsel's Duty of Trial Preparation**

- A. The decision to proceed to trial with or without a jury rests solely with the client. Counsel should discuss the relevant strategic considerations of this decision with the client.
- B. Where appropriate, counsel should have the following materials available at the time of trial:
  1. Copies of all relevant documents filed in the case;



2. Relevant documents prepared by investigators;
  3. Voir dire questions;
  4. Outline or draft of opening statement;
  5. Cross-examination plans for all possible prosecution witnesses;
  6. Direct examination plans for all prospective defense witnesses;
  7. Copies of defense subpoenas;
  8. Prior statements of all prosecution witnesses (e.g., transcripts, police reports) and counsel should have prepared transcripts of any audio or video taped witness statements;
  9. Prior statements of all defense witnesses;
  10. Reports from defense experts;
  11. A list of all defense exhibits, and the witnesses through whom they will be introduced;
  12. Originals and copies of all documentary exhibits;
  13. Proposed jury instructions with supporting case citations;
  14. Where appropriate, consider and list the evidence necessary to support the defense requests for jury instructions;
  15. Copies of all relevant statutes and cases; and
  16. Outline or draft of closing argument.
- C. Counsel should be fully informed as to the rules of evidence, court rules, and the law relating to all stages of the trial process, and should be familiar with legal and evidentiary issues that can reasonably be anticipated to arise in the trial.
  - D. Counsel should decide if it is beneficial to secure an advance ruling on issues likely to arise at trial (e.g., use of prior convictions to impeach the defendant) and, where appropriate, counsel should prepare motions and memoranda for such advance rulings.
  - E. Throughout the trial process counsel should endeavor to establish a proper record for appellate review. Counsel must be familiar with the substantive and procedural law regarding the preservation of legal error for appellate review, and should insure that a sufficient record is made to preserve appropriate and potentially meritorious legal issues for such appellate review unless there are strategic reasons for not doing so.
  - F. Where appropriate, counsel should advise the client as to suitable courtroom dress and demeanor. If the client is incarcerated, counsel should be alert to the possible prejudicial effects of the client appearing before the jury in jail or other inappropriate clothing. If necessary, counsel should file pre-trial motions to insure that the client has appropriate clothing and the court personnel follow appropriate procedures so as not to reveal to jurors that the defendant is incarcerated.
  - G. Counsel should plan with the client the most convenient system for conferring throughout the trial. Where necessary, counsel should seek a court order to have the client available for conferences.
  - H. Throughout preparation and trial, counsel should consider the potential effects that particular actions may have upon sentencing if there is a finding of guilt.
  - I. Counsel shall take necessary steps to insure full official recordation of all aspects of the court proceeding.

### **§739. Jury Selection**

- A. Preparing for Voir Dire
  1. Counsel should be familiar with the procedures by which a jury venire is selected in the particular jurisdiction and should be alert to any potential legal challenges to the composition or selection of the venire.
  2. Counsel should be familiar with the local practices and the individual trial judge's procedures for

selecting a jury from a panel of the venire, and should be alert to any potential legal challenges to these procedures.

3. Prior to jury selection, counsel should seek to obtain a prospective juror list.
  4. Where appropriate, counsel should develop voir dire questions in advance of trial. Counsel should tailor voir dire questions to the specific case. Among the purposes voir dire questions should be designed to serve are the following:
    - a. To elicit information about the attitudes of individual jurors, which will inform counsel and defendant about peremptory strikes and challenges for cause;
    - b. To convey to the panel certain legal principles which are critical to the defense case;
    - c. To preview the case for the jurors so as to lessen the impact of damaging information which is likely to come to their attention during the trial;
    - d. To present the client and the defense case in a favorable light, without prematurely disclosing information about the defense case to the prosecutor; and
    - e. To establish a relationship with the jury.
  5. Counsel should be familiar with the law concerning mandatory and discretionary voir dire inquiries so as to be able to defend any request to ask particular questions of prospective jurors.
  6. Counsel should be familiar with the law concerning challenges for cause and peremptory strikes. Counsel should also be aware of the law concerning whether peremptory challenges need to be exhausted in order to preserve for appeal any challenges for cause which have been denied.
  7. Where appropriate, counsel should consider whether to seek expert assistance in the jury selection process.
- B. Examination of the Prospective Jurors
1. Counsel should personally voir dire the panel.
  2. Counsel should take all steps necessary to protect the voir dire record for appeal, including, where appropriate, filing a copy of the proposed voir dire questions or reading proposed questions into the record.
  3. If the voir dire questions may elicit sensitive answers, counsel should consider requesting that questioning be conducted outside the presence of the other jurors and counsel should consider requesting that the court, rather than counsel, conduct the voir dire as to those sensitive questions.
  4. In a group voir dire, counsel should avoid asking questions which may elicit responses which are likely to prejudice other prospective jurors.
- C. Challenging the Jurors for Cause
1. Counsel should consider challenging for cause all persons about whom a legitimate argument can be made for actual prejudice or bias relevant to the case when it is likely to benefit the client.

#### **§741. Opening Statement**

- A. Prior to delivering an opening statement, counsel should ask for sequestration of witnesses, unless a strategic reason exists for not doing so.
- B. Counsel should be familiar with the law of the jurisdiction and the individual trial judge's rules regarding the permissible content of an opening statement.
- C. Counsel should consider the strategic advantages and disadvantages of disclosure of particular information during opening statement and of deferring the opening statement until the beginning of the defense case.
- D. Counsel's objective in making an opening statement may include the following:
  1. To provide an overview of the defense case;
  2. To identify the weaknesses of the prosecution's case;

3. To emphasize the prosecution's burden of proof;
  4. To summarize the testimony of witnesses, and the role of each in relationship to the entire case;
  5. To describe the exhibits which will be introduced and the role of each in relationship to the entire case;
  6. To clarify the jurors' responsibilities;
  7. To state the ultimate inferences which counsel wishes the jury to draw; and
  8. To establish counsel's credibility with the jury.
- E. Counsel should consider incorporating the promises of proof the prosecutor makes to the jury during opening statement in the defense summation.
- F. Whenever the prosecutor oversteps the bounds of proper opening statement, counsel should consider objecting, requesting a mistrial, or seeking cautionary instructions, unless tactical considerations suggest otherwise. Such tactical considerations may include, but are not limited to:
1. The significance of the prosecutor's error;
  2. The possibility that an objection might enhance the significance of the information in the jury's mind;
  3. Whether there are any rules made by the judge against objecting during the other attorney's opening argument.

#### **§743. Preparation for Challenging the Prosecution's Case**

- A. Counsel should attempt to anticipate weaknesses in the prosecution's proof and consider researching and preparing corresponding motions for judgment of acquittal.
- B. Counsel should consider the advantages and disadvantages of entering into stipulations concerning the prosecution's case.
- C. In preparing for cross-examination, counsel should be familiar with the applicable law and procedures concerning cross-examinations and impeachment of witnesses. In order to develop material for impeachment or to discover documents subject to disclosure, counsel should be prepared to question witnesses as to the existence of prior statements which they may have made or adopted.
- D. In preparing for cross-examination, counsel should:
1. Consider the need to integrate cross-examination, the theory of the defense and closing argument;
  2. Consider whether cross-examination of each individual witness is likely to generate helpful information;
  3. Anticipate those witnesses the prosecutor might call in its case-in-chief or in rebuttal;
  4. Consider a cross-examination plan for each of the anticipated witnesses;
  5. Be alert to inconsistencies in a witness' testimony;
  6. Be alert to possible variations in witnesses' testimony;
  7. Review all prior statements of the witnesses and any prior relevant testimony of the prospective witnesses;
  8. Have prepared a transcript of all audio or video tape recorded statements made by the witness;
  9. Where appropriate, review relevant statutes and local police policy and procedure manuals, disciplinary records and department regulations for possible use in cross-examining police witnesses;
  10. Be alert to issues relating to witness credibility, including bias and motive for testifying; and
  11. Have prepared, for introduction into evidence, all documents which counsel intends to use during the cross-examination, including certified copies of records such as prior convictions of the witness or prior sworn testimony of the witness.
- E. Counsel should consider conducting a voir dire examination of potential prosecution witnesses who

may not be competent to give particular testimony, including expert witnesses whom the prosecutor may call. Counsel should be aware of the applicable law of the jurisdiction concerning competency of witnesses in general and admission of expert testimony in particular in order to be able to raise appropriate objections.

- F. Before beginning cross-examination, counsel should ascertain whether the prosecutor has provided copies of all prior statements of the witnesses as required by applicable law. If counsel does not receive prior statements of prosecution witnesses until they have completed direct examination, counsel should request adequate time to review these documents before commencing cross-examination.
- G. Where appropriate, at the close of the prosecution's case and out of the presence of the jury, counsel should move for a judgment of acquittal on each count charged. Counsel should request, when necessary, that the court immediately rule on the motion, in order that counsel may make an informed decision about whether to present a defense case.

#### **§745. Presenting the Defendant's Case**

- A. Counsel should develop, in consultation with the client, an overall defense strategy. In deciding on defense strategy, counsel should consider whether the client's interests are best served by not putting on a defense case, and instead relying on the prosecution's failure to meet its constitutional burden of proving each element beyond a reasonable doubt. Counsel should also consider the tactical advantage of having final closing argument when making the decision whether to present evidence other than the defendant's testimony.
- B. Counsel should discuss with the client all of the considerations relevant to the client's decision to testify. Counsel should also be familiar with his or her ethical responsibilities that may be applicable if the client insists on testifying untruthfully.
- C. Counsel should be aware of the elements of any affirmative defense and know whether, under the applicable law of the jurisdiction, the client bears a burden of persuasion or a burden of production.
- D. In preparing for presentation of a defense case, counsel should, where appropriate:
  - 1. Develop a plan for direct examination of each potential defense witness;
  - 2. Determine the implications that the order of witnesses may have on the defense case;
  - 3. Determine what facts necessary for the defense case can be elicited through the cross-examination of the prosecution's witnesses;
  - 4. Consider the possible use of character witnesses;
  - 5. Consider the need for expert witnesses and what evidence must be submitted to lay the foundation for the expert's testimony;
  - 6. Review all documentary evidence that must be presented; and
  - 7. Review all tangible evidence that must be presented.
- E. In developing and presenting the defense case, counsel should consider the implications it may have for a rebuttal by the prosecutor.
- F. Counsel should prepare all witnesses for direct and possible cross-examination. Where appropriate, counsel should also advise witnesses of suitable courtroom dress and demeanor.
- G. Counsel should conduct redirect examination as appropriate.
- H. At the close of the defense case, counsel should renew the motion for a directed verdict of acquittal on each charged count.

#### **§747. Preparation of the Closing Argument**

- A. Counsel should be familiar with the substantive limits on both prosecution and defense summation.

- B. Counsel should be familiar with the court rules, applicable statutes and law, and the individual judge's practice concerning time limits and objections during closing argument, and provisions for rebuttal argument by the prosecution.
- C. In developing closing argument, counsel should review the proceedings to determine what aspects can be used in support of defense summation and, where appropriate, should consider:
  - 1. Highlighting weaknesses in the prosecution's case;
  - 2. Describing favorable inferences to be drawn from the evidence;
  - 3. Incorporating into the argument:
    - a. Helpful testimony from direct and cross-examinations;
    - b. Verbatim instructions drawn from the jury charge; and
    - c. Responses to anticipated prosecution arguments;
  - 4. And the effects of the defense argument on the prosecutor's rebuttal argument.
- D. Whenever the prosecutor exceeds the scope of permissible argument, counsel should consider objecting, requesting mistrial, or seeking cautionary instructions unless tactical considerations suggest otherwise. Such tactical considerations may include, but are not limited to:
  - 1. Whether counsel believes that the case will result in a favorable verdict for the client;
  - 2. The need to preserve the objection for appellate review; or
  - 3. The possibility that an objection might enhance the significance of the information in the jury's mind.

#### **§749. Jury Instructions**

- A. Counsel should be familiar with the Louisiana Rules of Court and the individual judge's practices concerning ruling on proposed instructions, charging the jury, use of standard charges and preserving objections to the instructions.
- B. Counsel should always submit proposed jury instructions in writing.
- C. Where appropriate, counsel should submit modifications of the standard jury instructions in light of the particular circumstances of the case, including the desirability of seeking a verdict on a lesser included offense. Where possible, counsel should provide citations to case law in support of the proposed instructions.
- D. Where appropriate, counsel should object to and argue against improper instructions proposed by the prosecution.
- E. If the court refuses to adopt instructions requested by counsel, or gives instructions over counsel's objection, counsel should take all steps necessary to preserve the record, including, where appropriate, filing a written copy of proposed instructions.
- F. During delivery of the charge, counsel should be alert to any deviations from the judge's planned instructions, object to deviations unfavorable to the client, and, if necessary request additional or curative instructions.
- G. If the court proposes giving supplemental instructions to the jury, either upon request of the jurors or upon their failure to reach a verdict, counsel should request that the judge state the proposed charge to counsel before it is delivered to the jury. Counsel should renew or make new objections to any additional instructions given to the jurors after the jurors have begun their deliberations.
- H. Counsel should reserve the right to make exceptions to the jury instructions above and beyond any specific objections that were made during the trial.

## Part VI Sentencing

### §751. Obligations of Counsel at Sentencing Hearing

- A. Among counsel's obligations in the sentencing process are:
  - 1. Where a defendant chooses not to proceed to trial, to ensure that a plea agreement is negotiated with consideration of the sentencing, correctional, financial and collateral implications;
  - 2. To ensure the client is not harmed by inaccurate information or information that is not properly before the court in determining the sentence to be imposed;
  - 3. To ensure all reasonably available mitigating and favorable information, which is likely to benefit the client, is presented to the court;
  - 4. To develop a plan which seeks to achieve the least restrictive and burdensome sentencing alternative that is most acceptable to the client, and which can reasonably be obtained based on the facts and circumstances of the offense, the defendant's background, the applicable sentencing provisions, and other information pertinent to the sentencing decision;
  - 5. To ensure all information presented to the court which may harm the client and which is not shown to be accurate and truthful or is otherwise improper is stricken from the text of the pre-sentence investigation report before distribution of the report; and
  - 6. To consider the need for and availability of sentencing specialists, and to seek the assistance of such specialists whenever possible and warranted.

### §753. Sentencing Options, Consequences and Procedures

- A. Counsel should be familiar with the sentencing provisions and options applicable to the case, including:
  - 1. Any sentencing guideline structure;
  - 2. Deferred sentence, judgment without a finding, and diversionary programs;
  - 3. Expungement and sealing of records;
  - 4. Probation or suspension of sentence and permissible conditions of probation;
  - 5. The potential of recidivist sentencing;
  - 6. Fines, associated fees and court costs;
  - 7. Victim restitution;
  - 8. Reimbursement of attorneys' fees;
  - 9. Imprisonment including any mandatory minimum requirements;
  - 10. The effects of "guilty but mentally ill" and "not guilty by reason of insanity" pleas; and
  - 11. Civil forfeiture implications of a guilty plea.
- B. Counsel should be familiar with direct and collateral consequences of the sentence and judgment, including:
  - 1. Credit for pre-trial detention;
  - 2. Parole eligibility and applicable parole release ranges (if applicable);
  - 3. Place of confinement and level of security and classification criteria used by Department of Corrections;
  - 4. Eligibility for correctional and educational programs;
  - 5. Availability of drug rehabilitation programs, psychiatric treatment, health care, and other treatment programs;
  - 6. Deportation and other immigration consequences;
  - 7. Loss of civil rights;
  - 8. Impact of a fine or restitution and any resulting civil liability;

9. Possible revocation of probation, possible revocation of first offender status, or possible revocation of parole status if client is serving a prior sentence on a parole status;
  10. Suspension of a motor vehicle operator's permit;
  11. Prohibition of carrying a firearm; and
  12. Other consequences of conviction including but not limited to, the forfeiture of professional licensure, the ineligibility for various government programs including student loans, registration as a sex offender, loss of public housing and the loss of the right to hold public office.
- C. Counsel should be familiar with the sentencing procedures, including:
1. The effect that plea negotiations may have upon the sentencing discretion of the court;
  2. The availability of an evidentiary hearing and the applicable rules of evidence and burdens of proof at such a hearing;
  3. The use of "victim impact" evidence at any sentencing hearing;
  4. The right of the defendant to speak prior to being sentenced;
  5. Any discovery rules and reciprocal discovery rules that apply to sentencing hearings; and
  6. The use of any sentencing guidelines.
- D. Where the court uses a pre-sentence report, counsel should be familiar with:
1. The practices of the officials who prepare the pre-sentence report and the defendant's rights in that process;
  2. The access to the pre-sentence report by counsel and the defendant;
  3. The prosecution's practice in preparing a memorandum on punishment; and
  4. The use of a sentencing memorandum by the defense.

### **§755. Preparation for Sentencing**

- A. In preparing for sentencing, counsel should consider the need to:
1. Inform the client of the applicable sentencing requirements, options, and alternatives, and the likely and possible consequences of the sentencing alternatives;
  2. Maintain regular contact with the client prior to the sentencing hearing, and inform the client of the steps being taken in preparation for sentencing;
  3. Obtain from the client relevant information concerning such subjects as his or her background and personal history, prior criminal record, employment history and skills, education, medical history and condition, and financial status, family obligations, and obtain from the client sources through which the information provided can be corroborated;
  4. Inform the client of his or her right to speak at the sentencing proceeding and assist the client in preparing the statement, if any, to be made to the court, considering the possible consequences that any admission of guilt may have upon an appeal, subsequent retrial or trial on other offenses;
  5. Inform the client of the effects that admissions and other statements may have upon an appeal, retrial, parole proceedings, or other judicial proceedings, such as forfeiture or restitution proceedings;
  6. Prepare the client to be interviewed by the official preparing the pre-sentence report; and ensure the client has adequate time to examine the pre-sentence report, if one is utilized by the court;
  7. Inform the client of the sentence or range of sentences counsel will ask the court to consider; if the client and counsel disagree as to the sentence or sentences to be urged upon the court, counsel shall inform the client of his or her right to speak personally for a particular sentence or sentences;
  8. Collect documents and affidavits to support the defense position and, where relevant, prepare witnesses to testify at the sentencing hearing; where necessary, counsel should specifically request the opportunity to present tangible and testimonial evidence; and

9. Inform the client of the operation of the Louisiana Sentence Review Panel and the procedures to be followed in submitting any possible sentence to the Panel for review, if applicable.

### **§757. The Prosecution's Sentencing Position**

- A. Counsel should attempt to determine, unless there is a sound tactical reason for not doing so, whether the prosecution will advocate that a particular type or length of sentence be imposed.

### **§759. The Sentencing Process**

- A. Counsel should be prepared at the sentencing proceeding to take the steps necessary to advocate fully for the requested sentence and to protect the client's interest.
- B. Counsel should be familiar with the procedures available for obtaining an evidentiary hearing before the court in connection with the imposition of sentence.
- C. In the event there will be disputed facts before the court at sentencing, counsel should consider requesting an evidentiary hearing. Where a sentencing hearing will be held, counsel should ascertain who has the burden of proving a fact unfavorable to the defendant, be prepared to object if the burden is placed on the defense, and be prepared to present evidence, including testimony of witnesses, to contradict erroneous or misleading information unfavorable to the defendant.
- D. Where information favorable to the defendant will be disputed or challenged, counsel should be prepared to present supporting evidence, including testimony of witnesses, to establish the facts favorable to the defendant.
- E. Where the court has the authority to do so, counsel should request specific orders or recommendations from the court concerning the place of confinement, probation or suspension of part or all of the sentence, psychiatric treatment or drug rehabilitation.
- F. Where appropriate, counsel should prepare the client to personally address the court.

## **Part VII After Sentencing**

### **§761. Motion for a New Trial**

- A. Counsel should be familiar with the procedures available to request a new trial including the time period for filing such a motion, the effect it has upon the time to file a notice of appeal, and the grounds that can be raised.
- B. When a judgment of guilty has been entered against the defendant after trial, counsel should consider whether it is appropriate to file a motion for a new trial with the trial court. In deciding whether to file such a motion, the factors counsel should consider include:
  1. The likelihood of success of the motion, given the nature of the error or errors that can be raised; and
  2. The effect that such a motion might have upon the defendant's appellate rights, including whether the filing of such a motion is necessary to, or will assist in, preserving the defendant's right to raise on appeal the issues that might be raised in the new trial motion.

### **§763. The Defendant's Right to an Appeal**

- A. Following conviction, counsel should inform the defendant of his or her right to appeal the judgment of the court and the action that must be taken to perfect an appeal. In circumstances where the defendant wants to file an appeal but is unable to do so without the assistance of counsel, the attorney should file the notice in



accordance with the rules of the court and take such other steps as are necessary to preserve the defendant's right to appeal, such as ordering transcripts of the trial proceedings.

- B. Where the defendant takes an appeal, trial counsel should cooperate in providing information to appellate counsel (where new counsel is handling the appeal) concerning the proceedings in the trial court.

#### **§765. Bail Pending Appeal**

- A. Where a client indicates a desire to appeal the judgment and/or sentence of the court, counsel should inform the client of any right that may exist to be released on bail pending the disposition of the appeal.
- B. Where an appeal is taken and the client requests bail pending appeal, trial counsel should cooperate with retained appellate counsel in providing information to pursue the request for bail. Pursuant to the contracts between the Louisiana Appellate Project and the district defender offices, district defenders are responsible for pursuing bail pending appeal for those clients requesting bail.

#### **§767. Expungement or Sealing of Record**

- A. Counsel should inform the client of any procedures available for requesting that the record of conviction be expunged or sealed.

### **Part VIII Defense of Children**

#### **§769. Children Prosecuted as Adults**

- A. Counsel representing a child as an adult should be familiar with the law and procedure covering children prosecuted as adults and the law and procedure of the juvenile courts. Counsel should, where possible, have received specialized training in the defense of children in the adult and juvenile courts.
- B. When representing a child who is prosecuted as an adult a transfer to Juvenile Court may be a desirable defense goal; counsel should consider involving the Juvenile Court in plea negotiations.
- C. The use of experts in evaluating juvenile sex offenders should be strongly considered.
  - 1. Developing issues of competency, developmental disability, Attention Deficit Disorder and Attention Deficit Hyperactivity Disorder should also be explored.
- D. The Juvenile Courts have, unlike the adult courts, treatment resources for children. Counsel should be familiar with Juvenile Court, Office of Juvenile Justice and the resources and policies at the parish, district and regional levels regarding treatment programs and funding.
- E. Counsel should, whenever a child is eligible, pursue expungement of the child's criminal record.



*The Louisiana Public Defender Board Trial Court Performance Standards* were promulgated in accordance with R.S. 15:142 147 and 148.

*The Louisiana Public Defender Board Trial Court Performance Standards* were Promulgated by the Office of the Governor, Public Defender Board, LR 35:663 (April 2009).



Through its performance standards and commitment to data-driven policies, the Louisiana Public Defender Board will be accountable to the policy makers who supported the vision of fair public defense for all, to the tax payers who fund our programs, to the defenders who keep the system running, to the clients who depend on us to protect and defend their rights, and to the Louisiana community, who will be safer and stronger because we exist.

*The Louisiana State Constitution guarantees that "... at each stage of the proceedings, every person is entitled to assistance of counsel of his choice, or appointed by the court if he is indigent and charged with an offense punishable by imprisonment...It is the responsibility of the legislature to provide for a uniform system for securing and compensating qualified counsel for indigents."*

— Louisiana State Constitution, 1974, Article I, §13



# **Louisiana Rules of Professional Conduct**

**With amendments through July 1, 2016**

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## **Rule 1.0. Terminology**

- (a) “Belief” or “believes” denotes that the person involved actually supposed the fact in question to be true. A person’s belief may be inferred from circumstances.
- (b) “Confirmed in writing,” when used in reference to the informed consent of a person, denotes informed consent that is given in writing by the person or a writing that a lawyer promptly transmits to the person confirming an oral informed consent. See paragraph (e) for the definition of “informed consent.” If it is not feasible to obtain or transmit the writing at the time the person gives informed consent, then the lawyer must obtain or transmit it within a reasonable time thereafter.
- (c) “Firm” or “law firm” denotes a lawyer or lawyers in a law partnership, professional corporation, sole proprietorship or other association authorized to practice law; or lawyers employed in a legal services organization or the legal department of a corporation or other organization.
- (d) “Fraud” or “fraudulent” denotes conduct that is fraudulent under the substantive or procedural law of the applicable jurisdiction and has a purpose to deceive.
- (e) “Informed consent” denotes the agreement by a person to a proposed course of conduct after the lawyer has communicated adequate information and explanation about the material risks of and reasonably available alternatives to the proposed course of conduct.
- (f) “Knowingly,” “known,” or “knows” denotes actual knowledge of the fact in question. A person’s knowledge may be inferred from circumstances.
- (g) “Partner” denotes a member of a partnership, a shareholder in a law firm organized as a professional corporation, or a member of an association authorized to practice law.
- (h) “Reasonable” or “reasonably” when used in relation to conduct by a lawyer denotes the conduct of a reasonably prudent and competent lawyer.
- (i) “Reasonable belief” or “reasonably believes” when used in reference to a lawyer denotes that the lawyer believes the matter in question and that the circumstances are such that the belief is reasonable.
- (j) “Reasonably should know” when used in reference to a lawyer denotes that a lawyer of reasonable prudence and competence would ascertain the matter in question. 7
- (k) “Screened” denotes the isolation of a lawyer from any participation in a matter through the timely imposition of procedures within a firm that are reasonably adequate under the circumstances to protect information that the isolated lawyer is obligated to protect under these Rules or other law.
- (l) “Substantial” when used in reference to degree or extent denotes a material matter of clear and weighty importance.
- (m) “Tribunal” denotes a court, an arbitrator in a binding arbitration proceeding or a legislative body, administrative agency or other body acting in an adjudicative capacity. A legislative body, administrative agency or other body acts in an adjudicative capacity when a neutral official, after the presentation of evidence or legal argument by a party or parties, will render a binding legal judgment directly affecting a party’s interests in a particular matter.
- (n) “Writing” or “written” denotes a tangible or electronic record of a communication or representation, including handwriting, typewriting, printing, photostating, photography, audio or videorecording and electronic communication. A “signed” writing includes an electronic sound, symbol or process attached to or logically associated with a writing and executed or adopted by a person with the intent to sign the writing.

## **Client-Lawyer Relationship**

### **Rule 1.1. Competence**

- (a) A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.
- (b) A lawyer is required to comply with the minimum requirements of continuing legal education as prescribed by Louisiana Supreme Court rule.
- (c) A lawyer is required to comply with all of the requirements of the Supreme Court's rules regarding annual registration, including payment of Bar dues, payment of the disciplinary assessment, timely notification of changes of address, and proper disclosure of trust account information or any changes therein.

### **Rule 1.2. Scope of Representation and Allocation of Authority Between Client and Lawyer**

- (a) Subject to the provisions of Rule 1.16 and to paragraphs (c) and (d) of this Rule, a lawyer shall abide by a client's decisions concerning the objectives of representation, and, as required by Rule 1.4, shall consult with the client as to the means by which they are to be pursued. A lawyer may take such action on behalf of the client as is impliedly authorized to carry out the representation. A lawyer shall abide by a client's decision whether to settle a matter. In a criminal case, the lawyer shall abide by the client's decision, after consultation with the lawyer, as to a plea to be entered, whether to waive jury trial and whether the client will testify.
- (b) A lawyer's representation of a client, including representation by appointment, does not constitute an endorsement of the client's political, religious, economic, social or moral views or activities.
- (c) A lawyer may limit the scope of the representation if the limitation is reasonable under the circumstances and the client gives informed consent.
- (d) A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent, but a lawyer may discuss the legal consequences of any proposed course of conduct with a client and may counsel or assist a client to make a good faith effort to determine the validity, scope, meaning or application of the law.

### **Rule 1.3. Diligence**

A lawyer shall act with reasonable diligence and promptness in representing a client.

### **Rule 1.4. Communication**

- (a) A lawyer shall:

- (1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent, as defined in Rule 1.0(e), is required by these Rules;
  - (2) reasonably consult with the client about the means by which the client's objectives are to be accomplished;
  - (3) keep the client reasonably informed about the status of the matter;
  - (4) promptly comply with reasonable requests for information; and
  - (5) consult with the client about any relevant limitation on the lawyer's conduct when the lawyer knows that the client expects assistance not permitted by the Rules of Professional Conduct or other law.
- (b) The lawyer shall give the client sufficient information to participate intelligently in decisions concerning the objectives of the representation and the means by which they are to be pursued.
- (c) A lawyer who provides any form of financial assistance to a client during the course of a representation shall, prior to providing such financial assistance, inform the client in writing of the terms and conditions under which such financial assistance is made, including but not limited to, repayment obligations, the imposition and rate of interest or other charges, and the scope and limitations imposed upon lawyers providing financial assistance as set forth in Rule 1.8(e).

**Rule 1.5. Fees**

- (a) A lawyer shall not make an agreement for, charge, or collect an unreasonable fee or an unreasonable amount for expenses. The factors to be considered in determining the reasonableness of a fee include the following:
- (1) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
  - (2) the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;
  - (3) the fee customarily charged in the locality for similar legal services;
  - (4) the amount involved and the results obtained;
  - (5) the time limitations imposed by the client or by the circumstances;
  - (6) the nature and length of the professional relationship with the client;

- (7) the experience, reputation, and ability of the lawyer or lawyers performing the services; and
  - (8) whether the fee is fixed or contingent.
- (b) The scope of the representation and the basis or rate of the fee and expenses for which the client will be responsible shall be communicated to the client, preferably in writing, before or within a reasonable time after commencing the representation, except when the lawyer will charge a regularly represented client on the same basis or rate. Any changes in the basis or rate of the fee or expenses shall also be communicated to the client.
- (c) A fee may be contingent on the outcome of the matter for which the service is rendered, except in a matter in which a contingent fee is prohibited by Paragraph (d) or other law. A contingent fee agreement shall be in a writing signed by the client. A copy or duplicate original of the executed agreement shall be given to the client at the time of execution of the agreement. The contingency fee agreement shall state the method by which the fee is to be determined, including the percentage or percentages that shall accrue to the lawyer in the event of settlement, trial or appeal; the litigation and other expenses that are to be deducted from the recovery; and whether such expenses are to be deducted before or after the contingent fee is calculated. The agreement must clearly notify the client of any expenses for which the client will be liable whether or not the client is the prevailing party. Upon conclusion of a contingent fee matter, the lawyer shall provide the client with a written statement stating the outcome of the matter and, if there is a recovery, showing the remittance to the client and the method of its determination.
- (d) A lawyer shall not enter into an arrangement for, charge, or collect:
  - (1) any fee in a domestic relations matter, the payment or amount of which is contingent upon the securing of a divorce or upon the amount of alimony or support, or property settlement in lieu thereof; or
  - (2) a contingent fee for representing a defendant in a criminal case.
- (e) A division of fee between lawyers who are not in the same firm may be made only if:
  - (1) the client agrees in writing to the representation by all of the lawyers involved, and is advised in writing as to the share of the fee that each lawyer will receive;
  - (2) the total fee is reasonable; and
  - (3) each lawyer renders meaningful legal services for the client in the matter.
- (f) Payment of fees in advance of services shall be subject to the following rules:

- (1) When the client pays the lawyer a fee to retain the lawyer's general availability to the client and the fee is not related to a particular representation, the funds become the property of the lawyer when paid and may be placed in the lawyer's operating account.
- (2) When the client pays the lawyer all or part of a fixed fee or of a minimum fee for particular representation with services to be rendered in the future, the funds become the property of the lawyer when paid, subject to the provisions of Rule 1.5(f)(5). Such funds need not be placed in the lawyer's trust account, but may be placed in the lawyer's operating account.
- (3) When the client pays the lawyer an advance deposit against fees which are to accrue in the future on an hourly or other agreed basis, the funds remain the property of the client and must be placed in the lawyer's trust account. The lawyer may transfer these funds as fees are earned from the trust account to the operating account, without further authorization from the client for each transfer, but must render a periodic accounting for these funds as is reasonable under the circumstances.
- (4) When the client pays the lawyer an advance deposit to be used for costs and expenses, the funds remain the property of the client and must be placed in the lawyer's trust account. The lawyer may expend these funds as costs and expenses accrue, without further authorization from the client for each expenditure, but must render a periodic accounting for these funds as is reasonable under the circumstances.
- (5) When the client pays the lawyer a fixed fee, a minimum fee or a fee drawn from an advanced deposit, and a fee dispute arises between the lawyer and the client, either during the course of the representation or at the termination of the representation, the lawyer shall immediately refund to the client the unearned portion of such fee, if any. If the lawyer and the client disagree on the unearned portion of such fee, the lawyer shall immediately refund to the client the amount, if any, that they agree has not been earned, and the lawyer shall deposit into a trust account an amount representing the portion reasonably in dispute. The lawyer shall hold such disputed funds in trust until the dispute is resolved, but the lawyer shall not do so to coerce the client into accepting the lawyer's contentions. As to any fee dispute, the lawyer should suggest a means for prompt resolution such as mediation or arbitration, including arbitration with the Louisiana State Bar Association Fee Dispute Program.

**Rule 1.6. Confidentiality of Information**

- (a) A lawyer shall not reveal information relating to the representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation or the disclosure is permitted by paragraph (b).

- (b) A lawyer may reveal information relating to the representation of a client to the extent the lawyer reasonably believes necessary:
  - (1) to prevent reasonably certain death or substantial bodily harm;
  - (2) to prevent the client from committing a crime or fraud that is reasonably certain to result in substantial injury to the financial interests or property of another and in furtherance of which the client has used or is using the lawyer's services;
  - (3) to prevent, mitigate or rectify substantial injury to the financial interests or property of another that is reasonably certain to result or has resulted from the client's commission of a crime or fraud in furtherance of which the client has used the lawyer's services.
  - (4) to secure legal advice about the lawyer's compliance with these Rules;
  - (5) to establish a claim or defense on behalf of the lawyer in a controversy between the lawyer and the client, to establish a defense to a criminal charge or civil claim against the lawyer based upon conduct in which the client was involved, or to respond to allegations in any proceeding concerning the lawyer's representation of the client;
  - (6) to comply with other law or a court order; or
  - (7) to detect and resolve conflicts of interests between lawyers in different firms, but only if the revealed information would not compromise the attorney-client privilege or otherwise prejudice the client.
- (c) A lawyer shall make reasonable efforts to prevent the inadvertent or unauthorized disclosure of, or unauthorized access to, information relating to the representation of a client.

**Rule 1.7. Conflict of Interest: Current Clients**

- (a) Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:
  - (1) the representation of one client will be directly adverse to another client; or
  - (2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.
- (b) Notwithstanding the existence of a concurrent conflict of interest under paragraph (a), a lawyer may represent a client if:

- (1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client;
- (2) the representation is not prohibited by law;
- (3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal; and
- (4) each affected client gives informed consent, confirmed in writing.

**Rule 1.8. Conflict of Interest: Current Clients: Specific Rules**

- (a) A lawyer shall not enter into a business transaction with a client or knowingly acquire an ownership, possessory, security or other pecuniary interest adverse to a client unless:
  - (1) the transaction and terms on which the lawyer acquires the interest are fair and reasonable to the client and are fully disclosed and transmitted in writing in a manner that can be reasonably understood by the client;
  - (2) the client is advised in writing of the desirability of seeking and is given a reasonable opportunity to seek the advice of independent legal counsel on the transaction; and
  - (3) the client gives informed consent, in a writing signed by the client, to the essential terms of the transaction and the lawyer's role in the transaction, including whether the lawyer is representing the client in the transaction.
- (b) A lawyer shall not use information relating to representation of a client to the disadvantage of the client unless the client gives informed consent, except as permitted or required by these Rules.
- (c) A lawyer shall not solicit any substantial gift from a client, including a testamentary gift, or prepare on behalf of a client an instrument giving the lawyer or a person related to the lawyer any substantial gift unless the lawyer or other recipient of the gift, is related to the client. For purposes of this paragraph, related persons include a spouse, child, grandchild, parent, or grandparent.
- (d) Prior to the conclusion of representation of a client, a lawyer shall not make or negotiate an agreement giving the lawyer literary or media rights to a portrayal or account based in substantial part on information relating to the representation.
- (e) A lawyer shall not provide financial assistance to a client in connection with pending or contemplated litigation, except as follows.



- (1) A lawyer may advance court costs and expenses of litigation, the repayment of which may be contingent on the outcome of the matter, provided that the expenses were reasonably incurred. Court costs and expenses of litigation include, but are not necessarily limited to, filing fees; deposition costs; expert witness fees; transcript costs; witness fees; copy costs; photographic, electronic, or digital evidence production; investigation fees; related travel expenses; litigation related medical expenses; and any other case specific expenses directly related to the representation undertaken, including those set out in Rule 1.8(e)(3).
- (2) A lawyer representing an indigent client may pay court costs and expenses of litigation on behalf of the client.
- (3) Overhead costs of a lawyer's practice which are those not incurred by the lawyer solely for the purposes of a particular representation, shall not be passed on to a client. Overhead costs include, but are not necessarily limited to, office rent, utility costs, charges for local telephone service, office supplies, fixed asset expenses, and ordinary secretarial and staff services.

With the informed consent of the client, the lawyer may charge as recoverable costs such items as computer legal research charges, long distance telephone expenses, postage charges, copying charges, mileage and outside courier service charges, incurred solely for the purposes of the representation undertaken for that client, provided they are charged at the lawyer's actual, invoiced costs for these expenses.

With client consent and where the lawyer's fee is based upon an hourly rate, a reasonable charge for paralegal services may be chargeable to the client. In all other instances, paralegal services shall be considered an overhead cost of the lawyer.

- (4) In addition to costs of court and expenses of litigation, a lawyer may provide financial assistance to a client who is in necessitous circumstances, subject however to the following restrictions.
  - (i) Upon reasonable inquiry, the lawyer must determine that the client's necessitous circumstances, without minimal financial assistance, would adversely affect the client's ability to initiate and/or maintain the cause for which the lawyer's services were engaged.
  - (ii) The advance or loan guarantee, or the offer thereof, shall not be used as an inducement by the lawyer, or anyone acting on the lawyer's behalf, to secure employment.
  - (iii) Neither the lawyer nor anyone acting on the lawyer's behalf may offer to make advances or loan guarantees prior to being hired by a client, and the lawyer shall not publicize nor advertise a willingness to make advances or loan guarantees to clients.

- (iv) Financial assistance under this rule may provide but shall not exceed that minimum sum necessary to meet the client's, the client's spouse's, and/or dependents' documented obligations for food, shelter, utilities, insurance, non-litigation related medical care and treatment, transportation expenses, education, or other documented expenses necessary for subsistence.
- (5) Any financial assistance provided by a lawyer to a client, whether for court costs, expenses of litigation, or for necessitous circumstances, shall be subject to the following additional restrictions.
  - (i) Any financial assistance provided directly from the funds of the lawyer to a client shall not bear interest, fees or charges of any nature.
  - (ii) Financial assistance provided by a lawyer to a client may be made using a lawyer's line of credit or loans obtained from financial institutions in which the lawyer has no ownership, control and/or security interest; provided, however, that this prohibition shall not apply to any federally insured bank, savings and loan association, savings bank, or credit union where the lawyer's ownership, control and/or security interest is less than 15%.
  - (iii) Where the lawyer uses a line of credit or loans obtained from financial institutions to provide financial assistance to a client, the lawyer shall not pass on to the client interest charges, including any fees or other charges attendant to such loans, in an amount exceeding the actual charge by the third party lender, or ten percentage points above the bank prime loan rate of interest as reported by the Federal Reserve Board on January 15th of each year in which the loan is outstanding, whichever is less.
  - (iv) A lawyer providing a guarantee or security on a loan made in favor of a client may do so only to the extent that the interest charges, including any fees or other charges attendant to such a loan, do not exceed ten percentage points (10%) above the bank prime loan rate of interest as reported by the Federal Reserve Board on January 15th of each year in which the loan is outstanding. Interest together with other charges attendant to such loans which exceeds this maximum may not be the subject of the lawyer's guarantee or security.
  - (v) The lawyer shall procure the client's written consent to the terms and conditions under which such financial assistance is made. Nothing in this rule shall require client consent in those matters in which a court has certified a class under applicable state or federal law; provided, however, that the court must have accepted and exercised responsibility for making the determination that interest and fees are owed, and that the amount of interest and fees chargeable to the client is fair and reasonable considering the facts and circumstances presented.

- (vi) In every instance where the client has been provided financial assistance by the lawyer, the full text of this rule shall be provided to the client at the time of execution of any settlement documents, approval of any disbursement sheet as provided for in Rule 1.5, or upon submission of a bill for the lawyer's services.
  - (vii) For purposes of Rule 1.8(e), the term "financial institution" shall include a federally insured financial institution and any of its affiliates, bank, savings and loan, credit union, savings bank, loan or finance company, thrift, and any other business or person that, for a commercial purpose, loans or advances money to attorneys and/or the clients of attorneys for court costs, litigation expenses, or for necessitous circumstances.
- (f) A lawyer shall not accept compensation for representing a client from one other than the client unless:
  - (1) the client gives informed consent, or the compensation is provided by contract with a third person such as an insurance contract or a prepaid legal service plan;
  - (2) there is no interference with the lawyer's independence or professional judgment or with the client-lawyer relationship; and
  - (3) information relating to representation of a client is protected as required by Rule 1.6.
- (g) A lawyer who represents two or more clients shall not participate in making an aggregate settlement of the claims of or against the clients, or in a criminal case an aggregated agreement as to guilty or nolo contendere pleas, unless each client gives informed consent, in a writing signed by the client, or a court approves a settlement in a certified class action. The lawyer's disclosure shall include the existence and nature of all the claims or pleas involved and of the participation of each person in the settlement.
- (h) A lawyer shall not:
  - (1) make an agreement prospectively limiting the lawyer's liability to a client for malpractice unless the client is independently represented in making the agreement; or
  - (2) settle a claim or potential claim for such liability with an unrepresented client or former client unless that person is advised in writing of the desirability of seeking and is given a reasonable opportunity to seek the advice of independent legal counsel in connection therewith.
- (i) A lawyer shall not acquire a proprietary interest in the cause of action or subject matter of litigation the lawyer is conducting for a client, except that the lawyer may:

- (1) acquire a lien authorized by law to secure the lawyer's fee or expenses; and
- (2) contract with a client for a reasonable contingent fee in a civil case.
- (j) [Reserved].
- (k) A lawyer shall not solicit or obtain a power of attorney or mandate from a client which would authorize the attorney, without first obtaining the client's informed consent to settle, to enter into a binding settlement agreement on the client's behalf or to execute on behalf of the client any settlement or release documents. An attorney may obtain a client's authorization to endorse and negotiate an instrument given in settlement of the client's claim, but only after the client has approved the settlement.
- (l) While lawyers are associated in a firm, a prohibition in the foregoing paragraphs (a) through (k) that applies to any one of them shall apply to all of them.

**Rule 1.9. Duties to Former Clients**

- (a) A lawyer who has formerly represented a client in a matter shall not thereafter represent another person in the same or a substantially related matter in which that person's interests are materially adverse to the interests of the former client unless the former client gives informed consent, confirmed in writing.
- (b) A lawyer shall not knowingly represent a person in the same or a substantially related matter in which a firm with which the lawyer formerly was associated had previously represented a client
  - (1) whose interests are materially adverse to that person; and
  - (2) about whom the lawyer had acquired information protected by Rules 1.6 and 1.9(c) that is material to the matter; unless the former client gives informed consent, confirmed in writing.
- (c) A lawyer who has formerly represented a client in a matter or whose present or former firm has formerly represented a client in a matter shall not thereafter:
  - (1) use information relating to the representation to the disadvantage of the former client except as these Rules would permit or require with respect to a client, or when the information has become generally known; or
  - (2) reveal information relating to the representation except as these Rules would permit or require with respect to a client.

**Rule 1.10. Imputation of Conflicts of Interest: General Rule**

- (a) While lawyers are associated in a firm, none of them shall knowingly represent a client when any one of them practicing alone would be prohibited from doing so by Rules 1.7 or 1.9, unless the prohibition is based on a personal interest of the prohibited lawyer and does

not present a significant risk of materially limiting the representation of the client by the remaining lawyers in the firm.

- (b) When a lawyer has terminated an association with a firm, the firm is not prohibited from thereafter representing a person with interests materially adverse to those of a client represented by the formerly associated lawyer and not currently represented by the firm, unless:
  - (1) the matter is the same or substantially related to that in which the formerly associated lawyer represented the client; and
  - (2) any lawyer remaining in the firm has information protected by Rules 1.6 and 1.9(c) that is material to the matter.
- (c) A disqualification prescribed by this rule may be waived by the affected client under the conditions stated in Rule 1.7.
- (d) The disqualification of lawyers associated in a firm with former or current government lawyers is governed by Rule 1.11.

**Rule 1.11. Special Conflicts of Interest for Former and Current Government Officers and Employees**

- (a) Except as law may otherwise expressly permit, a lawyer who has formerly served as a public officer or employee of the government:
  - (1) is subject to Rule 1.9(c); and
  - (2) shall not otherwise represent a client in connection with a matter in which the lawyer participated personally and substantially as a public officer or employee, unless the appropriate government agency gives its informed consent, confirmed in writing, to the representation.
- (b) When a lawyer is disqualified from representation under paragraph (a), no lawyer in a firm with which that lawyer is associated may knowingly undertake or continue representation in such a matter unless:
  - (1) the disqualified lawyer is timely screened from any participation in the matter and is apportioned no part of the fee therefrom; and
  - (2) written notice is promptly given to the appropriate government agency to enable it to ascertain compliance with the provisions of this rule.
- (c) Except as law may otherwise expressly permit, a lawyer having information that the lawyer knows is confidential government information about a person acquired when the lawyer was a public officer or employee, may not represent a private client whose interests are adverse to that person in a matter in which the information could be used to the material

disadvantage of that person. As used in this Rule, the term “confidential government information” means information that has been obtained under governmental authority and which, at the time this Rule is applied, the government is prohibited by law from disclosing to the public or has a legal privilege not to disclose and which is not otherwise available to the public. A firm with which that lawyer is associated may undertake or continue representation in the matter only if the disqualified lawyer is timely screened from any participation in the matter and is apportioned no part of the fee therefrom.

(d) Except as law may otherwise expressly permit, a lawyer currently serving as a public officer or employee:

(1) is subject to Rules 1.7 and 1.9; and

(2) shall not:

(i) participate in a matter in which the lawyer participated personally and substantially while in private practice or nongovernmental employment, unless the appropriate government agency gives its informed consent, confirmed in writing; or

(ii) negotiate for private employment with any person who is involved as a party or as lawyer for a party in a matter in which the lawyer is participating personally and substantially, except that a lawyer serving as a law clerk to a judge, other adjudicative officer or arbitrator may negotiate for private employment as permitted by Rule 1.12(b) and subject to the conditions stated in Rule 1.12(b).

(e) As used in this Rule, the term “matter” includes:

(1) any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation, arrest or other particular matter involving a specific party or parties; and

(2) any other matter covered by the conflict of interest rules of the appropriate government agency.

**Rule 1.12. Former Judge, Arbitrator, Mediator or Other Third-Party Neutral**

(a) Except as stated in paragraph (d), a lawyer shall not represent anyone in connection with a matter in which the lawyer participated personally and substantially as a judge or other adjudicative officer or law clerk to such a person or as an arbitrator, mediator or other third-party neutral, unless all parties to the proceeding give informed consent, confirmed in writing.

(b) A lawyer shall not negotiate for employment with any person who is involved as a party or as lawyer for a party in a matter in which the lawyer is participating personally and substantially as a judge or other adjudicative officer or as an arbitrator, mediator or other

third-party neutral. A lawyer serving as a law clerk to a judge or other adjudicative officer may negotiate for employment with a party or lawyer involved in a matter in which the clerk is participating personally and substantially, but only after the lawyer has notified the judge, or other adjudicative officer.

- (c) If a lawyer is disqualified by paragraph (a), no lawyer in a firm with which that lawyer is associated may knowingly undertake or continue representation in the matter unless:
  - (1) the disqualified lawyer is timely screened from any participation in the matter and is apportioned no part of the fee therefrom; and
  - (2) written notice is promptly given to the parties and any appropriate tribunal to enable them to ascertain compliance with the provisions of this rule.
- (d) An arbitrator selected as a partisan of a party in a multi-member arbitration panel is not prohibited from subsequently representing that party.

**Rule 1.13. Organization as Client**

- (a) A lawyer employed or retained by an organization represents the organization acting through its duly authorized constituents.
- (b) If a lawyer for an organization knows that an officer, employee or other person associated with the organization is engaged in action, intends to act or refuses to act in a matter related to the representation that is a violation of a legal obligation to the organization, or a violation of law that reasonably might be imputed to the organization, and that is likely to result in substantial injury to the organization, then the lawyer shall proceed as is reasonably necessary in the best interest of the organization. Unless the lawyer reasonably believes that it is not necessary in the best interest of the organization to do so, the lawyer shall refer the matter to higher authority in the organization, including, if warranted by the circumstances to the highest authority that can act on behalf of the organization as determined by applicable law.
- (c) Except as provided in paragraph (d), if
  - (1) despite the lawyer's efforts in accordance with paragraph (b) the highest authority that can act on behalf of the organization insists upon or fails to address in a timely and appropriate manner an action, or a refusal to act, that is clearly a violation of law, and
  - (2) the lawyer reasonably believes that the violation is reasonably certain to result in substantial injury to the organization, then the lawyer may reveal information relating to the representation whether or not Rule 1.6 permits such disclosure, but only if and to the extent the lawyer reasonably believes necessary to prevent substantial injury to the organization.

- (d) Paragraph (c) shall not apply with respect to information relating to a lawyer's representation of an organization to investigate an alleged violation of law, or to defend the organization or an officer, employee or other constituent associated with the organization against a claim arising out of an alleged violation of law.
- (e) A lawyer who reasonably believes that he or she has been discharged because of the lawyer's actions taken pursuant to paragraphs (b) or (c), or who withdraws under circumstances that require or permit the lawyer to take action under either of those paragraphs, shall proceed as the lawyer reasonably believes necessary to assure that the organization's highest authority is informed of the lawyer's discharge or withdrawal.
- (f) In dealing with an organization's directors, officers, employees, members, shareholders or other constituents, a lawyer shall explain the identity of the client when the lawyer knows or reasonably should know that the organization's interests are adverse to those of the constituents with whom the lawyer is dealing.
- (g) A lawyer representing an organization may also represent any of its directors, officers, employees, members, shareholders or other constituents, subject to the provisions of Rule 1.7. If the organization's consent to the dual representation is required by Rule 1.7, the consent shall be given by an appropriate official of the organization other than the individual who is to be represented, or by the shareholders.

**Rule 1.14. Client with Diminished Capacity**

- (a) When a client's capacity to make adequately considered decisions in connection with a representation is diminished, whether because of minority, mental impairment or for some other reason, the lawyer shall, as far as reasonably possible, maintain a normal client-lawyer relationship with the client.
- (b) When the lawyer reasonably believes that the client has diminished capacity, is at risk of substantial physical, financial or other harm unless action is taken and cannot adequately act in the client's own interest, the lawyer may take reasonably necessary protective action, including consulting with individuals or entities that have the ability to take action to protect the client and, in appropriate cases, seeking the appointment of a fiduciary, including a guardian, curator or tutor, to protect the client's interests.
- (c) Information relating to the representation of a client with diminished capacity is protected by Rule 1.6. When taking protective action pursuant to paragraph (b), the lawyer is impliedly authorized under Rule 1.6(a) to reveal information about the client, but only to the extent reasonably necessary to protect the client's interests.

**Rule 1.15. Safekeeping Property**

- (a) A lawyer shall hold property of clients or third persons that is in a lawyer's possession in connection with a representation separate from the lawyer's own property. Except as provided in (g) and the IOLTA Rules below, funds shall be kept in one or more separate interest-bearing client trust accounts maintained in a bank or savings and loan association: 1) authorized by federal or state law to do business in Louisiana, the deposits of which are



insured by an agency of the federal government; 2) in the state where the lawyer's primary office is situated, if not within Louisiana; or 3) elsewhere with the consent of the client or third person. No earnings on a client trust account may be made available to or utilized by a lawyer or law firm. Other property shall be identified as such and appropriately safeguarded. Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of five years after termination of the representation.

- (b) A lawyer may deposit the lawyer's own funds in a client trust account for the sole purpose of paying bank service charges on that account or obtaining a waiver of those charges, but only in an amount necessary for that purpose.
- (c) A lawyer shall deposit into a client trust account legal fees and expenses that have been paid in advance, to be withdrawn by the lawyer only as fees are earned or expenses incurred. The lawyer shall deposit legal fees and expenses into the client trust account consistent with Rule 1.5(f).
- (d) Upon receiving funds or other property in which a client or third person has an interest, a lawyer shall promptly notify the client or third person. For purposes of this rule, the third person's interest shall be one of which the lawyer has actual knowledge, and shall be limited to a statutory lien or privilege, a final judgment addressing disposition of those funds or property, or a written agreement by the client or the lawyer on behalf of the client guaranteeing payment out of those funds or property. Except as stated in this rule or otherwise permitted by law or by agreement with the client, a lawyer shall promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding such property.
- (e) When in the course of representation a lawyer is in possession of property in which two or more persons (one of whom may be the lawyer) claim interests, the property shall be kept separate by the lawyer until the dispute is resolved. The lawyer shall promptly distribute all portions of the property as to which the interests are not in dispute.
- (f) Every check, draft, electronic transfer, or other withdrawal instrument or authorization from a client trust account shall be personally signed by a lawyer or, in the case of electronic, telephone, or wire transfer, from a client trust account, directed by a lawyer or, in the case of a law firm, one or more lawyers authorized by the law firm. A lawyer shall not use any debit card or automated teller machine card to withdraw funds from a client trust account. On client trust accounts, cash withdrawals and checks made payable to "Cash" are prohibited. A lawyer shall subject all client trust accounts to a reconciliation process at least quarterly, and shall maintain records of the reconciliation as mandated by this rule. **[Last sentence added 1/13/2015 and effective 4/1/2015]**
- (g) A lawyer shall create and maintain an "IOLTA Account," which is a pooled interest-bearing client trust account for funds of clients or third persons which are nominal in amount or to be held for such a short period of time that the funds would not be expected

to earn income for the client or third person in excess of the costs incurred to secure such income.

- (1) IOLTA Accounts shall be of a type approved and authorized by the Louisiana Bar Foundation and maintained only in “eligible” financial institutions, as approved and certified by the Louisiana Bar Foundation. The Louisiana Bar Foundation shall establish regulations, subject to approval by the Supreme Court of Louisiana, governing the determination that a financial institution is eligible to hold IOLTA Accounts and shall at least annually publish a list of LBF-approved/certified eligible financial institutions. Participation in the IOLTA program is voluntary for financial institutions. IOLTA Accounts shall be established at a bank or savings and loan association authorized by federal or state law to do business in Louisiana, the deposits of which are insured by an agency of the federal government or at an open-end investment company registered with the Securities and Exchange Commission authorized by federal or state law to do business in Louisiana which shall be invested solely in or fully collateralized by U.S. Government Securities with total assets of at least \$250,000,000 and in order for a financial institution to be approved and certified by the Louisiana Bar Foundation as eligible, shall comply with the following provisions:
  - (A) No earnings from such an account shall be made available to a lawyer or law firm.
  - (B) Such account shall include all funds of clients or third persons which are nominal in amount or to be held for such a short period of time the funds would not be expected to earn income for the client or third person in excess of the costs incurred to secure such income.
  - (C) Funds in each interest-bearing client trust account shall be subject to withdrawal upon request and without delay, except as permitted by law.
- (2) To be approved and certified by the Louisiana Bar Foundation as eligible, financial institutions shall maintain IOLTA Accounts which pay an interest rate comparable to the highest interest rate or dividend generally available from the institution to its non-IOLTA customers when IOLTA Accounts meet or exceed the same minimum balance or other eligibility qualifications, if any. In determining the highest interest rate or dividend generally available from the institution to its non IOLTA accounts, eligible institutions may consider factors, in addition to the IOLTA Account balance, customarily considered by the institution when setting interest rates or dividends for its customers, provided that such factors do not discriminate between IOLTA Accounts and accounts of non-IOLTA customers, and that these factors do not include that the account is an IOLTA Account. The eligible institution shall calculate interest and dividends in accordance with its standard practice for non-IOLTA customers, but the eligible institution may elect to pay a higher interest or dividend rate on IOLTA Accounts.

- (3) To be approved and certified by the Louisiana Bar Foundation as eligible, a financial institution may achieve rate comparability required in (g)(2) by:
- (A) Establishing the IOLTA Account as:
- (1) an interest-bearing checking account; (2) a money market deposit account with or tied to checking; (3) a sweep account which is a money market fund or daily (overnight) financial institution repurchase agreement invested solely in or fully collateralized by U.S. Government Securities; or (4) an open-end money market fund solely invested in or fully collateralized by U.S. Government Securities. A daily financial institution repurchase agreement may be established only with an eligible institution that is “well-capitalized” or “adequately capitalized” as those terms are defined by applicable federal statutes and regulations. An open-end money market fund must be invested solely in U.S. Government Securities or repurchase agreements fully collateralized by U.S. Government Securities, must hold itself out as a “money-market fund” as that term is defined by federal statutes and regulations under the Investment Company Act of 1940, and, at the time of the investment, must have total assets of at least \$250,000,000. “U.S. Government Securities” refers to U.S. Treasury obligations and obligations issued or guaranteed as to principal and interest by the United States or any agency or instrumentality thereof.
- (B) Paying the comparable rate on the IOLTA checking account in lieu of establishing the IOLTA Account as the higher rate product; or
- (C) Paying a “benchmark” amount of qualifying funds equal to 60% of the Federal Fund Target Rate as of the first business day of the quarter or other IOLTA remitting period; no fees may be deducted from this amount which is deemed already to be net of “allowable reasonable fees.”
- (4) Lawyers or law firms depositing the funds of clients or third persons in an IOLTA Account shall direct the depository institution:
- (A) To remit interest or dividends, net of any allowable reasonable fees on the average monthly balance in the account, or as otherwise computed in accordance with an eligible institution’s standard accounting practice, at least quarterly, to the Louisiana Bar Foundation, Inc.;
- (B) To transmit with each remittance to the Foundation, a statement, on a form approved by the LBF, showing the name of the lawyer or law firm for whom the remittance is sent and for each account: the rate of interest or dividend applied; the amount of interest or dividends earned; the types of fees deducted, if any; and the average account balance for each account for each month of the period in which the report is made; and

- (C) To transmit to the depositing lawyer or law firm a report in accordance with normal procedures for reporting to its depositors.
- (5) “Allowable reasonable fees” for IOLTA Accounts are: per check charges; per deposit charges; a fee in lieu of minimum balance; sweep fees and a reasonable IOLTA Account administrative fee. All other fees are the responsibility of, and may be charged to, the lawyer or law firm maintaining the IOLTA Account. Fees or service charges that are not “allowable reasonable fees” include, but are not limited to: the cost of check printing; deposit stamps; NSF charges; collection charges; wire transfers; and fees for cash management. Fees or charges in excess of the earnings accrued on the account for any month or quarter shall not be taken from earnings accrued on other IOLTA Accounts or from the principal of the account. Eligible financial institutions may elect to waive any or all fees on IOLTA Accounts.
- (6) A lawyer is not required independently to determine whether an interest rate is comparable to the highest rate or dividend generally available and shall be in presumptive compliance with Rule 1.15(g) by maintaining a client trust account of the type approved and authorized by the Louisiana Bar Foundation at an “eligible” financial institution.
- (7) “Unidentified Funds” are funds on deposit in an IOLTA account for at least one year that after reasonable due diligence cannot be documented as belonging to a client, a third person, or the lawyer or law firm.
- (h) A lawyer who learns of Unidentified Funds in an IOLTA account must remit the funds to the Louisiana Bar Foundation. No charge of misconduct shall attend to a lawyer’s exercise of reasonable judgment under this paragraph (h).

A lawyer who either remits funds in error or later ascertains the ownership of remitted funds may make a claim to the Louisiana Bar Foundation, which after verification of the claim will return the funds to the lawyer.

### **IOLTA Rules**

- (1) The IOLTA program shall be a mandatory program requiring participation by lawyers and law firms, whether proprietorships, partnerships, limited liability companies or professional corporations.
- (2) The following principles shall apply to funds of clients or third persons which are held by lawyers and law firms:
  - (a) No earnings on the IOLTA Accounts may be made available to or utilized by a lawyer or law firm.
  - (b) Upon the request of, or with the informed consent of a client or third person, a lawyer may deposit funds of the client or third person into a non-IOLTA, interest-bearing client trust account and earnings may be made available to the client or

third person, respectively, whenever possible upon deposited funds which are not nominal in amount or are to be held for a period of time long enough that the funds would be expected to earn income for the client or third person in excess of the costs incurred to secure such income; however, traditional lawyer-client relationships do not compel lawyers either to invest such funds or to advise clients or third persons to make their funds productive.

- (c) Funds of clients or third-persons which are nominal in amount or to be held for such a short period of time that the funds would not be expected to earn income for the client or third person in excess of the costs incurred to secure such income shall be retained in an IOLTA Account at an eligible financial institution as outlined above in section (g), with the interest or dividend (net of allowable reasonable fees) made payable to the Louisiana Bar Foundation, Inc., said payments to be made at least quarterly.
- (d) In determining whether the funds of a client or third person can earn income in excess of costs, a lawyer or law firm shall consider the following factors:
  - (1) The amount of the funds to be deposited;
  - (2) The expected duration of the deposit, including the likelihood of delay in the matter for which the funds are held;
  - (3) The rates of interest or yield at financial institutions where the funds are to be deposited;
  - (4) The cost of establishing and administering non-IOLTA accounts for the benefit of the client or third person including service charges, the costs of the lawyer's services, and the costs of preparing any tax reports required for income accruing to the benefit of the client or third person;
  - (5) The capability of financial institutions, lawyers or law firms to calculate and pay income to individual clients or third persons;
  - (6) Any other circumstances that affect the ability of the funds of the client or third person to earn a positive return for the client or third person. The determination of whether funds to be invested could be utilized to provide a positive net return to the client or third person rests in the sound judgment of each lawyer or law firm. The lawyer or law firm shall review its IOLTA Account at reasonable intervals to determine whether changed circumstances require further action with respect to the funds of any client or third person.
- (e) Although notification of a lawyer's participation in the IOLTA Program is not required to be given to clients or third persons whose funds are held in IOLTA Accounts, many lawyers may want to notify their clients or third persons of their

participation in the program in some fashion. The Rules do not prohibit a lawyer from advising all clients or third persons of the lawyer's advancing the administration of justice in Louisiana beyond the lawyer's individual abilities in conjunction with other public-spirited members of the profession. The placement of funds of clients or third persons in an IOLTA Account is within the sole discretion of the lawyer in the exercise of the lawyer's independent professional judgment; notice to the client or third person is for informational purposes only.

- (3) The Louisiana Bar Foundation shall hold the entire beneficial interest in the interest or dividend income derived from client trust accounts in the IOLTA program. Interest or dividend earned by the program will be paid to the Louisiana Bar Foundation, Inc. to be used solely for the following purposes:
  - (a) to provide legal services to the indigent and to the mentally disabled;
  - (b) to provide law-related educational programs for the public;
  - (c) to study and support improvements to the administration of justice; and
  - (d) for such other programs for the benefit of the public and the legal system of the state as are specifically approved from time to time by the Supreme Court of Louisiana.
- (4) The Louisiana Bar Foundation shall prepare an annual report to the Supreme Court of Louisiana that summarizes IOLTA income, grants, operating expenses and any other problems arising out of administration of the IOLTA program. In addition, the Louisiana Bar Foundation shall also prepare an annual report to the Supreme Court of Louisiana that summarizes all other Foundation income, grants, operating expenses and activities, as well as any other problems which arise out of the Foundation's implementation of its corporate purposes. The Supreme Court of Louisiana shall review, study and analyze such reports and shall make recommendations to the Foundation with respect thereto.

**Rule 1.16. Declining or Terminating Representation**

- (a) Except as stated in paragraph (c), a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if:
  - (1) the representation will result in violation of the rules of professional conduct or other law;
  - (2) the lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client; or
  - (3) the lawyer is discharged.
- (b) Except as stated in paragraph (c), a lawyer may withdraw from representing a client if:

- (1) withdrawal can be accomplished without material adverse effect on the interests of the client;
  - (2) the client persists in a course of action involving the lawyer's services that the lawyer reasonably believes is criminal or fraudulent;
  - (3) the client has used the lawyer's services to perpetrate a crime or fraud;
  - (4) the client insists upon taking action that the lawyer considers repugnant or with which the lawyer has a fundamental disagreement;
  - (5) the client fails substantially to fulfill an obligation to the lawyer regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled;
  - (6) the representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the client; or
  - (7) other good cause for withdrawal exists.
- (c) A lawyer must comply with applicable law requiring notice to or permission of a tribunal when terminating a representation. When ordered to do so by a tribunal, a lawyer shall continue representation notwithstanding good cause for terminating the representation.
- (d) Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee or expense that has not been earned or incurred. Upon written request by the client, the lawyer shall promptly release to the client or the client's new lawyer the entire file relating to the matter. The lawyer may retain a copy of the file but shall not condition release over issues relating to the expense of copying the file or for any other reason. The responsibility for the cost of copying shall be determined in an appropriate proceeding.

**Rule 1.17. Sale of a Law Practice**

A lawyer or a law firm may sell or purchase a law practice, or an area of law practice, including good will, if the following conditions are satisfied:

- (a) The selling lawyer has not been disbarred or permanently resigned from the practice of law in lieu of discipline, and permanently ceases to engage in the practice of law, or has disappeared or died;
- (b) The entire law practice, or area of law practice, is sold to another lawyer admitted and currently eligible to practice in this jurisdiction;

- (c) At least ninety (90) days in advance of the sale, actual notice, either by in-person consultation confirmed in writing, or by U.S. mail, is given to each of the clients of the law practice being sold, indicating:
- (1) the proposed sale of the law practice;
  - (2) the identity and background of the lawyer or law firm that proposes to acquire the law practice, including principal office address, number of years in practice in Louisiana, and disclosure of any prior formal discipline for professional misconduct, as well as the status of any disciplinary proceeding currently pending in which the lawyer or law firm is a named respondent;
  - (3) the client's right to choose and retain other counsel and/or take possession of the client's files(s); and
  - (4) the fact that the client's consent to the transfer of the client's file(s) will be presumed if the client does not take any action or does not otherwise object within ninety (90) days of the notice.
- (d) In addition to the advance notice to each client described above, at least thirty (30) days in advance of the sale, an announcement or notice of the sale of the law practice, including the proposed date of the sale, the name of the selling lawyer, the name(s) of the purchasing lawyer(s) or law firm(s), and the address and telephone number where any person entitled to do so may object to the proposed sale and/or take possession of a client file, shall also be published: 1) in the *Louisiana Bar Journal*; and 2) once a week for at least two (2) consecutive weeks in a newspaper of general circulation in the city or town (or parish if located outside a city or town) in which the principal office of the law practice is located. The announcement or notice required by this Rule does not fall within the scope of Rules 7.1 through 7.10 of these Rules.
- (e) The fees or costs charged clients shall not be increased by reason of the sale.
- (f)(1) A lawyer or law firm that proposes to acquire a law practice may be provided, initially, with only enough information regarding the matters involved reasonably necessary to enable the lawyer or law firm to determine whether any conflicts of interest exist. If there is reason to believe that the identity of a client or the fact of representation itself constitutes confidential information under the circumstances, such information shall not be provided to the purchasing lawyer or law firm without first advising the client of the identity of the purchasing lawyer or law firm and obtaining the client's informed consent in writing to the proposed disclosure.

If the purchasing lawyer or law firm determines that a conflict of interest exists prior to reviewing the information, or determines during the course of review that a conflict of interest exists, the lawyer or law firm shall not review or continue to review the information unless the conflict has been disclosed to and the informed written consent of the client has been obtained.



- (f)(2) A lawyer or law firm that proposes to acquire a law practice shall maintain the confidentiality of and shall not use any client information received in connection with the proposed sale in the same manner and to the same extent as if the clients of the law practice were already the clients of that acquiring lawyer or law firm.
- (g) Consistent with Rule 1.16(c) of these Rules, before responsibility for a matter in litigation can be sold as part of a law practice, any necessary notice to and permission of a tribunal shall be given/obtained.
- (h) Notwithstanding any sale, the client shall retain unfettered discretion to terminate the selling or purchasing lawyer or law firm at any time, and upon termination, the selling or purchasing lawyer in possession shall return such client's file(s) in accordance with Rule 1.16(d) of these Rules.

**Rule 1.18. Duties to Prospective Client**

- (a) A person who consults with a lawyer about the possibility of forming a client-lawyer relationship with respect to a matter is a prospective client.
- (b) Even when no client-lawyer relationship ensues, a lawyer who has learned information from a prospective client shall not use or reveal that information except as Rule 1.9 would permit with respect to information of a former client.
- (c) A lawyer subject to paragraph (b) shall not represent a client with interests materially adverse to those of a prospective client in the same or a substantially related matter if the lawyer received information from the prospective client that could be significantly harmful to that person in the matter, except as provided in paragraph (d). If a lawyer is disqualified from representation under this paragraph, no lawyer in a firm with which that lawyer is associated may knowingly undertake or continue representation in such a matter, except as provided in paragraph (d).
- (d) When the lawyer has received disqualifying information as defined in paragraph (c), representation is permissible if:
  - (1) both the affected client and the prospective client have given informed consent, confirmed in writing, or:
  - (2) the lawyer who received the information took reasonable measures to avoid exposure to more disqualifying information than was reasonably necessary to determine whether to represent the prospective client; and
    - (i) the disqualified lawyer is timely screened from any participation in the matter and is apportioned no part of the fee therefrom; and
    - (ii) written notice is promptly given to the prospective client.

## **Counselor**

### **Rule 2.1. Advisor**

In representing a client, a lawyer shall exercise independent professional judgment and render candid advice. In rendering advice, a lawyer may refer not only to law but to other considerations such as moral, economic, social and political factors, that may be relevant to the client's situation.

### **Rule 2.2. (DELETED)**

### **Rule 2.3. Evaluation for Use by Third Persons**

- (a) A lawyer may provide an evaluation of a matter affecting a client for the use of someone other than the client if the lawyer reasonably believes that making the evaluation is compatible with other aspects of the lawyer's relationship with the client.
- (b) When the lawyer knows or reasonably should know that the evaluation is likely to affect the client's interests materially and adversely, the lawyer shall not provide the evaluation unless the client gives informed consent.
- (c) Except as disclosure is authorized in connection with a report of an evaluation, information relating to the evaluation is otherwise protected by Rule 1.6.

### **Rule 2.4. Lawyer Serving as Third-Party Neutral**

- (a) A lawyer serves as a third-party neutral when the lawyer assists two or more persons who are not clients of the lawyer to reach a resolution of a dispute or other matter that has arisen between them. Service as a third-party neutral may include service as an arbitrator, a mediator or in such other capacity as will enable the lawyer to assist the parties to resolve the matter.
- (b) A lawyer serving as a third-party neutral shall inform unrepresented parties that the lawyer is not representing them. When the lawyer knows or reasonably should know that a party does not understand the lawyer's role in the matter, the lawyer shall explain the difference between the lawyer's role as a third-party neutral and a lawyer's role as one who represents a client.

## **Advocate**

### **Rule 3.1. Meritorious Claims and Contentions**

A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis in law and fact for doing so that is not frivolous, which includes a good faith argument for an extension, modification or reversal of existing law. A lawyer for the defendant in a criminal proceeding, or the respondent in a proceeding that could result in incarceration, may nevertheless so defend the proceeding as to require that every element of the case be established.

**Rule 3.2. Expediting Litigation**

A lawyer shall make reasonable efforts to expedite litigation consistent with the interests of the client.

**Rule 3.3. Candor Toward the Tribunal**

(a) A lawyer shall not knowingly:

- (1) make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer;
- (2) fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; or
- (3) offer evidence that the lawyer knows to be false. If a lawyer, the lawyer's client, or a witness called by the lawyer, has offered material evidence and the lawyer comes to know of its falsity, the lawyer shall take reasonable remedial measures including, if necessary, disclosure to the tribunal. A lawyer may refuse to offer evidence, other than the testimony of a defendant in a criminal matter, that the lawyer reasonably believes is false.

(b) A lawyer who represents a client in an adjudicative proceeding and who knows that a person intends to engage, is engaging or has engaged in criminal or fraudulent conduct related to the proceeding shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal.

(c) The duties stated in paragraphs (a) and (b) continue to the conclusion of the proceeding, and apply even if compliance requires disclosure of information otherwise protected by Rule 1.6.

(d) In an ex parte proceeding, a lawyer shall inform the tribunal of all material facts known to the lawyer that will enable the tribunal to make an informed decision, whether or not the facts are adverse.

**Rule 3.4. Fairness to Opposing Party and Counsel**

A lawyer shall not:

- (a) unlawfully obstruct another party's access to evidence or unlawfully alter, destroy or conceal a document or other material having potential evidentiary value. A lawyer shall not counsel or assist another person to do any such act;
- (b) falsify evidence, counsel or assist a witness to testify falsely, or offer an inducement to a witness that is prohibited by law;

- (c) knowingly disobey an obligation under the rules of a tribunal, except for an open refusal based on an assertion that no valid obligation exists;
- (d) in pretrial procedure, make a frivolous discovery request or fail to make reasonably diligent effort to comply with a legally proper discovery request by an opposing party;
- (e) in trial, allude to any matter that the lawyer does not reasonably believe is relevant or that will not be supported by admissible evidence, assert personal knowledge of facts in issue except when testifying as a witness, or state a personal opinion as to the justness of a cause, the credibility of a witness, the culpability of a civil litigant or the guilt or innocence of an accused; or
- (f) request a person other than a client to refrain from voluntarily giving relevant information to another party unless:
  - (1) the person is a relative or an employee or other agent of a client, and
  - (2) the lawyer reasonably believes that the person's interests will not be adversely affected by refraining from giving such information.

**Rule 3.5. Impartiality and Decorum of the Tribunal**

A lawyer shall not:

- (a) seek to influence a judge, juror, prospective juror or other official by means prohibited by law;
- (b) communicate ex parte with such a person during the proceeding unless authorized to do so by law or court order;
- (c) communicate with a juror or prospective juror after discharge of the jury if:
  - (1) the communication is prohibited by law or court order;
  - (2) the juror has made known to the lawyer a desire not to communicate; or
  - (3) the communication involves misrepresentation, coercion, duress or harassment; or
- (d) engage in conduct intended to disrupt a tribunal.

**Rule 3.6. Trial Publicity**

- (a) A lawyer who is participating or has participated in the investigation or litigation of a matter shall not make an extrajudicial statement that the lawyer knows or reasonably should know will be disseminated by means of public communication and will have a substantial likelihood of materially prejudicing an adjudicative proceeding in the matter.

- (b) Notwithstanding paragraph (a), a lawyer may state:
- (1) the claim, offense or defense involved and, except when prohibited by law, the identity of the persons involved;
  - (2) information contained in a public record;
  - (3) that an investigation of a matter is in progress;
  - (4) the scheduling or result of any step in litigation;
  - (5) a request for assistance in obtaining evidence and information necessary thereto;
  - (6) a warning of danger concerning the behavior of a person involved, when there is reason to believe that there exists the likelihood of substantial harm to an individual or to the public interest; and
  - (7) in a criminal case, in addition to subparagraphs (1) through (6):
    - (i) the identity, residence, occupation and family status of the accused;
    - (ii) if the accused has not been apprehended, information necessary to aid in apprehension of that person;
    - (iii) the fact, time and place of arrest; and
    - (iv) the identity of investigating and arresting officers or agencies and the length of the investigation.
- (c) Notwithstanding paragraph (a), a lawyer may make a statement that a reasonable lawyer would believe is required to protect a client from the substantial undue prejudicial effect of recent publicity not initiated by the lawyer or the lawyer's client. A statement made pursuant to this paragraph shall be limited to such information as is necessary to mitigate the recent adverse publicity.
- (d) No lawyer associated in a firm or government agency with a lawyer subject to paragraph (a) shall make a statement prohibited by paragraph (a).

**Rule 3.7. Lawyer as Witness**

- (a) A lawyer shall not act as advocate at a trial in which the lawyer is likely to be a necessary witness unless:
- (1) the testimony relates to an uncontested issue;
  - (2) the testimony relates to the nature and value of legal services rendered in the case;
- or

- (3) disqualification of the lawyer would work substantial hardship on the client.
- (b) A lawyer may act as advocate in a trial in which another lawyer in the lawyer's firm is likely to be called as a witness unless precluded from doing so by Rule 1.7 or Rule 1.9.

**Rule 3.8. Special Responsibilities of a Prosecutor**

The prosecutor in a criminal case shall:

- (a) refrain from prosecuting a charge that the prosecutor knows is not supported by probable cause;
- (b) make reasonable efforts to assure that the accused has been advised of the right to, and the procedure for obtaining, counsel and has been given reasonable opportunity to obtain counsel;
- (c) not seek to obtain from an unrepresented accused a waiver of important pretrial rights, such as the right to preliminary hearing;
- (d) make timely disclosure to the defense of all evidence or information known to the prosecutor that the prosecutor knows, or reasonably should know, either tends to negate the guilt of the accused or mitigates the offense, and, in connection with sentencing, disclose to the defense and to the tribunal all unprivileged mitigating information known to the prosecutor, except when the prosecutor is relieved of this responsibility by a protective order of the tribunal;
- (e) Not subpoena a lawyer in a grand jury or other criminal proceeding to present evidence about a past or present client unless the prosecutor reasonably believes:
  - (1) the information sought is not protected from disclosure by any applicable privilege;
  - (2) the evidence sought is essential to the successful completion of an ongoing investigation or prosecution; and
  - (3) there is no other feasible alternative to obtain the information;
- (f) except for statements that are necessary to inform the public of the nature and extent of the prosecutor's action and that serve a legitimate law enforcement purpose, refrain from making extrajudicial comments that have a substantial likelihood of heightening public condemnation of the accused and exercise reasonable care to prevent investigators, law enforcement personnel, employees or other persons assisting or associated with the prosecutor in a criminal case from making an extrajudicial statement that the prosecutor would be prohibited from making under Rule 3.6 or this Rule.

**Rule 3.9. Appearance in Nonadjudicative Proceedings**

A lawyer appearing before a legislative or administrative tribunal in a non-adjudicative proceeding shall disclose that the appearance is in a representative capacity and shall conform to the provision of Rule 3.3(a) through (c), 3.4(a) through (c), and 3.5.

**Transactions with Persons other than Clients****Rule 4.1. Truthfulness in Statements to Others**

In the course of representing a client a lawyer shall not knowingly:

- (a) make a false statement of material fact or law to a third person; or
- (b) fail to disclose a material fact when disclosure is necessary to avoid assisting a criminal or fraudulent act by a client, unless disclosure is prohibited by Rule 1.6.

**Rule 4.2. Communication with Persons Represented by Counsel**

Unless the lawyer has the consent of the other lawyer or is authorized to do so by law or a court order, a lawyer in representing a client shall not communicate about the subject of the representation with:

- (a) a person the lawyer knows to be represented by another lawyer in the matter; or
- (b) a person the lawyer knows is presently a director, officer, employee, member, shareholder or other constituent of a represented organization and
  - (1) who supervises, directs or regularly consults with the organization's lawyer concerning the matter;
  - (2) who has the authority to obligate the organization with respect to the matter; or
  - (3) whose act or omission in connection with the matter may be imputed to the organization for purposes of civil or criminal liability.

**Rule 4.3. Dealing with Unrepresented Person**

In dealing on behalf of a client with a person who is not represented by counsel, a lawyer shall not state or imply that the lawyer is disinterested. When the lawyer knows or reasonably should know that the unrepresented person misunderstands the lawyer's role in a matter, the lawyer shall make reasonable efforts to correct the misunderstanding. The lawyer shall not give legal advice to an unrepresented person, other than the advice to secure counsel, if the lawyer knows or reasonably should know that the interests of such a person are or have a reasonable possibility of being in conflict with the interests of the client.

**Rule 4.4. Respect for Rights of Third Persons**

- (a) In representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person, or use methods of obtaining evidence that violate the legal rights of such a person.
- (b) A lawyer who receives a writing or electronically stored information that, on its face, appears to be subject to the attorney-client privilege or otherwise confidential, under circumstances where it is clear that the writing or electronically stored information was not intended for the receiving lawyer, shall refrain from examining or reading the writing or electronically stored information, promptly notify the sending lawyer, and return the writing or delete the electronically stored information.

**Law Firms and Associations**

**Rule 5.1. Responsibilities of Partners, Managers, and Supervisory Lawyers**

- (a) A partner in a law firm, and a lawyer who individually or together with other lawyers possesses comparable managerial authority in a law firm, shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that all lawyers in the firm conform to the Rules of Professional Conduct.
- (b) A lawyer having direct supervisory authority over another lawyer shall make reasonable efforts to ensure that the other lawyer conforms to the Rules of Professional Conduct.
- (c) A lawyer shall be responsible for another lawyer's violation of the Rules of Professional Conduct if:
  - (1) the lawyer orders or, with knowledge of the specific conduct, ratifies the conduct involved; or
  - (2) the lawyer is a partner or has comparable managerial authority in the law firm in which the other lawyer practices, or has direct supervisory authority over the other lawyer, and knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action.

**Rule 5.2. Responsibilities of a Subordinate Lawyer**

- (a) A lawyer is bound by the Rules of Professional Conduct notwithstanding that the lawyer acted at the direction of another person.
- (b) A subordinate lawyer does not violate the Rules of Professional Conduct if that lawyer acts in accordance with a supervisory lawyer's reasonable resolution of an arguable question of professional duty.



**Rule 5.3. Responsibilities Regarding Nonlawyer Assistance**

With respect to a nonlawyer employed or retained by or associated with a lawyer:

- (a) a partner, and a lawyer who individually or together with other lawyers possesses comparable managerial authority in a law firm shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that the person's conduct is compatible with the professional obligations of the lawyer;
- (b) a lawyer having direct supervisory authority over the nonlawyer shall make reasonable efforts to ensure that the person's conduct is compatible with the professional obligations of the lawyer; and
- (c) a lawyer shall be responsible for conduct of such a person that would be a violation of the Rules of Professional Conduct if engaged in by a lawyer if:
  - (1) the lawyer orders or, with the knowledge of the specific conduct, ratifies the conduct involved; or
  - (2) the lawyer is a partner or has comparable managerial authority in the law firm in which the person is employed, or has direct supervisory authority over the person, and knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action.

**Rule 5.4. Professional Independence of a Lawyer**

(a) A lawyer or law firm shall not share legal fees with a non lawyer, except that:

- (1) an agreement by a lawyer with the lawyer's firm, partner, or associate may provide for the payment of money, over a reasonable period of time after the lawyer's death, to the lawyer's estate or to one or more specified persons;
- (2) a lawyer who undertakes to complete unfinished legal business of a deceased lawyer may pay to the estate of the deceased lawyer that proportion of the total compensation which fairly represents the services rendered by the deceased lawyer;
- (3) a lawyer or law firm may include non lawyer employees in a compensation or retirement plan, even though the plan is based in whole or in part on a profit sharing arrangement; and
- (4) a lawyer who purchases the practice of a deceased, disabled, or disappeared lawyer may, pursuant to the provisions of Rule 1.17, pay to the estate or other representative of that lawyer the agreed-upon purchase price; and
- (5) a lawyer may share legal fees as otherwise provided in Rule 7.2(c)(13).

- (b) A lawyer shall not form a partnership with a nonlawyer if any of the activities of the partnership consist of the practice of law.
- (c) A lawyer shall not permit a person who recommends, employs, or pays the lawyer to render legal services for another to direct or regulate the lawyer's professional judgment in rendering such legal services.
- (d) A lawyer shall not practice with or in the form of a professional corporation or association authorized to practice law for profit, if:
  - (1) a nonlawyer owns any interest therein, except that a fiduciary representative of the estate of a lawyer may hold the stock or interest of the lawyer for a reasonable time during administration;
  - (2) a nonlawyer is a corporate director or officer thereof or occupies the position of similar responsibility in any form of association other than a corporation; or
  - (3) a nonlawyer has the right to direct or control the professional judgment of a lawyer.

**Rule 5.5. Unauthorized Practice of Law; Multijurisdictional Practice of Law**

- (a) A lawyer shall not practice law in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.
- (b) A lawyer who is not admitted to practice in this jurisdiction shall not:
  - (1) except as authorized by these Rules or other law, establish an office or other systematic and continuous presence in this jurisdiction for the practice of law; or
  - (2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction.
- (c) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that:
  - (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter;
  - (2) are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized;
  - (3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a

jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires *pro hac vice* admission; or

- (4) are not within paragraphs (c)(2) or (c)(3) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice.
- (d) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services in this jurisdiction that:
  - (1) are provided to the lawyer's employer or its organizational affiliates and are not services for which the forum requires *pro hac vice* admission and that are provided by an attorney who has received a limited license to practice law pursuant to La. S. Ct. Rule XVII, §14; or
  - (2) are services that the lawyer is authorized to provide by federal law or other law of this jurisdiction.
- (e) (1) A lawyer shall not:
  - (i) employ, contract with as a consultant, engage as an independent contractor, or otherwise join in any other capacity, in connection with the practice of law, any person the attorney knows or reasonably should know is a disbarred attorney, during the period of disbarment, or any person the attorney knows or reasonably should know is an attorney who has permanently resigned from the practice of law in lieu of discipline; or
  - (ii) employ, contract with as a consultant, engage as an independent contractor, or otherwise join in any other capacity, in connection with the practice of law, any person the attorney knows or reasonably should know is a suspended attorney, or an attorney who has been transferred to disability inactive status, during the period of suspension or transfer, unless first preceded by the submission of a fully executed employment registration statement to the Office of Disciplinary Counsel, on a registration form provided by the Louisiana Attorney Disciplinary Board, and approved by the Louisiana Supreme Court.
- (2) The registration form provided for in Section (e)(1) shall include:
  - (i) the identity and bar roll number of the suspended or transferred attorney sought to be hired;
  - (ii) the identity and bar roll number of the attorney having direct supervisory responsibility over the suspended attorney, or the attorney transferred to disability inactive status, throughout the duration of employment or association;

- (iii) a list of all duties and activities to be assigned to the suspended attorney, or the attorney transferred to disability inactive status, during the period of employment or association;
  - (iv) the terms of employment of the suspended attorney, or the attorney transferred to disability inactive status, including method of compensation;
  - (v) a statement by the employing attorney that includes a consent to random compliance audits, to be conducted by the Office of Disciplinary Counsel, at any time during the employment or association of the suspended attorney, or the attorney transferred to disability inactive status; and
  - (vi) a statement by the employing attorney certifying that the order giving rise to the suspension or transfer of the proposed employee has been provided for review and consideration in advance of employment by the suspended attorney, or the attorney transferred to disability inactive status.
- (3) For purposes of this Rule, the practice of law shall include the following activities:
- (i) holding oneself out as an attorney or lawyer authorized to practice law;
  - (ii) rendering legal consultation or advice to a client;
  - (iii) appearing on behalf of a client in any hearing or proceeding, or before any judicial officer, arbitrator, mediator, court, public agency, referee, magistrate, commissioner, hearing officer, or governmental body operating in an adjudicative capacity, including submission of pleadings, except as may otherwise be permitted by law;
  - (iv) appearing as a representative of the client at a deposition or other discovery matter;
  - (v) negotiating or transacting any matter for or on behalf of a client with third parties;
  - (vi) otherwise engaging in activities defined by law or Supreme Court decision as constituting the practice of law.
- (4) In addition, a suspended lawyer, or a lawyer transferred to disability inactive status, shall not receive, disburse or otherwise handle client funds.
- (5) Upon termination of the suspended attorney, or the attorney transferred to disability inactive status, the employing attorney having direct supervisory authority shall promptly serve upon the Office of Disciplinary Counsel written notice of the termination.

**Rule 5.6. Restrictions on Right to Practice**

A lawyer shall not participate in offering or making:

- (a) a partnership, shareholders, operating, employment, or other similar type of agreement that restricts the rights of a lawyer to practice after termination of the relationship, except an agreement concerning benefits upon retirement; or
- (b) an agreement in which a restriction on the lawyer's right to practice is part of the settlement of a client controversy.

## **PUBLIC SERVICE**

**Rule 6.1. Voluntary Pro Bono Publico Service**

Every lawyer should aspire to provide legal services to those unable to pay. A lawyer should aspire to render at least (50) hours of pro bono publico legal services per year. In fulfilling this aspirational goal, the lawyer should:

- (a) provide a substantial majority of the (50) hours of legal services without fee or expectation of fee to:
  - (1) persons of limited means or
  - (2) charitable, religious, civic, community, governmental and educational organizations in matters that are designed primarily to address the needs of persons of limited means; and
- (b) provide any additional services through:
  - (1) delivery of legal services at no fee or substantially reduced fee to individuals, groups or organizations seeking to secure or protect civil rights, civil liberties or public rights, or charitable, religious, civic, community, governmental and educational organizations in matters in furtherance of their organizational purposes, where the payment of standard legal fees would significantly deplete the organization's economic resources or would be otherwise inappropriate;
  - (2) delivery of legal services at a substantially reduced fee to persons of limited means; or
  - (3) participation in activities for improving the law, legal system or the legal profession.

**Rule 6.2. Accepting Appointments**

A lawyer shall not seek to avoid appointment by a tribunal to represent a person except for good cause, such as:

- (a) representing the client is likely to result in violation of the Rules of Professional Conduct or other law;
- (b) representing the client is likely to result in an unreasonable financial burden on the lawyer; or
- (c) the client or the cause is so repugnant to the lawyer as to be likely to impair the client-lawyer relationship or the lawyer's ability to represent the client.

**Rule 6.3. Membership in Legal Services Organization**

A lawyer may serve as a director, officer or member of a legal services organization, apart from the law firm in which the lawyer practices, notwithstanding that the organization serves persons having interests adverse to a client of the lawyer. The lawyer shall not knowingly participate in a decision or action of the organization:

- (a) if participating in the decision or action would be incompatible with the lawyer's obligations to a client under Rule 1.7; or
- (b) where the decision or action could have a material adverse effect on the representation of a client of the organization whose interests are adverse to a client of the lawyer.

**Rule 6.4. Law Reform Activities Affecting Client Interests**

A lawyer may serve as a director, officer or member of an organization involved in reform of the law or its administration notwithstanding that the reform may affect the interests of a client of the lawyer. When the lawyer knows that the interests of a client may be materially benefitted by a decision in which the lawyer participates, the lawyer shall disclose that fact but need not identify the client.

**Rule 6.5. Nonprofit and Court-Annexed Limited Legal Services Programs**

- (a) A lawyer who, under the auspices of a program sponsored by a nonprofit organization or court, provides short-term limited legal services to a client without expectation by either the lawyer or the client that the lawyer will provide continuing representation in the matter:
  - (1) is subject to Rules 1.7 and 1.9(a) only if the lawyer knows that the representation of the client involves a conflict of interest; and
  - (2) is subject to Rule 1.10 only if the lawyer knows that another lawyer associated with the lawyer in a law firm is disqualified by Rule 1.7 or 1.9(a) with respect to the matter.

- (b) Except as provided in paragraph (a)(2), Rule 1.10 is inapplicable to a representation governed by this Rule.

## INFORMATION ABOUT LEGAL SERVICES

### Rule 7.1. General

- (a) **Permissible Forms of Advertising.** Subject to all the requirements set forth in these Rules, including the filing requirements of Rule 7.7, a lawyer may advertise services through public media, including but not limited to: print media, such as a telephone directory, legal directory, newspaper or other periodical; outdoor advertising, such as billboards and other signs; radio, television, and computer-accessed communications; recorded messages the public may access by dialing a telephone number; and written communication in accordance with Rule 7.4.
- (b) **Advertisements Not Disseminated in Louisiana.** These rules shall not apply to any advertisement broadcast or disseminated in another jurisdiction in which the advertising lawyer is admitted if such advertisement complies with the rules governing lawyer advertising in that jurisdiction and is not intended for broadcast or dissemination within the state of Louisiana.
- (c) **Communications for Non-Profit Organizations.** Publications, educational materials, websites and other communications by lawyers on behalf of non-profit organizations that are not motivated by pecuniary gain are not advertisements or unsolicited written communications within the meaning of these Rules.

### Rule 7.2. Communications Concerning a Lawyer's Services

[Enforcement of Rule 7.2(c)(1)(D) and Rule 7.2(c)(1)(J) is suspended, until further notice, by order of the Supreme Court of Louisiana, dated April 27, 2011.]

[Enforcement of Rule 7.2(c)(1)(J) is reinstated, except for the portion of the Rule prohibiting "the portrayal of a judge or jury", by order of the Supreme Court of Louisiana, dated April 29, 2011.]

The following shall apply to any communication conveying information about a lawyer, a lawyer's services or a law firm's services:

#### (a) Required Content of Advertisements and Unsolicited Written Communications.

- (1) *Name of Lawyer.* All advertisements and unsolicited written communications pursuant to these Rules shall include the name of at least one lawyer responsible for their content.
- (2) *Location of Practice.* All advertisements and unsolicited written communications provided for under these Rules shall disclose, by city or town, one or more bona fide office location(s) of the lawyer or lawyers who will actually perform the services advertised. If the office location is outside a city or town, the parish where

the office is located must be disclosed. For the purposes of this Rule, a bona fide office is defined as a physical location maintained by the lawyer or law firm where the lawyer or law firm reasonably expects to furnish legal services in a substantial way on a regular and continuing basis, and which physical location shall have at least one lawyer who is regularly and routinely present in that physical location. In the absence of a bona fide office, the lawyer shall disclose the city or town of the primary registration statement address as it appears on the lawyer's annual registration statement. If an advertisement or unsolicited written communication lists a telephone number in connection with a specified geographic area other than an area containing a bona fide office or the lawyer's primary registration statement address, appropriate qualifying language must appear in the advertisement.

(3) The following items may be used without including the content required by subdivisions (a)(1) and (a)(2) of this Rule 7.2:

- (A) Sponsorships. A brief announcement in any public media that identifies a lawyer or law firm as a contributor to a specified charity or as a sponsor of a public service announcement or a specified charitable, community, or public interest program, activity, or event, provided that the announcement contains no information about the lawyer or the law firm other than permissible content of advertisements listed in Rule 7.2(b) and the fact of the sponsorship or contribution, in keeping with Rule 7.8(b);
- (B) Gift/Promotional Items. Items, such as coffee mugs, pens, pencils, apparel, and the like, that identify a lawyer or law firm and are used/disseminated by a lawyer or law firm not in violation of these Rules, including but not limited to Rule 7.2(c)(13) and Rule 7.4; and
- (C) Office Sign(s) for Bona Fide Office Location(s). A sign, placard, lettering, mural, engraving, carving or other alphanumeric display conveying information about a lawyer, a lawyer's services or a law firm's services that is permanently affixed, hanging, erected or otherwise attached to the physical structure of the building containing a bona fide office location for a lawyer or law firm, or to the property on which that bona fide office location sits.

**(b) Permissible Content of Advertisements and Unsolicited Written Communications.**

If the content of an advertisement in any public media or unsolicited written communication is limited to the following information, the advertisement or unsolicited written communication is exempt from the filing and review requirement and, if true, shall be presumed not to be misleading or deceptive.

- (1) *Lawyers and Law Firms.* A lawyer or law firm may include the following information in advertisements and unsolicited written communications:



- (A) subject to the requirements of this Rule and Rule 7.10, the name of the lawyer or law firm, a listing of lawyers associated with the firm, office locations and parking arrangements, disability accommodations, telephone numbers, Web site addresses, and electronic mail addresses, office and telephone service hours, and a designation such as “attorney”, “lawyer” or “law firm”;
  - (B) date of admission to the Louisiana State Bar Association and any other bars, current membership or positions held in the Louisiana State Bar Association, its sections or committees, former membership or positions held in the Louisiana State Bar Association, its sections or committees, together with dates of membership, former positions of employment held in the legal profession, together with dates the positions were held, years of experience practicing law, number of lawyers in the advertising law firm, and a listing of federal courts and jurisdictions other than Louisiana where the lawyer is licensed to practice;
  - (C) technical and professional licenses granted by the State or other recognized licensing authorities and educational degrees received, including dates and institutions;
  - (D) military service, including branch and dates of service;
  - (E) foreign language ability;
  - (F) fields of law in which the lawyer practices, including official certification logos, subject to the requirements of subdivision (c)(5) of this Rule;
  - (G) prepaid or group legal service plans in which the lawyer participates;
  - (H) fee for initial consultation and fee schedule, subject to the requirements of subdivisions (c)(6) and (c)(7) of this Rule;
  - (I) common salutory language such as “best wishes,” “good luck,” “happy holidays,” or “pleased to announce”;
  - (J) punctuation marks and common typographical marks; and
  - (K) a photograph or image of the lawyer or lawyers who are members of or employed by the firm against a plain background.
- (2) *Public Service Announcements.* A lawyer or law firm may be listed as a sponsor of a public service announcement or charitable, civic, or community program or event as long as the information about the lawyer or law firm is limited to the permissible content set forth in subdivision (b)(1) of this Rule.

**(c) Prohibitions and General Rules Governing Content of Advertisements and Unsolicited Written Communications.**

- (1) *Statements About Legal Services.* A lawyer shall not make or permit to be made a false, misleading or deceptive communication about the lawyer, the lawyer's services or the law firm's services. A communication violates this Rule if it:
- (A) contains a material misrepresentation of fact or law;
  - (B) is false, misleading or deceptive;
  - (C) fails to disclose material information necessary to prevent the information supplied from being false, misleading or deceptive;
  - (D) contains a reference or testimonial to past successes or results obtained, except as allowed in the Rule regulating information about a lawyer's services provided upon request; (Suspended)
  - (E) promises results;
  - (F) states or implies that the lawyer can achieve results by means that violate the Rules of Professional Conduct or other law;
  - (G) compares the lawyer's services with other lawyers' services, unless the comparison can be factually substantiated;
  - (H) contains a paid testimonial or endorsement, unless the fact of payment is disclosed;
  - (I) includes (i) a portrayal of a client by a non-client without disclaimer of such, as required by Rule 7.2(c)(10); (ii) the depiction of any events or scenes, other than still pictures, photographs or other static images, that are not actual or authentic without disclaimer of such, as required by Rule 7.2(c)(10); or (iii) a still picture, photograph or other static image that, due to alteration or the context of its use, is false, misleading or deceptive;
  - (J) the portrayal of a lawyer by a non-lawyer, the portrayal of a law firm as a fictionalized entity, the use of a fictitious name to refer to lawyers not associated together in a law firm, or otherwise implies that lawyers are associated in a law firm if that is not the case;
  - (K) resembles a legal pleading, notice, contract or other legal document;
  - (L) utilizes a nickname, moniker, motto or trade name that states or implies an ability to obtain results in a matter; or

- (M) fails to comply with Rule 1.8(e)(4)(iii).
- (2) *Prohibited Visual and Verbal Portrayals and Illustrations.* A lawyer shall not include in any advertisement or unsolicited written communication any visual or verbal descriptions, depictions, illustrations (including photographs) or portrayals of persons, things, or events that are false, misleading or deceptive.
- (3) *Advertising Areas of Practice.* A lawyer or law firm shall not state or imply in advertisements or unsolicited written communications that the lawyer or law firm currently practices in an area of practice when that is not the case.
- (4) *Stating or Implying Louisiana State Bar Association Approval.* A lawyer or law firm shall not make any statement that directly or impliedly indicates that the communication has received any kind of approval from The Louisiana State Bar Association.
- (5) *Communication of Fields of Practice.* A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. A lawyer may state that the lawyer is a "specialist," practices a "specialty," or "specializes in" particular fields, but such communications are subject to the "false and misleading" standard applied in Rule 7.2(c)(1) to communications concerning a lawyer's services. A lawyer shall not state or imply that the lawyer is "certified," or "board certified" except as follows:
- (A) **Lawyers Certified by the Louisiana Board of Legal Specialization.** A lawyer who complies with the Plan of Legal Specialization, as determined by the Louisiana Board of Legal Specialization, may inform the public and other lawyers of the lawyer's certified area(s) of legal practice. Such communications should identify the Louisiana Board of Legal Specialization as the certifying organization and may state that the lawyer is "certified," or "board certified in (area of certification)."
- (B) **Lawyers Certified by Organizations Other Than the Louisiana Board of Legal Specialization or Another State Bar.** A lawyer certified by an organization other than the Louisiana Board of Legal Specialization or another state bar may inform the public and other lawyers of the lawyer's certified area(s) of legal practice by stating that the lawyer is "certified," or "board certified in (area of certification)" if:
- (i) (i) the lawyer complies with Section 6.2 of the Plan of Legal Specialization for the Louisiana Board of Legal Specialization; and,
- (ii) (ii) the lawyer includes the full name of the organization in all communications pertaining to such certification. A lawyer who has been certified by an organization that is accredited by the American

Bar Association is not subject to Section 6.2 of the Plan of Legal Specialization.

- (C) **Certification by Other State Bars.** A lawyer certified by another state bar may inform the public and other lawyers of the lawyer's certified area(s) of legal practice and may state in communications to the public that the lawyer is "certified," or "board certified in (area of certification)" if:
- (i) the state bar program grants certification on the basis of standards reasonably comparable to the standards of the Plan of Legal Specialization, as determined by the Louisiana Board of Legal Specialization; and,
  - (ii) the lawyer includes the name of the state bar in all communications pertaining to such certification.
- (6) *Disclosure of Liability For Expenses Other Than Fees.* Every advertisement and unsolicited written communication that contains information about the lawyer's fee, including those that indicate no fee will be charged in the absence of a recovery, shall disclose whether the client will be liable for any costs and/or expenses in addition to the fee.
- (7) *Period for Which Advertised Fee Must be Honored.* A lawyer who advertises a specific fee or range of fees for a particular service shall honor the advertised fee or range of fees for at least ninety days from the date last advertised unless the advertisement specifies a shorter period; provided that, for advertisements in the yellow pages of telephone directories or other media not published more frequently than annually, the advertised fee or range of fees shall be honored for no less than one year following publication.
- (8) *Firm Name.* A lawyer shall not advertise services under a name that violates the provisions of Rule 7.10.
- (9) *Language of Required Statements.* Any words or statements required by these Rules to appear in an advertisement or unsolicited written communication must appear in the same language in which the advertisement or unsolicited written communication appears. If more than one language is used in an advertisement or unsolicited written communication, any words or statements required by these Rules must appear in each language used in the advertisement or unsolicited written communication.
- (10) *Appearance of Required Statements, Disclosures and Disclaimers.* Any words or statements required by these Rules to appear in an advertisement or unsolicited written communication must be clearly legible if written or intelligible if spoken aloud. All disclosures and disclaimers required by these Rules shall be clear, conspicuous and clearly associated with the item requiring disclosure or disclaimer.

Written disclosures and disclaimers shall be clearly legible and, if televised or displayed electronically, shall be displayed for a sufficient time to enable the viewer to easily see and read the disclosure or disclaimer. Spoken disclosures and disclaimers shall be plainly audible and clearly intelligible.

- (11) *Payment by Non-Advertising Lawyer.* No lawyer shall, directly or indirectly, pay all or a part of the cost of an advertisement by a lawyer not in the same firm.
- (12) *Referrals to Another Lawyer.* If the case or matter will be, or is likely to be, referred to another lawyer or law firm, the communication shall include a statement so advising the prospective client.
- (13) *Payment for Recommendations; Lawyer Referral Service Fees.* A lawyer shall not give anything of value to a person for recommending the lawyer's services, except that a lawyer may pay the reasonable cost of advertising or written or recorded communication permitted by these Rules, and may pay the usual charges of a lawyer referral service or other legal service organization only as follows:
  - (A) A lawyer may pay the usual, reasonable and customary charges of a lawyer referral service operated by the Louisiana State Bar Association, any local bar association, or any other not-for-profit organization, provided the lawyer referral service:
    - (i) refers all persons who request legal services to a participating lawyer;
    - (ii) prohibits lawyers from increasing their fee to a client to compensate for the referral service charges; and
    - (iii) fairly and equitably distributes referral cases among the participating lawyers, within their area of practice, by random allotment or by rotation.

**Rule 7.3. [Reserved]**

**Rule 7.4. Direct Contact with Prospective Clients**

- (a) **Solicitation.** Except as provided in subdivision (b) of this Rule, a lawyer shall not solicit professional employment from a prospective client with whom the lawyer has no family or prior lawyer-client relationship, in person, by person to person verbal telephone contact, through others acting at the lawyer's request or on the lawyer's behalf or otherwise, when a significant motive for the lawyer's doing so is the lawyer's pecuniary gain. A lawyer shall not permit employees or agents of the lawyer to solicit on the lawyer's behalf. A lawyer shall not enter into an agreement for, charge, or collect a fee for professional employment obtained in violation of this Rule. The term "solicit" includes contact in person, by telephone, telegraph, or facsimile, or by other communication directed to a specific recipient and includes (i) any written form of communication directed to a specific

recipient and not meeting the requirements of subdivision (b) of this Rule, and (ii) any electronic mail communication directed to a specific recipient and not meeting the requirements of subdivision (c) of Rule 7.6. For the purposes of this Rule 7.4, the phrase “prior lawyer-client relationship” shall not include relationships in which the client was an unnamed member of a class action.

**(b) Written Communication Sent on an Unsolicited Basis.**

- (1) A lawyer shall not send, or knowingly permit to be sent, on the lawyer’s behalf or on behalf of the lawyer’s firm or partner, an associate, or any other lawyer affiliated with the lawyer or the lawyer’s firm, an unsolicited written communication directly or indirectly to a prospective client for the purpose of obtaining professional employment if:
  - (A) the written communication concerns an action for personal injury or wrongful death or otherwise relates to an accident or disaster involving the person to whom the communication is addressed or a relative of that person, unless the accident or disaster occurred more than thirty days prior to the mailing of the communication;
  - (B) it has been made known to the lawyer that the person does not want to receive such communications from the lawyer;
  - (C) the communication involves coercion, duress, fraud, overreaching, harassment, intimidation, or undue influence;
  - (D) the communication contains a false, misleading or deceptive statement or claim or is improper under subdivision (c)(1) of Rule 7.2; or
  - (E) the lawyer knows or reasonably should know that the physical, emotional, or mental state of the person makes it unlikely that the person would exercise reasonable judgment in employing a lawyer.
- (2) Unsolicited written communications to prospective clients for the purpose of obtaining professional employment are subject to the following requirements:
  - (A) Unsolicited written communications to a prospective client are subject to the requirements of Rule 7.2.
  - (B) In instances where there is no family or prior lawyer-client relationship, a lawyer shall not initiate any form of targeted solicitation, whether a written or recorded communication, of a person or persons known to need legal services of a particular kind provided by the lawyer in a particular matter for the purpose of obtaining professional employment unless such communication complies with the requirements set forth below and is not otherwise in violation of these Rules:

- (i) Such communication shall state clearly the name of at least one member in good standing of the Association responsible for its content.
  - (ii) The top of each page of such written communication and the lower left corner of the face of the envelope in which the written communication is enclosed shall be plainly marked “ADVERTISEMENT” in print size at least as large as the largest print used in the written communication. If the written communication is in the form of a self-mailing brochure or pamphlet, the “ADVERTISEMENT” mark shall appear above the address panel of the brochure or pamphlet and on the inside of the brochure or pamphlet. Written communications solicited by clients or prospective clients, or written communications sent only to other lawyers need not contain the “ADVERTISEMENT” mark.
- (C) Unsolicited written communications mailed to prospective clients shall not resemble a legal pleading, notice, contract or other legal document and shall not be sent by registered mail, certified mail or other forms of restricted delivery.
  - (D) If a lawyer other than the lawyer whose name or signature appears on the communication will actually handle the case or matter, any unsolicited written communication concerning a specific matter shall include a statement so advising the client.
  - (E) Any unsolicited written communication prompted by a specific occurrence involving or affecting the intended recipient of the communication or a family member of that person shall disclose how the lawyer obtained the information prompting the communication.
  - (F) An unsolicited written communication seeking employment by a specific prospective client in a specific matter shall not reveal on the envelope, or on the outside of a self-mailing brochure or pamphlet, the nature of the client’s legal problem.

**Rule 7.5. Advertisements in the Electronic Media other than Computer-Accessed Communications**

**[Enforcement of Rule 7.5(b)(2)(C) is suspended, until further notice, by order of the Supreme Court of Louisiana, dated September 22, 2009.]**

- (a) **Generally.** With the exception of computer-based advertisements (which are subject to the special requirements set forth in Rule 7.6), all advertisements in the electronic media, including but not limited to television and radio, are subject to the requirements of Rule 7.2.

(b) **Appearance on Television or Radio.** Advertisements on the electronic media such as television and radio shall conform to the requirements of this Rule.

(1) *Prohibited Content.* Television and radio advertisements shall not contain:

- (A) any feature, including, but not limited to, background sounds, that is false, misleading or deceptive; or
- (B) lawyers who are not members of the advertising law firm speaking on behalf of the advertising lawyer or law firm.

(2) *Permissible Content.* Television and radio advertisements may contain:

- (A) images that otherwise conform to the requirements of these Rules;
- (B) a lawyer who is a member of the advertising firm personally appearing to speak regarding the legal services the lawyer or law firm is available to perform, the fees to be charged for such services, and the background and experience of the lawyer or law firm; or
- (C) a non-lawyer spokesperson speaking on behalf of the lawyer or law firm, as long as that spokesperson shall provide a spoken and written disclosure, as required by Rule 7.2(c)(10), identifying the spokesperson as a spokesperson and disclosing that the spokesperson is not a lawyer and disclosing that the spokesperson is being paid to be a spokesperson, if paid.

**Rule 7.6. Computer-Accessed Communications**

**[Enforcement of Rule 7.6(d) is suspended, until further notice, by order of the Supreme Court of Louisiana, dated September 22, 2009.]**

(a) **Definition.** For purposes of these Rules, “computer-accessed communications” are defined as information regarding a lawyer’s or law firm’s services that is read, viewed, or heard directly through the use of a computer. Computer-accessed communications include, but are not limited to, Internet presences such as home pages or World Wide Web sites, unsolicited electronic mail communications, and information concerning a lawyer’s or law firm’s services that appears on World Wide Web search engine screens and elsewhere.

(b) **Internet Presence.** All World Wide Web sites and home pages accessed via the Internet that are controlled, sponsored, or authorized by a lawyer or law firm and that contain information concerning the lawyer’s or law firm’s services:

- (1) shall disclose all jurisdictions in which the lawyer or members of the law firm are licensed to practice law;
- (2) shall disclose one or more bona fide office location(s) of the lawyer or law firm or, in the absence of a bona fide office, the city or town of the lawyer’s primary registration statement address, in accordance with subdivision (a)(2) of Rule 7.2; and



- (3) are considered to be information provided upon request and, therefore, are otherwise governed by the requirements of Rule 7.9.
- (c) **Electronic Mail Communications.** A lawyer shall not send, or knowingly permit to be sent, on the lawyer's behalf or on behalf of the lawyer's firm or partner, an associate, or any other lawyer affiliated with the lawyer or the lawyer's firm, an unsolicited electronic mail communication directly or indirectly to a prospective client for the purpose of obtaining professional employment unless:
- (1) the requirements of subdivisions (b)(1), (b)(2)(A), (b)(2)(B)(i), (b)(2)(C), (b)(2)(D), (b)(2)(E) and (b)(2)(F) of Rule 7.4 are met;
  - (2) the communication discloses one or more bona fide office location(s) of the lawyer or lawyers who will actually perform the services advertised or, in the absence of a bona fide office, the city or town of the lawyer's primary registration statement address, in accordance with subdivision (a)(2) of Rule 7.2; and
  - (3) the subject line of the communication states "LEGAL ADVERTISEMENT". This is not required for electronic mail communications sent only to other lawyers.
- (d) **Advertisements.** All computer-accessed communications concerning a lawyer's or law firm's services, other than those subject to subdivisions (b) and (c) of this Rule, are subject to the requirements of Rule 7.2 when a significant motive for the lawyer's doing so is the lawyer's pecuniary gain.

**Rule 7.7. Evaluation of Advertisements**

**[Enforcement of Rule 7.7 as it pertains to filing requirements for Internet advertising is suspended, until further notice, by order of the Supreme Court of Louisiana, dated September 22, 2009.]**

- (a) **Louisiana State Bar Association Rules of Professional Conduct Committee.** With respect to said Committee, it shall be the task of the Committee, or any subcommittee designated by the Rules of Professional Conduct Committee (hereinafter collectively referred to as "the Committee"): 1) to evaluate all advertisements filed with the Committee for compliance with the Rules governing lawyer advertising and solicitation and to provide written advisory opinions concerning compliance with those Rules to the respective filing lawyers; 2) to develop a handbook on lawyer advertising for the guidance of and dissemination to the members of the Louisiana State Bar Association; and 3) to recommend, from time to time, such amendments to the Rules of Professional Conduct as the Committee may deem advisable.
- (1) *Recusal of Members.* Members of the Committee shall recuse themselves from consideration of any advertisement proposed or used by themselves or by other lawyers in their firms.

- (2) *Meetings.* The Committee shall meet as often as is necessary to fulfill its duty to provide prompt opinions regarding submitted advertisements' compliance with the lawyer advertising and solicitation rules.
  - (3) *Procedural Rules.* The Committee may adopt such procedural rules for its activities as may be required to enable the Committee to fulfill its functions.
  - (4) *Reports to the Court.* Within six months following the conclusion of the first year of the Committee's evaluation of advertisements in accordance with these Rules, and annually thereafter, the Committee shall submit to the Supreme Court of Louisiana a report detailing the year's activities of the Committee. The report shall include such information as the Court may require.
- (b) **Advance Written Advisory Opinion.** Subject to the exemptions stated in Rule 7.8, any lawyer who advertises services through any public media or through unsolicited written communications sent in compliance with Rule 7.4 or 7.6(c) may obtain a written advisory opinion concerning the compliance of a contemplated advertisement or unsolicited written communication in advance of disseminating the advertisement or communication by submitting to the Committee the material and fee specified in subdivision (d) of this Rule at least thirty days prior to such dissemination. If the Committee finds that the advertisement or unsolicited written communication complies with these Rules, the lawyer's voluntary submission in compliance with this subdivision shall be deemed to satisfy the regular filing requirement set forth below in subdivision (c) of this Rule.
- (c) **Regular Filing.** Subject to the exemptions stated in Rule 7.8, any lawyer who advertises services through any public media or through unsolicited written communications sent in compliance with Rule 7.4 or 7.6(c) shall file a copy of each such advertisement or unsolicited written communication with the Committee for evaluation of compliance with these Rules. The copy shall be filed either prior to or concurrently with the lawyer's first dissemination of the advertisement or unsolicited written communication and shall be accompanied by the information and fee specified in subdivision (d) of this Rule. If the lawyer has opted to submit an advertisement or unsolicited written communication in advance of dissemination, in compliance with subdivision (b) of this Rule, and the advertisement or unsolicited written communication is then found to be in compliance with the Rules, that voluntary advance submission shall be deemed to satisfy the regular filing requirement set forth above.
- (d) **Contents of Filing.** A filing with the Committee as permitted by subdivision (b) or as required by subdivision (c) shall consist of:
- (1) a copy of the advertisement or communication in the form or forms in which it is to be disseminated and is readily-capable of duplication by the Committee (e.g., videotapes, audiotapes, print media, photographs of outdoor advertising, etc.);

- (2) a typewritten transcript of the advertisement or communication, if any portion of the advertisement or communication is on videotape, audiotape, electronic/digital media or otherwise not embodied in written/printed form;
  - (3) a printed copy of all text used in the advertisement;
  - (4) an accurate English translation, if the advertisement appears or is audible in a language other than English;
  - (5) a sample envelope in which the written communication will be enclosed, if the communication is to be mailed;
  - (6) a statement listing all media in which the advertisement or communication will appear, the anticipated frequency of use of the advertisement or communication in each medium in which it will appear, and the anticipated time period during which the advertisement or communication will be used; and
  - (7) fees paid to the Louisiana State Bar Association, in an amount set by the Supreme Court of Louisiana: (A) for submissions filed prior to or concurrently with the lawyer's first dissemination of the advertisement or unsolicited written communication, as provided in subdivisions (b) and (c); or (B) for submissions not filed until after the lawyer's first dissemination of the advertisement or unsolicited written communication.
- (e) **Evaluation of Advertisements.** The Committee shall evaluate all advertisements and unsolicited written communications filed with it pursuant to this Rule for compliance with the applicable rules on lawyer advertising and solicitation. The Committee shall complete its evaluation within thirty days following receipt of a filing unless the Committee determines that there is reasonable doubt that the advertisement or unsolicited written communication is in compliance with the Rules and that further examination is warranted but cannot be completed within the thirty-day period, and so advises the filing lawyer in writing within the thirty-day period. In the latter event, the Committee shall complete its review as promptly as the circumstances reasonably allow. If the Committee does not send any communication in writing to the filing lawyer within thirty days following receipt of the filing, the advertisement or unsolicited written communication will be deemed approved.
- (f) **Additional Information.** If the Committee requests additional information, the filing lawyer shall comply promptly with the request. Failure to comply with such requests may result in a finding of non-compliance for insufficient information.
- (g) **Notice of Noncompliance; Effect of Continued Use of Advertisement.** When the Committee determines that an advertisement or unsolicited written communication is not in compliance with the applicable Rules, the Committee shall advise the lawyer in writing that dissemination or continued dissemination of the advertisement or unsolicited written communication may result in professional discipline. The Committee shall report to the

Office of Disciplinary Counsel a finding under subsections (c) or (f) of this Rule that the advertisement or unsolicited written communication is not in compliance, unless, within ten days of notice from the Committee, the filing lawyer certifies in writing that the advertisement or unsolicited written communication has not and will not be disseminated.

- (h) **Committee Determination Not Binding; Evidence.** A finding by the Committee of either compliance or noncompliance shall not be binding in a disciplinary proceeding, but may be offered as evidence.
- (i) **Change of Circumstances; Re-filing Requirement.** If a change of circumstances occurring subsequent to the Committee's evaluation of an advertisement or unsolicited written communication raises a substantial possibility that the advertisement or communication has become false, misleading or deceptive as a result of the change in circumstances, the lawyer shall promptly re-file the advertisement or a modified advertisement with the Committee along with an explanation of the change in circumstances and an additional fee as set by the Court.
- (j) **Maintaining Copies of Advertisements.** A copy or recording of an advertisement or written or recorded communication shall be submitted to the Committee in accordance with the requirements of Rule 7.7, and the lawyer shall retain a copy or recording for five years after its last dissemination along with a record of when and where it was used. If identical unsolicited written communications are sent to two or more prospective clients, the lawyer may comply with this requirement by filing a copy of one of the identical unsolicited written communications and retaining for five years a single copy together with a list of the names and addresses of all persons to whom the unsolicited written communication was sent.

#### **Rule 7.8. Exemptions from the Filing and Review Requirement**

The following are exempt from the filing and review requirements of Rule 7.7:

- (a) any advertisement or unsolicited written communication that contains only content that is permissible under Rule 7.2(b).
- (b) a brief announcement in any public media that identifies a lawyer or law firm as a contributor to a specified charity or as a sponsor of a public service announcement or a specified charitable, community, or public interest program, activity, or event, provided that the announcement contains no information about the lawyer or law firm other than permissible content of advertisements listed in Rule 7.2(b) and the fact of the sponsorship or contribution. In determining whether an announcement is a public service announcement for purposes of this Rule and the Rule setting forth permissible content of advertisements, the following are criteria that may be considered:
  - (1) whether the content of the announcement appears to serve the particular interests of the lawyer or law firm as much as or more than the interests of the public;

- (2) whether the announcement contains information concerning the lawyer's or law firm's area(s) of practice, legal background, or experience;
  - (3) whether the announcement contains the address or telephone number of the lawyer or law firm;
  - (4) whether the announcement concerns a legal subject;
  - (5) whether the announcement contains legal advice; and
  - (6) whether the lawyer or law firm paid to have the announcement published.
- (c) A listing or entry in a law list or bar publication.
  - (d) A communication mailed only to existing clients, former clients, or other lawyers.
  - (e) Any written communications requested by a prospective client.
  - (f) Professional announcement cards stating new or changed associations, new offices, and similar changes relating to a lawyer or law firm, and that are mailed only to other lawyers, relatives, close personal friends, and existing or former clients.
  - (g) Computer-accessed communications as described in subdivision (b) of Rule 7.6.
  - (h) **Gift/Promotional Items.** Items, such as coffee mugs, pens, pencils, apparel, and the like, that identify a lawyer or law firm and are used/disseminated by a lawyer or law firm not in violation of these Rules, including but not limited to Rule 7.2(c)(13) and Rule 7.4; and
  - (i) **Office Sign(s) for Bona Fide Office Location(s).** A sign, placard, lettering, mural, engraving, carving or other alphanumeric display conveying information about a lawyer, a lawyer's services or a law firm's services that is permanently affixed, hanging, erected or otherwise attached to the physical structure of the building containing a bona fide office location for a lawyer or law firm, or to the property on which that bona fide office location sits.

**Rule 7.9. Information about a Lawyer's Services Provided upon Request**

- (a) **Generally.** Information provided about a lawyer's or law firm's services upon request shall comply with the requirements of Rule 7.2 unless otherwise provided in this Rule 7.9.
- (b) **Request for Information by Potential Client.** Whenever a potential client shall request information regarding a lawyer or law firm for the purpose of making a decision regarding employment of the lawyer or law firm:
  - (1) The lawyer or law firm may furnish such factual information regarding the lawyer or law firm deemed valuable to assist the client.

- (2) The lawyer or law firm may furnish an engagement letter to the potential client; however, if the information furnished to the potential client includes a contingency fee contract, the top of each page of the contract shall be marked "SAMPLE" in print size at least as large as the largest print used in the contract and the words "DO NOT SIGN" shall appear on the client signature line.
- (3) Notwithstanding the provisions of subdivision (c)(1)(D) of Rule 7.2, information provided to a potential client in response to a potential client's request may contain factually verifiable statements concerning past results obtained by the lawyer or law firm, if, either alone or in the context in which they appear, such statements are not otherwise false, misleading or deceptive.
- (c) **Disclosure of Intent to Refer Matter to Another Lawyer or Law Firm.** A statement and any information furnished to a prospective client, as authorized by subdivision (b) of this Rule, that a lawyer or law firm will represent a client in a particular type of matter, without appropriate qualification, shall be presumed to be misleading if the lawyer reasonably believes that a lawyer or law firm not associated with the originally-retained lawyer or law firm will be associated or act as primary counsel in representing the client. In determining whether the statement is misleading in this respect, the history of prior conduct by the lawyer in similar matters may be considered.

**Rule 7.10. Firm Names and Letterhead**

- (a) **False, Misleading, or Deceptive.** A lawyer or law firm shall not use a firm name, logo, letterhead, professional designation, trade name or service mark that violates the provisions of these Rules.
- (b) **Trade Names.** A lawyer or law firm shall not practice under a trade name that implies a connection with a government agency, public or charitable services organization or other professional association, that implies that the firm is something other than a private law firm, or that is otherwise in violation of subdivision (c)(1) of Rule 7.2.
- (c) **Advertising Under Trade Name.** A lawyer shall not advertise under a trade or fictitious name, except that a lawyer who actually practices under a trade name as authorized by subdivision (b) may use that name in advertisements. A lawyer who advertises under a trade or fictitious name shall be in violation of this Rule unless the same name is the law firm name that appears on the lawyer's letterhead, business cards, office sign, and fee contracts, and appears with the lawyer's signature on pleadings and other legal documents.
- (d) **Law Firm with Offices in More Than One Jurisdiction.** A law firm with offices in more than one jurisdiction may use the same name in each jurisdiction, but identification of the lawyers in an office of the firm shall indicate the jurisdictional limitations on those not licensed to practice in any jurisdiction where an office is located.
- (e) **Name of Public Officer or Former Member in Firm Name.** The name of a lawyer holding a public office or formerly associated with a firm shall not be used in the name of

a law firm, on its letterhead, or in any communications on its behalf, during any substantial period in which the lawyer is not actively and regularly practicing with the firm.

- (f) **Partnerships and Organizational Business Entities.** Lawyers may state or imply that they practice in a partnership or other organizational business entity only when that is the fact.
- (g) **Deceased or Retired Members of Law Firm.** If otherwise lawful and permitted under these Rules, a law firm may use as, or continue to include in, its name, the name or names of one or more deceased or retired members of the law firm, or of a predecessor firm in a continuing line of succession.

## **MAINTAINING THE INTEGRITY OF THE PROFESSION**

### **Rule 8.1. Bar Admission and Disciplinary Matters**

An applicant for admission to the bar, or a lawyer in connection with a bar admission application or in connection with a disciplinary matter, shall not:

- (a) Knowingly make a false statement of material fact;
- (b) Fail to disclose a fact necessary to correct a misapprehension known by the person to have arisen in the matter, or knowingly fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this rule does not require disclosure of information otherwise protected by Rule 1.6; or
- (c) Fail to cooperate with the Office of Disciplinary Counsel in its investigation of any matter before it except for an openly expressed claim of a constitutional privilege.

### **Rule 8.2. Judicial and Legal Officials**

- (a) A lawyer shall not make a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge, adjudicatory officer or public legal officer, or of a candidate for election or appointment to judicial or legal office.
- (b) A lawyer who is a candidate for judicial office shall comply with the applicable provisions of the Code of Judicial Conduct.

### **Rule 8.3. Reporting Professional Misconduct**

- (a) A lawyer who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a question as to the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects, shall inform the Office of Disciplinary Counsel.
- (b) A lawyer who knows that a judge has committed a violation of the applicable rules of judicial conduct that raises a question as to the judge's honesty, trustworthiness or fitness

for office shall inform the Judiciary Commission. Complaints concerning the conduct of federal judges shall be filed with the appropriate federal authorities in accordance with federal laws and rules governing federal judicial conduct and disability.

- (c) This rule does not require the disclosure of information otherwise protected by Rule 1.6 or information gained by a lawyer or judge while participating in an approved lawyers assistance program or while serving as a member of the Ethics Advisory Service Committee.

#### **Rule 8.4. Misconduct**

It is professional misconduct for a lawyer to:

- (a) Violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
- (b) Commit a criminal act especially one that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects;
- (c) Engage in conduct involving dishonesty, fraud, deceit or misrepresentation;
- (d) Engage in conduct that is prejudicial to the administration of justice;
- (e) State or imply an ability to influence improperly a judge, judicial officer, governmental agency or official or to achieve results by means that violate the Rules of Professional Conduct or other law;
- (f) Knowingly assist a judge or judicial officer in conduct that is a violation of applicable Rules of Judicial Conduct or other law; or
- (g) Threaten to present criminal or disciplinary charges solely to obtain an advantage in a civil matter.

#### **Rule 8.5. Disciplinary Authority; Choice of Law**

- (a) Disciplinary Authority. A lawyer admitted to practice in this jurisdiction is subject to the disciplinary authority of this jurisdiction, regardless of where the lawyer's conduct occurs. A lawyer not admitted in this jurisdiction is also subject to the disciplinary authority of this jurisdiction if the lawyer provides or offers to provide any legal services in this jurisdiction. A lawyer may be subject to the disciplinary authority of both this jurisdiction and another jurisdiction for the same conduct.
- (b) Choice of Law. In any exercise of the disciplinary authority of this jurisdiction, the rules of professional conduct to be applied shall be as follows:
  - (1) for conduct in connection with a matter pending before a tribunal, the rules of the jurisdiction in which the tribunal sits, unless the rules of the tribunal provide otherwise; and



- (2) for any other conduct, the rules of the jurisdiction in which the lawyer's conduct occurred, or, if the predominant effect of the conduct is in a different jurisdiction, the rules of that jurisdiction shall be applied to the conduct. A lawyer shall not be subject to discipline if the lawyer's conduct conforms to the rules of a jurisdiction in which the lawyer reasonably believes the predominant effect of the lawyer's conduct will occur.

# **STANDARDS FOR INDIGENT DEFENSE SERVICES IN NON-CAPITAL CASES**

Adopted by the  
INDIANA PUBLIC DEFENDER COMMISSION  
- Effective January 1, 1995 –

as amended  
October 28, 1998  
September 1, 1999  
March 10, 2004  
July 13, 2006  
September 24, 2008  
December 10, 2008  
June 20, 2012  
September 19, 2012  
June 19, 2013  
June 18, 2014  
December 9, 2015  
June 8, 2016

## **STANDARD A.**

**COUNTY PUBLIC DEFENDER BOARD. A county with a population over 12,000 persons shall establish a county public defender board. Counties subject to I.C. 33-40-7-1 shall establish a county public defender board pursuant to this statute. Counties excluded from I.C. 33-40-7-1 shall establish a county public defender board under I.C. 36-1-3 with powers and duties consistent with I.C. 33-40-7-6. A lawyer who provides representation to indigent persons shall not be appointed to a county public defender board.**

### *Commentary*

The purpose of the requirement of a county public defender board is to guarantee professional independence of the defense function and the integrity of the relationship between lawyer and client in accordance with the American Bar Association Standards for Criminal Justice, Chapter 5: Providing Defense Services, Standard 5-1.3 (3rd ed. 1990) [hereafter ABA Providing Defense Services].

Since the decision of the United States Supreme Court in Gideon v. Wainwright (1963), 372 U.S. 335, the issue of judicial control of indigent defense counsel has been addressed by a majority of states through the enactment of legislation creating indigent defense delivery systems that are independent of the

judiciary. Indiana, however, continues to rely heavily upon the inherent authority of the courts to provide these constitutionally mandated services and independence of the defense function has not been assured. This state is one of the few states where an accused may be represented by an at-will employee of the judge before whom the accused stands charged.

When counsel is not fully independent to act in the client's behalf, the deficiency is often perceived by the defendant, which fosters suspicion and distrust of the criminal justice system. ABA Providing Defense Services, Standard 5-1.3, provides as follows:

(a) The legal representation plan for a jurisdiction should be designed to guarantee the integrity of the relationship between lawyer and client. The plan and the lawyers serving under it should be free from political influence and should be subject to judicial supervision only in the same manner and to the same extent as are lawyers in private practice. The selection of lawyers for specific cases should not be made by the judiciary or elected officials, but should be arranged for by the administrators of the defender, assigned-counsel and contract-for-service programs.

(b) An effective means of securing professional independence for defender organizations is to place responsibility for governance in a board of trustees. Assigned-counsel and contract-for-service components of defender systems should be governed by such a board. Provisions for size and manner of selection of boards of trustees should assure their independence. Boards of trustees should not include prosecutors or judges. The primary function of the boards of trustees is to support and protect the independence of the defense services program. Boards of trustees should have the power to establish general policy for the operation of defender, assigned-counsel and contract-for-service programs consistent with these standards and in keeping with the standards of professional conduct. Boards of trustees should be precluded from interfering in the conduct of particular cases. A majority of the trustees on boards should be members of the bar admitted to practice in the jurisdiction.

It is essential that attorneys, however chosen or appointed, be fully independent, free to act on behalf of their clients as dictated by their best professional judgment. A system that does not guarantee the integrity of the professional relationship is fundamentally deficient because it fails to provide

counsel who have the same freedom of action as a lawyer whom the person with sufficient means can afford to retain. In Polk County v. Dodson (1981), 454 U.S. 312, 318-321, the court stated:

[e]xcept for the source of payment, the relationship [of public defender and client] became identical to that existing between any other lawyer and client.

\* \* \*

Held to the same standards of competence and integrity as a private lawyer, a public defender works under canons of professional responsibility that mandate his exercise of independent judgment on behalf of the client.

The importance of independence for lawyers who represent the poor has been stressed in a number of national standards relating to defense services, in addition to those of the ABA. The standards of the National Legal Aid and Defender Association state that "however attorneys are selected to represent qualified clients, they shall be as independent as any other private counsel who undertake the defense of the accused." National Legal Aid and Defender Association, Standards For Defense Services, III. 1. (1976). A similar view is expressed in the standards of the National Advisory Commission: "The method employed to select public defenders should ensure that the public defender is as independent as any private counsel who undertakes the defense of a fee-paying criminally accused person." National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.8 (1973).

The Commission believes that the goal of independence as stated in Standard 5-1.3 of ABA Providing Defense Services, can be substantially achieved by a county public defender board established under either I.C. 33-40-7-3 or I.C. 36-1-3. Under Indiana's home rule statutes, I.C. 36-1-3, counties excepted from I.C. 33-40-7-1 may adopt an ordinance identical to or similar to I.C. 33-40-7-3. The adoption of a county public defender board preserves local control, yet removes public defenders from the direct control and supervision of judges.

Counties with a population under 12,000 are not required to have a county public defender board because the Commission believes that the establishment of such a board in the state's least populous counties is unfeasible.

## **STANDARD B.**

**COMPREHENSIVE PLAN.** The county public defender board shall adopt a comprehensive plan for indigent defense services either pursuant to or consistent with the provisions in I.C. 33-40-7-5 and shall submit the plan to the Indiana Public Defender Commission.

### *Commentary*

This standard requires the board to prepare a document called a "comprehensive plan" that describes the method for providing legal services to indigent persons in all courts in the county. This standard does not require that the board adopt any particular type of delivery system or only one system for all courts in the county. The requirement that the plan be submitted to the Commission is provided by law. See I.C. 33-40-7-5.

In addition to meeting the specific requirements addressed by these standards, the comprehensive plan should include all procedures and policies related to indigent defense services in the county, including the structure and type of system to be used, staffing, compensation, the number and types of cases, and funding. A form for submitting the comprehensive plan was developed by the Commission to assist counties in meeting this requirement.

Indigent criminal defense services in Indiana are currently provided in three basic ways: (1) public defender programs; (2) contracts under I.C. 33-40-7-8 between courts and attorneys or law firms; and (3) assigned counsel systems in which private attorneys are appointed by judges on a case-by-case basis. Because Indiana relies heavily upon the inherent authority of the trial courts for providing indigent defense services at trial and on direct appeal, the majority of counties have a separate and different system for each court rather than a county-wide system for all courts. Nevertheless, most counties have developed a predominant system for providing indigent defense services.

## **STANDARD C.**

**ELIGIBILITY FOR APPOINTMENT OF COUNSEL.** The comprehensive plan shall include the applicable rules and procedures for the determination of eligibility for the appointment of counsel at public expense, and shall contain the following provisions:

1. **Substantial Hardship.** Counsel will be provided to all persons who are financially unable to obtain adequate representation without substantial hardship to themselves or their families.
  - a. **Ability to Post Bail.** Counsel will not be denied to any person merely because the person is able to obtain pretrial release through a surety bond, property bond, or a cash deposit.
  - b. **Employment.** Counsel will not be denied to any person merely because the person is employed.
2. **Determining Eligibility.** The determination of eligibility for the appointment of counsel will include an estimation as to the costs of retaining private counsel and a determination as to whether the person's disposable income and liquid assets are adequate to cover the costs of retaining private counsel.
  - a. **Costs of Private Counsel.** The determination of the costs of retaining private counsel shall be based upon the nature of the criminal charge, the anticipated complexity of the defense, the estimated cost of presenting a legal defense, and the fees charged by lawyers in the community for providing defense services in similar cases.
  - b. **Income.** Income shall include all salaries and wages after taxes, including interest, dividends, social security, unemployment compensation workers' compensation, pension, annuities, and contributions from other family members.
  - c. **Expenses.** Expenses shall include, but are not limited to, all living expenses, business or farm expenses, including food, utilities, housing, child support and alimony obligations, education or employment expenses, child care, medical expenses, and transportation.
  - d. **Disposable Income .** Disposable income shall be determined by assessing monthly income and subtracting monthly expenses.

- e. **Liquid Assets.** Liquid assets shall include, but are not limited to, cash, savings and checking accounts, stocks, bonds, certificates of deposits, and equity in real and personal property exceeding the statutory allowances in I.C. 34-2-28-1 that can be readily converted to cash.
3. **Confidentiality.** If the accused is questioned about indigency in circumstances where the attorney-client privilege does not apply, the accused shall be advised that any statements made or information given may be used against him or her.

*Commentary*

This standard embodies current Indiana law regarding the determination of indigency. The "substantial hardship" test for determining indigency was adopted by the Indiana Supreme Court in Moore v. State (1980), Ind., 401 N.E.2d 676, 678-679, and has been cited with approval in numerous subsequent appellate opinions:

... the defendant does not have to be totally without means to be entitled to counsel. If he legitimately lacks financial resources to employ an attorney, without imposing substantial hardship on himself or his family, the court must appoint counsel to defend him.

In Moore, supra, at 679, the court also stated that " [t]he fact that the defendant was able to post a bond is not determinative of his non-indigency but is only a factor to be considered. " This principle was applied in Graves v. State (1st Dist. 1987), Ind.App., 503 N.E.2d 1258, and resulted in a reversal of the conviction because the defendant waived his right to counsel after the trial court denied a request for appointed counsel "merely because he posted bond".

Standard C. 1.b., which prohibits the denial of appointed counsel merely because the person is employed, is based upon the opinion in Redmond v. State (1988), Ind., 518 N.E.2d 1095. The factors to be considered in determining eligibility in C.2 are consistent with Moore v. State (1980), 273 Ind. 3, 401 N.E.2d 676, 678-679:

The determination as to the defendant's indigency is not to be made on a superficial examination of income and ownership of property but must be based on as thorough an examination of the defendant's total

financial picture as is practical. The record must show that the determination of ability to pay includes a balancing of assets against liabilities and a consideration of the amount of defendant's disposable income or other resources reasonably available to him after payment of fixed obligations.

Although the majority opinion in Moore v. State did not discuss "liquid assets," this was the subject of the dissenting opinion, which the Commission found persuasive. The dissenting justices pointed out that Moore had an equity in real estate as well as equipment in the well drilling business and opined that Moore should have been required to make use of these assets before the court was required to appoint counsel at public expense.

#### **STANDARD D.**

**PAYMENT BY ACCUSED OF DEFENSE COSTS.** The comprehensive plan shall contain the policies and procedures for ordering indigent persons in criminal cases to pay some or all of the costs of defense services under I.C. 33-40-3-6, and shall specify the procedures for determining the actual costs to the county for defense services provided to the accused.

#### *Commentary*

Indiana courts are authorized by I.C. 33-40-3-6 to order the accused to repay the cost of defense services provided at public expense. The use of this statute poses certain problems that should be addressed in the comprehensive plan. For example, I.C. 33-40-6(a) does not require that the accused be advised by the court at the time appointed counsel is requested that the accused may be required to repay the county the cost of defense services. The Commission believes in order to prevent subsequent due process challenges by the accused, such an advisement should be given by the court whenever it is contemplated that a repayment order may be issued.

In addition, I.C. 33-40-3-6(a)(1) does not limit "reasonable attorney's fees" to the amount actually paid to the attorney appointed to provide representation. The Commission believes that it would be inappropriate to assess attorney's fees in excess of those actually paid by the county. Thus, this standard requires that the comprehensive plan specify the procedures for determining the actual cost to the county for defense services provided to the accused.



## **STANDARD E.**

**APPOINTMENT OF COUNSEL.** The comprehensive plan shall provide for the appointment of trial counsel meeting the following qualifications.

- 1. Murder.** To be eligible to serve as appointed counsel in a case where the accused is charged with murder, an attorney shall:
  - a.** be an experienced and active trial practitioner with at least three (3) years of criminal litigation experience; and
  - b.** have prior experience as lead or co-counsel in no fewer than three (3) felony jury trials that were Class C or Level 5 felonies or higher which were tried to completion.
- 2. Level 1, 2, 3, or 4 Felony.** To be eligible to serve as appointed counsel in a case where the accused is charged with a Level 1, 2, 3, or 4 felony, an attorney shall:
  - a.** be an experienced and active trial practitioner with at least two (2) years of criminal litigation experience; and
  - b.** (1) have prior experience as lead or co-counsel in at least two (2) felony jury trials which were tried to completion; or  
  
(2) have prior experience as lead or co-counsel in at least one (1) felony jury trial which was tried to completion and have attended a trial practice course that has been approved by the Public Defender Commission for purposes of this Standard.
- 3. Level 5 Felony.** To be eligible to serve as appointed counsel in a case where the accused is charged with a Level 5 felony, an attorney shall:
  - a.** be an experienced and active trial practitioner with at least one (1) year of criminal litigation experience; or
  - b.** have prior experience as lead or co-counsel in at least three (3) criminal jury trials which were tried to completion.

4. **Juvenile Delinquency.** To be eligible to serve as lead counsel in a case where a juvenile is alleged to be delinquent, counsel shall possess the following qualifications:
- a. Where a child is charged with what would be murder if committed by an adult or in any situation where waiver to adult court is sought, an attorney shall be an experienced and active criminal or juvenile law practitioner with at least three (3) years of criminal or juvenile delinquency experience; and have prior experience as lead or co-counsel in no fewer than three (3) felony jury trials that were Class C or Level 5 felonies or higher which were tried to completion, or prior experience as lead or co-counsel in no fewer than three (3) juvenile trials, that would have been Class C or Level 5 felonies or higher if committed by an adult, which were tried to completion.
  - b. Where a child is charged with what would be a Level 1, 2, 3, or 4 felony if committed by an adult, an attorney shall be an experienced and active criminal or juvenile law practitioner with at least two (2) years of criminal or juvenile delinquency experience; and have prior experience as lead or co-counsel in no fewer than two (2) felony jury trials which were tried to completion, or two (2) juvenile trials, that would have been felonies if committed by an adult, which were tried to completion; or at least one (1) felony jury trial which was tried to completion and have attended a trial practice course that has been approved by the Public Defender Commission for purposes of this Standard.
  - c. To be eligible to serve as lead counsel in other juvenile delinquency cases (Level 5 felonies and below, all misdemeanors, infractions and status cases), an attorney shall have prior experience as lead or co-counsel in at least one (1) case of the same class or higher which was tried to completion in either adult or juvenile court; or, one (1) year of experience in juvenile delinquency proceedings; or experience in two comparable cases tried to completion in juvenile court under the supervision of an attorney

qualified to litigate such cases.

5. **Children-In-Need Of Services/Termination Of Parental Rights.** To be eligible to serve as appointed counsel in CHINS/TPR cases, counsel shall possess the following qualifications:
- a. An attorney shall have completed prior to appointment at least six (6) hours of training in CHINS/TPR practice in a course approved by the Indiana Public Defender Commission.
  - b. Any attorney with less than one (1) year experience in TPR Litigation or has not litigated at least one (1) TPR to completion must have co-counsel in any TPR matter proceeding to trial. Co-counsel shall have the required minimum experience and training.

*Commentary*

Except for capital cases, any attorney licensed to practice law in Indiana may be appointed as counsel for the accused in any criminal case. This occasionally results in attorneys being appointed to serious felony cases who have never tried a case or who have no criminal defense experience. This standard sets minimum thresholds for the experience levels of appointed attorneys based upon the seriousness of the offense.

**STANDARD F.**

**APPOINTMENT OF APPELLATE COUNSEL.** The comprehensive plan shall provide for the appointment of lead appellate counsel meeting the following qualifications.

- 1. **Murder and Level 1, 2, 3, or 4 Felony.** To be eligible to serve as appointed counsel in a case where the accused is charged with murder or a Level 1, 2, 3, or 4 felony, an attorney shall be an experienced and active trial or appellate practitioner with at least three (3) years experience in criminal litigation and have completed prior to appointment at least six (6) hours of training in appellate practice in a course approved by the Indiana Public Defender Commission.

2. **Other Cases.** To be eligible to serve as appointed counsel in other cases, an attorney shall have completed prior to appointment at least six (6) hours of training in appellate practice in a course approved by the Indiana Public Defender Commission.

*Commentary*

See Commentary to Standard E. The requirement of six (6) hours of training in appellate practice prior to appointment is effective as of January 1, 1996.

**STANDARD G.**

**COMPENSATION OF SALARIED OR CONTRACTUAL PUBLIC DEFENDERS.** The comprehensive plan shall provide that the salaries and compensation of full-time salaried public defenders shall be the same as the salaries and compensation provided to deputy prosecutors in similar positions with similar experience in the office of the Prosecuting Attorney. The compensation of contractual public defenders shall be substantially comparable to the compensation provided to deputy prosecutors in similar positions with similar experience in the office of the Prosecuting Attorney. In counties that have established a county public defender office, the salaries and compensation provided to the chief public defender and deputy chief public defender shall be the same as provided to the elected prosecutor and the chief deputy prosecutor in the county under I.C. 33-39-6-5. Effective 1/1/14.

*Commentary*

Clearly, the current level of compensation for salaried and contractual public defenders is inadequate. For example, in the fourteen counties with a population over 100,000, the average part-time public defender in felony courts is paid \$21,000 and is appointed to an average of 70 new cases per year, which means they are paid \$300 per case. Part-time public defenders in these same counties handling misdemeanor cases receive an average of 400 new cases per year, which amounts to \$52.50 per case. Brief of the Indiana Public Defender Council, In Re: Request for Rule Making Concerning The Marion County Public Defender System, Cause No. 49SOO-9210MS-822. This level of compensation, inevitably, creates grave concerns about the quality of defense services provided to the

accused. However, rather than set minimum levels of compensation, the Commission believes that it is more consistent with notions of home rule and county autonomy to peg compensation to rates approved by the county for the prosecution function.

## **STANDARD H.**

**COMPENSATION OF ASSIGNED COUNSEL.** The comprehensive plan shall provide that counsel appointed on a case-by-case basis for trial or appeal shall submit a claim for services and reimbursement for expenses.

1. **Hourly Rate.** Counsel shall be compensated for time actually expended at the hourly rate of not less than ninety dollars (\$90.00). Effective January 1, 2017.
2. **Incidental Expenses.** Counsel shall be reimbursed for reasonable, incidental expenses, e.g., photocopying, long-distance telephone calls, postage, and travel.
3. **Periodic Payments.** Periodic payment during the course of counsel's representation shall be made monthly upon request of appointed counsel.

### *Commentary*

The hourly rates currently paid to assigned counsel in Indiana range from \$30-\$60 per hour, with the majority of counties using a rate of \$40 per hour for out-of-court time and \$50 per hour for in-court time. For many attorneys, this barely covers the office overhead. This standard sets a minimum rate of \$60 per hour and requires reimbursement for incidental out-of-pocket expenses. This standard also requires that counsel, upon request, be paid a monthly payment rather than waiting until the end of the case.

The case for adequate compensation for appointed counsel in criminal cases is well stated in the commentary to Standard 5.2-4 of ABA Providing Defense Services:

There are a variety of reasons for requiring that reasonable compensation be paid to assigned counsel. First, it is simply unfair to

ask those lawyers who happen to have skill in trial practice and familiarity with criminal law and procedure to donate time to defense representation. It is worth remembering that the judge, prosecutor, and other officials in the criminal courtroom are not expected to do work for compensation that is patently inadequate. Lawyers do, of course, have a public service responsibility, but the dimension of the national need and constitutional importance of counsel is so great that it cannot be discharged by unpaid or inadequately compensated attorneys. Indeed, where payments for counsel are deficient, it is exceedingly difficult to attract able lawyers into criminal practice and to enhance the quality of the defense bar. But most important, the quality of the representation often suffers when adequate compensation for counsel is not available.

More than 25 years ago, the President's Crime Commission recommended that counsel be paid "a fee comparable to that which an average lawyer would receive from a paying client for performing similar services." President's Commission on Law Enforcement and Administration of Criminal Justice, Task Force Report: The Courts 67 (1967). Admittedly, an hourly rate of \$60 per hour does not really measure up to the Crime Commission's recommendation and is quite modest when compared to what is commonly paid to attorneys in our society when a person's liberty is not at stake. In federal civil rights cases, for example, the fees are much higher than those paid to appointed lawyers in criminal cases. See, e.g., Von Clark v. Butler (5th Cir. 1990), 916 F.2d 225 (affirming attorneys' fees of \$100 per hour for preparation time and \$200 per hour for in-court time in civil rights claims of excessive use of force in arrest); Cobb v. Miller (5th Cir. 1987), 818 F.2d 1227 (mandating \$90 per hour in civil rights litigation for damages resulting during plaintiffs arrest and conviction); Knight v. Alabama (AD. Ala. 1993), 824 F.Supp. 1022 (attorneys' fees in civil rights action of \$275 per hour for lead counsel and rates ranging from \$ 100 to \$200 per hour for other attorneys held to be reasonable).

Yet, an hourly rate of \$60 per hour will provide some improvement for defense counsel in Indiana indigent criminal cases. Moreover, if the Commission is able to reimburse counties 40% of their indigent defense expenses, there ought not to be any significant net increase for counties in their costs for defense services.

## STANDARD I.

**SUPPORT SERVICES.** The comprehensive plan shall provide for investigative, expert, and other services necessary to provide quality legal representation consistent with Standard 5-1.4 of the American Bar Association Standards for Criminal Justice, Chapter 5: Providing Defense Services (3rd ed. 1990).

### *Commentary*

Quality legal representation cannot be rendered unless defense lawyers have adequate support services available. Among these are secretarial, investigative, and expert services, which includes assistance at pre-trial release hearings and sentencing. In addition to personal services, this standard contemplates adequate facilities and equipment, such as computers, telephones, facsimile machines, photocopying, and specialized equipment required to perform necessary investigations.

## STANDARD J.

**CASELOADS OF COUNSEL.** The comprehensive plan shall insure that all counsel appointed under the plan are not assigned caseloads which, by reason of their excessive size, interfere with the rendering of quality representation or lead to the breach of professional obligations. In determining whether the caseloads are excessive, the following caseload guidelines are recommended.

1. **Caseloads for Counsel Without Adequate Support Staff.** Salaried, contractual, or assigned counsel that do not have support staff consistent with Table 2 should generally not be assigned more than the number of cases in Table 1 in any one category in a 12-month period. The categories in Table 1 should be considered in the disjunctive. Thus, if counsel is assigned cases from more than one category, the percentage of the maximum caseload for each category should be assessed and the combined total should generally not exceed 100%.

**TABLE 1**

Type of Case	Full Time	Part Time (50%)
<b>TRIAL</b>		
All Felonies (for use in CR 24 compliance only)	120	60
Non-Capital Murder; Level 1, 2, 3, 4, and 5 Felonies	100	50
Level 6 Felonies only	150	75
Misdemeanors only	300	150
JD-Level 5 Felony and above	200	100
JD-Level 6 Felony	250	125
JD-Misd	300	150
JS-Juvenile Status	400	200
JC-Juvenile CHINS	120	60
JT-TPR	120	60
Juvenile Probation Violation	400	200
JM-Juvenile Miscellaneous	400	200
Other (e.g., probation violation, contempt, extradition)	300	150
<b>APPEAL</b>		
Trial Appeal	20	10
Guilty Plea Appeal	40	20

- 2. Caseloads for Counsel With Adequate Support Staff.** Salaried counsel with support staff consistent with Table 2 should generally not be assigned more than the number of cases in Table 3 in any one category in a 12-month period. The categories in Table 3 should be considered in the disjunctive. Thus, if counsel is assigned cases from more than one category, the percentage of the maximum caseload for each category should be assessed and the combined total should generally not exceed 100%.



**TABLE 2**

<u>Trial</u>	
Secretary/Paralegal	1 for every 4 full-time attorneys
Paralegal/Investigator	1 for every 4 full-time attorneys
Other Litigation support (social worker, mitigation investigator, etc.)	1 for every 4 full-time attorneys
Total	.75 support staff for each full-time attorney
<u>Appeal</u>	
Support Staff (secretary, paralegal, law clerk)	1 for every 4 full-time attorneys

**TABLE 3**

Type of Case	Full Time	Part Time (50%)
<b>TRIAL</b>		
All Felonies (for use in CR 24 compliance only)	150	75
Non-Capital Murder; Level 1, 2, 3, 4, 5 Felonies	120	60
Level 6 Felonies only	200	100
Misdemeanors only	400	200
JD-Level 5 Felony and above	250	125
JD-Level 6 Felony	300	150
JD-Misd	400	200
JS-Juvenile Status	500	250
JC-Juvenile CHINS	150	75
JT-TPR	150	75
Juvenile Probation Violation	500	250
JM- Juvenile Miscellaneous	400	200
Other ( e.g., probation violation, contempt, extradition)	400	200
<b>APPEAL</b>		
Trial Appeal	25	12
Guilty Plea Appeal	50	24

3. **Caseloads for Counsel Assigned to Level 6 Felony-Only Courts, Without Adequate Support Staff.** Salaried, contractual, or assigned counsel that do not have support staff consistent with Table 2 should generally not be assigned more than the number of cases in Table 4 in a 12-month period.

**TABLE 4**

Type of Case	Full Time	Part Time (50%)
Level 6 Felonies only Inadequately staffed	225	110

4. **Caseloads for Counsel Assigned to Level 6 Felony-Only Courts, With Adequate Support Staff.** Salaried, contractual, or assigned counsel that have support staff consistent with Table 2 should generally not be assigned more than the number of cases in Table 5 in a 12-month period.

**TABLE 5**

Type of Case	Full Time	Part Time (50%)
Level 6 Felonies only Adequately staffed	270	135

*Commentary*

One of the most significant impediments to furnishing quality defense representation is the excessive caseloads imposed on salaried and contractual public defenders. Not even the most able and industrious lawyers can provide quality representation when their workloads are unmanageable. Excessive caseloads, moreover, lead to attorney frustration, disillusionment by clients, and undermine the integrity of the adversary system of criminal justice.

In an attempt to cope with the problem of excessive caseloads, eight states have established maximum caseload standards by statute or court rule. See Appendix A. All but one of these states have adopted caseload standards similar to the national caseload standards first formulated in 1973 by the National Advisory Commission on Criminal Justice Standards and Goals (NAC). In Standard 13.12, the NAC recommended the following maximum number of cases per year for a full-time public defender working in an office with support staff:

Felony Cases	not more than 150
Misdemeanor Cases	not more than 400
Juvenile Delinquency Petitions	not more than 200
Mental Health/Civil Commitment Proceedings	not more than 200
Appeals	not more than 25

The NAC caseload standards were subsequently endorsed by the National Legal Aid and Defender Association, and are used extensively throughout the country by evaluators, public defender managers, and funding sources. However, these standards have been criticized for being too high. In the 1988 report of the ABA's Special Committee on Criminal Justice in a Free Society, Criminal Justice in Crisis, the committee emphasized the assumptions underlying these recommended caseload standards:

Emphasis should be placed on the fact that these guidelines set the maximum conceivable caseload that an attorney could reasonably manage. These numbers are unrealistic in the absence of ideal support conditions or if the attorney is carrying any number of serious or complex cases or death penalty cases. *Id.*, at p. 43, fn. 87.

As a result of these concerns and the reality that few, if any, public defender offices in Indiana currently have adequate support staff, the Commission adopted two caseload standards, one applicable to county public defender offices with adequate support staff and another standard for counties without adequate support staff. Table 3 is consistent with the NAC Standards and is applicable to counties with adequate support staff. However, the caseload standards which will be applicable to nearly all counties in Indiana are contained in Table 1, which reflects a reduction by 20-25 percent of the maximum number of cases that may be assigned in a year to one attorney.

Effective July 1, 2012, Table 2 (Support Staff to Attorney Ratio) was amended to reflect the change in support staff job descriptions that has occurred in law offices since this standard was adopted in 1995. Among the changes in the workplace are the significant increase in the use of computer technology that has made lawyers less dependent on secretarial assistance and the increased use of paralegals for witness interviews and document preparation. The result is that some public defender offices have created a position called "legal assistant" which can include secretarial, paralegal, and investigation duties. The revised Table 2 is designed to create more flexibility in job descriptions without changing the ratio of support staff to attorney. Table 2 retains three types of positions as a recommended guideline for staffing a public defender office. The determination of whether a public defender office has adequate support staff to utilize Table 3 for assessing maximum caseloads will be primarily determined by whether the office has .75 support staff for each full-time equivalent (FTE) attorney.

This standard uses the language "should generally not be assigned" in order to avoid a situation where a county would forfeit eligibility for state reimbursement merely because one of its public defenders was assigned a case or two in excess of the maximum number of caseloads in this standard. However, this language should not be interpreted to mean that the Commission will overlook substantial deviations from the caseload standards.

## **STANDARD K.**

**EXCESSIVE CASELOADS.** The comprehensive plan shall contain policies and procedures regarding excessive caseloads and shall, at a minimum, contain the following provisions:

- 1. Individual Public Defenders.** Whenever a salaried or contractual public defender determines, in the exercise of his or her best professional judgment, that the acceptance of additional cases or continued representation in previously accepted cases will lead to the furnishing of representation lacking in quality or to the breach of professional obligations, the attorney is required to inform the county public defender, if any, or other authorities designated by the plan to secure professional independence for indigent defense services in the county.

2. **Chief Public Defenders.** Whenever the chief public defender determines, in the exercise of his or her best professional judgment, that the acceptance of additional cases or continued representation in previously accepted cases will lead to the furnishing of representation lacking in quality or to the breach of professional obligations, the chief public defender is required to inform the appropriate judges and refuse to accept the appointment of additional cases.

*Commentary*

This standard is derived from ABA Providing Defense Services, Standard 5-5.3, which provides:

- (a) Neither defender organizations, assigned counsel nor contractors for services should accept workloads that, by reason of their excessive size, interfere with the rendering of quality representation or lead to the breach of professional obligations. Special consideration should be given to the workload created by representation in capital cases.
- (b) Whenever defender organizations, individual defenders, assigned counsel or contractors for services determine, in the exercise of their best professional judgment, that the acceptance of additional cases or continued representation in previously accepted cases will lead to the furnishing of representation lacking in quality or to the breach of professional obligations, the defender organization, individual defender, assigned counsel or contractor for services must take such steps as may be appropriate to reduce further appointments. Courts should not require individuals or programs to accept caseloads that will lead to the furnishing of representation lacking in quality or to the breach of professional obligations.

Standard K.1. is consistent with Rule 1.16 of the Indiana Rules of Professional Conduct which provides, in relevant part, as follows:

- (a) except as stated in paragraph (c) a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if:
  - (1) the representation will result in violation of the Rules

of Professional Conduct or other law;

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(c) when ordered to do so by a tribunal, a lawyer shall continue representation notwithstanding good cause for terminating the representation.

The commentary to this rule states that "a lawyer should not accept representation in a matter unless it can be performed competently, promptly, without improper conflict of interest, and to completion." In addition, ABA Providing Defense Services, Standard 4-1.3(e), states that defense counsel "should not carry a workload that, by reason of its excessive size, interferes with the rendering of quality representation ....."

Standard K.2. reflects the Commission's belief that, rather than rely on collateral attacks in post-conviction proceedings in which ineffective assistance is litigated, the better approach is to prevent excessive caseloads by authorizing the chief public defender to refuse excessive assignments. This standard also reflects the belief that the determination of whether caseloads are excessive must be entrusted to the chief public defender, rather than to the courts or to county officials. Once it is determined that quality representation is impossible due to an inordinate workload, several options are available. If an assigned counsel panel is used for conflict cases, additional cases can be assigned to assigned counsel attorneys until the caseload is reduced to an acceptable level. A county may also contract with one or more attorneys to handle the public defender's excessive cases. Another option would be to rely upon the inherent authority of the court to appoint counsel on a case-by-case basis. This standard does not contain a preference for any one method of dealing with excessive cases. It merely requires that the county anticipate and plan for such a contingency if the county elects to have a public defender office and include it in the comprehensive plan.

## STANDARD L.

**CONTRACTS.** The comprehensive plan shall contain provisions for contracts for defense services under I.C. 33-40-7-8, in the event that such contracts are used. The plan shall provide that contracts not be awarded primarily on the basis of costs and shall otherwise ensure quality legal representation. Procedures for the award of contracts should be published by the contracting authority substantially in advance of the scheduled date of award. The contracting parties should avoid provisions that create conflicts of interest between the contractor and clients. Contracts for services should include, but

**not be limited to, the following subjects:**

- 1. the categories of cases in which the contractor is to provide services;**
- 2. the term of the contract and the responsibility of the contractor for completion of cases undertaken within the contract term;**
- 3. the basis and method for determining eligibility of persons served by the contract;**
- 4. identification of attorneys who will perform legal representation under the contract and prohibition of substitution of counsel without prior approval;**
- 5. a policy for conflict of interest cases and the provision of funds outside of the contract to compensate conflict counsel for fees and expenses;**
- 6. supervision, evaluation, training and professional development;**
- 7. provision of or access to an appropriate library;**
- 8. a system of case management and reporting; and**
- 9. the grounds for termination of the contract by the parties.**

#### *Commentary*

Under I.C. 33-40-7-8, courts in counties with a population under 400,000 are authorized to contract with an attorney or group of attorneys to provide indigent defense representation. The majority of counties in Indiana have at least one court that uses a contract under this statute for providing indigent defense services. The National Criminal Defense Systems Study (National Institute of Justice 1986), estimated that 10% of the counties nationwide employed a contract program as the primary means of providing representation. The Bar Information Program of the ABA estimated that in 1992 that figure may be over 20%.

Nearly all contracts under I.C. 33-40-7-8 are fixed price contracts rather than

fixed fee-per-case contracts. The determining characteristic of a fixed price contract is that the contracting lawyer or law firm agrees to accept an undetermined number of cases within an agreed upon contract period for a single, flat fee. The contracting attorney(s) are usually responsible for the cost of support services, investigation, and expert witnesses for all of the cases. Even if the actual caseload in the jurisdiction is higher than projected when the contract was signed, the contractor is responsible for providing representation in all cases without additional compensation.

This type of contract has been criticized because of its failure to assure that quality legal representation will be provided. In State v. Smith (1984), 681 P.2d 1374, 1381, the Arizona Supreme Court concluded that its state's contract defense system was unconstitutional:

- (1) The system does not take into account the time that the attorney is expected to spend in representing his share of indigent defendants;
- (2) The system does not provide for support costs for the attorney, such as investigators, paralegals and law clerks;
- (3) The system fails to take into account the competency of the attorney. An attorney, especially one newly-admitted to the bar, for example, could bid low in order to obtain a contract, but would not be able to adequately represent all of the clients assigned ... ; and
- (4) The system does not take into account the complexity of each case.

In addition, fixed price contracts have been criticized by both the National Legal Aid and Defender Association and the American Bar Association because they frequently result in, competitive bidding with the award going to the lowest bidder without regard to the quality of representation to be provided. In 1985, the American Bar Association's House of Delegates approved a resolution condemning the awarding of contracts for indigent defense services based solely on cost.

In some states, fixed fee-per-case contracts are used which specify a predetermined number of cases for a fixed fee per case. Frequently, funds for support services such as investigations, secretarial help, and expert witnesses are included in the contract. The contracting attorney typically submits a monthly bill indicating the number of cases handled during the period. Once the predetermined



number of cases is reached, the contract can be re-negotiated or the attorneys can refuse additional appointments.

This standard is designed to prevent excessive caseloads resulting from the use of fixed price contracts and to avoid competitive bidding and the awarding of contracts based solely on cost. The standard reflects the Commission's belief that contracts under I.C. 33-40-7-8 should be consistent with the recommended elements of a contract for services contained in ABA Providing Defense Services, Standard 5-3.3(b), which provides:

Contracts for services should include, but not be limited to, the following subjects:

- i. the categories of cases in which the contractor is to provide services;
- ii. the term of the contract and the responsibility of the contractor for completion of cases undertaken within the contract term;
- iii. the basis and method for determining eligibility of persons served by the contract, consistent with standard 5-7. 1;
- iv. identification of attorneys who will perform legal representation under the contract and prohibition of substitution of counsel without prior approval;
- v. allowable workloads for individual attorneys, and measures to address excessive workloads, consistent with standard 5-5.3;
- vi. minimum levels of experience and specific qualification standards for contracting attorneys, including, special provisions for complex matters such as capital cases;
- vii. a policy for conflict of interest cases and the provision of funds outside of the contract to compensate conflict counsel for fees and expenses;
- viii. limitations on the practice of law outside of the contract by the contractor;
- ix. reasonable compensation levels and a designated method of payment;
- x. sufficient support services and reasonable expenses for investigative

- services, expert witnesses and other litigation expenses;
- xi. supervision, evaluation, training and professional development;
  - xii. provision of or access to an appropriate library;
  - xiii. protection of client confidences, attorney-client information and work product related to contract cases;
  - xiv. a system of case management and reporting;
  - xv. the grounds for termination of the contract by the parties.

## **STANDARD M.**

**TRAINING AND PROFESSIONAL DEVELOPMENT. The comprehensive plan shall provide for effective training, professional development and continuing education of all counsel and staff involved in providing defense services at county expense.**

### *Commentary*

Criminal law is a complex and difficult legal area, and the defense of criminal cases requires special knowledge and training. The consequences of mistakes in defense representation can be substantial, including wrongful conviction and the loss of liberty.

Currently, continuing legal education training is provided for judges and prosecutors either at county expense or at no charge to the individuals through the Indiana Judicial Center and the Indiana Prosecuting Attorneys Council. Although specialized training is provided for defense attorneys through the Indiana Public Defender Council, these programs cost an average of \$75 per day. The Commission believes that training provided to indigent defense counsel should be at least equal to that provided to judges and prosecutors.

## STANDARD N.

**COURT AUTHORIZED EXPENDITURES FOR PERSONS REPRESENTED BY RETAINED COUNSEL.** The comprehensive plan shall authorize expenditures for investigative, expert, or other services for a person who has retained private counsel for trial or appeal when the person is unable to pay for the services and such services are necessary to prepare and present an adequate defense. Such services are eligible for reimbursement from the public defense fund if authorized by the court.

### *Commentary*

This standard deals with the occasional situation where an accused can provide counsel but does not have funds for support services, such as an investigator or expert witness. In most courts, the only way to obtain such necessary services is for counsel to withdraw and petition for the appointment of a public defender. This practice is not necessarily in the best interest of the client or the taxpayer. Thus, this standard specifies that these services should be included in the comprehensive plan and be subject to reimbursement.

The Federal system provides for this situation in the following section:

### **18 U.S.C. § 3006A. Adequate representation of defendants**

(a) Choice of plan.--Each United States district court, with the approval of the judicial council of the circuit, shall place in operation throughout the district a plan for furnishing representation for any person financially unable to obtain adequate representation in accordance with this section. Representation under each plan shall include counsel and investigative, expert, and other services necessary for adequate representation.

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(e) Services other than counsel.--

(1) Upon request.--Counsel for a person who is financially unable to obtain investigative, expert, or other

services necessary for adequate representation may request them in an ex parte application. Upon finding, after appropriate inquiry in an ex parte proceeding, that the services are necessary and that the person is financially unable to obtain them, the court, or the United States magistrate if the services are required in connection with a matter over which he has jurisdiction, shall authorize counsel to obtain the services.

Indiana law provides that a criminal defendant is not constitutionally entitled, at public expense, to any type or number of expert witness he desires to support his case. Kennedy v. State, 578 N.E.2d 633, 640 (Ind. 1991), cert. denied 503 U.S. 921, 112 S. Ct. 1299, 117 L.Ed.2d 521 (1992). A defendant who requests funds for an expert witness has the burden of demonstrating the need for that expert. *Id.* However, a trial court must provide a defendant access to experts where it is clear that prejudice will otherwise result. *Id.* See also, Harrison v. State, 644 N.E.2d 1243, 1253 (Ind. 1995), cert. denied \_\_\_ U.S. \_\_\_, 117 S.Ct. 307, 136 L.Ed.2d 224 (1996).

A request by retained private counsel for funds for investigation, expert, or other services should be made by motion to the court to declare the defendant indigent. The motion should be made ex parte and include the following information where appropriate:

- the client's affidavit of indigence
- disclosure of the attorney-client fee agreement including the hourly rate and the amount of the fee received by counsel at the time of the motion
- a particularized showing of need for the requested services.



Washington State Bar Association

## **Standards for Indigent Defense Services**

[Approved by the Board of Governors June 3, 2011]

## **STANDARD ONE: Compensation**

### **Standard:**

Public defense attorneys and staff should be compensated at a rate commensurate with their training and experience. To attract and retain qualified personnel, compensation and benefit levels should be comparable to those of attorneys and staff in prosecutorial offices in the area.

For assigned counsel, reasonable compensation should be provided. Compensation should reflect the time and labor required to be spent by the attorney and the degree of professional experience demanded by the case. Assigned counsel should be compensated for out-of-pocket expenses.

Contracts should provide for extraordinary compensation over and above the normal contract terms for cases which require an extraordinary amount of time and preparation, including, but not limited to, death penalty cases. Services which require extraordinary fees shall be defined in the contract.

Attorneys who have a conflict of interest shall not have to compensate the new, substituted attorney out of their own funds.

Flat fees, caps on compensation, and lump-sum contracts for trial attorneys are improper in death penalty cases. Private practice attorneys appointed in death penalty cases should be fully compensated for actual time and service performed at a reasonable hourly rate with no distinction between rates for services performed in court and out of court. Periodic billing and payment should be available. The hourly rate established for lead counsel in a particular case should be based on the circumstances of the case and the attorney being appointed, including the following factors: the anticipated time and labor required in the case, the complexity of the case, the skill and experience required to provide adequate legal representation, the attorney's overhead expenses, and the exclusion of other work by the attorney during the case. Under no circumstances should the hourly rate for lead counsel, whether private or public defender, appointed in a death penalty case be less than \$125 per hour (in 2006 dollars).

### **Related Standards:**

American Bar Association, *Standards for Criminal Justice*, 5-2.4 and 5-3.1.

American Bar Association, *Guidelines for the Appointment and Performance in Death Penalty Cases*, 1988, Standard 10-1.

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standards 13.7 and 13.11.

National Legal Aid and Defender Association, *Standards for Defender Services*, Standard IV-4.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Legal Defense Contracts*, 1984, Standard III-10 and III-11.

Seattle-King County Bar Association Indigent Defense Services Task Force, *Guidelines for Accreditation of Defender Agencies*, 1982, Guideline No. 6.

## STANDARD TWO: Duties and Responsibilities of Counsel

### Standard:

The legal representation plan shall require that defense services be provided to all clients in a professional, skilled manner consistent with minimum standards set forth by the American Bar Association, applicable state bar association standards, the Rules of Professional Conduct, case law and applicable court rules defining the duties of counsel and the rights of defendants in criminal cases. Counsel's primary and most fundamental responsibility is to promote and protect the interests of the client.

### Related Standards:

American Bar Association, *Standards for Criminal Justice*, 4-1.1, 5-5.1 and 5-1.1.

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standards 13.1.

National Legal Aid and Defender Association, *Standards for Defender Services*, Standard II-2.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Defense Contracts*, 1984, Guideline III-18.

American Bar Association *Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases*. [\[Link\]](#)

## STANDARD THREE: Caseload Limits and Types of Cases

### Standard:

1. The contract or other employment agreement or government budget shall specify the types of cases for which representation shall be provided and the maximum number of cases which each attorney shall be expected to handle.
2. The caseload of public defense attorneys shall allow each lawyer to give each client the time and effort necessary to ensure effective representation. Neither defender organizations, county offices, contract attorneys nor assigned counsel should accept workloads that, by reason of their excessive size, interfere with the rendering of quality representation. As used in this Standard, "quality representation" is intended to describe the minimum level of attention, care and skill that Washington citizens would expect of their state's criminal justice system.
3. **General Considerations:** Caseload limits reflect the maximum caseloads for fully supported full-time defense attorneys for cases of average complexity and effort in each case type specified. Caseload limits assume a reasonably even distribution of cases throughout the year.

The increased complexity of practice in many areas will require lower caseload ceilings. The maximum caseload limit should be adjusted downward when the mix of case assignments is weighted toward more serious offenses or case types that

demand more investigation, legal research and writing, use of experts and/or social workers or other expenditure of time and resources. In particular, felony caseloads should be assessed by the workload required, and certain cases and types of cases should be weighted accordingly.

If a defender or assigned counsel is carrying a mixed caseload including cases from more than one category of cases, these standards should be applied proportionately to determine a full caseload. In jurisdictions where assigned counsel or contract attorneys also maintain private law practices, the caseload should be based on the percentage of time the lawyer devotes to public defense.

**Definition of case:** A case is defined as the filing of a document with the court naming a person as defendant or respondent, to which an attorney is appointed in order to provide representation.

4. **Caseload Limits:** The caseload of a full-time public defense attorney or assigned counsel shall not exceed the following:

150 Felonies per attorney per year; or

300 Misdemeanor cases per attorney per year; or in certain circumstances described below the caseload may be adjusted to no more than 400 cases, depending upon:

- The caseload distribution between simple misdemeanors and complex misdemeanors; or
- Jurisdictional policies such as post-filing diversion and opportunity to negotiate resolution of large number of cases as non-criminal violations;
- Other court administrative procedures that permit a defense lawyer to handle more cases; or

250 Juvenile Offender cases per attorney per year; or

80 open Juvenile Dependency cases per attorney; or

250 Civil Commitment cases per attorney per year; or

1 Active Death Penalty trial court cases at a time plus a limited number of non death penalty cases compatible with the time demand of the death penalty case and consistent with the professional requirements of Standard 3.2 *supra*; or

36 Appeals to an appellate court hearing a case on the record and briefs per attorney per year. (*The 36 standard assumes experienced appellate attorneys handling cases with transcripts of an average length of 350 pages. If attorneys do not have significant appellate experience and/or the average transcript length is greater than 350 pages, the caseload should be accordingly reduced.*)



## Related Standards

American Bar Association, *Standards for Criminal Justice*, 4-1.2, 5-4.3.

American Bar Association *Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases*. [\[Link\]](#)

American Bar Association, *Ethical Obligations of Lawyers Who Represent Indigent Criminal Defendants When Excessive Caseloads Interfere With Competent and Diligent Representation*, May 13, 2006, Formal Opinion 06-441. [\[Link\]](#)

The American Council of Chief Defenders *Statement on Caseloads and Workloads*, (2007). [\[Link\]](#)

American Bar Association *Eight Guidelines of Public Defense Related to Excessive Caseloads*. [\[Link\]](#)

National Advisory Commission on Criminal Standards and Goals, *Task Force on Courts*, 1973, Standard 13.12.

American Bar Association *Disciplinary Rule 6-101*.

American Bar Association *Ten Principles of a Public Defense Delivery System*. [\[Link\]](#)

*ABA Standards of Practice for Lawyers who Represent Children in Abuse & Neglect Cases*, (1996)  
American Bar Association, Chicago, IL.

The American Council of Chief Defenders Ethical Opinion 03-01 (2003).

National Legal Aid and Defender Association, *Standards for Defender Services*, Standards IV-I.

National Legal Aid and Defender Association, *Model Contract for Public Defense Services* (2002). [\[Link\]](#)

NACC Recommendations for Representation of Children in Abuse and Neglect Cases (2001). [\[Link\]](#)

City of Seattle Ordinance Number: 121501 (2004). [\[Link\]](#)

Seattle-King County Bar Association Indigent Defense Services Task Force, Guideline Number 1.

Washington State Office of Public Defense, *Parents Representation Program Standards Of Representation* (2009). [\[Link\]](#)

## STANDARD FOUR: Responsibility for Expert Witnesses

### Standard:

Reasonable compensation for expert witnesses necessary to preparation and presentation of the defense case shall be provided. Expert witness fees should be maintained and allocated from funds separate from those provided for defender services. Requests for expert witness fees should be made through an ex parte motion. The defense should be free to retain the expert of its choosing and in no cases should be forced to select experts from a list pre-approved by either the court or the prosecution.

### Related Standards:

American Bar Association, *Standards for Criminal Justice*, 5-1.4.

National Legal Aid and Defender Association, *Standards for Defender Services*, Standard IV 2d, 3.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Defense Contracts*, 1983, Standard III-8d.

National Advisory Commission, Task Force on Courts, 1973, Standard 13.14.

## **STANDARD FIVE: Administrative Costs**

### **Standard:**

1. Contracts for public defense services shall provide for or include administrative costs associated with providing legal representation. These costs should include but are not limited to travel, telephones, law library, including electronic legal research, financial accounting, case management systems, computers and software, office space and supplies, training, meeting the reporting requirements imposed by these standards, and other costs necessarily incurred in the day-to-day management of the contract.
2. Public defense attorneys shall have an office that accommodates confidential meetings with clients and receipt of mail, and adequate telephone services to ensure prompt response to client contact.

### **Related Standards:**

American Bar Association, *Standards for Criminal Justice, Providing Defense Services*.

National Study Commission on Defense Services, *Guidelines for Legal Defense Systems in the United States*, (1976), Guideline 3.4.

National Legal Aid and Defender Association, *Standards for Defender Services*, 1976 I-3, IV 2a-e, IV 5.

## **STANDARD SIX: Investigators**

### **Standard:**

1. Public defense attorneys shall use investigation services as appropriate.
2. Public defender offices, assigned counsel, and private law firms holding public defense contracts should employ investigators with investigation training and experience. A minimum of one investigator should be employed for every four attorneys.

### **Related Standards:**

American Bar Association, *Standards for Criminal Justice*, 4-4.1 and 5-1.14.

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standard 13.14.

National Legal Aid and Defender Association, *Standards for Defender Services*, Standard IV-3.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Defense Contracts*, 1984, Standard III-9.

Seattle-King County Bar Association Indigent Defense Services Task Force, *Guidelines for Accreditation of Defender Agencies*, 1982, Guideline Number 8.

## **STANDARD SEVEN: Support Services**

### **Standard:**

Public defense attorneys shall have adequate numbers of investigators, secretaries, word processing staff, paralegals, social work staff, mental health professionals and other support services, including computer system staff and network administrators. These professionals are essential to ensure the effective performance of defense counsel during trial preparation, in the preparation of dispositional plans, and at sentencing.

1. Legal Assistants - At least one full-time legal assistant should be employed for every four attorneys. Fewer legal assistants may be necessary, however, if the agency or attorney has access to word processing staff, or other additional staff performing clerical work. Defenders should have a combination of technology and personnel that will meet their needs.
2. Social Work Staff - Social work staff should be available to assist in developing release, treatment, and dispositional alternatives.
3. Mental Health Professionals - Each agency or attorney should have access to mental health professionals to perform mental health evaluations.
4. Investigation staff should be available as provided in Standard Six at a ratio of one investigator for every four attorneys.
5. Each agency or attorney providing public defense services should have access to adequate and competent interpreters to facilitate communication with non-English speaking and hearing-impaired clients for attorneys, investigators, social workers, and administrative staff.

### **Related Standards:**

American Bar Association, *Standards for Criminal Justice*, 4-8.1 and 5-1.4.

National Advisory Committee on Criminal Justice Standards and Goals, *Task Force on Courts*, Standard 13.14.

National Legal Aid and Defender Association, *Standards for Defender Services*, Standard IV-3.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Defense Contracts*, 1984, Standard III-8.

Seattle-King County Bar Association Indigent Defense Services Task Force, *Guidelines for Accreditation of Defender Agencies*, 1982, Guideline Number 7.

## **STANDARD EIGHT: Reports of Attorney Activity**

### **Standard:**

The legal representation plan shall require that the defense attorney or office maintain a case-reporting and management information system which includes number and type of cases, attorney hours and disposition. This information shall be provided regularly to the

Contracting Authority and shall also be made available to the Office of the Administrator of the Courts. Any such system shall be maintained independently from client files so as to disclose no privileged information.

A standardized voucher form shall be used by assigned counsel attorneys seeking payment upon completion of a case. For attorneys under contract, payment should be made monthly, or at times agreed to by the parties, without regard to the number of cases closed in the period.

**Related Standards:**

American Bar Association, *Standards for Criminal Justice*, 5-3.3 (b) xii, The Report to the Criminal Justice Section Council from the Criminal Justice Standards Committee, 1989.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Defense Contracts*, 1984 Standard III-22.

National Study Commission on Defense Services, *Guidelines for Legal Defense Systems in the United States*, 1976, Guideline 3.4, 4.1, and 5.2.

**STANDARD NINE: Training**

**Standard:**

The legal representation plan shall require that attorneys providing public defense services participate in regular training programs on criminal defense law, including a minimum of seven hours of continuing legal education annually in areas relating to their public defense practice.

In offices of more than seven attorneys, an orientation and training program for new attorneys and legal interns should be held to inform them of office procedure and policy. All attorneys should be required to attend regular in-house training programs on developments in criminal law, criminal procedure and the forensic sciences.

Attorneys in civil commitment and dependency practices should attend training programs in these areas. Offices should also develop manuals to inform new attorneys of the rules and procedures of the courts within their jurisdiction.

Every attorney providing counsel to indigent accused should have the opportunity to attend courses that foster trial advocacy skills and to review professional publications and other media.

**Related Standards:**

American Bar Association, *Standards for Criminal Justice*, 5-1.4.

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standard 13.16.

National Legal Aid and Defender Association, *Standards for Defender Services*, Standard V.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Legal Defense Contracts*, 1984, Standard III-17.

Seattle-King County Bar Association Indigent Defense Services Task Force, *Guidelines for Accreditation of Defender Agencies*, 1982, Guideline Number 3.

National Legal Aid and Defender Association, *Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases*, 1988, Standard 9.1.

## **STANDARD TEN: Supervision**

### **Standard:**

Each agency or firm providing public defense services should provide one full-time supervisor for every ten staff lawyers or one half-time supervisor for every five lawyers. Supervisors should be chosen from among those lawyers in the office qualified under these guidelines to try Class A felonies. Supervisors should serve on a rotating basis, and except when supervising fewer than ten lawyers, should not carry caseloads.

### **Related Standards:**

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standard 13.9.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Legal Defense Contract*, 1984, Standard III-16.

Seattle-King County Bar Association Indigent Defense Services Task Force, *Guidelines for Accreditation of Defender Agencies*, 1982, Guideline Number 4.

## **STANDARD ELEVEN: Monitoring and Evaluation of Attorneys**

### **Standard:**

The legal representation plan for provision of public defense services should establish a procedure for systematic monitoring and evaluation of attorney performance based upon publicized criteria. Supervision and evaluation efforts should include review of time and caseload records, review and inspection of transcripts, in-court observations, and periodic conferences.

Performance evaluations made by a supervising attorney should be supplemented by comments from judges, prosecutors, other defense lawyers and clients. Attorneys should be evaluated on their skill and effectiveness as criminal lawyers or as dependency or civil commitment advocates.

### **Related Standards:**

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Defense Contracts*, 1984, Standard III-16.

National Study Commission on Defense Services, *Guidelines for Legal Defense Systems in the United States*, 1976, Recommendations 5.4 and 5.5.

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standard 13.9.

## **STANDARD TWELVE: Substitution of Counsel**

### **Standard:**

The attorney engaged by local government to provide public defense services should not sub-contract with another firm or attorney to provide representation and should remain directly involved in the provision of representation. If the contract is with a firm or office, the contracting authority should request the names and experience levels of those attorneys who will actually be providing the services, to ensure they meet minimum qualifications. The employment agreement shall address the procedures for continuing representation of clients upon the conclusion of the agreement. Alternate or conflict counsel should be available for substitution in conflict situations at no cost to the counsel declaring the conflict.

### **Related Standards:**

American Bar Association, *Standards for Criminal Justice*, Standard 5-5.2.

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standard 13.1.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Defense Contracts*, 1984, Guideline III-23.

## **STANDARD THIRTEEN: Limitations on Private Practice**

### **Standard:**

Private attorneys who provide public defense representation shall set limits on the amount of privately retained work which can be accepted. These limits shall be based on the percentage of a full-time caseload which the public defense cases represent.

### **Related Standards:**

American Bar Association, *Standards for Criminal Justice*, 4-1.2(d), 5-3.2.

American Bar Association, *Ethical Obligations of Lawyers Who Represent Indigent Criminal Defendants When Excessive Caseloads Interfere With Competent and Diligent Representation*, May 13, 2006, Formal Opinion 06-441. [\[Link\]](#)

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standard 13.7.

National Legal Aid and Defender Association, *Standards for Defender Services*, Standard III-3 and IV-1.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Legal Defense Contracts*, 1984, Guideline III-6.

## **STANDARD FOURTEEN: Qualifications of Attorneys**

### **Standard:**

#### **1. In order to assure that indigent accused receive the effective assistance of counsel to which they are constitutionally entitled, attorneys providing defense services shall meet the following minimum professional qualifications:**

- A. Satisfy the minimum requirements for practicing law in Washington as determined by the Washington Supreme Court; and
- B. Be familiar with the statutes, court rules, constitutional provisions, and case law relevant to their practice area; and
- C. Be familiar with the Washington Rules of Professional Conduct; and
- D. Be familiar with the Performance Guidelines for Criminal Defense Representation approved by the Washington State Bar Association; and
- E. Be familiar with the consequences of a conviction or adjudication, including possible immigration consequences and the possibility of civil commitment proceedings based on a criminal conviction; and
- F. Be familiar with mental health issues and be able to identify the need to obtain expert services; and
- G. Complete seven hours of continuing legal education within each calendar year in courses relating to their public defense practice.

#### **2. Trial attorneys' qualifications according to severity or type of case<sup>1</sup>:**

- A. Death Penalty Representation. Each attorney acting as lead counsel in a death penalty case or an aggravated homicide case in which the decision to seek the death penalty has not yet been made shall meet the following requirements:
  - i. The minimum requirements set forth in Section 1; and
  - ii. At least five years criminal trial experience; and
  - iii. Have prior experience as lead counsel in no fewer than nine jury trials of serious and complex cases which were tried to completion; and
  - iv. Have served as lead or co-counsel in at least one jury trial in which the death penalty was sought; and
  - v. Have experience in preparation of mitigation packages in aggravated homicide or persistent offender cases; and

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<sup>1</sup> Attorneys working toward qualification for a particular category of cases under this standard may associate with lead counsel who is qualified under this standard for that category of cases.

- vi. Have completed at least one death penalty defense seminar within the previous two years; and
- vii. Meet the requirements of SPRC 2.<sup>2</sup>

The defense team in a death penalty case should include, at a minimum, the two attorneys appointed pursuant to SPRC 2, a mitigation specialist and an investigator. Psychiatrists, psychologists and other experts and support personnel should be added as needed.

B. Adult Felony Cases - Class A. Each attorney representing a defendant accused of a Class A felony as defined in RCW 9A.20.020 shall meet the following requirements:

- i. The minimum requirements set forth in Section 1; and
- ii. Either:
  - a. has served two years as a prosecutor; or
  - b. has served two years as a public defender; or two years in a private criminal practice, and
- iii. Has been trial counsel alone or with other trial counsel and handled a significant portion of the trial in three felony cases that have been submitted to a jury.

C. Adult Felony Cases - Class B Violent Offense. Each attorney representing a defendant accused of a Class B violent offense as defined in RCW 9A.20.020 shall meet the following requirements:

- i. The minimum requirements set forth in Section 1; and
- ii. Either:
  - a. has served one year as prosecutor; or
  - b. has served one year as public defender; or one year in a private criminal practice; and

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<sup>2</sup>SPRC 2 APPOINTMENT OF COUNSEL

*At least two lawyers shall be appointed for the trial and also for the direct appeal. The trial court shall retain responsibility for appointing counsel for trial. The Supreme Court shall appoint counsel for the direct appeal. Notwithstanding RAP 15.2(f) and (h), the Supreme Court will determine all motions to withdraw as counsel on appeal.*

*A list of attorneys who meet the requirements of proficiency and experience, and who have demonstrated that they are learned in the law of capital punishment by virtue of training or experience, and thus are qualified for appointment in death penalty trials and for appeals will be recruited and maintained by a panel created by the Supreme Court. All counsel for trial and appeal must have demonstrated the proficiency and commitment to quality representation which is appropriate to a capital case. Both counsel at trial must have five years' experience in the practice of criminal law be familiar with and experienced in the utilization of expert witnesses and evidence, and not be presently serving as appointed counsel in another active trial level death penalty case. One counsel must be, and both may be, qualified for appointment in capital trials on the list, unless circumstances exist such that it is in the defendant's interest to appoint otherwise qualified counsel learned in the law of capital punishment by virtue of training or experience. The trial court shall make findings of fact if good cause is found for not appointing list counsel.*

*At least one counsel on appeal must have three years' experience in the field of criminal appellate law and be learned in the law of capital punishment by virtue of training or experience. In appointing counsel on appeal, the Supreme Court will consider the list, but will have the final discretion in the appointment of counsel. [\[Link\]](#)*



- iii. Has been trial counsel alone or with other counsel and handled a significant portion of the trial in two Class C felony cases that have been submitted to a jury.
- D. Adult Sex Offense Cases. Each attorney representing a client in an adult sex offense case shall meet the following requirements:
  - i. The minimum requirements set forth in Section 1 and Section 2(C); and
  - ii. Been counsel alone of record in an adult or juvenile sex offense case or shall be supervised by or consult with an attorney who has experience representing juveniles or adults in sex offense cases.
- E. Adult Felony Cases - All other Class B Felonies, Class C Felonies, Probation or Parole Revocation. Each attorney representing a defendant accused of a Class B felony not defined in Section 2(C) or (D) above or a Class C felony, as defined in RCW 9A.20.020, or involved in a probation or parole revocation hearing shall meet the following requirements:
  - i. The minimum requirements set forth in Section 1, and
  - ii. Either:
    - a. has served one year as a prosecutor; or
    - b. has served one year as a public defender; or one year in a private criminal practice; and
  - iii. Has been trial counsel alone or with other trial counsel and handled a significant portion of the trial in two criminal cases that have been submitted to a jury; and
  - iv. Each attorney shall be accompanied at his or her first felony trial by a supervisor if available.
- F. Persistent Offender (Life Without Possibility of Release) Representation. Each attorney acting as lead counsel in a “two-strikes” or “three strikes” case in which a conviction will result in a mandatory sentence of life in prison without parole shall meet the following requirements:
  - i. The minimum requirements set forth in Section 1;<sup>3</sup> and
  - ii. Have at least:
    - a. four years criminal trial experience; and
    - b. one year experience as a felony defense attorney; and
    - c. experience as lead counsel in at least one Class A felony trial; and
    - d. experience as counsel in cases involving each of the following:

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<sup>3</sup> RCW 10.101.060 (1)(a)(iii) provides that counties receiving funding from the state Office of Public Defense under that statute must require “attorneys who handle the most serious cases to meet specified qualifications as set forth in the Washington state bar association endorsed standards for public defense services or participate in at least one case consultation per case with office of public defense resource attorneys who are so qualified. The most serious cases include all cases of murder in the first or second degree, persistent offender cases, and class A felonies.”

1. Mental health issues; and
  2. Sexual offenses, if the current offense or a prior conviction that is one of the predicate cases resulting in the possibility of life in prison without parole is a sex offense; and
  3. Expert witnesses; and
  4. One year of appellate experience or demonstrated legal writing ability.
- G. Juvenile Cases - Class A. Each attorney representing a juvenile accused of a Class A felony shall meet the following requirements:
- i. The minimum requirements set forth in Section 1, and
  - ii. Either:
    - a. has served one year as a prosecutor; or
    - b. has served one year as a public defender; one year in a private criminal practice; and
  - iii. Has been trial counsel alone of record in five Class B and C felony trials; and
  - iv. Each attorney shall be accompanied at his or her first juvenile trial by a supervisor, if available.
- H. Juvenile Cases - Classes B and C. Each attorney representing a juvenile accused of a Class B or C felony shall meet the following requirements:
- i. The minimum requirements set forth in Section 1; and
  - ii. Either:
    - a. has served one year as a prosecutor; or
    - b. has served one year as a public defender; or one year in a private criminal practice, and
  - iii. has been trial counsel alone in five misdemeanor cases brought to a final resolution; and
  - iv. Each attorney shall be accompanied at his or her first juvenile trial by a supervisor if available.
- I. Juvenile Sex Offense Cases. Each attorney representing a client in a juvenile sex offense case shall meet the following requirements:
- i. The minimum requirements set forth in Section 1 and Section 2(H); and
  - ii. Been counsel alone of record in an adult or juvenile sex offense case or shall be supervised by or consult with an attorney who has experience representing juveniles or adults in sex offense cases.
- J. Juvenile Status Offenses Cases. Each attorney representing a client in a “Becca” matter shall meet the following requirements:
- i. The minimum requirements as outlined in Section 1; and

- ii. Either:
    - a. have represented clients in at least two similar cases under the supervision of a more experienced attorney or completed at least three hours of CLE training specific to “status offense” cases; or
    - b. have participated in at least one consultation per case with a more experienced attorney who is qualified under this section.
- K. Misdemeanor Cases. Each attorney representing a defendant involved in a matter concerning a simple misdemeanor or gross misdemeanor or condition of confinement, shall meet the requirements as outlined in Section 1.
- L. Dependency Cases. Each attorney representing a client in a dependency matter shall meet the following requirements:
  - i. The minimum requirements as outlined in Section 1; and
  - ii. Attorneys handling termination hearings shall have six months dependency experience or have significant experience in handling complex litigation.
  - iii. Attorneys in dependency matters should be familiar with expert services and treatment resources for substance abuse.
  - iv. Attorneys representing children in dependency matters should have knowledge, training, experience, and ability in communicating effectively with children, or have participated in at least one consultation per case either with a state Office of Public Defense resource attorney or other attorney qualified under this section.
- M. Civil Commitment Cases. Each attorney representing a respondent shall meet the following requirements:
  - i. The minimum requirements set forth in Section 1; and
  - ii. Each staff attorney shall be accompanied at his or her first 90 or 180 day commitment hearing by a supervisor; and
  - iii. Shall not represent a respondent in a 90 or 180 day commitment hearing unless he or she has either:
    - a. served one year as a prosecutor, or
    - b. served one year as a public defender, or one year in a private civil commitment practice, and
    - c. been trial counsel in five civil commitment initial hearings; and
  - iv. Shall not represent a respondent in a jury trial unless he or she has conducted a felony jury trial as lead counsel; or been co-counsel with a more experienced attorney in a 90 or 180 day commitment hearing.
- N. Sex Offender “Predator” Commitment Cases. Generally, there should be two counsel on each sex offender commitment case. The lead counsel shall meet the following requirements:
  - i. The minimum requirements set forth in Section 1; and

- ii. Have at least:
  - a. Three years criminal trial experience; and
  - b. One year experience as a felony defense attorney or one year experience as a criminal appeals attorney; and
  - c. Experience as lead counsel in at least one felony trial; and
  - d. Experience as counsel in cases involving each of the following:
    - 1. Mental health issues; and
    - 2. Sexual offenses; and
    - 3. Expert witnesses; and
  - e. Familiarity with the Civil Rules; and
  - f. One year of appellate experience or demonstrated legal writing ability.

Other counsel working on a sex offender commitment cases should meet the Minimum Requirements in Section 1 and have either one year experience as a public defender or significant experience in the preparation of criminal cases, including legal research and writing and training in trial advocacy.

- O. Contempt of Court Cases. Each attorney representing a respondent shall meet the following requirements:
  - i. The minimum requirements set forth in Section 1; and
  - ii. Each attorney shall be accompanied at his or her first three contempt of court hearings by a supervisor or more experienced attorney, or participate in at least one consultation per case with a state Office of Public Defense resource attorney or other attorney qualified in this area of practice.
- P. Specialty Courts. Each attorney representing a client in a specialty court (e.g., mental health court, drug diversion court, homelessness court) shall meet the following requirements:
  - i. The minimum requirements set forth in Section 1; and
  - ii. The requirements set forth above for representation in the type of practice involved in the specialty court (e.g., felony, misdemeanor, juvenile); and
  - iii. Be familiar with mental health and substance abuse issues and treatment alternatives.

### **3. Appellate Representation.**

Each attorney who is counsel for a case on appeal to the Washington Supreme Court or to the Washington Court of Appeals shall meet the following requirements:

- A. The minimum requirements as outlined in Section 1; and
- B. Either:
  - i. has filed a brief with the Washington Supreme Court or any Washington Court of Appeals in at least one criminal case within the past two years; or

- ii. has equivalent appellate experience, including filing appellate briefs in other jurisdictions, at least one year as an appellate court or federal court clerk, extensive trial level briefing or other comparable work.
- C. Attorneys with primary responsibility for handling a death penalty appeal shall have at least five years' criminal experience, preferably including at least one homicide trial and at least six appeals from felony convictions, and meet the requirements of SPRC 2.

**RALJ Misdemeanor Appeals to Superior Court:** Each attorney who is counsel alone for a case on appeal to the Superior Court from a Court of Limited Jurisdiction should meet the minimum requirements as outlined in Section 1, and have had significant training or experience in either criminal appeals, criminal motions practice, extensive trial level briefing, clerking for an appellate judge, or assisting a more experienced attorney in preparing and arguing an RALJ appeal.

#### **4. Legal Interns.**

- A. Legal interns must meet the requirements set out in APR 9.
- B. Legal interns shall receive training pursuant to APR 9 and in offices of more than seven attorneys, an orientation and training program for new attorneys and legal interns should be held.

#### **Related Standards:**

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, Standard 13.15.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Public Defense Contracts*, 1984, Standard III-7.

National Legal Aid and Defender Association, *Standards for the Appointment and Performance of Counsel in Death Penalty Cases*, 1987, Standard 5.1.

### **STANDARD FIFTEEN: Disposition of Client Complaints**

#### **Standard:**

Each agency or firm or individual contract attorney providing public defense services shall have a method to respond promptly to client complaints. Complaints should first be directed to the attorney, firm or agency which provided representation. If the client feels that he or she has not received an adequate response, the contracting authority or public defense administrator should designate a person or agency to evaluate the legitimacy of complaints and to follow up meritorious ones. The complaining client should be informed as to the disposition of his or her complaint within one week.

#### **Related Standards:**

American Bar Association, *Standards for Criminal Justice*, 4-5.1 and 4-5.2.

## **STANDARD SIXTEEN: Cause for Termination of Defender Services and Removal of Attorney**

### **Standard:**

Contracts for indigent defense services shall include the grounds for termination of the contract by the parties. Termination of a provider's contract should only be for good cause. Termination for good cause shall include the failure of the attorney to render adequate representation to clients; the willful disregard of the rights and best interests of the client; and the willful disregard of the standards herein addressed.

Removal by the court of counsel from representation normally should not occur over the objection of the attorney and the client.

### **Related Standards:**

American Bar Association, *Standards for Criminal Justice*, Standard 5-1.3, 5-5.3.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Defense Contracts*, 1984, Guideline III-5.

National Study Commission on Defense Services, *Guidelines for Legal Defense Systems in the United States*, 1976, Recommendations 2.12 and 2.14.

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts*, 1973, Standard 13.8.

## **STANDARD SEVENTEEN: Non-Discrimination**

### **Standard:**

Neither the Contracting Authority, in its selection of an attorney, firm or agency to provide public defense representation, nor the attorneys selected, in their hiring practices or in their representation of clients, shall discriminate on the grounds of race, color, religion, national origin, age, marital status, gender, sexual orientation or disability. Both the contracting authority and the contractor shall comply with all federal, state, and local non-discrimination requirements.

### **Related Standards:**

American Bar Association, *Standards for Criminal Justice*, Providing Defense Services, Standard 5-3.1.

National Legal Aid and Defender Association, *Standards for Defender Services*, 1976, Standard III-8.

## **STANDARD EIGHTEEN: Guidelines for Awarding Defense Contracts**

### **Standard:**

The county or city should award contracts for public defense services only after determining that the attorney or firm chosen can meet accepted professional standards.

Under no circumstances should a contract be awarded on the basis of cost alone. Attorneys or firms bidding for contracts must demonstrate their ability to meet these standards.

Contracts should only be awarded to a) attorneys who have at least one year's criminal trial experience in the jurisdiction covered by the contract (i.e., City and District Courts, Superior Court or Juvenile Court), or b) to a firm where at least one attorney has one year's trial experience.

City attorneys, county prosecutors, and law enforcement officers should not select the attorneys who will provide indigent defense services.

**Related Standards:**

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Indigent Legal Defense Contracts*, 1984, Standard IV-3.

King County Bar Association Indigent Defense Services Task Force, *Guidelines for Accreditation of Defender Agencies*, 1982, Statement of Purpose.

## *Chapter 4*

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# The Defense Function

*Kenneth J. Hodson*, Chairman  
Standing Committee on Association  
Standards for Criminal Justice

*Keith Mossman*, Chairman  
Task Force on the Defense Function

*Norman Lefstein*, Reporter

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Approved by ABA House of Delegates  
*February 12, 1979*

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# Task Force on the Defense Function

*Keith Mossman, Chairman*

Attorney, Mossman & Grote, Vinton, Iowa

*David A. Horowitz*

Senior Trial Attorney, Office of Public Defender, Los Angeles County

*Richard H. Kuh*

Attorney, Warshaw, Burstein, Cohen, Schlesinger & Kuh, New York City; former District Attorney for New York County

*Herbert S. Miller*

Co-Director, Institute of Criminal Law & Procedure, Georgetown University Law Center, Washington, D.C.

*James J. Richards*

Chief Judge, Superior Court of Lake County, Indiana; Past Chairman, ABA National Conference of State Trial Judges; Chairman, ABA Committee to Implement Standards of Judicial Administration

*Walter F. Rogosheske*

Associate Justice, Supreme Court of Minnesota

*NORMAN LEFSTEIN, Reporter*

Professor, University of North Carolina School of Law; former Director, Public Defender Service for Washington, D.C.; former Assistant U.S. Attorney, Washington, D.C.

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## INTRODUCTION

The first edition of the standards concerning the function of the criminal defense lawyer (and the companion standards on the function of the prosecutor) represented the first national effort to collect in an organized way guidelines that have long been adhered to by the best

defense advocates and best prosecutors. Because nearly ten years had elapsed since the first edition of the Defense Function standards was approved by the ABA, it was initially believed that it might be necessary to make major changes. However, as each standard was reviewed, debated, and compared with court decisions and recommendations of other groups, it was decided that most of the original black letter standards have stood the test of time. There are, of course, changes from the first edition, but they are for the most part relatively minor and blend well into the format of the standards as originally issued.

Like the first edition, this chapter contains standards pertaining to a wide variety of defense representation problems. Parts III–VIII govern the lawyer-client relationship, the investigation and preparation of cases, the control and direction of litigation, disposition without trial, trial, and duties of counsel after conviction. Part I contains general standards that do not neatly fit into any other subdivision, and part II concerns problems of access to counsel, which are dealt with more fully in the chapter on Providing Defense Services.

The black letter standards themselves also follow the format of the original edition of the Defense Function standards. Thus, the standards often refer to activity by a lawyer as “unprofessional conduct,” meaning that the conduct “is or should be made subject to disciplinary sanctions pursuant to codes of professional responsibility.” Where the term “unprofessional conduct” is not used, “the standard is intended as a guide to honorable professional conduct and performance.” See standard 4-1.1(f).

To a considerable degree, the changes that have been made in these standards are attributable to: (1) changes in concepts of what constitute the most acceptable defense practices, (2) significant legal developments, or, in several instances, (3) errors in phraseology contained in the first edition.

Standard 4-7.6(b) is an example of the first type of change. Contrary to the first edition, this standard now provides that defense counsel can vigorously cross-examine witnesses even when it is known or believed that they are testifying truthfully. Absent this permission, particularly in cases where the defendant does not plan to testify and has little or no defense, it was felt that defense lawyers would be unable, as a practical matter, to require the prosecution to prove its case beyond a reasonable doubt.

The second type of change is illustrated by standard 4-3.5(b), which declares that defense lawyers should ordinarily not represent codefend-

ants in criminal cases, and further states that before such representation is undertaken the informed consent of the defendants should be made a matter of judicial record. This provision is intended to discourage the representation of codefendants and was inspired by the Supreme Court's 1978 decision in *Holloway v. Arkansas*.<sup>1</sup> Although the Supreme Court in *Holloway* did not require that a judicial record be made that codefendants consent to joint representation, it did emphasize the considerable risks to codefendants when a lawyer undertakes multiple representation.

Standard 4-7.6(d) is an example of the third type of change—an error in phraseology in the first edition. The original standard stated that a defense lawyer should not ask on cross-examination “a question which implies the existence of a factual predicate which the examiner knows he cannot support by evidence.” But the presence of evidence to support a factual predicate on cross-examination is not the generally accepted evidentiary test; the test is whether the examiner has a “good faith” belief in the existence of the factual predicate, and the black letter standard has been changed accordingly.

## PART I. GENERAL STANDARDS

### Standard 4-1.1. Role of defense counsel

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(a) Counsel for the accused is an essential component of the administration of criminal justice. A court properly constituted to hear a criminal case must be viewed as a tripartite entity consisting of the judge (and jury, where appropriate), counsel for the prosecution, and counsel for the accused.

(b) The basic duty the lawyer for the accused owes to the administration of justice is to serve as the accused's counselor and advocate with courage, devotion, and to the utmost of his or her learning and ability and according to law.

(c) The defense lawyer, in common with all members of the bar, is subject to standards of conduct stated in statutes, rules, decisions of courts, and codes, canons, or other standards of professional

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1. 435 U.S. 475 (1978).

conduct. The defense lawyer has no duty to execute any directive of the accused which does not comport with law or such standards. The defense lawyer is the professional representative of the accused, not the accused's alter ego.

(d) It is unprofessional conduct for a lawyer intentionally to misrepresent matters of fact or law to the court.

(e) It is the duty of every lawyer to know the standards of professional conduct as defined in codes and canons of the legal profession and in this chapter. The functions and duties of defense counsel are governed by such standards whether defense counsel is assigned or privately retained.

(f) As used in this chapter, the term "unprofessional conduct" denotes conduct which, in either identical or similar language, is or should be made subject to disciplinary sanctions pursuant to codes of professional responsibility. Where other terms are used, the standard is intended as a guide to honorable professional conduct and performance. These standards are not intended as criteria for the judicial evaluation of alleged misconduct of counsel to determine the validity of a conviction. They may or may not be relevant in such judicial evaluation, depending upon all the circumstances.

### ***History of Standard***

There are stylistic changes only.

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### ***Related Standards***

ABA, Code of Professional Responsibility DR1-102(A)(4), DR7-102(A)(5), EC9-6

ABA, Standards for Criminal Justice 3-1.1, 3-2.8

NDAA, National Prosecution Standards 25.1(A)

NLADA, National Study Commission Recommendations 5.10

### ***Commentary***

#### **Role of Defense Counsel**

In our legal system, a court constituted to try a criminal case should consist of a judge (and jury), a prosecutor, and a defense lawyer, all

essential to the fulfillment of the court's responsibility in the administration of criminal justice.<sup>1</sup> The defense counsel, in protecting the rights of the defendant, may resist the wishes of the judge on some matters, and though such resistance should never lead to disrespectful behavior, defense counsel may appear unyielding and uncooperative at times. In so doing, defense counsel is not contradicting his or her duty to the administration of justice but is fulfilling a function within the adversary system. The adversary system requires defense counsel's presence and zealous professional advocacy just as it requires the presence and zealous advocacy of the prosecutor and the constant neutrality of the judge. Defense counsel should not be viewed as impeding the administration of justice simply because he or she challenges the prosecution, but as an indispensable part of its fulfillment.

The role of counsel for the accused is difficult because it is complex, involving multiple obligations. Toward the client the lawyer is a counselor and an advocate; toward the prosecutor the lawyer is a professional adversary; toward the court the lawyer is both advocate for the client and counselor to the court. The lawyer is obliged to counsel the client against any unlawful future conduct and to refuse to implement any illegal conduct.<sup>2</sup> But included in defense counsel's obligations to the client is the responsibility of furthering the defendant's interest to the fullest extent that the law and the standards of professional conduct permit.<sup>3</sup>

Advocacy is not for the timid, the meek, or the retiring. Our system of justice is inherently contentious, albeit bounded by the rules of professional ethics and decorum, and it demands that the lawyer be inclined toward vigorous advocacy. Nor can a lawyer be half-hearted in the application of his or her energies to a case. Once a case has been undertaken, a lawyer is obliged not to omit any essential honorable step in the defense, without regard to compensation or the nature of the appointment. The lawyer privately retained is free to require assurance of payment of reasonable compensation; if the lawyer has been appointed to provide representation, compensation is governed by other criteria.<sup>4</sup>

Because the law is a learned profession, lawyers must take pains to

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1. Guidelines for the assignment of attorneys for persons unable to afford counsel are contained in ch. 5, Providing Defense Services.

2. See ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR1-102(A).

3. See *Johns v. Smyth*, 176 F. Supp. 949 (E.D. Va. 1959); Thode, *The Ethical Standard for the Advocate*, 39 TEX. L. REV. 575, 583-584 (1961).

4. See standards 5-1.3 and 5-2.4.

guarantee that their training is adequate and their knowledge up-to-date in order to fulfill their duty as advocates. Even after the most comprehensive training in fundamentals there remains the final — and large — step of learning the art of advocacy.

#### **The Limits of Professional Conduct**

The “alter ego” concept of a defense lawyer, which regards the lawyer as a “mouthpiece” for the client, is fundamentally wrong, unethical, and destructive of the lawyer’s image; more important to the accused, perhaps, this pernicious idea is destructive of the lawyer’s usefulness.<sup>5</sup> The lawyer’s value to each client stems in large part from the lawyer’s independent stance, as a professional representative rather than as an ordinary agent. What the lawyer can accomplish for any one client depends heavily on his or her reputation for professional integrity. Court and opposing counsel will treat the lawyer with the respect that facilitates furthering the client’s interests only if the lawyer maintains proper professional detachment and conduct in accord with accepted professional standards.

It is fundamental that in relations with the court, defense counsel must be scrupulously candid and truthful in representations of any matter before the court.<sup>6</sup> This is not only a basic ethical requirement, but it is essential if the lawyer is to be effective in the role of advocate, for if the lawyer’s reputation for veracity is suspect, he or she will lack the confidence of the court when it is needed most to serve the client.

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#### **Familiarity with Professional Standards**

Knowledge of the proper professional standards of conduct is obviously a prerequisite to their fulfillment. In recent years, both the law schools and the organized bar have taken steps to ensure that lawyers are cognizant of the standards governing their conduct. While no lawyer can perform adequately in ignorance of the applicable law, knowledge

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5. “Nothing operates more certainly to create or to foster popular prejudice against lawyers as a class, and to deprive the profession of that full measure of public esteem and confidence which belongs to the proper discharge of its duties than does the false claim . . . that it is the duty of the lawyer to do whatever may enable him to succeed in winning his client’s cause.” ABA, CANONS OF PROFESSIONAL ETHICS 15 (1968). “The duty of a lawyer, both to his client and to the legal system, is to represent his client zealously within the bounds of the law. . . .” ABA, CODE OF PROFESSIONAL RESPONSIBILITY EC7-1.

6. *See* ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR1-102, DR7-102(A)(5).



of the standards of conduct of the bar should receive the same priority as that accorded legal principles. There should be ongoing attention to ethical problems in law school curriculums and in continuing legal education programs. Likewise, the bar should undertake to see that every lawyer has access to the published standards of conduct and the decisions interpreting them.

#### **Nature of Defense Counsel's Employment**

Standards governing professional ethics apply equally to counsel for the poor and the rich, just as judges must apply the law equally to both. However, there are sometimes differences in the relation of lawyer and client arising from the nature of the lawyer's employment. A lawyer who is privately retained generally has the confidence of the client, who, after all, has made a conscious choice. The client's desire to retain the lawyer gives the lawyer's persuasion greater standing with the client; the threat of withdrawal may be enough to discourage any inclination of the client to engage in impropriety or to demand it of the lawyer. By contrast, the lawyer who is appointed or who serves in an organized defender office must win the confidence of the client, who usually has had no say in the choice of an advocate.<sup>7</sup> Such factors as the eminence of the lawyer will obviously affect the relationship, but it is clear that the nature of the employment will itself have an impact on the relationship. These standards have not been drawn in disregard of such considerations, but at no point has it been thought appropriate to set a different standard according to the nature of the employment. Although the difficulties of fulfilling the standards may vary in this respect, they will also vary according to many other circumstances of individual cases, none of which would justify discrimination in the application of the standards.

#### **Relationship of Standards to Discipline and Judicial Decisions**

The tensions of the role and the intensity of the pressure of multiple decisions during trial make it highly desirable that defense counsel be thoroughly familiar with these standards and imperative that counsel be knowledgeable of provisions of codes of professional responsibility governing the lawyer's conduct. Counsel's place in our adversary pro-

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7. For a discussion of whether a poor defendant should be permitted to select a defender or an assigned lawyer, see commentary to standard 5-2.3.

cess of justice requires that counsel be guided constantly by the obligation to pursue the client's interests. Counsel must not be asked to limit zeal in the pursuit of those interests except by definitive standards of professional conduct.

The ABA Code of Professional Responsibility subscribes to the principle that disciplinary rules backed up by sanctions should be stated with specificity.<sup>8</sup> Thus, the ABA Code of Professional Responsibility is divided into three parts: the brief, broadly phrased canons; the discursive ethical considerations; and the precisely stated, detailed disciplinary rules. These standards and the Prosecution Function standards adhere to a somewhat similar pattern. The term "unprofessional conduct" in the black letter standards has been chosen to denote "conduct which, in either identical or similar language, is or should be made subject to disciplinary sanctions pursuant to codes of professional responsibility."<sup>9</sup> This category is reserved for those matters that are of the greatest gravity and that are susceptible to measurement with sufficient accuracy to permit the imposition of sanctions without unfairness to the transgressing lawyer. In other areas, which must necessarily be matters of delicate judgment, enforcement has been left to the individual conscience of the lawyer. Where these standards use phrases such as "the lawyer should," the recommendation is offered as advice to those who seek it and as a guide to the conduct of lawyers, but it is not intended that discipline be imposed on lawyers whose conduct falls short of the standard.

The commentary occasionally refers to judicial decisions involving issues of competency or effectiveness of counsel, insofar as such decisions cast light on standards that courts have concluded are applicable to the conduct of counsel. It is beyond the scope of these standards, however, to attempt to determine the conditions under which deviation from the recommendations herein warrants reversal or vacation of a conviction.

#### **Standard 4-1.2. Delays; punctuality**

**(a) Defense counsel should avoid unnecessary delay in the disposition of cases. Defense counsel should be punctual in attend-**

8. See Sutton, *Re-Evaluation of the Canons of Professional Ethics: A Reviser's Viewpoint*, 33 TENN. L. REV. 132 (1966).

9. Standard 4-1.1(f).

ance upon court and in the submission of all motions, briefs, and other papers. Defense counsel should emphasize to the client and all witnesses the importance of punctuality in attendance in court.

(b) It is unprofessional conduct for defense counsel intentionally to misrepresent facts or otherwise mislead the court in order to obtain a continuance.

(c) Defense counsel should not intentionally use procedural devices for delay for which there is no legitimate basis.

(d) A lawyer should not accept more employment than the lawyer can discharge within the spirit of the constitutional mandate for speedy trial and the limits of the lawyer's capacity to give each client effective representation. It is unprofessional conduct to accept employment for the purpose of delaying trial.

### ***History of Standard***

There are stylistic changes only.

### ***Related Standards***

ABA, Code of Professional Responsibility DR1-102(A)(4), (5)

ABA, Standards for Criminal Justice 3-2.9, 3-5.2(e), 12-1.3

NDAA, National Prosecution Standards 15.4(C)

NLADA, National Study Commission Recommendations 5.3

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### ***Commentary***

#### **Prompt Disposition; Punctuality**

Lack of punctuality in attendance at court disturbs the orderly processes of the court and inconveniences others waiting to be heard. It is costly in terms of wasted time of lawyers, witnesses, jurors, and the judge and staff. It is also a disservice to the client because of the risk that it may irritate the court or the jury. Failure to be punctual in court appearances may sometimes be grounds for punishment for contempt.<sup>1</sup> Punctuality in the filing of briefs and motions is also important.<sup>2</sup> As a corollary to counsel's obligation to be punctual, it is incumbent on

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1. See, e.g., *United States v. Lespier*, 558 F.2d 624 (1st Cir. 1977); *In re Allis*, 531 F.2d 1391 (9th Cir. 1976).

2. See AMERICAN COLLEGE OF TRIAL LAWYERS, CODE OF TRIAL CONDUCT §21(d).

counsel to do everything possible to see to it that the client and witnesses are punctual in their attendance at court. Where additional time is needed properly to prepare a case, the correct course is to seek a continuance.<sup>3</sup>

#### Misrepresentation to Obtain a Continuance

Paragraph (b) recognizes that it is "unprofessional conduct for defense counsel intentionally to mispresent facts or otherwise mislead the court in order to obtain a continuance." This position is fully consistent with provisions in the ABA Code of Professional Responsibility<sup>4</sup> and with court decisions.<sup>5</sup> Equivocation in stating the grounds for a continuance also has been held to warrant disciplinary censure.<sup>6</sup>

#### Delay for Tactical Advantage

A frequent complaint of the public against our system of justice is that excessive delays are permitted, which undermine the enforcement of law. This is perhaps as true today as when Roscoe Pound wrote about the problem around the turn of the century.<sup>7</sup> Because it is essential that legal procedures be calm and deliberative rather than hasty and unreflective, to some extent the legal process could never be as expeditious as popular sentiment might wish it, especially when that sentiment is inflamed by an outrageous crime or during a period of crisis in law enforcement.

One of the great temptations that befall a lawyer is to abuse procedure and employ dilatory tactics in order to gain time for the advantage of a client. Delays sought in the hope that testimony will be lost or become stale or that the prosecuting parties will be inconvenienced until they abandon the case, or to continue illegal activity or for other corrupt

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3. For a standard dealing with continuances, see standard 12-1.3.

4. "In his representation of a client, a lawyer shall not . . . [k]nowingly make a false statement of . . . fact." ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-102(A)(5).

5. "The court has a right to expect that attorneys appearing before it in the matter of postponements, as in other matters, will tell the truth and not, through false representations, trifle with the court's dignity and interfere with its business." *Albano v. Commonwealth*, 53 N.E.2d 690, 692 (Mass. 1944).

6. *In re Sala*, 11 App. Div. 2d 425, 207 N.Y.S.2d 322 (1960).

7. Pound, *The Causes of Popular Dissatisfaction with the Administration of Justice*, 29 A.B.A. REP. 395 (1906).

purposes, undermine the entire system. These practices also bring the bar into disrepute. Such tactics may backfire when judge and prosecutor realize they are being employed; stern judicial response may then operate to the disadvantage of an accused.<sup>8</sup> The abuse of procedure for purposes of delay ultimately leads to procedural restrictions that are harmful to those with legitimate needs. Thus, there is an obligation on the lawyer to "do everything possible to avoid delays and to expedite the trial."<sup>9</sup>

Since the reasons for invoking procedural devices that result in delay are buried in the mental processes of the lawyer, it is understandably difficult to enforce sanctions for the use of such devices. Indeed, an overly aggressive concern for delay may impel a lawyer to eschew a remedy which in good faith the lawyer believes should be pursued in the client's interest. It may also tend to imply that the law is more concerned with expedition than with justice, an implication that inevitably will cause disrespect for its processes and thus undermine its efficacy. To the extent that the procedural rules permit dilatoriness by the taking of certain procedural steps, the fault is in the procedure and in lax judicial administration, not alone in the lawyer's conduct. The remedy must come through reform of the procedural system. But instances undoubtedly do occur in which lawyers blatantly demand and courts grant delays without substantial cause, sometimes for crass motivations. Such conduct demeans the administration of justice. The responsibility must rest with counsel not to seek such favors<sup>10</sup> and with the courts to refuse to grant them.

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#### Accepting an Excessive Volume of Work

Although lawyers, like other people, vary in their capacity for effective performance, there is a limit to how much work any one lawyer can effectively perform. Some sophisticated defendants have been known to engage a lawyer because the lawyer had so many cases on the calendar that normal priorities of the docket would preclude an additional case from trial for an inordinate period. Obviously it is improper for a

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8. Cf. Seymour, *Some Trade Secrets About Federal Criminal Proceedings*, 15 REC. ASSN. B. CITY N.Y. 447, 449 (1960).

9. AMERICAN COLLEGE OF TRIAL LAWYERS, CODE OF TRIAL CONDUCT §21(d).

10. "In his representation of a client, a lawyer shall not . . . delay a trial . . . when he knows or when it is obvious that such action would serve merely to harass or maliciously injure another." ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-102(A)(1).

lawyer to participate in such a fraud on the courts; apart from that, the lawyer has a duty to accept no more employment than can be effectively performed without unreasonable delay. Elsewhere these standards provide that "[n]either defender organizations nor assigned counsel should accept workloads that, by reason of their excessive size, interfere with the rendering of quality representation or lead to the breach of professional obligations."<sup>11</sup>

### **Standard 4-1.3. Public statements**

(a) The lawyer representing an accused should avoid personal publicity connected with the case before trial, during trial, and thereafter.

(b) The lawyer should comply with the standards on Fair Trial and Free Press herein. In some instances, as defined in codes of professional responsibility, the lawyer's failure to do so will constitute unprofessional conduct.

#### ***History of Standard***

There are stylistic changes only.

#### ***Related Standards***

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ABA, Code of Professional Responsibility DR7-107

ABA, Standards for Criminal Justice 3-1.3(a), (b), 8-1.1

NDAA, National Prosecution Standards 26.2

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#### ***Commentary***

##### **Personal Publicity**

A minority of lawyers have sometimes exploited newsworthy cases for their own personal aggrandizement. Often this operates to the detriment of a particular client, and it is demeaning of the proper role of defense counsel. The opportunity for personal publicity may color the lawyer's professional judgment and lead the lawyer to take steps that

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<sup>11</sup> Standard 5-4.3.

are not in the best interests of clients, the profession, and, most important, the administration of justice.

### **Trial Publicity**

The tendency of a minority of lawyers, including both prosecutors and defense counsel, to indulge in "trial by press" is a disservice to the client and to the fair administration of justice. Detailed provisions pertaining to fair trial/free press issues and the conduct of counsel in criminal cases are contained in these standards<sup>1</sup> and in codes of professional responsibility.<sup>2</sup> These guidelines strike a careful balance between the needs of the public for information and the necessity of preserving the fairness of the trial procedure. Moreover, they are designed to preserve and uphold the role of counsel as the advocate who defends the case by evidence and argument in the courtroom rather than by emotional and prejudicial appeal to the public outside the courtroom.

### **Standard 4-1.4. Advisory councils on professional conduct**

(a) In every jurisdiction an advisory body of lawyers selected for their experience, integrity, and standing at the trial bar should be established as an advisory council on problems of professional conduct in criminal cases. This council should provide prompt and confidential guidance and advice to lawyers seeking assistance in the application of standards of professional conduct in criminal cases.

(b) Communications between a lawyer and such an advisory council should have the same privilege for protection of the client's confidences as exists between lawyer and client. The council should be bound by statute or rule of court in the same manner as a lawyer is bound not to reveal any disclosure of the client except

(i) if the client challenges the effectiveness of the lawyer's conduct of the case and the lawyer relies on the guidance received from the council, and

(ii) if the lawyer's conduct is called into question in an authoritative disciplinary inquiry or proceeding.

1. Standard 8-1.1.

2. *E.g.*, ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-107(A) to (E).



**History of Standard**

There are stylistic changes only.

**Related Standards**

None

**Commentary****Need for Advisory Councils**

Disciplinary bodies of courts, local bars, and state bars interpret codes of professional responsibility and apply them in specific cases. These groups, however, invariably operate after the fact by way of judging questioned conduct rather than by acting as a council of advisers to lawyers who desire assistance and are in need of prompt answers. Bar advisory committees on legal ethics do deal with pending problems of lawyers, but the committees are often not constituted to act with the necessary dispatch. Moreover, these committees usually include a cross-section of the bar, so that many members are unfamiliar with the litigation or ethical problems submitted to them. In a bar in which trial lawyers are often a minority and defense lawyers an even smaller fraction, it is unlikely that many members of a disciplinary board or legal ethics committee of the bar will be thoroughly familiar with the problems confronted by defense lawyers in criminal cases.

The standards of the profession are steadfast in their fundamental principles, but their application is frequently difficult in criminal cases, requiring an intimate knowledge of practice and procedure in litigation problems available only to trial specialists. Accordingly, this standard recommends in paragraph (a) that "[i]n every jurisdiction an advisory body of lawyers selected for their experience, integrity, and standing at the trial bar . . . be established as an advisory council on problems of professional conduct in criminal cases." The purpose of the council is to "provide prompt and confidential guidance and advice to lawyers seeking assistance in the application of standards of professional conduct in criminal cases." Ordinarily the state bar, state bar association, or local bar association is the appropriate entity to initiate the creation of the advisory council.<sup>1</sup>

1. The advisory council idea is borrowed from England, where a somewhat similar body has existed for some years. See R. WALKER and M. WALKER, *THE ENGLISH LEGAL SYSTEM* 226 (4th ed. 1976).



**Confidentiality of Advisory Council Opinions**

One study has indicated that a major factor in determining whether a lawyer complies with the ethical standards of the profession is the extent of support the lawyer receives from professional colleagues when the lawyer is faced with a difficult ethical decision.<sup>2</sup> An important function of an advisory council is to provide that support. Jurisdiction over discipline should be entirely separate. The maintenance of a record of each inquiry and the response given will be beneficial if the lawyer's conduct is ever challenged again by a client, the bar, or the courts, while avoiding the prejudice to the client that might result if the lawyer were to make a record of the ethical dilemma with the judge or others not necessarily pledged to respect the client's confidence. The fact that a lawyer has made an inquiry to the council and its response should be privileged except in two circumstances. First, the privilege is waived if the lawyer's conduct is challenged by the client, as is already an established doctrine of law. Second, the privilege is waived if the lawyer's conduct becomes the subject of an investigation involving possible discipline for breach of professional standards. In the latter event, the record of the inquiry into the lawyer's conduct and the response may be made available to an authorized professional or judicial body conducting such investigation. The confidentiality of the lawyer's inquiry to the council does not protect the client if the client attacks counsel as ineffective, nor does it protect counsel charged with conduct contrary to the advice given him or her. Of course, the fact that a lawyer fails to follow the advice given by the council does not per se make the conduct improper, but it may be considered by the disciplinary body along with all the evidence. In short, the dialogue between the lawyer and the advisory council is generally confidential and privileged except that the accused may not take advantage of the privilege of confidentiality to injure the lawyer and the lawyer may not exploit it for personal benefit after having sought the advice of the council and failed to follow it.

This standard, although included in the first edition, appears not to have been implemented in any jurisdictions. Nevertheless, the standard has been retained because it is still believed that establishment of advisory councils is a sound idea. It remains exceedingly important for the legal profession to create a more prompt and reliable mechanism for

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2. See J. CARLIN, *LAWYERS' ETHICS* 96-117 (1966).

supplying to defense counsel authoritative information for their guidance in criminal cases.

**Standard 4-1.5. Trial lawyer's duty to administration of justice**

(a) The bar should encourage through every available means the widest possible participation in the defense of criminal cases by experienced trial lawyers. Lawyers active in general trial practice should be encouraged to qualify themselves for participation in criminal cases both by formal training and through experience as associate counsel.

(b) All qualified trial lawyers should stand ready to undertake the defense of an accused regardless of public hostility toward the accused or personal distaste for the offense charged or the person of the defendant.

(c) Qualified trial lawyers should not assert or announce a general unwillingness to appear in criminal cases. Law firms should encourage partners and associates to appear in criminal cases.

***History of Standard***

There is a stylistic change only.

***Related Standards***

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ABA, Code of Professional Responsibility EC2-26 to EC2-29

ABA, Standards for Criminal Justice 5-2.2

NAC, Courts 13.5

NLADA, National Study Commission Recommendations 2.15

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***Commentary***

**Goal of Wide Participation**

Wide participation in the defense of criminal cases is important to the health of the administration of criminal justice and to the fulfillment of the bar's obligation to ensure the availability of qualified counsel to every accused. However, lawyers and judges are unanimous in acknowledging that not every lawyer licensed to practice is actually able to try a case in court effectively. Though only a fraction of all criminal

cases go to trial, the judgment and experience of a trial lawyer are also essential in the process of negotiation leading to a disposition without trial. But the nature of a trial lawyer's experience in civil trial practice is such as to qualify the lawyer for participation in criminal practice if additional training and experience in criminal law and procedure is acquired. Such training is, of course, available through the large number of continuing legal education programs sponsored by state and local bars and by private organizations. "On the job" experience can be appropriately gained by assigning lawyers with little or no criminal trial experience to act as associate counsel to lawyers who are more experienced in the criminal courts.

By encouraging the significant number of lawyers who are now active only in the civil courts to obtain training and experience in criminal practice, and to make themselves available and willing to undertake the defense of criminal cases, the bar will take a significant step toward making certain that competent counsel is provided. At the same time, the participation in the criminal justice system of lawyers whose practice is largely in the civil courts will help avert the undesirable professional isolation of criminal trial specialists. The civil lawyer's familiarity and acquaintance with the procedures and problems of the administration of criminal justice may also encourage the lawyer to play a larger role in the reform and improvement of the criminal law and its processes.<sup>1</sup>

The highest tradition of the American bar is found in the obligation, in the lawyer's oath, never to reject "from any consideration personal to myself, the cause of the defenseless or oppressed." A lawyer has the duty to provide legal assistance "even to the most unpopular defendants."<sup>2</sup> The great tradition of the bar is reflected in the history of eminent lawyers — such as John Adams, who defended the British "redcoats" after the Boston Massacre — who have risked public disfavor to defend a hated defendant.<sup>3</sup> The sure way to guarantee adherence to this tradition of denying no defendant competent legal representation is for all trial

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1. This standard complements provisions in ch. 5, Providing Defense Services, e.g., "Assignments should be distributed as widely as possible among the qualified members of the bar. Every lawyer licensed to practice law in the jurisdiction, experienced and active in trial practice, and familiar with the practice and procedure of the criminal courts should be included in the roster of attorneys from which assignments are made." Standard 5-2.2. See also the commentary to standard 5-1.2.

2. 78 A.B.A. REP. 304 (1953).

3. See Medina, *Courage and Independence at the Bar*, 25 OHIO B. 381 (1952), reprinted in M. VIRTUE, JUDGE MEDINA SPEAKS 49-50 (1954).

lawyers to prepare themselves to act in criminal cases. Consistent with these standards, the ABA Code of Professional Responsibility admonishes lawyers not to decline proffered employment "lightly."<sup>4</sup> However, declining to accept a case is justified when "the intensity of . . . personal feeling, as distinguished from a community attitude, may impair . . . effective representation of a prospective client."<sup>5</sup>

#### **Announced Unwillingness to Take Criminal Cases**

Lawyers who unabashedly state that they do not practice in the criminal courts denigrate their role and function as advocates. The bar should discourage lawyers from privately or publicly proclaiming that they disdain criminal practice. In a more positive vein, the leaders of the trial bar should take the initiative in accepting criminal cases and in encouraging their juniors to do so. More than a decade ago, the President's Crime Commission suggested that "law firms should not discourage prospective associates from a 2- to 5-year stint of defense or prosecution work and should be willing to grant leaves of absence to those of its young lawyers who would like to spend a period in criminal practice and then return."<sup>6</sup> The commission also believed that "it is essential that law firms make lawyers available to handle assigned cases, or to assist a defender's office."<sup>7</sup>

In encouraging broader participation by trial lawyers in the criminal courts, these recommendations are not intended to imply that it is inappropriate for there to be a division of function within a given law office. In a firm of trial lawyers, for example, it is entirely proper for criminal cases to be directed to a particular member or members of the firm.

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#### **Standard 4-1.6. Client interests paramount**

**The duties of a lawyer to a client are to represent the client's legitimate interests, and considerations of personal and professional advantage should not influence the lawyer's advice or performance.**

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4. ABA, CODE OF PROFESSIONAL RESPONSIBILITY EC2-26.

5. *Id.* EC2-30.

6. PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE, THE CHALLENGE OF CRIME IN A FREE SOCIETY 153 (1967).

7. *Id.*

***History of Standard***

In the first edition, this standard stated that the duties of counsel to represent the client's legitimate interests did not differ regardless of whether the lawyer was "privately engaged, judicially appointed or serving as part of a legal aid system." This language has been deleted due to its overlap with standard 4-3.9. In addition, the reference to "judicially appointed" was deemed inappropriate since the chapter on Providing Defense Services recommends that "[t]he selection of lawyers for specific cases should not normally be made by the judiciary or elected officials. . . ."<sup>1</sup> The standard is otherwise unchanged, except for stylistic alterations.

***Related Standards***

ABA, Code of Professional Responsibility DR7-101(A)

ABA, Standards for Criminal Justice 5-1.3

NLADA, National Study Commission Recommendations 5.10

***Commentary***

Although it occurs infrequently, lawyers sometimes, possibly for reasons of personal aggrandizement, pursue a particular course in a case at the expense of the client's best interests.<sup>2</sup> The problem is so subjective in nature that it does not lend itself to anything other than a broadly stated standard.

The natural desire to be in the forefront in developing new legal concepts obviously does not justify a lawyer's risking conviction and a severe sentence for the defendant, for example, where a lesser plea can be negotiated and probation secured, particularly if the prospects of a guilty verdict are strong. This standard emphasizes that the correct role of defense counsel is to strive not for "courtroom victories" but for results that best serve the client's long-range interests. The total "war" is not won by transitory victories in interlocutory battles. An appellate "victory" on a technical point may be a Pyrrhic victory if it is followed by a new trial in which the prosecution repairs technical infirmities and makes a stronger case against the defendant.

1. Standard 5-1.3.

2. See, e.g., J. KAPLAN & J. WATZ, *THE TRIAL OF JACK RUBY* (1965).

## PART II. ACCESS TO COUNSEL

### Standard 4-2.1. Communication

Every jurisdiction should guarantee by statute or rule of court the right of an accused person to prompt and effective communication with a lawyer and should require that reasonable access to a telephone or other facilities be provided for that purpose.

#### *History of Standard*

There are no changes.

#### *Related Standards*

ABA, Standards for Criminal Justice 5-5.1, 5-7.1

NLADA, National Study Commission Recommendations 1.3, 1.4

#### *Commentary*

Most jurisdictions long have provided by statute for the right of a person in custody to communicate with an attorney, either by a message carried by a peace officer or by a telephone call.<sup>1</sup> If this right is to be meaningful, it must be interpreted to permit prompt completion of the communication and not be narrowly limited to any fixed number of calls for the purpose of arranging for employment of counsel. Commu-

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1. *E.g.*, CAL. PENAL CODE §851.5 (West Cum. Supp. 1979) ("Immediately upon being booked, and, except where physically impossible, no later than three hours after arrest, an arrested person has the right to make at least two completed telephone calls . . ."); MASS. ANN. LAWS ch. 276 §33A (Michie/Law. Co-op 1968) ("The police official in charge of the station or other place of detention having a telephone wherein a person is held in custody, shall permit the use of the telephone, at the expense of the arrested person, for the purpose of allowing the arrested person . . . to engage the services of an attorney"); MINN. STAT. ANN. §481.10 (West 1971) ("All officers or persons having in their custody a person restrained of his liberty upon any charge or cause alleged, . . . upon request . . . shall notify any attorney residing in the county of the request for a consultation with him"); N.H. REV. STAT. ANN. §594:15 (1974) ("The officer in charge of a police station . . . shall immediately secure from the prisoner, if possible, the name of the . . . attorney with whom the prisoner may desire to consult, and immediately notify such . . . attorney. . . . Notice shall be given by telephone or messenger when practicable").

nication should be permitted until arrangements for counsel have been completed. Communication facilities should be made available promptly following arrest. In terms of implementation, this may require not one but as many telephones as are reasonably needed to fill the need. One such telephone may be adequate in a small precinct station or jail; numerous phones may be needed in a larger facility. It is part of the function of defense counsel to engage the aid of the organized bar to ensure that adequate communication facilities are made available and that the services of an adequate number of lawyers are available.

This standard is consistent with a similar provision in the chapter on Providing Defense Services: "At the earliest opportunity a person in custody should be effectively placed in communication with a lawyer. There should be provided for this purpose access to a telephone, the telephone number of the defender or assigned-counsel program, and any other means necessary to establish communication with a lawyer."<sup>2</sup>

#### **Standard 4-2.2. Referral service for criminal cases**

(a) To assist persons who wish to retain counsel privately and who do not know a lawyer or how to engage one, every jurisdiction should have a referral service for criminal cases. The referral service should maintain a list of lawyers willing and qualified to undertake the defense of a criminal case; it should be so organized that it can provide prompt service at all times.

(b) ~~The availability of the referral service should be publicized.~~  
In addition, notices containing the essential information about the referral service and how to contact it should be posted conspicuously in police stations, jails, and wherever else it is likely to give effective notice.

#### ***History of Standard***

There is a stylistic change only.

#### ***Related Standards***

None

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2. Standard 5-7.1.



### Commentary

#### Referral Service

The ABA has energetically supported lawyer reference plans for many years, and hundreds of such plans are now in existence throughout the nation. Typically, a supervisory committee of the local bar selects and maintains a list of attorneys willing to participate and a referral officer is appointed to administer the system. Many plans permit lawyers to indicate those areas of law in which they feel they are specifically qualified. Some provide for screening by the supervisory committee to determine whether the lawyers possess the special skill they claim. Lawyer reference plans have been acclaimed as being "in the highest traditions of public service"<sup>1</sup> and are specifically sanctioned by the ABA Code of Professional Responsibility.<sup>2</sup>

The special problems of providing counsel in criminal cases require certain adjustments in the conventional lawyer reference system for all types of cases. Considerations of time and function suggest that a reference system for criminal cases should be somewhat separate from the ordinary referral service for civil cases. Given the urgency of the accused's need, it is imperative that access to the referral service be possible at any time of day or night, Sundays and holidays included. Telephone answering facilities make this feasible. The list of lawyers willing and able to serve in criminal cases should be compiled and maintained separately from the list of lawyers available for civil cases. The thrust of the referral service should be to provide immediate access to a lawyer who will respond promptly to calls from accused persons at a time of acute stress. The list should also be carefully screened by the supervisory committee so that it includes only lawyers qualified by experience to handle criminal cases. If the regular committee does not include enough lawyers active in criminal trial practice to make this possible, it should consult with such lawyers or a separate committee for referrals in criminal cases should be established. The screening of lawyers presumably will be somewhat simpler in those jurisdictions that certify practitioners as specialists in criminal law. Careful screening hopefully will lead to a situation in which inclusion on the referral list will be considered a badge of distinction among trial lawyers, thus serving the goal of broadening participation in the criminal courts.

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1. Jacksonville Bar Assn. v. Wilson, 102 So. 2d 292, 294 (Fla. 1958).

2. See ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR2-103(C)(1).



**Publicity and Notices**

A lawyer referral service cannot fulfill its function without publicity to make its existence and purpose known to those who need it. In addition to making the referral plan generally known to the public, there is the special need in criminal cases to give widespread notice of its existence, its purpose, and the manner of contacting the service at those places where accused persons are taken into custody. The idea of posted notice has been adopted in statutory provisions designed to assist accused persons in communicating with counsel.<sup>3</sup>

**Standard 4-2.3. Prohibited referrals**

(a) It is unprofessional conduct for a lawyer to accept referrals by agreement or as a regular practice from law enforcement personnel, bondsmen, or court personnel.

(b) Regulations and licensing requirements governing the conduct of law enforcement personnel, bondsmen, court personnel, and others in similar positions should prohibit their referring an accused to any particular lawyer and should require them, when asked to suggest the name of an attorney, to direct the accused to the referral service or to the local bar association if no referral service exists.

***History of Standard***

There are stylistic changes only.

***Related Standards***

ABA, Code of Professional Responsibility DR2-103(A), (B), (C)

***Commentary*****Unauthorized Referrals**

The payment of compensation by one lawyer to another for referring a case violates established principles of ethical conduct.<sup>1</sup> Where a com-

3. See, e.g., ILL. REV. STAT. ch. 38, §103-7 (1977).

1. ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR2-103(B); *Alpers v. Hunt*, 86 Cal. 78, 24 P. 846 (1890).

mission is paid to a law enforcement officer for the referral of cases, or where other benefits or "rewards" are given, there is the highly undesirable temptation for the officer to make arrests or to adjust his or her evaluation of probable cause in order to obtain compensation from the lawyer to whom the case is referred.

The mere existence of any arrangement with lay intermediaries may result in a layperson's exercising control over the lawyer's conduct of the case. This practice is forbidden because of the danger that someone who is not subject to the professional discipline of the bar will attempt to dictate the tactics to be used.<sup>2</sup> If the referral is made by law enforcement personnel, the conflict between their public duty and private interest is apparent. Any solicitation of criminal cases through laypersons is ground for disbarment of a lawyer.<sup>3</sup> However, under proper limitations a legitimate organization may undertake to provide legal services for its own members.<sup>4</sup>

The prohibition of the payment of a fee for the referral of a case also applies to payments by one lawyer to another. A division of fees between lawyers must be on the basis of services rendered to the client and responsibility assumed by the lawyer. A "forwarding" fee is thus impermissible.<sup>5</sup> Payment of such a fee undermines the concept that professional compensation is only for services rendered, and may result in either a client being charged more than he or she should be for services rendered or a lawyer rendering less service than charged for in an effort to offset the fee. In some states the payment of such a fee is not considered unprofessional conduct. There is evidence, however, that lawyers do not always respect the fee splitting prohibitions of the bar.<sup>6</sup>

Regardless of the factor of compensation, the acceptance of regular referrals entails many of the pernicious consequences of compensated solicitation. Even where the police officer, bondsman, or court attaché making the referral is motivated by friendship for the lawyer or honest sympathy for the defendant's plight, the potential for abuse is substan-

2. ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR5-107(B).

3. See, e.g., *In re Disbarment Proceedings*, 321 Pa. 81, 184 A. 59 (1936); *In re Salus*, 321 Pa. 103, 184 A. 69 (1936).

4. See, e.g., *Brotherhood of R.R. Trainmen v. Virginia State Bar*, 377 U.S. 1 (1964); *NAACP v. Button*, 371 U.S. 415 (1963).

5. See, e.g., ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR2-107(A); ABA COMMITTEE ON PROFESSIONAL ETHICS, FORMAL OPINION No. 265 (1945); NEW YORK COUNTY LAWYERS' ASSOCIATION COMMITTEE ON PROFESSIONAL ETHICS, OPINION No. 382 (1948).

6. See J. CARLIN, *LAWYERS ON THEIR OWN* 81, 162, 208 (1962).

tial. A potential conflict of interest exists, for example, when the person making the referral is a police officer regardless of whether or not compensation is involved, since the officer may be called as a witness in the proceedings. Moreover, any practice of police referrals is likely to direct the defense of criminal cases into the hands of a few lawyers, and not necessarily to the competent and ethical members of the bar.<sup>7</sup>

These prohibitions do not preclude a lawyer from accepting referrals from a member of the clergy or other person comparably situated.

#### **Regulation of Police Officers, Court Personnel, Bondsmen, and Others**

Unprofessional referral practices that have existed in some jurisdictions cannot be extirpated by action taken against participating lawyers alone. To be effective, sanctions must be directed at all parties to the transaction. Some major police departments have provided by departmental regulation that an officer may not recommend a lawyer to a person in custody. Such regulations should be universal. Likewise, those responsible for the licensing or supervision of bondsmen, or others in a position to be tempted to make such referrals, should undertake to discourage the practice by the imposition of appropriate sanctions pursuant to regulations. Undoubtedly, court rules could aid in achieving this goal in many jurisdictions.

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### **PART III. LAWYER-CLIENT RELATIONSHIP**

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#### **Standard 4-3.1. Establishment of relationship**

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(a) Defense counsel should seek to establish a relationship of trust and confidence with the accused. The lawyer should explain the necessity of full disclosure of all facts known to the client for an effective defense, and the lawyer should explain the obligation of confidentiality which makes privileged the accused's disclosures relating to the case.

(b) The conduct of the defense of a criminal case requires trained professional skill and judgment. Therefore, the technical and professional decisions must rest with the lawyer without impinging

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7. See standard 4-2.2

on the right of the accused to make the ultimate decisions on certain specified matters, as delineated in chapter 5, part II.

(c) To ensure the privacy essential for confidential communication between lawyer and client, adequate facilities should be available for private discussions between counsel and accused in jails, prisons, courthouses, and other places where accused persons must confer with counsel.

(d) Personnel of jails, prisons, and custodial institutions should be prohibited by law or administrative regulations from examining or otherwise interfering with any communication or correspondence between client and lawyer relating to legal action arising out of charges or incarceration.

### ***History of Standard***

There are stylistic changes only.

### ***Related Standards***

ABA, Code of Professional Responsibility, canon 4

NAC, Corrections 2.1, 2.2

NAC, Courts 10.1

NLADA, National Study Commission Recommendations 5.10

### ***Commentary***

#### **Confidentiality**

Nothing is more fundamental to the lawyer-client relationship than the establishment of trust and confidence. Without it, the client may withhold essential information from the lawyer. Thus, important evidence may not be obtained, valuable defenses neglected, and, perhaps most significant, the lawyer may not be forewarned of evidence that will be presented by the prosecution. The obligation of confidentiality in the lawyer-client relation has been established to encourage candor and full disclosure. The ABA Code of Professional Responsibility reflects the ancient doctrine that a lawyer must preserve all confidences that relate to the representation of the accused.<sup>1</sup> There are several well-established

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1. ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR4-101. See also 8 WIGMORE, EVIDENCE §2290 (McNaughton rev. ed. 1961). "[T]he first duty of an attorney is to keep the secrets of his clients." Taylor v. Blacklow, 132 Eng. Rep. 401, 406 (C.P. 1836).

exceptions to the duty of confidentiality: the lawyer is free of the obligation to the extent necessary to defend his or her own conduct where the client has called the lawyer's conduct into question, as in a postconviction proceeding or disciplinary proceeding against the lawyer,<sup>2</sup> and the lawyer may disclose, and indeed may be obligated to disclose, the client's stated intention to commit a crime at a future time.<sup>3</sup>

#### **Control of Conduct of a Case**

Part V of this chapter deals with the necessity of the lawyer's controlling all technical legal aspects of the defense. However, since laypersons may not understand the reasons and need for the degree of control that the lawyer must have, it is essential that it be clarified at the inception of the lawyer-client relationship. Accordingly, the commentary to standard 4-5.2, which deals more specifically with control and direction of the case, is applicable here.

#### **Facilities for Private Interview**

Even if accused persons are permitted to contact a lawyer and counsel is allowed to see the client, the assistance of counsel cannot be rendered fully unless interviews can be held in private and at convenient times. This is true while an accused is in custody pending trial or while incarcerated after conviction if an appeal or a postconviction proceeding is pending or contemplated.

But these matters should not be relegated to postconviction relief or the seeking of court orders before and during trial. Regulations governing custodial institutions and rules of court should provide for adequate opportunities for consultation between lawyer and client. Unfortunately, some jail regulations limit the hours and frequency of consultations in a manner that severely restricts necessary lawyer-client discussions. Restrictions to weekdays during daytime hours, for example, may make such interviews unduly expensive in terms of the lawyer's time or may intrude on the lawyer's other obligations. Courts, in formulating reasonable provisions and in drafting regulations pertaining to them, should emphasize flexibility in all arrangements for lawyer-

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2. ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR4-101(C)(4); ABA COMMITTEE ON PROFESSIONAL ETHICS, FORMAL OPINION No. 19 (1930), FORMAL OPINION No. 202 (1940).

3. ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR4-101(C)(3); *see* standard 4-3.7(d).

client contacts. Defense counsel should protest any barriers to reasonable lawyer-client communication.

On a number of occasions courts have been called upon to consider invasions of privacy of attorney-client interviews. Placing a guard in a position to overhear conversations between lawyer and client has been held to be a violation of the right to counsel.<sup>4</sup> It is not necessary that disclosure to the prosecution be shown; the risk of disclosure and the inhibiting effect on full communication are sufficient.<sup>5</sup> Courts have looked even more harshly on secretive encroachment on the privacy of interviews, obviously because in these situations the lawyer and client have acted in the belief that privacy had been afforded. Convictions have been reversed and new trials ordered where telephone conversations between lawyer and client were intercepted<sup>6</sup> or where an informant for the prosecution was present during the interview.<sup>7</sup> At least one court has held that eavesdropping on the discussions between defense counsel and defendant in an interview room at the jail via a hidden microphone created such ineradicable prejudice to the defense that a new trial was not permitted and the case was dismissed.<sup>8</sup> A responsibility rests heavily on the courts, the bar, and law enforcement authorities to see that such invasions of the privacy of the lawyer-client relation do not occur. Law enforcement personnel should be educated concerning the vital interest that society has in maintaining that privacy, and appropriate measures should be taken at all levels to see that it is ensured.

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#### Correspondence Between Lawyer and Client; Censorship of Mail

It is fundamental that the communication between client and lawyer be untrammelled. Courts frequently struggle with the question of censorship of correspondence between prisoner and lawyer.<sup>9</sup> A traditional reluctance to interfere in prison administration and concern for the security of such institutions have led courts to uphold censorship regu-

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4. See, e.g., *Turner v. State*, 91 Tex. Crim. 627, 241 S.W. 162 (1922); *Ex parte Rider*, 50 Cal. App. 797, 195 P. 965 (1920); see also *Louie Yung v. Coleman*, 5 F. Supp. 702, 703 (D. Idaho 1934).

5. *State ex rel. Tucker v. Davis*, 9 Okla. Crim. 94, 130 P. 962 (1913).

6. *Coplon v. United States*, 191 F.2d 749 (D.C. Cir. 1951).

7. *Caldwell v. United States*, 205 F.2d 879 (D.C. Cir. 1953).

8. *State v. Cory*, 62 Wash. 2d 371, 382 P.2d 1019 (1963).

9. See cases cited in Annot., 47 A.L.R.3d 1150 (1973).

lations that they have found to be reasonable. The Supreme Court has held that a state may constitutionally require that mail from an attorney to a prisoner be identified as such and that the attorney's name and address appear on the communication and, as a protection against contraband, that the authorities may open such mail in the inmate's presence.<sup>10</sup> The Court further noted that "the ability to open the mail in the presence of inmates . . . could in no way constitute censorship, since the mail would not be read. Neither could it chill such communications, since the inmate's presence insures that prison officials will not read the mail."<sup>11</sup>

The reading by prison officials of correspondence between prisoners and their lawyers inhibits communication and impairs the attorney-client relationship, may compel time-consuming and expensive travel by the lawyer to assure confidentiality, or even prevent legitimate grievances from being brought to light. This standard insists that censorship be prohibited with respect to all correspondence between lawyer and client concerning a pending or prospective case or appeal.<sup>12</sup>

#### **Standard 4-3.2. Interviewing the client**

(a) As soon as practicable the lawyer should seek to determine all relevant facts known to the accused. In so doing, the lawyer should probe for all legally relevant information without seeking to influence the direction of the client's responses.

(b) ~~It is unprofessional conduct for the lawyer to instruct the client or to intimate to the client in any way that the client should not be candid in revealing facts so as to afford the lawyer free rein to take action which would be precluded by the lawyer's knowing of such facts.~~

#### ***History of Standard***

There are stylistic changes only.

10. *Wolff v. McDonnell*, 418 U.S. 539 (1974).

11. *Id.* at 577

12. The Joint Committee on the Legal Status of Prisoners has recommended that prisoners' correspondence "should be opened only pursuant to a search warrant issued on probable cause." See *Tentative Draft of Standards Relating to the Legal Status of Prisoners* §6.1(a), 14 AM. CRIM. L. REV. (Winter 1977).



**Related Standards**

None

**Commentary****Securing Facts from the Client**

The client is usually the lawyer's primary source of information for an effective defense. An adequate defense cannot be framed if the lawyer does not know what is likely to develop at trial. The lawyer needs to know essential facts, including the events surrounding the act charged, information concerning the defendant's background, and the defendant's record of prior convictions, if any. In criminal litigation, as in other matters, information is the key guide to decisions and action. The lawyer who is ignorant of the facts of the case cannot serve the client effectively.

The client, whether innocent or guilty, often knows facts that may tend to be incriminating. For example, though the defendant may be innocent, he or she may have been near the scene of the crime at the time it was committed and hence be reluctant to disclose that fact to the lawyer for fear the lawyer will lose confidence in his or her innocence and thus fail to pursue the case zealously. The lawyer must recognize this reluctance and overcome it in order to obtain the facts necessary for an effective defense.

Defense counsel has sometimes been depicted as following the strategy of informing the client of the legal consequences of various factual situations in order to influence the client to adopt the factual version most favorable to a legal defense, for example, the claim of insanity.<sup>1</sup> A lawyer who follows this course handicaps an effective defense by promoting ignorance of facts that may ultimately be revealed at trial.

**Calculated Ignorance of Facts by the Lawyer**

The most flagrant form of "intentional ignorance" on the part of defense lawyers is the tactic of advising the client at the outset not to admit anything to the lawyer that might handicap the lawyer's freedom in calling witnesses or in otherwise making a defense. This tactic is most unfortunate in that the lawyer runs the risk of being the victim of

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1. See, e.g., R. TRAVER, *ANATOMY OF A MURDER* (1958).



surprise at trial. A lawyer should make clear to the client the imperative need to know all aspects of the case; the lawyer should explain that all of the client's statements and those of other witnesses must be fully investigated. To secure candid disclosure from the client of facts that are often both incriminating and embarrassing, the client must be sure that these facts will not be divulged by the lawyer. Accordingly, an explanation of the privileged status of all information acquired from the client should be given in most cases, unless it is clear that the client is sophisticated enough to understand the lawyer's obligation of confidentiality.<sup>2</sup>

#### **Standard 4-3.3. Fees**

(a) In determining the amount of the fee in a criminal case, it is proper to consider the time and effort required, the responsibility assumed by counsel, the novelty and difficulty of the questions involved, the skill requisite to proper representation, the likelihood that other employment will be precluded, the fee customarily charged in the locality for similar services, the gravity of the charge, the experience, reputation, and ability of the lawyer, and the capacity of the client to pay the fee.

(b) It is unprofessional conduct for a lawyer to imply that compensation of the lawyer is for anything other than professional services rendered by the lawyer or by others for the lawyer.

(c) It is unprofessional conduct for a lawyer to enter into an agreement for, charge, or collect an illegal or clearly excessive fee.

(d) It is unprofessional conduct for a lawyer to divide a fee with a nonlawyer, except as permitted by the Code of Professional Responsibility. A lawyer may share a fee with another lawyer only on the basis of their respective services and responsibility in a case, in accordance with the Code of Professional Responsibility.

(e) It is unprofessional conduct for a lawyer to enter into an arrangement for, charge, or collect a contingent fee for representing a defendant in a criminal case.

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2. Both "confidences" and "secrets" are protected pursuant to the Code of Professional Responsibility. "'Confidence' refers to information protected by the attorney-client privilege under applicable law, and 'secret' refers to other information gained in the professional relationship that the client has requested be held inviolate or the disclosure of which would be embarrassing or would be likely to be detrimental to the client." ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR4-101(A).

**History of Standard**

There are stylistic changes only.

**Related Standards**

ABA, Code of Professional Responsibility DR2-106, DR2-107, DR3-102

**Commentary****Determination of Fee**

The factors to be properly considered in establishing a lawyer's compensation trace back at least as far as an ordinance of the City of London of 1280.<sup>1</sup> The factors listed in paragraph (a) to be considered by defense counsel in setting a fee are substantially the same factors set forth in the Code of Professional Responsibility.<sup>2</sup> Since it is common for lawyers to accept criminal cases only if the fee is paid or assured in advance, this requires that factors of time and effort be carefully estimated.

**Implication That Fee Is for Other Than Professional Services**

Clients in criminal cases are sometimes more willing to pay lawyers for results secured by unethical conduct than for skillful representation within the law and the rules of professional conduct. A lawyer should scrupulously avoid permitting an impression that the fee will be used for undefined purposes or vaguely defined purposes that may be interpreted as including bribery, or that the service provided has a special value because of the lawyer's relationship to the prosecutor, judge, or other officials or because of any factors unrelated to the lawyer's professional services. The creation of such an impression has been held to be ground for professional discipline.<sup>3</sup>

**Overreaching**

It is generally accepted in the United States that attorneys' fees are a matter of agreement between lawyer and client, although the lawyer

1. See H. DRINKER, LEGAL ETHICS 173 (1953).

2. ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR2-106(B).

3. See *In re Farris*, 340 Mo. 1206, 105 S.W.2d 921 (1937); *State Bd. of Law Examiners v. Sheldon*, 43 Wyo. 522, 7 P.2d 226 (1932).

should be guided by the considerations enumerated in paragraph (a). However, it is clear that a lawyer may be disciplined where a fee is flagrantly excessive or results from overreaching of the client.<sup>4</sup> In criminal cases, because of the intensity of the values at stake, there is a special danger that a lawyer may exploit a client's apprehensions and difficulties to the lawyer's pecuniary advantage. As a result, disciplinary measures should be invoked when such overreaching can be clearly demonstrated. A lawyer who demands that the client pay an additional fee on the eve of trial beyond that which had been previously agreed is particularly suspect,<sup>5</sup> since once the relationship of lawyer and client has been established the lawyer stands in a fiduciary relationship to the client and no longer can claim that the additional fee demanded in those circumstances results from arm's-length bargaining.<sup>6</sup> Misrepresentation to the client of the extent of the client's predicament is a form of overreaching that should lead to discipline.

Family ties and loyalties often lead others to offer financial assistance to an accused, even though they are not legally obligated to pay for the defense. While it is not improper for a lawyer to accept fees derived from such sources if no conflict of interest results,<sup>7</sup> a lawyer should avoid the appearance of overreaching that in some circumstances may follow if the lawyer urges the accused to appeal to such sources. A fortiori, the lawyer should not bypass the client and appeal directly to family and friends except when requested to do so by a client in custody.

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#### Division of Fees

Any division of fees with laypersons is prohibited because of its tendency to promote control of the conduct of the case by one who is not subject to professional discipline. There is also the danger of a conflict of interest between the client and the person who shares in the fee.<sup>8</sup> The layperson's "fee" is also an added cost to the client.

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4. "A lawyer shall not enter into an agreement for, charge, or collect an illegal or clearly excessive fee." ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR2-106(A); H. DRINKER, *LEGAL ETHICS* 174 (1953).

5. *In re Karp*, 240 App. Div. 388, 270 N.Y.S. 113, *aff'd*, 266 N.Y. 473, 195 N.E. 160 (1934).

6. *United States v. Stringer*, 124 F. Supp. 705 (D. Alas. 1954), *rev'd on other grounds*, 233 F.2d 947 (9th Cir. 1956).

7. See standard 4-3.5(c).

8. Cf. ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR5-107.

Division of fees with another lawyer is also prohibited except on the basis of a fair division of responsibility and services in a case.<sup>9</sup> The practice of lawyers sharing a "forwarding" fee to be paid out of the fee charged by the lawyer seems to be widespread, however.

#### Contingent Fees

Fees contingent upon the successful disposition of a case have long been prohibited in criminal cases.<sup>10</sup> Such fee arrangements may tempt the advocate to employ improper or corrupt tactics to enhance the fee. Although the contingent fee conflicts with the principle that the lawyer should not have a pecuniary interest in the litigation, it has been regarded as necessary in some civil cases lest a large segment of the public be denied the opportunity to litigate just claims because of lack of financial capacity. In the administration of criminal justice the stakes are high, and thus the danger of abuse resulting from a contingent fee is especially great. Moreover, the right to counsel is guaranteed by the Constitution in criminal cases, and accused persons therefore should not have to fear a lack of legal representation.

An agreement for payment of an additional fee contingent on acquittal is prohibited. However, an agreement for payment of one amount if the case is disposed of without trial and a larger amount if it proceeds to trial is not a contingent fee but merely an attempt to relate the fee to the time and service involved.

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#### Standard 4-3.4. Obtaining publication rights from the accused

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**It is unprofessional conduct for a lawyer, prior to conclusion of all aspects of the matter giving rise to his or her employment, to enter into any agreement or understanding with a client or a prospective client by which the lawyer acquires an interest in publication rights with respect to the subject matter of the employment or proposed employment.**

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9. *Id.* DR2-107(A)(2); fees paid for referrals are discussed in the commentary to standard 4-2.3.

10. See F. MacKinnon, *Contingent Fees for Legal Services* 52 (1964); see also ABA, *Code of Professional Responsibility* DR2-106(C).

***History of Standard***

There are stylistic changes only.

***Related Standards***

ABA, Code of Professional Responsibility DR5-104(B)

***Commentary***

A grave conflict of interest can arise out of an agreement between a lawyer and an accused giving the lawyer the right to publish books, plays, articles, interviews, pictures, or related literary rights concerning the case. First, it violates the fiduciary relation by dealing with one's own client on matters apart from professional advocacy. Second, the client is not a free agent, particularly if the client does not have independent legal advice concerning the extraneous transaction. Third, it may place the lawyer under temptation to conduct the defense with an eye on the literary aspects and its dramatic potential. If such an arrangement or contract is part of the fee, in lieu of the fee, or a condition of accepting the employment, it is especially reprehensible. The "inside story" of a sensational criminal case can produce literary royalties and other economic benefits largely in excess of a normal fee for the conduct of the case. Finally, such an arrangement may constitute a blatant form of self-touting, which ought not be engaged in by members of the bar. There also are serious risks in disclosing facts of the client's case to third parties inasmuch as such disclosures may violate the attorney-client privilege.

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**Standard 4-3.5. Conflict of interest**

(a) At the earliest feasible opportunity defense counsel should disclose to the defendant any interest in or connection with the case or any other matter that might be relevant to the defendant's selection of a lawyer to represent him or her.

(b) Except for preliminary matters such as initial hearings or applications for bail, a lawyer or lawyers who are associated in practice should not undertake to defend more than one defendant in the same criminal case if the duty to one of the defendants may

conflict with the duty to another. The potential for conflict of interest in representing multiple defendants is so grave that ordinarily a lawyer should decline to act for more than one of several codefendants except in unusual situations when, after careful investigation, it is clear that:

(i) no conflict is likely to develop;

(ii) the several defendants give an informed consent to such multiple representation; and

(iii) the consent of the defendants is made a matter of judicial record. In determining the presence of consent by the defendants, the trial judge should make appropriate inquiries respecting actual or potential conflicts of interest of counsel and whether the defendants fully comprehend the difficulties that an attorney sometimes encounters in defending multiple clients.

In some instances, accepting or continuing employment by more than one defendant in the same criminal case is unprofessional conduct.

(c) In accepting payment of fees by one person for the defense of another, a lawyer should be careful to determine that he or she will not be confronted with a conflict of loyalty since the lawyer's entire loyalty is due the accused. It is unprofessional conduct for the lawyer to accept such compensation except with the consent of the accused after full disclosure. It is unprofessional conduct for a lawyer to permit a person who recommends, employs, or pays the lawyer to render legal services for another to direct or regulate the lawyer's professional judgment in rendering such legal services.

(d) It is unprofessional conduct for a lawyer to defend a criminal case in which the lawyer's partner or other professional associate is or has been the prosecutor.

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#### *History of Standard*

There has been added to paragraph (b) the requirement that the consent of multiple defendants be "made a matter of judicial record" before the joint representation of such defendants is undertaken. Also added to paragraph (b) is the statement that it is the trial judge's duty to determine that defendants who consent to multiple representation do so with full understanding of the implications of their decision. Specifically, paragraph (b) now provides that "the trial judge should make appropriate inquiries respecting actual or potential conflicts of interest

of counsel and whether the defendants fully comprehend the difficulties that an attorney sometimes encounters in defending multiple clients." This language is based on a provision that appeared in original Function of the Trial Judge standard 3.4(b). Finally, paragraph (b) now recognizes that "[i]n some instances" representation of multiple defendants may constitute "unprofessional conduct." In addition, there are stylistic changes.

### ***Related Standards***

ABA, Code of Professional Responsibility DR5-101(A), DR5-105, DR5-107

ABA, Court Organization 2.20(b)

ABA, Standards for Criminal Justice 3-1.2

### ***Commentary***

#### **Disclosure of Conflict of Interest**

The obligation of an attorney to disclose to a potential client any relationship to other parties or the subject matter of the case that might undermine or draw into question the attorney's ability to guard the client's confidences and zealously pursue the client's interest governs members of the bar in all aspects of their professional activity.<sup>1</sup> In a criminal case this responsibility rests heavily on the lawyer because the circumstances of the lawyer's initial contact with the client are likely to render the client less sensitive to such considerations or less capable of understanding them. In most instances, the client's confrontation with the criminal law will loom so large that the client will be eager to obtain any representation as soon as possible and thus will not be particularly cautious in evaluating a potential conflict even when it has been disclosed.

While the obligation to disclose a conflicting interest is most apparent when the lawyer has other loyalties that might cause a diminution in zeal of representation, there is a more subtle type of conflict that must also be avoided. Counsel may see in a criminal case an opportunity to further personal or general social interests that are not those of the client. The lawyer who takes a criminal case because of anticipated publicity is in danger of taking action that furthers the interest of the

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1. See ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR5-101(A); H. DRINKER, LEGAL ETHICS 103-131 (1953).



lawyer's publicity at the expense of reaching a quieter disposition more favorable to the client. Another possibility for conflict exists where counsel wishes to test the constitutionality of a law under which the accused is charged although a plea to a minor offense is available. The decision must be made on the basis of the client's best interests, uninfluenced by the lawyer's self-interest in being identified with a "landmark case."

Another subtle type of conflict may arise where a lawyer habitually appears before a certain court or negotiates with a particular prosecutor. The lawyer, in pressing a particular client's case zealously, may risk antagonizing the judge or prosecutor in a way that might prove harmful in later relations with them in other cases. The basic rule that must guide every lawyer is that the lawyer's total loyalty is due each client in each case; the lawyer must never permit the pressing of one point or one case to be guided or influenced by the demands of another case. The risk of jeopardizing other cases, if it in fact exists, presents a conflict that must be resolved in such a way that the immediate responsibility is faithfully discharged.<sup>2</sup>

#### Representation of Codefendants

Normally, joint representation of codefendants in criminal cases should not occur, except for preliminary matters such as initial hearings or bail proceedings. Where joint representation does take place, it should be preceded by a "careful investigation" from which it is determined "that (i) no conflict is likely to develop; (ii) the several defendants give an informed consent to such multiple representation; and (iii) the consent of the defendants is made a matter of judicial record." This standard is based on the belief that conflicts of interest are either present or potentially present in the great majority of criminal cases where codefendants are represented by the same lawyer or law firm.<sup>3</sup> When-

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2. This problem is one of the arguments sometimes invoked against the desirability of full-time defender programs. There is evidence, however, that the inbred adversary tendencies of the lawyers from such offices are sufficient protection. *See, e.g.,* SPECIAL COMMITTEE OF THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK & NLADA, EQUAL JUSTICE FOR THE ACCUSED 61, 71, 74 (1959). In private defense representation and in prosecution offices many of these same risks are present to some degree. Here, too, the innate competitive instincts of the advocate and the integrity of the bar are society's protection.

3. If a single lawyer should not represent codefendants, it follows that "no partner, or associate, or any other lawyer affiliated with him or his firm, may accept or continue such employment." ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR5-105(D).



ever there are multiple defendants, frequently there are factual differences in the prosecutor's case against them or in their defense to the charges, or, at the very least, differences in their backgrounds and social history that are relevant at sentencing. Where the differences are patent, separate counsel are obviously essential. If, for example, defendant X states that defendant Y committed the offense, and vice versa, the same attorney clearly cannot represent both parties.

Frequently, however, the differences or conflicts are more subtle but still make effective, zealous representation of all defendants impossible. During the plea negotiation stage, for example, a lawyer cannot urge identically favorable plea agreements for all of the defendants unless all are identically situated. The presence of even slight differences in the backgrounds of defendants or in their cases (*e.g.*, one defendant held a gun while the other served as a lookout) means that strong advocacy to the prosecutor on behalf of one codefendant necessarily undermines, by comparison, the position of other defendants. Similar problems are experienced by counsel during trial, whether the issue is deciding what questions to ask on direct examination or cross-examination, which witnesses will testify, or what evidence to introduce. Questions, testimony, or evidence that is particularly beneficial to one defendant may indirectly reflect adversely on other defendants. The difficulty for an attorney is especially acute when it comes to arguing the cases of multiple defendants to the fact finder. Unless the prosecutor's evidence against the defendants and their defenses is identical, attempts by counsel to exploit weaknesses in evidence against one defendant necessarily make the case against other defendants appear stronger.

Moreover, the fact of multiple representation means that the statements of the accused to the lawyer are not given in full confidence. Defense counsel must confront each defendant with any conflicting statements made by others in the course of planning the defense of the cases. In this situation, the lawyer may have to "judge" the clients to determine which is telling the truth, and the lawyer's role as advocate is undermined for one if not all defendants.

If defense counsel does somehow manage to survive the pretrial, trial, and plea stages without confronting either an implicit or explicit conflict in the representation of multiple defendants, conflict problems are likely to be encountered at sentencing. Since the backgrounds of codefendants invariably differ to some degree, an attorney for multiple defendants must be exceedingly careful in arguments related to sentencing, lest it appear that the attorney is favoring one defendant for leniency in contrast to others. At sentencing, just as at all other

stages of criminal proceedings, a defendant is entitled to a lawyer who will aggressively advocate his or her cause and who is able to do so without concern for the effects of the representation on any other defendants.<sup>4</sup>

There may, of course, be some situations where codefendants desire the same attorney, have totally consistent defenses and similar backgrounds, and would be spared the expense of higher legal fees incident to separate counsel. Moreover, neither the Code of Professional Responsibility nor decisions of the Supreme Court prohibit representation of multiple defendants in criminal cases. The code urges that a lawyer "decline . . . employment if the exercise of his independent professional judgment in behalf of a client will be or is likely to be adversely affected . . . or if [the employment] would be likely to involve him in representing differing interests. . . ."<sup>5</sup> But even in these situations, representation of multiple clients is still permitted by the code if it is "obvious" that each client can be "adequately" represented and where each client consents after full disclosure of the possible conflict of interest.<sup>6</sup> While the Supreme Court has not prohibited joint representation of criminal defendants, the Court has held that whenever impermissible joint representation occurs, reversal is automatic and no particularized showing of prejudice is required. To rule otherwise, the Court has observed, would be to require difficult judgments to be made respecting the impact of conflicts of interest on an attorney's representation. The Court has also noted that the likelihood of prejudice to one or more clients is substantial when multiple defendants with conflicting interests are represented.<sup>7</sup>

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#### Payment by One for Representing Another

There are other situations in which a conflict may arise. For example, counsel is commonly employed in criminal cases by a relative, friend, employer, or codefendant of the defendant. In such cases there is the

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4. The ability of a jurisdiction to provide separate counsel for codefendants can be greatly facilitated if there is adherence to standard 5-1.2, which recommends that in each jurisdiction there be both defenders and assigned counsel. The presence of both groups of attorneys assures that there will be sufficient numbers of lawyers available to handle multiple defendant cases.

5. ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR5-105(A).

6. *Id.* DR5-105(C).

7. *Holloway v. Arkansas*, 435 U.S. 475 (1978); *see also* *Glasser v. United States*, 315 U.S. 60 (1942).

possibility that conflicting allegiances will develop. This possibility is especially aggravated if the person paying fees of counsel is a party defendant or witness to the alleged offense, as is sometimes the case where an employer pays for a lawyer for an employee when both the employer and the employee are indicted. There are inherent risks that the person paying the fees may regard himself or herself as the principal to whom counsel's primary loyalty is due. A lawyer for an accused must give complete loyalty to the accused without regard to the source of fees. Payment of fees and costs by a person other than the accused can never be allowed to dilute or influence the undivided loyalty of counsel to the accused or confer on the fee payer any control of the litigation inconsistent with the best interests of the accused.<sup>8</sup>

#### Prosecutors and Their Partners as Defense Counsel

The particular form of conflict of interest that arises when two lawyers who are associated in the practice of law appear on both sides of a case has been the subject of legislation in many states. These statutes typically make it a misdemeanor and provide for the revocation or suspension of the license of an attorney who in any way participates as prosecutor and then advises in the defense of the same case.<sup>9</sup>

A number of courts have imposed professional discipline upon a lawyer who appeared on both sides of the same case, either first as prosecutor and later as defense counsel<sup>10</sup> or first as defense counsel and later as prosecutor.<sup>11</sup> But where the circumstances have shown no division of loyalties, courts have recognized that it is permissible for one who holds prosecutorial office to act as defense counsel in another jurisdiction.<sup>12</sup>

In all of these situations the controlling consideration is the avoidance of any possibility of division or dilution of loyalties. Relationships between lawyers who are associated in practice are so close and

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8. See ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR5-107(B).

9. See, e.g., MISS. CODE ANN. §73-3-49 (1972); UTAH CODE ANN. §78-51-30 (1977). See also *Fitzsimmons v. State*, 116 Neb. 440, 218 N.W. 83 (1928); *Green v. State*, 241 Ind. 96, 168 N.E.2d 345 (1960); ABA COMMITTEE ON PROFESSIONAL ETHICS, FORMAL OPINION No. 16 (1929); *Rostow, The Lawyer and His Clients*, 48 A.B.A.J. 25 (1962).

10. See, e.g., *State v. Robbins*, 221 Ind. 125, 46 N.E.2d 691 (1943); *Hawkins v. Eighth Judicial Dist. Court*, 67 Nev. 248, 216 P.2d 601 (1950).

11. See, e.g., *State v. Leigh*, 178 Kan. 549, 289 P.2d 774 (1955).

12. *People ex rel. Colorado Bar Assn. v. Johnson*, 40 Colo. 460, 90 P. 1038 (1907); *Yancey v. State*, 41 Okla. Crim. 197, 271 P. 170 (1928).

the potential for conflict is so great, given the lack of any strong reason for permitting such representation, that a flat prohibition is warranted against lawyers from the same firm or office appearing as prosecutor and defense counsel. Similarly, it would not be sound to permit one who regularly serves as a prosecutor to appear as defense counsel opposing one who ordinarily is his or her associate in the prosecution office.

Yet there are advantages to the operation of the adversary system if lawyers can avoid being stereotyped in their roles. Obviously, in our system of institutionalized prosecution offices, it is difficult if not impossible for prosecutors to appear in the defense role. More feasible is the interchange of roles by having experienced defense counsel appointed as special prosecutors from time to time. The long-range benefits of interchange, however, are such that lawyers who have been trained in prosecution offices should be encouraged to devote some period of their professional careers in defense work, whether privately or as public defenders, after they have left prosecution offices. Correspondingly, public defender staff members should be encouraged to move into prosecution offices.

#### **Standard 4-3.6. Prompt action to protect the accused**

(a) Many important rights of the accused can be protected and preserved only by prompt legal action. The lawyer should ~~inform the accused of his or her rights forthwith and take all necessary action to vindicate such rights.~~ The lawyer should consider all procedural steps which in good faith may be taken, including, for example, motions seeking pretrial release of the accused, ~~obtaining psychiatric examination of the accused when a need appears,~~ moving for change of venue or continuance, moving to suppress illegally obtained evidence, moving for severance from jointly charged defendants, and seeking dismissal of the charges.

(b) A lawyer should not act as surety on a bail bond either for the accused or for others.

#### ***History of Standard***

There are stylistic changes only.

**Related Standards**

ABA, Standards for Criminal Justice 5-5.1, 10-5.5

**Commentary****Prompt Protection of Legal Rights**

Many of the rights that the law guarantees to an accused person can be vindicated only by prompt action. One of the lawyer's most significant tasks is to inform the client of the nature, extent, and importance of constitutional and legal rights and to take the procedural steps necessary to protect them. This includes advice concerning the privilege against self-incrimination and the appropriate responses to be made to a lineup, interrogation, or problems relating to statements to news media.<sup>1</sup> Many cases require that special steps be taken to preserve existing evidence under the control of others or that prompt ballistics tests, handwriting tests, or medical examinations of the accused be made.

One of the most vital of the accused's rights is the right to be released from custody pending trial. Not only is this essential to the accused's immediate freedom, continuation of employment, and associations with family and friends, but it is also directly related to a favorable disposition of the case. In many cases the accused, if not confined, can personally assist counsel by identifying and locating material witnesses or securing evidence vital to the defense. Moreover, if the defendant is able to continue employment, the groundwork may be laid for a strong showing for probation in the event of a guilty finding.<sup>2</sup>

The particular procedural steps that should be taken to protect the rights of the accused will vary greatly from case to case. These standards reject the notion, however, that a lawyer is obligated to take every step the accused demands. Instead, the lawyer's professional judgment that a particular step can be appropriately invoked to the client's advantage should govern.<sup>3</sup> Among the obvious steps to be considered at the outset are motions for pretrial release, for continuance of the preliminary hearing if that will benefit the accused, for suppression of evidence if

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1. See A. AMSTERDAM, B. SEGAL, & M. MILLER, TRIAL MANUAL FOR THE DEFENSE OF CRIMINAL CASES §§35-37 (1967).

2. See standard 10-1.1 and commentary.

3. See standard 4-5.2.

grounds exist, for change of venue if that will benefit the accused, or for pretrial psychiatric examination if any reason for such examination appears. At an early stage defense counsel may have to move for access, depending on the nature of the case, to such matters in the possession or control of the prosecution as ballistic test reports, autopsy reports, or other scientific evaluations of evidentiary matter that may be used at trial.

Counsel's role at the pretrial stage is not limited to formal legal steps that should be taken in the accused's behalf. The accused often needs assistance with personal relationships that have been disrupted because the accused has been charged with a crime. This may require advising the accused concerning relationships with an employer, landlord, or creditors, or even direct efforts by the lawyer to persuade them to defer adverse action until final disposition of the case.

#### **Lawyer as Bondsman**

In some jurisdictions lawyers are restricted by rule of court or otherwise from acting as sureties on bail bonds. It is particularly important that a lawyer not act as surety with respect to a client. This limitation enables the lawyer to avoid identification and involvement with the client which is beyond the lawyer's role as advocate and which, if not observed, undermines the detachment that an advocate should have.

A member of the bar engaged in practice should not engage in the business of acting as surety on bail bonds even if he or she does not represent the defendant being bonded. A few members of the bar have engaged in occasional or regular activities as bail bondsmen in order to secure clients. Lawyers should advocate rules of court or statutes prohibiting this highly undesirable practice.

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#### **Standard 4-3.7. Advice and service on anticipated unlawful conduct**

(a) It is a lawyer's duty to advise a client to comply with the law, but the lawyer may advise concerning the meaning, scope, and validity of a law.

(b) It is unprofessional conduct for a lawyer to counsel a client in or knowingly assist a client to engage in conduct which the lawyer knows to be illegal or fraudulent.



(c) It is unprofessional conduct for a lawyer to agree in advance of the commission of a crime that the lawyer will serve as counsel for the defendant, except as part of a bona fide effort to determine the validity, scope, meaning, or application of the law, or where the defense is incident to a general retainer for legal services to a person or enterprise engaged in legitimate activity.

(d) A lawyer may reveal the expressed intention of a client to commit a crime and the information necessary to prevent the crime, and the lawyer must do so if the contemplated crime is one which would seriously endanger the life or safety of any person or corrupt the processes of the courts and the lawyer believes such action on his or her part is necessary to prevent it.

### ***History of Standard***

Paragraph (d) of the original standard stated, in effect, that its provisions did not apply to the situations dealt with in standard 7.7. Because a decision on whether to retain standard 4-7.7 has been deferred pending resolution of the question of what should be done in situations dealt with by standard 4-7.7 (see the editorial note to that standard), the cross-reference to standard 7.7 has been eliminated here as well. In addition, there are stylistic changes.

### ***Related Standards***

ABA, Code of Professional Responsibility DR4-101(C)(3), DR7-102(A)(7), EC7-4 to EC7-6.

### ***Commentary***

#### **Advising Compliance with Law**

Since the system of justice cannot function if the professional participants — the advocates — do not comply with standards of honesty and integrity, the bar is firmly committed to the proposition that the lawyer's function must at every stage be performed within the law. Each of the contending advocates is assigned a different role or function, but each is an indispensable component of the system of justice and bound by its rules. While the justice system demands that defense counsel protect the confidences of the client, it also demands that counsel's

duties be performed pursuant to the traditions and standards of professional conduct and in accordance with the law.

A lawyer is entitled to seek withdrawal from a case at any stage if the client states an intent to violate the law.<sup>1</sup> In addition, the attorney-client privilege does not require that a lawyer treat as confidential a client's stated intention to commit a crime in the future.<sup>2</sup>

#### Advising Unlawful Conduct

It is fundamental that the lawyer's function be performed within the law.<sup>3</sup> The lawyer's professional capacity does not immunize him or her from responsibility if the lawyer aids and abets the commission of a crime.<sup>4</sup> It also has been held improper for a lawyer to advise a client that it would be better to pay a fine under a penal statute than to obey it.<sup>5</sup>

Of course, well-intentioned citizens are entitled to advice concerning the legality of prospective conduct. The lawyer properly may give a candid opinion on the interpretation that may be given to any provision of law, as well as an opinion on its validity.<sup>6</sup> Thus, a lawyer consulted by a person or organization contemplating a test of the constitutionality of a law, as in a civil rights case, is not obliged to counsel against conduct that would provoke prosecution. Similarly, a corporation seeking to determine whether its proposed course of action would violate the antitrust laws can properly be advised by counsel of the applicability of those laws to the proposed conduct.

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#### Representation in Future Criminal Cases

An agreement, whether express or implied, to defend criminal prosecutions arising out of contemplated criminal acts is an incentive to the ~~commission of crime and has been held to be ground for disbarment.~~<sup>7</sup> Thus, it is obviously unprofessional conduct for a lawyer to enter into

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1. See ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR2-110(C)(1)(b).

2. 8 WIGMORE, EVIDENCE §2298 (McNaughton rev. ed. 1961); ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR4-101(C)(3).

3. ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR1-102, DR7-102.

4. Cf. *Clark v. State*, 159 Tex. Crim. 187, 261 S.W.2d 339 (1953).

5. NEW YORK COUNTY LAWYERS' ASSOCIATION COMMITTEE ON PROFESSIONAL ETHICS, OPINION No. 27 (1913).

6. ABA, CODE OF PROFESSIONAL RESPONSIBILITY, EC7-2, EC7-3, EC7-8.

7. See *In re Davis*, 252 App. Div. 591, 299 N.Y.S. 632 (1937).



an arrangement with those engaged in organized crime to provide representation on a regular basis to the participants. The lawyer who agrees to represent a person against future charges of prostitution, gambling, narcotics violations, and the like, in violation of state or federal laws is encouraging illegal activity by his or her willingness to defend.

These situations should be distinguished from that of the lawyer who is under a general retainer or who regularly represents a client engaged in legitimate activity and who is expected to defend criminal charges should they ever be brought against the client.<sup>8</sup> Persons engaged in legitimate business activity may be exposed to possible violation of criminal laws, such as those regulating safety or business economics. The scope of the law may be uncertain and the managers of such enterprises are entitled to counsel. Regular employment or a retainer that contemplates the defense of a criminal charge, if one is brought in these circumstances, does not operate as an encouragement of law violation, provided that the lawyer fulfills the duty to counsel compliance with the law.

A lawyer may properly agree in advance to defend a client who has stated an intention to violate a criminal statute where the violation is for the express purpose of testing in good faith the validity or scope of the law and the lawyer has advised the client that the law is open to question on such grounds.<sup>9</sup>

#### **Duty to Report Threatened Crime**

The lawyer's duty of confidentiality does not extend to threatened criminal acts. Not only is the lawyer free to reveal any stated intention of the client to commit a crime, but where the crime is one that would seriously endanger the life or safety of any person or corrupt the processes of the courts, the lawyer has a duty to take action to protect against its commission. Thus, should the client reveal an intention to bribe or coerce a juror or witness and the lawyer does not succeed in discouraging such action, the lawyer must report the matter to the authorities. Obviously, this is most clearly necessary where the lawyer learns that the client intends to injure person or property.<sup>10</sup>

8. See Note, 47 YALE L.J. 812, 815 (1938).

9. ABA, CODE OF PROFESSIONAL RESPONSIBILITY EC7-4 to EC7-6.

10. Paragraph (d) is not intended to apply to the situation where a defense lawyer learns that the client intends to commit perjury. In the original edition, the problem posed when a client informed counsel of an intent to lie under oath was treated in original standard

### **Standard 4-3.8. Duty to keep client informed**

**The lawyer has a duty to keep the client informed of the developments in the case and the progress of preparing the defense.**

#### ***History of Standard***

There is a stylistic change only.

#### ***Related Standards***

NLADA, National Study Commission Recommendations 5.10

#### ***Commentary***

A common complaint of laypersons is that lawyers, whether acting in civil or criminal cases, fail to keep their clients adequately informed. Unfortunately, this sometimes occurs even when the lawyer is preoccupied with performing essential tasks for the client. At best it is difficult for a lawyer to establish and maintain a relationship of confidence and trust with an anxious client in a criminal case, especially one in custody, and this task is made more difficult if the client is not kept reasonably informed. A lawyer must remember that the case is the *defendant's* case, and the defendant is entitled to know of the progress of the lawyer's work. Here again, the lawyer's duty in this respect is the same whether the lawyer has been retained or assigned. The busy lawyer performing services in many cases at a personal sacrifice may regard the burden of reporting to the client as an added imposition, but it is important to keep the client aware that the lawyer is actively attending to the client's interests.

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### **Standard 4-3.9. Obligations to client and duty to court**

**Once a lawyer has undertaken the representation of an accused, the duties and obligations are the same whether the lawyer is privately retained, appointed, or serving in a legal aid or defender program.**

7.7. The present edition will defer to the upcoming report of the ABA Special Commission on Evaluation of Professional Standards (*see* editorial note to standard 4-7.7).

***History of Standard***

The standard no longer refers to lawyers being “appointed by the court.” This is consistent with revisions in the chapter on Providing Defense Services, which recommends that counsel for the poor should not normally be appointed by the judiciary. In addition, there are stylistic changes.

***Related Standards***

None

***Commentary***

The problem of establishing a relationship of trust and confidence with the accused is discussed elsewhere in these standards. This relationship is often more difficult to establish when the lawyer is assigned or serves in a legal aid or defender system than when the accused has retained the lawyer. Unfortunately, the assigned lawyer is often regarded by the accused as part of the “government establishment” invoked against the accused.

In addition to other difficulties that impede the development of a close relationship with the assigned lawyer, “jailhouse lawyers” or the “jailhouse grapevine” sometimes encourages the accused to put pressure on the assigned lawyer to engage in dilatory or frivolous tactics involving multiple motions or other pretrial processes not warranted by the law or the facts. This situation may become acute if the accused is at liberty and wishes to postpone the proceedings.

Clearly, counsel should conduct a case under appointment no differently than counsel would a case for the client who had retained him or her; neither more nor less should be given, and at every stage the standards of professional responsibility must govern. Specifically, if an accused demands that a dilatory or groundless motion be made, the assigned lawyer should refuse to comply if the lawyer would so act with a private client.<sup>1</sup> Postconviction attacks on the assigned lawyer whose client is convicted is an occupational hazard of assigned counsel, although hardly limited to that relationship. When conflict with a client

1. See ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-102(A)(1).

arises during trial proceedings, the lawyer is well advised to write a memorandum to the client explaining why the lawyer is declining to execute the request, or otherwise make some record of the circumstances. The creation of advisory councils would help to relieve the pressure on lawyers who face such problems.<sup>2</sup>

No lawyer, whether assigned by the court, part of a legal aid or defender staff, or privately retained and paid, has any duty to take any steps or present dilatory or frivolous motions or any actions that are unfounded according to the lawyer's informed professional judgment. On the contrary, to do so is unprofessional conduct.<sup>3</sup>

## **PART IV. INVESTIGATION AND PREPARATION**

### **Standard 4-4.1. Duty to investigate**

It is the duty of the lawyer to conduct a prompt investigation of the circumstances of the case and to explore all avenues leading to facts relevant to the merits of the case and the penalty in the event of conviction. The investigation should always include efforts to secure information in the possession of the prosecution and law enforcement authorities. The duty to investigate exists regardless of the accused's admissions or statements to the lawyer of facts constituting guilt or the accused's stated desire to plead guilty.

#### ***History of Standard***

There are stylistic changes only.

#### ***Related Standards***

ABA, Standards for Criminal Justice 3-3.1(a)  
NDAA, National Prosecution Standards 7.1(A)

2. See standard 4-1.4.

3. See standard 4-1.2(c).

**Commentary**

Facts form the basis of effective representation. Effective representation consists of much more than the advocate's courtroom function *per se*. Adequate investigation may avert the need for courtroom confrontation. Considerable ingenuity may be required to locate persons who observed the criminal act charged or who have information concerning it. After they are located, their cooperation must be secured. It may be necessary to approach a witness several times to raise new questions stemming from facts learned from others. The resources of scientific laboratories may be required to evaluate certain kinds of evidence: analyses of fingerprints or handwriting, clothing, hair, or blood samples, or ballistics tests may be necessary. Neglect of any of these steps may preclude the presentation of an effective defense.

The prosecutor and law enforcement agencies are important sources of information needed by the defense lawyer. Apart from any formal processes of discovery that are available, prosecutors and law enforcement officers have in their possession facts that defense counsel must know. Prosecutors will often reveal facts freely in the hope of inducing a guilty plea. If defense counsel can secure the information known to the prosecutor, it will obviously facilitate investigation. Defense counsel should always urge the prosecutor to disclose facts even though defense counsel must then proceed to verify them. Overtures to the prosecution are not an indication of weakness, and experienced defense counsel routinely approach the prosecutor at an early stage of their own investigation.

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The lawyer's duty to investigate is not discharged by the accused's admission of guilt to the lawyer or by the accused's stated desire to enter a guilty plea. The accused's belief that he or she is guilty in fact may often not coincide with the elements that must be proved in order to establish guilt in law. In many criminal cases the real issue is not whether the defendant performed the act in question but whether the defendant had the requisite intent and capacity. The accused may not be aware of the significance of facts relevant to intent in determining criminal responsibility. Similarly, a well-founded basis for suppression of evidence may lead to a disposition favorable to the client. The basis for evaluation of these possibilities will be determined by the lawyer's factual investigation, for which the accused's own conclusions are not a substitute.

The lawyer's duty is to determine, from knowledge of all the facts

and applicable law, whether the prosecution can establish guilt *in law*, not in some moral sense. An accused may feel a sense of guilt, but the accused's subjective or emotional evaluation is not relevant; an essential function of the advocate is to make a detached professional appraisal independent of the client's belief that he or she is or is not guilty.

The lawyer also has a substantial and important role to perform in raising mitigating factors both to the prosecutor initially and to the court at sentencing. This cannot effectively be done on the basis of broad general emotional appeals or on the strength of statements made to the lawyer by the defendant. Information concerning the defendant's background, education, employment record, mental and emotional stability, family relationships, and the like, will be relevant, as will mitigating circumstances surrounding the commission of the offense itself. Investigation is essential to fulfillment of these functions. Such information may lead the prosecutor to defer or abandon prosecution and will be relevant at trial and at sentencing.

Effective investigation by the lawyer has an important bearing on competent representation at trial, for without adequate investigation the lawyer is not in a position to make the best use of such mechanisms as cross-examination or impeachment of adverse witnesses at trial or to conduct plea discussions effectively. The lawyer needs to know as much as possible about the character and background of witnesses to take advantage of impeachment. If they were eyewitnesses, the lawyer needs to know conditions at the scene that may have affected their opportunity as well as their capacity for observation. The effectiveness of advocacy is not to be measured solely by what the lawyer does at the trial; without careful preparation, the lawyer cannot fulfill the advocate's role. Failure to make adequate pretrial investigation and preparation may be grounds for finding ineffective assistance of counsel.<sup>1</sup>

#### Standard 4-4.2. Illegal investigation

**It is unprofessional conduct for a lawyer knowingly to use illegal means to obtain evidence or information or to employ, instruct, or encourage others to do so.**

1. See *United States v. DeCoster*, 487 F.2d 1197, 1202-1204 (D.C. Cir. 1973).

**History of Standard**

There is a stylistic change only.

**Related Standards**

ABA, Code of Professional Responsibility DR1-102(A)(3), (4), (5)

ABA, Standards for Criminal Justice 3-3.1(b)

**Commentary**

The use by investigators of wiretaps, electronic surveillance devices, and other prohibited means is common.<sup>1</sup> Such practices are a serious threat to personal privacy. Lawyers who use the services of private investigators are in a strategic position to control the means by which investigation is conducted. One study recommends the use of professional standards for this purpose as a necessary adjunct to other forms of control.<sup>2</sup> Lawyers have a special responsibility to act within the bounds of law and to see that those they employ do so also.<sup>3</sup> Lawyers must also forbid the use of oppressive methods of securing information, as by threats or intimidation. Obviously, the use of fabricated tangible evidence or false testimony is both illegal and forbidden by professional standards.<sup>4</sup>

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**Standard 4-4.3. Relations with prospective witnesses**

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(a) It is unprofessional conduct to compensate a witness, other than an expert, for giving testimony, but it is not improper to reimburse a witness for the reasonable expenses of attendance upon court, including transportation and loss of income, attendance for depositions pursuant to statute or court rule, or attendance for pretrial interviews, provided there is no attempt to conceal the fact of reimbursement.

(b) It is not necessary for the lawyer or the lawyer's investigator,

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1. See Lipset, *The Wiretapping-Eavesdropping Problem: A Private Investigator's View*, 44 MINN. L. REV. 873, 874 (1960).

2. See A. WESTIN, *PRIVACY AND FREEDOM* 382-384 (1967).

3. See ABA, *CODE OF PROFESSIONAL RESPONSIBILITY* DR1-102(A)(2).

4. The use of such evidence is discussed in standard 4-7.5.



in interviewing a prospective witness, to caution the witness concerning possible self-incrimination and the need for counsel.

(c) A lawyer should not discourage or obstruct communication between prospective witnesses and the prosecutor. It is unprofessional conduct to advise any person, other than a client, or cause such person to be advised to decline to give to the prosecutor or counsel for codefendants information which such person has a right to give.

(d) Unless the lawyer for the accused is prepared to forgo impeachment of a witness by the lawyer's own testimony as to what the witness stated in an interview or to seek leave to withdraw from the case in order to present such impeaching testimony, the lawyer should avoid interviewing a prospective witness except in the presence of a third person.

### ***History of Standard***

There has been added to paragraph (a) authorization to pay witnesses for "attendance for depositions pursuant to statute or court rule, or attendance for pretrial interviews."

Original paragraph (b) stated that "it is proper but not mandatory" for a defense lawyer or the lawyer's investigator to caution a prospective witness concerning possible self-incrimination and the need for a lawyer. The standard now states that "[i]t is not necessary" that such advice be given. This change is due to the belief that the giving of such warnings is probably inconsistent with counsel's responsibilities under the adversary system. Defense counsel's primary duty is to the client, not to prospective witnesses, regardless of the extent to which they may happen to be in need of legal assistance. If the cautionary notice of paragraph (b) were to be given, undoubtedly some witnesses would refuse to speak with the defense, which is difficult to reconcile with the duty of counsel "to seek the lawful objectives of his client" as specified in the Code of Professional Responsibility.<sup>1</sup>

There are stylistic changes to paragraphs (c) and (d).

### ***Related Standards***

ABA, Code of Professional Responsibility DR5-102, DR7-109(C)

1. ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-101(A)(1).



ABA, Standards for Criminal Justice 3-3.1(c), (f), 3-3.2, 11-3.3, 11-4.1  
NAC, Courts 10.7  
NDAA, National Prosecution Standards 27.3(H)

### ***Commentary***

#### **Compensation of Witnesses**

Because of the risk of encouraging perjury, or appearing to do so, witnesses may not be compensated by the parties for their testimony, though they may be paid ordinary witness fees. It has long been held that a contract to secure testimony to a given state of facts is against public policy and void.<sup>2</sup> However, it is well accepted that the prohibition against paying for testimony does not forbid reimbursement of witnesses for their actual expenses and reasonable payment for loss of income.<sup>3</sup> These standards are more explicit than the Code of Professional Responsibility, however, in specifically authorizing reimbursement to witnesses for attendance at depositions and at pretrial interviews. As a matter of sound trial tactics, it may be advisable to disclose whatever payments are made.

#### **Self-Incrimination of Witnesses**

Occasionally a prospective witness gives a statement to the defense that is helpful to the client on whose behalf the statement is obtained but at the cost of possibly incriminating the prospective witness. The lawyer's paramount loyalty to his or her own client must govern in this situation; accordingly, these standards declare that "[i]t is not necessary for the lawyer or the lawyer's investigator . . . to caution the witness concerning possible self-incrimination and the need for counsel." At least one bar ethics committee considered this problem and concluded that the interest of the client seeking the statement must govern the attorney and investigator, provided the witness is not misled or deceived.<sup>4</sup> The ABA Ethics Committee has considered the converse problem of whether it is proper for a defense lawyer to warn a witness for the prosecution that the testimony might incriminate the witness when

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2. *E.g.*, *Neece v. Joseph*, 95 Ark. 552, 129 S.W. 797 (1910).

3. See ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-109(C).

4. NEW YORK COUNTY LAWYERS' ASSOCIATION COMMITTEE ON PROFESSIONAL ETHICS, OPINION No. 307 (1933).

it is done for the purpose of discouraging the witness from testifying. It was held that such advice was proper.<sup>5</sup>

#### **Obstructing Communications Between Witnesses and the Prosecution**

Prospective witnesses are not partisans. They should be regarded as impartial and as relating the facts as they see them. Because witnesses do not "belong" to either party, it is improper for a prosecutor, defense counsel, or anyone acting for either to suggest to a witness that the witness not submit to an interview by opposing counsel. It is not only proper but it may be the duty of the prosecutor and defense counsel to interview any person who may be called as a witness in the case (except that the prosecutor is not entitled to interview a defendant represented by counsel). In the event a witness asks the prosecutor or defense counsel, or a member of their staffs, whether it is proper to submit to an interview by opposing counsel or whether it is obligatory, the witness should be informed that, although there is no legal obligation to submit to an interview, it is proper and may be the duty of both counsel to interview all persons who may be witnesses and that it is in the interest of justice that the witness be available for interview by counsel.<sup>6</sup>

Counsel may properly request an opportunity to be present at opposing counsel's interview of a witness, but may not make his or her presence a condition of the interview. It is also proper to caution a witness concerning the need to exercise care in subscribing to a statement prepared by another person. In the event that a written statement is signed or otherwise acknowledged by the witness as a correct representation of facts known to the witness, a copy of the statement should be furnished the witness upon request.

#### **Interviews by the Lawyer Personally**

Two possible problems can arise in relation to the impeachment of witnesses. The first may arise out of a defense lawyer's interview with a "friendly" witness, for example, an alibi witness. The friendly witness

5. ABA COMMITTEE ON PROFESSIONAL ETHICS, INFORMAL OPINION NO. 575 (1962).

6. For cases in which prosecutors sought to prevent interviews of government witnesses by defense counsel, *see, e.g.*, *United States v. Clemones*, 577 F.2d 1247 (5th Cir. 1978); *Gregory v. United States*, 369 F.2d 185 (D.C. Cir. 1966), *cert. denied*, 396 U.S. 865 (1969).

is likely to be cooperative in giving and signing a statement, but the problem of impeaching the witness will arise only if, unexpectedly, the witness's testimony varies from the pretrial statement and takes counsel by surprise.

The more frequently encountered problem is impeachment of an adverse witness whose testimony varies from what the witness stated to defense counsel before trial. In such situations it is necessary to conduct interviews of witnesses with a third person present, particularly since prosecution witnesses do not often sign written statements for defense counsel. The availability of a third person is virtually the only effective means of impeaching an adverse witness. Defense counsel is in an exceedingly difficult situation in seeking leave to withdraw and to substitute other counsel in order to take the stand to relate what the adverse witness previously said to the lawyer. Although a lawyer is sometimes permitted to withdraw in order to testify, this is largely a matter entrusted to the court's discretion, and the court will undoubtedly be influenced by the importance of the testimony, whether other counsel is available to try the case or whether a mistrial must be declared.<sup>7</sup> It is normally not appropriate for a lawyer to offer impeachment testimony and also remain in the case as counsel for the defendant.<sup>8</sup>

After counsel secures written statements from investigators, it is proper, and indeed wise, for counsel to interview such witnesses personally, not only to verify the investigators' reports but to become familiar with the personality of the witness in order to anticipate how the witness will react on the stand. Again, a third person should be present.

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#### **Standard 4-4.4. Relations with expert witnesses**

**(a) A lawyer who engages an expert for an opinion should respect the independence of the expert and should not seek to dictate the formation of the expert's opinion on the subject. To the extent necessary, the lawyer should explain to the expert his or her role in the trial as an impartial witness called to aid the fact finders and the manner in which the examination of witnesses is conducted.**

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7. See generally *United States v. Vereen*, 429 F.2d 713 (D.C. Cir. 1970); *United States v. Porter*, 429 F.2d 203 (D.C. Cir. 1970); *Jackson v. United States*, 297 F.2d 195 (D.C. Cir. 1961).

8. See ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR5-101(B), DR5-102(A).

(b) It is unprofessional conduct for a lawyer to pay an excessive fee for the purpose of influencing the expert's testimony or to fix the amount of the fee contingent upon the testimony the expert will give or the result in the case.

### ***History of Standard***

There are stylistic changes only.

### ***Related Standards***

ABA, Code of Professional Responsibility DR7-109(C)

ABA, Standards for Criminal Justice 3-3.3

### ***Commentary***

#### **Advising the Expert Witness**

Statements made by physicians, psychiatrists, and other experts about their experiences as witnesses in criminal cases indicate the need for circumspection on the part of lawyers who engage experts. Nothing should be done by a lawyer to cast suspicion on the process of justice by suggesting that the expert color an opinion to favor the interests of the client the lawyer represents. Depending on the extent of the expert's experience with courtroom procedure, the lawyer should explain the workings of the adversary system and the expert witness's role within it as an independent and impartial expert. The lawyer should also explain that the expert is to testify in accordance with the standards of the expert's discipline without regard to the wishes of the accused or the lawyer.

#### **Fees to Experts**

It is important that the fee paid to an expert not serve to influence the substance of the expert's testimony. To avoid both the existence and the appearance of influence, the fee should not be made contingent on a favorable opinion or result in the case, and the amount of the fee should be reasonable.<sup>1</sup>

1. ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-109(C)(3) (sanctioning payment of "[a] reasonable fee for the professional services of an expert witness").

**Standard 4-4.5. Compliance with discovery procedure**

The lawyer should comply in good faith with discovery procedures under the applicable law.

***History of Standard***

There are no changes.

***Related Standards***

ABA, Code of Professional Responsibility DR7-103(B)

ABA, Standards for Criminal Justice 3-3.11

NDAA, National Prosecution Standards 13.1(B)(3)

***Commentary***

The development of discovery procedures in criminal cases entails obligations on defense counsel to seek in good faith to make the procedures function effectively. Counsel for the accused should not compel the prosecution to resort to a court order for discovery in order to harass the prosecution, make it more costly, or obstruct the flow of information when defense counsel knows the information is discoverable. Guidelines concerning discovery in criminal cases are contained in chapter 11, *Discovery and Procedure Before Trial*.

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**PART V. CONTROL AND DIRECTION OF  
LITIGATION**

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**Standard 4-5.1. Advising the defendant**

(a) After informing himself or herself fully on the facts and the law, the lawyer should advise the accused with complete candor concerning all aspects of the case, including a candid estimate of the probable outcome.

(b) It is unprofessional conduct for the lawyer intentionally to understate or overstate the risks, hazards, or prospects of the case

to exert undue influence on the accused's decision as to his or her plea.

(c) The lawyer should caution the client to avoid communication about the case with witnesses, except with the approval of the lawyer, to avoid any contact with jurors or prospective jurors, and to avoid either the reality or the appearance of any other improper activity.

### ***History of Standard***

There are stylistic changes only.

### ***Related Standards***

ABA, Standards for Criminal Justice 14-1.3, 14-3.2

NLADA, National Study Commission Recommendations 5.10

### ***Commentary***

#### **Advice on the Plea**

The duty of the lawyer to investigate fully the facts of the case, regardless of the anticipated plea, is discussed elsewhere.<sup>1</sup> The lawyer's duty to be informed on the law is equally important; although the client may sometimes be capable of assisting in the fact investigation, the client is not educated in or familiar with the controlling law. The lawyer's responsibility to know the law is a challenging one, given the rapid pace of change in many areas of criminal law and procedure.<sup>2</sup>

The decision to plead guilty can be an intelligent one only if the defendant has been advised fully as to his or her rights and as to the probable outcome of alternative choices.<sup>3</sup> Once the lawyer has concluded that it is in the best interests of the accused to enter a guilty plea, the lawyer should use reasonable persuasion to guide the client to a sound decision.<sup>4</sup> However, defense counsel should make clear that the accused has the right to put the prosecution to its proof and that the decision is ultimately for the accused to make. A lawyer's advice to a

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1. See standard 4-4.1.

2. See, e.g., *People v. Ibarra*, 60 Cal. 2d 460, 386 P.2d 487, 34 Cal. Rptr. 863 (1963).

3. *Kercheval v. United States*, 274 U.S. 220, 223 (1927).

4. See standard 4-6.1(b).

defendant to plead guilty merely because the defendant has admitted guilt to the lawyer, without exploring all of the relevant facts or attempting to determine whether the prosecution can establish guilt, is improper.<sup>5</sup> Because of the elements of uncertainty that surround any estimate of probable outcome, the lawyer who has fulfilled the duties of investigation and analysis should not be faulted when subsequent events show that the lawyer's prediction was incorrect.

The matters on which the defendant needs advice before entering a plea go beyond appraisal of the likelihood of conviction or acquittal. Counsel should inform the defendant of the maximum and minimum sentences that can be imposed, but counsel should also be aware of the actual sentencing practices of the court and advise the defendant, when that is possible, what sentence is likely. If a decision is made to enter a plea, counsel should carefully review with the defendant the various subjects the court is likely to question the defendant on when the plea is offered.<sup>6</sup>

#### Misrepresenting the Risks, Hazards, or Prospects

Overreaching the client by misrepresenting the prospects of the case in order to obtain employment as counsel or to charge a larger fee is unprofessional conduct requiring disciplinary sanction, and the courts have so held.<sup>7</sup> Considerations related to counsel's fee, moreover, should never influence a lawyer's decisions or advice.

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#### Cautioning the Client

It is improper for a lawyer to communicate in any way with jurors before and during trial or with prospective jurors about the trial or any other subject, no matter how trivial,<sup>8</sup> and, of course, it is equally im-

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5. See *Cole v. Slayton*, 378 F. Supp. 364 (W.D. Va. 1974); *Wray v. Hopper*, 377 F. Supp. 653 (M.D. Ga. 1974). But see *Clark v. Western Dist. of Okla.*, 399 F. Supp. 305 (W.D. Okla. 1975).

6. For the advice recommended to be given to defendants when a plea is tendered, see standard 14-1.4.

7. *State Bd. of Law Examiners v. Sheldon*, 43 Wyo. 522, 7 P.2d 226 (1932); see *United States v. Stringer*, 124 F. Supp. 705 (D. Alas. 1954); *In re Karp*, 240 App. Div. 388, 270 N.Y.S. 113, *aff'd*, 266 N.Y. 473, 195 N.E. 160 (1934). See also *People ex rel. Chicago Bar Assn. v. Green*, 353 Ill. 638, 187 N.E. 811 (1933).

8. See standard 4-7.3(a).



proper for the client to do so. Since the accused may be unaware that even casual communication with a juror is an impropriety, the accused should be so cautioned in order to avoid even the appearance of impropriety.

The client's relations with witnesses can pose complex problems. Often persons to be called as witnesses are relatives, friends, or fellow workers with whom normal communication cannot be avoided. The defendant's familiarity with witnesses and their whereabouts may require the defendant's participation in locating them, and the defendant's aid may be needed in securing their willingness to discuss the case with defense counsel and their appearance at trial. Contact by the accused with witnesses involves the risk that something may be said that could later give rise to embarrassment or misunderstanding. The lawyer should caution the defendant to avoid communication with witnesses unless approved by the lawyer.

Obviously, just as it is the lawyer's duty to tell all witnesses to tell the truth under all circumstances, so it is the lawyer's duty to admonish the client to so advise any witnesses the client may contact. Counsel should make clear to the client that any conduct of the client's that has even the appearance of an effort to influence or color the testimony of a witness may provide ammunition that the prosecution can use at trial to suggest a consciousness of guilt. Such conduct may also be used to impeach the credibility of the witness. At worst, improper conduct by the client could lead to a charge of obstructing justice or suborning perjury.

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**Standard 4-5.2. Control and direction of the case**

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**(a) Certain decisions relating to the conduct of the case are ultimately for the accused and others are ultimately for defense counsel. The decisions which are to be made by the accused after full consultation with counsel are:**

- (i) what plea to enter;**
- (ii) whether to waive jury trial; and**
- (iii) whether to testify in his or her own behalf.**

**(b) The decisions on what witnesses to call, whether and how to conduct cross-examination, what jurors to accept or strike, what trial motions should be made, and all other strategic and tactical**



decisions are the exclusive province of the lawyer after consultation with the client.

(c) If a disagreement on significant matters of tactics or strategy arises between the lawyer and the client, the lawyer should make a record of the circumstances, the lawyer's advice and reasons, and the conclusion reached. The record should be made in a manner which protects the confidentiality of the lawyer-client relationship.

### ***History of Standard***

There are stylistic changes only.

### ***Related Standards***

ABA, Standards for Criminal Justice 14-1.3, 14-3.2, 15-1.2, 15-1.3

### ***Commentary***

#### **Allocation of Decision-making Power**

As established by the history of the criminal justice process and the rights vested in an accused under the Constitution, certain basic decisions have come to belong to the client while others fall within the province of the lawyer. The requirement that the defendant personally enter a guilty plea and that it be voluntary and informed carries the implication that it is the defendant who must make the choice.<sup>1</sup> Similarly, the decision whether to waive a jury trial has been considered as belonging to the defendant.<sup>2</sup> With respect to the decision whether the defendant should testify, the lawyer "should give his client the benefit of his advice and experience, but the ultimate decision must be made by the defendant, and the defendant alone."<sup>3</sup> In making each of these decisions — whether to plead guilty, whether to waive jury trial, and whether to testify — the accused should have the full and careful advice

1. See *Boykin v. Alabama*, 395 U.S. 238 (1969); *Machibroda v. United States*, 368 U.S. 487 (1962); *Kercheval v. United States*, 274 U.S. 220 (1927).

2. See *Patton v. United States*, 281 U.S. 276, 298 (1930).

3. Levy, *Some Comments on the Trial of a Criminal Case*, 10 REC. ASSN. B. CITY N.Y. 203, 213 (1955), accord, Steinberg & Paulsen, *A Conversation with Defense Counsel on Problems of a Criminal Defense*, 7 PRAC. LAW. 25, 37 (May 1961).

of counsel. Although counsel should not demand that the defendant follow what counsel perceives as the desirable course, counsel is free to engage in fair persuasion and to urge the client to follow the proffered professional advice. Ultimately, however, because of the fundamental nature of these three decisions, so crucial to the accused's fate, the accused must make the decisions.

Some other significant decisions fall into a gray zone. The Supreme Court has indicated, for example, that on a petition for habeas corpus the federal courts should hold the petitioner to have waived a constitutional right only if it is established that the petitioner deliberately bypassed the available state procedure. The court emphasized that the waiver would be found only if the defendant made the choice.<sup>4</sup> The Court also has stated that the defendant would be bound by the attorney's deliberate choice of a trial strategy to forgo an objection available on constitutional grounds.<sup>5</sup>

### Strategy and Tactics

In general, however, it may be said that the power of decision in matters of trial strategy and tactics rests with the lawyer.<sup>6</sup> The lawyer must be allowed to determine which witnesses should be called on behalf of the defendant.<sup>7</sup> Similarly, the lawyer must be allowed to decide whether to object to the admission of evidence,<sup>8</sup> whether and how a witness should be cross-examined,<sup>9</sup> and whether to stipulate to certain facts.<sup>10</sup> Cases that have reversed convictions for failure of counsel to call certain witnesses, cross-examine, object to evidence, and the like, have been decided not on the ground that counsel should have heeded the client's wishes on such matters, but on a determination that these actions of counsel in these cases were not strategic or tactical decisions but, rather, revealed ineptitude, inexperience, lack of prepara-

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4. *Fay v. Noia*, 372 U.S. 391, 438-439 (1963).

5. *Henry v. Mississippi*, 379 U.S. 443, 451-452 (1965); *Curry v. Wilson*, 405 F.2d 110 (9th Cir. 1968), *cert. denied*, 397 U.S. 973 (1970).

6. *See Henry v. Mississippi*, 379 U.S. 443 (1965); *Nelson v. California*, 346 F.2d 73 (9th Cir. 1965), *cert. denied*, 382 U.S. 964 (1965).

7. *See Vess v. Peyton*, 352 F.2d 325 (4th Cir. 1965).

8. *See Hester v. United States*, 303 F.2d 47 (10th Cir. 1962); *People v. Rideaux*, 61 Cal. 2d 537, 393 P.2d 703, 39 Cal. Rptr. 391 (1964).

9. *See O'Malley v. United States*, 285 F.2d 733 (6th Cir. 1961).

10. *See People v. Woods*, 23 Ill. 2d 471, 179 N.E.2d 11 (1961).

tion, or unfamiliarity with basic legal principles amounting to ineffective assistance of counsel.<sup>11</sup>

Many of the rights of an accused, including constitutional rights, are such that only trained experts can comprehend their full significance, and an explanation to any but the most sophisticated client would be futile. Numerous strategic and tactical decisions must be made in the course of a criminal trial, many of which are made in circumstances that do not allow extended, if any, consultation. Every experienced advocate can recall the disconcerting experience of trying to conduct the examination of a witness or follow opposing arguments or the judge's charge while the client "plucks at the attorney's sleeve" offering gratuitous suggestions. Some decisions, especially those involving which witnesses to call and in what sequence and what should be said in argument to the jury, can be anticipated sufficiently so that counsel can ordinarily consult with the client concerning them. Because these decisions require the skill, training, and experience of the advocate, the power of decision on them must rest with the lawyer, but that does not mean that the lawyer should completely ignore the client in making them. The lawyer should seek to maintain a cooperative relationship at all stages while maintaining the ultimate choice and responsibility for the strategic and tactical decisions in the case.

It is also important in a jury trial for the defense lawyer to consult fully with the accused about any lesser included offenses the trial court may be willing to submit to the jury. Indeed, because this decision is so important as well as so similar to the defendant's decision about the charges to which to plead, the defendant should be the one to decide whether to seek submission to the jury of lesser included offenses. For instance, in a murder prosecution, the defendant, rather than the defense attorney, should determine whether the court should be asked to submit to the jury the lesser included offense of manslaughter.

#### Record of Advice

A disagreement between counsel and the accused on a decision to be made before or during the trial may be the subject of postconvic-

11. See *Bell v. Georgia*, 554 F.2d 1360 (5th Cir. 1977); *Pinnell v. Cauthron*, 540 F.2d 938 (8th Cir. 1976); *United States ex rel. Rosner v. Commr., N.Y. State Dept. of Correction*, 421 F. Supp. 781 (S.D.N.Y. 1976).

tion proceedings questioning the effectiveness of the lawyer's performance. Rather than leave the matter to be determined on the strength of the memories of the lawyer and client, which are invariably in conflict if the issue arises, some record should be made. This may be accomplished by a notation of the nature of the disagreement, the advice given, and the action taken, either in the lawyer's file or by letter to the client, depending on the gravity of the problem. If advisory councils are established,<sup>12</sup> a new means will be available to lawyers to meet this problem.\*

12. See standard 4-1.4.

\*Note on the deletion of original standard 5.3. — Essentially, original standard 5.3 provided that if a defendant seeks to plead guilty, acknowledging guilt in open court but privately maintaining to defense counsel that he or she is innocent, counsel is obliged to inform the court of the defendant's true position. This standard is unnecessary if the court is willing to accept a guilty plea even though the defendant claims innocence. Such pleas may be accepted by trial judges, as the Supreme Court made clear in *North Carolina v. Alford*, 400 U.S. 25 (1970), and the chapter on Pleas of Guilty recommends that such pleas not be refused in the absence of "specific reasons for doing so which are made a matter of record." See standard 14-1.6. If, however, a so-called *Alford* plea is either not accepted by the court or is not offered by the defendant, it does not follow that defense counsel should be required to reveal to the court that the defendant privately denies guilt to counsel. As long as the defendant openly acknowledges guilt to the court and a factual basis for the plea is present, this is deemed sufficient. If counsel were to tell the court that the defendant privately insists that he or she is innocent, the result is likely to be unsatisfactory. The defendant will most likely insist to the court that he or she is, in fact, guilty because the defendant wants the plea to be accepted, and that any statements previously made to counsel were false. It is probable; moreover, that prior to entry of the guilty plea, defense counsel will have devoted considerable effort to convincing the defendant to do just what the defendant has finally done — to openly admit wrongdoing. When the defendant finally does plead guilty, and defense counsel then reports to the court that the defendant privately maintains innocence, the defendant is likely to find counsel's actions baffling. Meanwhile, acceptance of the guilty plea will be jeopardized, despite the presence of a factual basis and the defendant's public admission of guilt. The attorney-client relationship will also probably have been destroyed. As a matter of practice among defense counsel, it is believed that adherence to original standard 5.3 was virtually nonexistent. Under no circumstances, however, should a lawyer recommend to a defendant acceptance of a plea unless a full investigation and study of the case has been completed, including an analysis of controlling law and the evidence likely to be introduced at trial. See standards 4-4.1, 4-5.1(a), and 4-6.1(b).

If the defendant is placed under oath when the plea is offered, the problem for defense counsel seemingly becomes more difficult because the defendant's statements will be perjurious. This situation obviously is similar to that confronted when a defendant seeks to lie under oath at his or her trial. This chapter, however, does not address the so-called client perjury problem. See the editorial note to 4-7.7.

## PART VI. DISPOSITION WITHOUT TRIAL

### Standard 4-6.1. Duty to explore disposition without trial

(a) Whenever the nature and circumstances of the case permit, the lawyer for the accused should explore the possibility of an early diversion of the case from the criminal process through the use of other community agencies.

(b) A lawyer may engage in plea discussions with the prosecutor, although ordinarily the client's consent to engage in such discussions should be obtained in advance. Under no circumstances should a lawyer recommend to a defendant acceptance of a plea unless a full investigation and study of the case has been completed, including an analysis of controlling law and the evidence likely to be introduced at trial.

#### *History of Standard*

Original paragraph (b) stated that a lawyer should seek to engage in plea discussions when the lawyer determines, based upon full investigation and study, that conviction is probable. As revised, the standard does not require that defense counsel conclude that conviction is probable before engaging in plea negotiations. Indeed, even in instances where counsel believes that acquittal is likely, counsel may still wish to ascertain whether, for example, there are lesser charges to which the prosecutor would accept a plea. The suggestion that the permission of the defendant "ordinarily" be obtained before engaging in plea discussions was contained in the original standard in a separately lettered paragraph (c). There also has been added to paragraph (b) the suggestion that counsel not urge acceptance of a plea by the defendant "unless a full investigation and study of the case has been completed." This provision complements standard 4-4.1, which states that "[t]he duty to investigate exists regardless of the accused's admissions or statements to the lawyer of facts constituting guilt or the accused's stated desire to plead guilty."

#### *Related Standards*

ABA, Standards for Criminal Justice 4-4.1, 11-5.2, 14-3.2

### **Commentary**

#### **Exploring Early Diversion**

The criminal process is only one of a number of methods society uses to deal with antisocial conduct. But in many cases involving law violations it may not be in the best interests of either society or the accused to pursue criminal prosecution. Prosecutors long have exercised their discretion to informally defer prosecution when they have concluded that an offender, particularly a first offender, ought not be subjected to full-scale criminal prosecution, for example, where an offender is seeking psychiatric or other expert assistance. This practice is described and endorsed in the chapter on the Prosecution Function.<sup>1</sup> The existence of diversionary procedures or the willingness occasionally to work out a specialized form of diversion from the criminal process emphasizes the need for defense counsel to be aware both of the prosecutor's attitudes in appropriate cases and of the need to outline to the prosecutor an appropriate course of action outside the criminal process.

#### **Participation in Plea Discussions**

Most cases are disposed of not by trial but as the result of a plea of guilty. In large measure this reflects the fulfillment by prosecutors of their screening function and their obligation not to press charges unless a conviction is likely. The disposition by plea satisfies a variety of interests of the administration of justice as a whole as well as of the defendant. To the defendant it affords the opportunity of avoiding the ordeal of trial, mitigating the penalties, and of having sentence determined without the sentencing court hearing all of the adverse testimony that would be produced at trial. To the prosecutor it offers the certainty of conviction with the least drain on prosecutorial resources and in an atmosphere free of the tensions of conflict. To the administration of justice as a whole, disposition by plea represents substantial savings to the public in terms of prosecutorial and judicial time, and also a greater confidence in the certainty of the guilt of the accused. Moreover, assuming an adequate record will be made of the factual basis for the plea at the time of plea and sentence, the problems of postconviction attacks are lessened.<sup>2</sup>

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1. See standard 3-3.8.

2. Guidelines for plea negotiations and the acceptance of guilty pleas are contained in standards 14-1.4 to 14-1.6, 14-3.1, and 14-3.3.



Since disposition by plea is mutually advantageous in many circumstances, plea discussions are a significant part of the duty of defense counsel. Courts and prosecutors have developed criteria that guide the exercise of their discretion. These standards and rules of thumb are not to be found in codes, case reports, and other sources of law, but a working understanding of them is part of the accumulated skill and experience of the defense lawyer. Ignorance of the prevailing practices and attitudes of the prosecutor and the court as to plea discussions may be as much a handicap to effective representation as is unfamiliarity with the facts or law related to the case; hence it is imperative that the defense lawyer be aware of them. If the defense lawyer lacks sufficient personal experience, he or she should consult experienced colleagues. The staff of defender offices also serves as a repository of such information, to which all members of the bar may turn.

A corollary to the obligation to explore the possibility of disposition by plea when a lawyer concludes that conviction of some kind is likely is the duty to try to seek dismissal of charges if the lawyer concludes that the accused is not guilty or ought not be convicted. The lawyer's investigation may have disclosed an erroneous identification, a misconception by the prosecutor as to the scope of a statute, or other basis for pressing for a dismissal of the charge. Although no accused person has any burden to prove he or she is not guilty, if the accused can do so it is to the accused's advantage, ordinarily, to try to avoid undergoing the burden of a trial. In such circumstances the lawyer should consider whether to present the exculpatory facts to the prosecutor in order to secure a dismissal. Even an accused who has violated the law may be able to present to the prosecutor facts in extenuation that can lead to dismissal of charges. For example, in the case of an employee who has embezzled funds of an employer, the lawyer may be able to work out means of restitution. With the employer's acquiescence, many prosecutors are likely to drop or suspend further proceedings.

Plea discussions should be considered the norm and failure to seek such discussion an exception unless defense counsel concludes that sound reasons exist for not doing so. In some cases the factual or legal situation or considerations of strategy may dictate that no overtures to the prosecution be made. Ultimately, the definitive decision whether to engage in plea discussions is for the client, as is the decision of how to plead. However, in many cases it will be appropriate to make an early contact with the prosecutor to secure information concerning the

charge. In the course of this contact, the possibility of reducing the charge or making a plea may arise and counsel may have an opportunity to advance the client's interests without making any disclosures concerning the defense. Ordinarily the client's consent should be sought and obtained before any approaches are made, but there will be occasions when some discussion, perhaps only of a very tentative and preliminary nature, will occur before an opportunity arises to obtain the defendant's consent. Especially when good professional relations exist between the lawyer and the prosecutor, even the most casual and informal discussion of the case can produce information useful to the defense.

In all circumstances, defense counsel should challenge the government's case if there is genuine doubt that the prosecution can carry its burden of proof. That the accused is guilty in fact is, of course, not relevant. It is not the function of the advocate to make a moral judgment as to the guilt of the accused.

#### **Standard 4-6.2. Conduct of discussions**

(a) In conducting discussions with the prosecutor the lawyer should keep the accused advised of developments at all times and all proposals made by the prosecutor should be communicated promptly to the accused.

(b) It is unprofessional conduct for a lawyer knowingly to make false statements concerning the evidence in the course of plea discussions with the prosecutor.

(c) It is unprofessional conduct for a lawyer to seek or accept concessions favorable to one client by any agreement which is detrimental to the legitimate interests of any other client.

#### ***History of Standard***

There are no changes.

#### ***Related Standards***

ABA, Code of Professional Responsibility DR1-102(A)(4), DR5-106, DR7-102(A)(5)

ABA, Standards for Criminal Justice 3-4.1, 3-4.2, 14-3.1



**Commentary****Informing the Client of Progress of Plea Discussion**

Plea discussion is inherently a "two-way street." Settlement negotiations in a civil suit for personal injury usually begin with an assumption, however tentative, of the defendant's liability. In a criminal case defense counsel may proceed on the assumption, for purposes of discussion, that the defendant may be willing to enter a plea of guilty to some charge. It is because of this that the consent of the accused to such discussions is important. This does not mean that the lawyer yields on the position that the accused can, if the accused desires, put the prosecution to its proof.

Although statements made during plea discussions by counsel cannot be used against the accused in the event of trial, admissions made directly by the accused may be admissible against the accused in a minority of jurisdictions.<sup>1</sup> This is one reason, among others, why it may be undesirable for the accused to be present during plea discussions. If the accused is present, either because the accused insists or because counsel considers it advantageous, the accused should be cautioned by counsel against making any statements that have not been carefully explored in advance with counsel.

Apart from the risk of admissions, the presence of the client during plea discussions may be a hindrance in other ways. The discussions are best conducted on a level of mutual professional respect that may be undermined by the presence of the accused, or indeed misunderstood by the accused. Both sides may be hampered by an unwillingness to be as candid as necessary in the presence of the accused, or by the added burden of explaining to the accused the significance of what is taking place.

Because plea discussions are usually held without the accused being present, the lawyer has the duty to communicate fully to the client the substance of the discussions. It is important that the accused be informed of proposals made by the prosecutor; the accused, not the lawyer, has the right to decide on prosecution proposals, even when a proposal is one that the lawyer would not approve. If the accused's choice on the question of a guilty plea is to be an informed one, the accused must act with full awareness of the alternatives, including any that arise from proposals made by the prosecutor.

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1. See standard 14-3.4 and commentary.

It is also important that the accused be informed that the action of the sentencing judge cannot be definitely predicted. Sometimes an accused who has consented to a particular plea on the basis of discussions between the prosecutor and defense counsel has the impression either that the judge is a party to the arrangement or that estimates made by the lawyer are guarantees of what the sentence will be. This situation should be anticipated by defense counsel. If the lawyer has any doubt about the defendant's complete understanding of the alternatives, the lawyer should seek to clarify the situation, for example, by calling in a relative of the accused or a trusted friend, with the defendant's permission.<sup>2</sup>

It cannot be emphasized too much that a crucial factor in plea discussions is the duty of counsel to explain fully to the accused the consequences of a guilty plea in terms of the range of sentences the court can impose. Special care must be exercised to distinguish between what a particular judge may do or usually does from what the judge is authorized to do by law. An accused under tension, whether incarcerated or at large, will sometimes not easily distinguish among or remember matters that are clear to the lawyer. Moreover, the "jailhouse lawyer" with whom the accused confers may leave him or her confused by the difference between what is heard in the cellblock and what the defense lawyer says. In some instances experienced defense lawyers give the accused a brief memorandum setting forth the range of possible sentences for various crimes or counts of an indictment, retaining a copy in their files. The need for the accused to understand the range of possible penalties is obvious; without such understanding, a truly intelligent and voluntary choice is not possible. Even if the choice is in fact an informed and voluntary one, it is important that the record demonstrate this.<sup>3</sup>

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#### Misrepresentation by Defense Counsel to Prosecutor

Disciplinary sanction may be imposed against a lawyer who intentionally deceives opposing counsel.<sup>4</sup> Although defense counsel is under no obligation to reveal any evidence to the prosecution in the course of

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2. For the duty of the trial court to ascertain that the defendant understands the plea agreement, *see* standards 14-1.5 and 14-3.3(g).

3. For the responsibilities of the trial court in accepting a plea of guilty, *see* standards 14-1.4 to 14-1.6.

4. *See* *Monroe v. State Bar*, 55 Cal. 2d 145, 358 P.2d 529, 10 Cal. Rptr. 257 (1961); *see also* ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-102(A)(5).

plea discussions — indeed, counsel must preserve the client's confidences unless granted consent to make disclosures for this purpose — truth is required in the presentation to the prosecutor of facts relating to the case or any mitigating facts. Not only does misrepresentation reflect on the integrity of counsel, but it severely handicaps counsel's usefulness to the accused and to future clients, since the prosecutor will understandably be reluctant to negotiate with a lawyer who cannot be trusted.

#### **Trading the Interest of One Client for That of Another**

The fear has sometimes been expressed that lawyers, particularly public defenders, may be tempted to compromise the interest of one client in return for advantages to another.<sup>5</sup> In reply to this concern, it should be noted that the pressure on defenders is little different from that which confronts private counsel having a substantial criminal law practice. Whether the lawyer is a public defender or is privately retained, the lawyer may have pending other cases that the prosecutor is eager to dispose of without trial, and defense counsel may volunteer the suggestion or be offered the possibility of a more favorable disposition of the case at hand if defense counsel will "cooperate" in the disposition of some other case. Regardless of the motivation for the proposal and whether it originates with the defense attorney or the prosecutor, such conduct plainly violates the lawyer's fundamental duty of undivided loyalty to each client.<sup>6</sup>

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## **PART VII. TRIAL**

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### **Standard 4-7.1. Courtroom decorum**

(a) As an officer of the court the lawyer should support the authority of the court and the dignity of the trial courtroom by strict adherence to the rules of decorum and by manifesting an attitude of professional respect toward the judge, opposing counsel, witnesses, jurors, and others in the courtroom.

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5. See Note, *The Representation of Indigent Criminal Defendants in the Federal District Courts*, 76 HARV. L. REV. 579, 603 (1963).

6. See ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR5-106, DR7-101(A).

(b) When court is in session defense counsel should address the court and should not address the prosecutor directly on any matter relating to the case.

(c) It is unprofessional conduct for a lawyer to engage in behavior or tactics purposefully calculated to irritate or annoy the court or the prosecutor.

(d) The lawyer should comply promptly with all orders and directives of the court, but the lawyer has a duty to have the record reflect adverse rulings or judicial conduct which the lawyer considers prejudicial to his or her client's legitimate interests. The lawyer has a right to make respectful requests for reconsiderations of adverse rulings.

(e) Lawyers should cooperate with courts and the organized bar in developing codes of decorum and professional etiquette for each jurisdiction.

### ***History of Standard***

There has been added to paragraph (a) the requirement that defense counsel manifest respect toward "others in the courtroom," as well as toward the judge, opposing counsel, witnesses, and jurors. This change makes the paragraph consistent with a similar provision in the Prosecution Function chapter. In addition, there are stylistic changes.

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### ***Related Standards***

ABA, Code of Professional Responsibility DR7-106(A), (C)(6)

ABA, Standards for Criminal Justice 3-5.2

NDAA, National Prosecution Standards 17.1, 23.5

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### ***Commentary***

#### **Dignity of Judicial Proceedings**

Rules or standards of conduct are needed to ensure that contending advocates work in harmony for what is their common cause, the administration of justice. They must not allow themselves to be diverted by irrelevant, extraneous, or disrupting factors. Basic to an efficient and fair functioning of our adversary system of justice is an atmosphere of mutual respect by all participants. This can be achieved only by strict adherence to firm standards of what may be called, for want of a better

term, professional etiquette and deportment. There is no place and no occasion for rudeness or overbearing, oppressive conduct. The control of courtroom decorum lies in the advocates' acceptance of standards of elementary courtesy and politeness in human relations, but ultimately the presiding judge has the responsibility to govern the conduct of all persons in the courtroom, and especially the conduct of the advocates who, as officers of the court, are subject to the court's control.

The objective of such standards is to keep the understandably contentious spirit of the opposing advocates within appropriate bounds and constructive channels, in order that issues may be resolved on the merits, and proceedings not be diverted by the intrusion of factors such as personality, acrimonious exchanges between advocates or between advocates and witnesses, and histrionics in an effort to sway jurors by other than legitimate evidence. "Baiting" of witnesses of the other side, or of the trial judge, blurs and confuses the very issues that the trial is intended to sharpen and clarify. Lawyers must expect that every intrusion of bad manners or other rudeness into a trial will be dealt with swiftly and sternly by the presiding judge. Necessarily, the "ground rules" of professional conduct must be known by counsel and violations of rules made the subject of disciplinary action by courts and bar grievance committees.

The same considerations that call for certain standards of conduct for advocates require that the judge maintain a scrupulously neutral and fair attitude. Deviations from standards of appropriate judicial conduct should be made part of the record so as to be brought to the attention of reviewing courts.

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#### **Exchanges Between Lawyers**

A breach of courtroom decorum occurs when lawyers address each other directly, rather than through the court. Such exchanges may begin with innocent purpose relating to the trial and escalate because of the natural tensions of the courtroom. Sometimes a lawyer will deliberately "bait" a less-experienced opponent to shake the lawyer's composure or to impress the jury. In the courtroom, as in legislative bodies or where other formal proceedings occur, the surest protection against the degeneration of the controversy into personal acrimony is the requirement that the participants address the presiding officer and do so in certain prescribed forms. A challenge to a statement of opposing counsel should be made in the form of an objection or a request to the judge rather than

to the opposing counsel directly. Both the formality of the request and the intermediary role it imposes on the judge serve to temper the exchange and provide an insulation that reduces the risk of friction. The need to curb direct exchanges between counsel is greatest when a jury is present, since there is substantial risk that the jury will be distracted from its task by the spectacle created by the lawyers.

#### Respect for the Judge, Opposing Counsel, and Witnesses

The obligation of the lawyer to maintain a respectful attitude toward the court is necessary to give due recognition to the position held by the judge in the administration of the law. The lawyer's attitude communicates to the layperson in the courtroom the professional relation that exists between judge and lawyer. The appropriate way to challenge the judge's decisions is through appropriate procedural devices, including objections and appeals designed for that purpose, not by seeking to impress the client by a show of belligerency that exceeds the need to make a record of what the lawyer believes is error in the case. A restrained, respectful attitude on the part of each advocate toward the other helps reinforce the concept that the adversary system, although based on contention, is a mechanism that depends on evidence and the rule of law, not vituperation or personality conflicts.<sup>1</sup>

A reasonable balance must be reached on matters of conduct so that judicial proceedings are not permitted to degenerate to the level of donnybrooks, but it is also important that no artificial standards of courtroom conduct impede lawyers from rendering vigorous advocacy of their viewpoints. It is for this reason that the law grants lawyers an absolute privilege against defamation actions for anything said or written in the course of judicial proceedings pertinent to that proceeding, under a broad standard of pertinence.<sup>2</sup>

Public respect for law derives in large measure from the image that the administration of justice presents. It is not enough that justice be done; there must also be the appearance of justice. The law is a great teacher not only in its substantive principles but also in the example it

1. See, e.g., *In re Schofield*, 362 Pa. 201, 66 A.2d 675 (1949); H. DRINKER, *LEGAL ETHICS* 69-70 (1953).

2. See *Johnson v. Stone*, 268 F.2d 803 (7th Cir. 1959); *Klein v. Walston & Co.*, 41 Misc. 2d 379, 245 N.Y.S.2d 660 (Sup. Ct. Kings County 1963). See also Annot., 61 A.L.R.2d 1300 (1958); *RESTATEMENT (SECOND) OF TORTS* §586 (1977).



sets of dispassionate and rational methods for the resolution of conflicts. An important aspect of the image of justice is the relations that are seen to exist in the courtroom among the lawyer-participants: defense counsel, prosecutor, and judge.<sup>3</sup>

Of necessity, the lawyer must often be forceful and vigorous in questioning witnesses and in arguing to the jury. This does not mean, however, that the lawyer may make a farce of the trial or undermine the dignity of the legal process by excessive histrionics. The line between legitimate cross-examination and "witness baiting" is difficult to draw. Ultimately an experienced and vigilant trial judge will draw such a line if the advocates fail to stay within reasonable bounds.<sup>4</sup>

These standards seek to suggest certain limited forms of courtroom misconduct deserving imposition of disciplinary sanctions. To avoid undue limitation on appropriate advocacy, extreme sanctions are limited to conduct purposefully calculated to annoy or irritate. Repetition of misconduct after a warning from the bench should be considered sufficient to establish a *prima facie* showing of purposeful misconduct.

#### Compliance with Court Orders

The relationship between court and counsel is most severely put to the test on those occasions when the judge issues a direct command to counsel, for example, instructing counsel to cease interrogation of a witness or to desist from a particular line of argument.

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Of course, it is the right of counsel for every litigant to press his claim, even if it appears farfetched and untenable, to obtain the court's considered ruling. . . . But if the ruling is adverse, it is not counsel's right to resist it or to insult the judge — his right is only respectfully to preserve his point for appeal.<sup>5</sup>

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Corresponding to the lawyer's obligation to accede to the court's command in good grace is the duty of the court to permit an adequate record to be made of the court's order and the circumstances under which it was made, as seen by counsel.

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3. See generally S. BEDFORD, *THE FACES OF JUSTICE* (1961); P. CALAMANDREI, *PROCEDURE AND DEMOCRACY* (1956).

4. See ABA, *CODE OF PROFESSIONAL RESPONSIBILITY* DR7-106(C)(2), (6).

5. *Sacher v. United States*, 343 U.S. 1, 9 (1952). See also *Maness v. Meyers*, 419 U.S. 449, 459-460 (1975).

### Code of Decorum

The particular formalities observed in American courts differ from place to place. A lawyer is entitled to know what standards of decorum are expected in a particular court, especially with regard to the use of conventional forms of address, when the lawyer is required to stand, and where he or she is allowed to be in the courtroom during trial, and other such matters. To avoid misunderstanding between court and lawyer concerning such formalities, achieve greater uniformity within jurisdictions, and generally improve the dignity of courtroom proceedings, lawyers should take the lead in developing rules governing these matters.

### Standard 4-7.2. Selection of jurors

(a) The lawyer should prepare himself or herself prior to trial to discharge effectively his or her function in the selection of the jury, including the raising of any appropriate issues concerning the method by which the jury panel was selected and the exercise of both challenges for cause and peremptory challenges.

(b) In those cases where it appears necessary to conduct a pretrial investigation of the background of jurors, investigatory methods of the lawyer should neither harass nor unduly embarrass potential jurors or invade their privacy and, whenever possible, should be restricted to an investigation of records and sources of information already in existence.

(c) The opportunity to question jurors personally should be used solely to obtain information for the intelligent exercise of challenges. A lawyer should not intentionally use the voir dire to present factual matter which the lawyer knows will not be admissible at trial or to argue the lawyer's case to the jury.

### History of Standard

There are stylistic changes in paragraphs (a) and (b). Original paragraph (c) referred to those "jurisdictions where counsel is permitted personally to question jurors on voir dire." This language has been deleted, due to concern that it may have been construed to imply tacit approval of jurisdictions where lawyers are *not* permitted to question



jurors personally. Chapter 15, on Trial by Jury, recommends that "counsel for each side should have the opportunity, subject to reasonable time limits, to question jurors directly, both individually and as a panel."

### ***Related Standards***

ABA, Code of Professional Responsibility DR7-106(C)(1), DR7-108(E)

ABA, Standards for Criminal Justice 3-5.3, 15-2.4

### ***Commentary***

#### **Preparation for Jury Selection**

The selection of a jury is an important phase of the trial, although the process is sometimes beyond the comprehension of the lay client and prospective jurors. The procedure requires the alert attention of the lawyer. As elsewhere in the trial, in the selection of the jury the advocate's decisions must be made under time pressure. They can be made wisely only if the lawyer has prepared adequately before trial. The lawyer should consider whether the case is an appropriate one to raise objections to the jury selection mechanism as it operates in the particular jurisdiction. More frequently, counsel needs to prepare carefully for the exercise of challenges for cause and peremptory challenges.

#### **Pretrial Investigation of Jurors**

Pretrial investigation of jurors may permit a more informed exercise of challenges than reliance solely on voir dire affords. The practice of conducting out-of-court investigations of jurors presents serious problems, however. It may have a tendency to make jury service, already unpopular with many persons, even more onerous because of the fear of invasion of privacy. It may also have the appearance, even if unintended, of an effort to intimidate jurors. To minimize these risks, counsel should be careful to conduct investigations of jurors in a manner that avoids invasions of privacy. Except in unusual circumstances of necessity, counsel should limit the inquiry to records already in existence rather than, for example, question contemporaneously a potential juror's neighbors.<sup>1</sup>

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1. See ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-108(E), EC7-29 to EC7-31.

### Use of Voir Dire

The process of voir dire examination of prospective jurors by the lawyer is often needlessly time consuming and is frequently used to influence the jury in its view of the case. These standards elsewhere recommend that jurors be questioned "initially and primarily by the judge, but counsel for each side should have the opportunity . . . to question jurors directly. . . ."<sup>2</sup> In those jurisdictions that retain the practice of permitting the lawyer to conduct all of the questioning of jurors, the responsibility must rest with the lawyer, supervised by the court, to limit questions to those that are designed to lay a basis for the lawyer's challenges. The observation that the voir dire may be used to influence the jury in its view of the case is rejected as an improper use of the right of reasonable inquiry to ensure a fair and impartial jury.

The use of the voir dire to inject inadmissible evidence into the case is a substantial abuse of the process.<sup>3</sup> Treatment of legal points in the course of voir dire examination should be strictly confined to those inquiries bearing on possible bias in relation to the issues of the case.

### Standard 4-7.3. Relations with jury

(a) It is unprofessional conduct for the lawyer to communicate privately with persons summoned for jury duty or impaneled as jurors concerning the case prior to or during the trial. The lawyer should avoid the reality or appearance of any such improper communications.

(b) The lawyer should treat jurors with deference and respect, avoiding the reality or appearance of currying favor by a show of undue solicitude for their comfort or convenience.

(c) After discharge of the jury from further consideration of a case, it is unprofessional conduct for a lawyer to intentionally make comments to or ask questions of a juror for the purpose of harassing or embarrassing the juror in any way which will tend to influence judgment in future jury service. If the lawyer believes that the verdict may be subject to legal challenge, the lawyer may

2. Standard 15-2.4.

3. See Note, *Voir Dire — Prevention of Prejudicial Questioning*, 50 MINN. L. REV. 1088, 1093-1095 (1966).

properly, if no statute or rule prohibits such course, communicate with jurors to determine whether such challenge may be available.

### ***History of Standard***

Paragraph (c) now provides that it is "unprofessional conduct" for a lawyer to engage intentionally in the conduct proscribed by this standard. Also, the original standard applied "[a]fter verdict." This has been modified and the standard is now applicable "[a]fter discharge of the jury from further consideration of a case." Finally, the last sentence of paragraph (c) permits a lawyer to communicate with jurors to determine whether a legal challenge to the verdict is available. Unlike the first edition, the standard now does not require that a lawyer have "reasonable grounds" before embarking upon such an inquiry nor must notice that such an inquiry is going to be made be furnished to the prosecutor and the court. However, the lawyer should "believe" that the verdict may be subject to legal challenge. Paragraphs (a) and (b) are unchanged.

### ***Related Standards***

ABA, Code of Professional Responsibility DR7-108(A), (B), (D), EC7-36

ABA, Standards for Criminal Justice 3-5.4, 15-4.7

NDAA, National Prosecution Standards 17.1(D)(5)

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### ***Commentary***

#### **Communication with Jurors Before or During Trial**

Discussing the case privately with a juror before verdict is obviously a gross breach of professional standards of conduct.<sup>1</sup> Courts have sometimes considered the broader question of the propriety of any conversation, however innocent in purpose or trivial in content, between counsel and juror during trial, since the mere fact that counsel is seen conversing with a juror may raise the question of whether the juror reached the verdict solely on the evidence.<sup>2</sup> The issue usually is raised as a ground for a new trial, and the lawyer's communication with a juror may

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1. ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-108(B).

2. See *Garden Grove School Dist. v. Hendler*, 63 Cal. 2d 141, 403 P.2d 721, 45 Cal. Rptr. 313 (1965).

constitute reversible error.<sup>3</sup> The lawyer's legitimate communication must be with the jury as an entity — not with jurors individually. For obvious reasons, these strictures apply as well to communications with persons summoned for jury duty who may or may not be impaneled as jurors in a particular case.

#### Attitude Toward Jury

The lawyer "should avoid undue solicitude for the comfort or convenience of judge or jury and should avoid any other conduct calculated to gain special consideration."<sup>4</sup> Referring to individual jurors by name during trial has been ruled unethical,<sup>5</sup> and courts also have condemned the practice.<sup>6</sup> Just as respect for the position of the judge requires that the judge be addressed formally as "your honor," the jury's symbolic position as representing the community in the court requires that a degree of formality be observed in addressing the jury. The typical form of address is, of course, "ladies and gentlemen of the jury" or "members of the jury."

#### Posttrial Interrogation

Since it is vital to the functioning of the jury system that jurors not be influenced in their deliberations by fears that they subsequently will be harassed by lawyers or others who wish to learn what transpired in the jury room, neither defense counsel nor the prosecutor should discuss a case with jurors after trial in a way that is critical of the verdict.<sup>7</sup> Where there is evidence of juror misconduct that might undermine the verdict, a lawyer may make inquiries for the purpose of ascertaining the facts, carefully avoiding any harassment. A lawyer also may properly

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3. See *Pekar v. United States*, 315 F.2d 319 (5th Cir. 1963). *But cf.* *California Fruit Exchange v. Henry*, 89 F. Supp. 580, 588-589 (W.D. Pa.), *aff'd*, 184 F.2d 517 (3d Cir. 1950). See also Annot., 62 A.L.R.2d 298, 310-322 (1958).

4. ABA, CODE OF PROFESSIONAL RESPONSIBILITY EC7-36.

5. ABA COMMITTEE ON PROFESSIONAL ETHICS, INFORMAL OPINION NO. C739 (1963).

6. See *Commonwealth v. Teater*, 397 S.W.2d 137 (Ky. 1965). See generally Annot., 55 A.L.R.2d 1198 (1957).

7. See *Rakes v. United States*, 169 F.2d 739, 745-746 (4th Cir.), *cert. denied*, 335 U.S. 826 (1948); *United States v. Sanchez*, 380 F. Supp. 1260, 1265-1266 (N.D. Tex. 1973); *United States v. Driscoll*, 276 F. Supp. 333, 339-340 (S.D.N.Y. 1967). The first sentence of paragraph (c) is nearly identical to language found in ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-108(D).

inquire as to the nature and basis of the division where the jury did not reach a verdict, for guidance in the subsequent course of action in the case. Finally, it has been recognized that "it is not unethical, in states where it is not illegal, for the purpose of self-education, to communicate in an informal manner with jurors who are willing to talk."<sup>8</sup>

#### **Standard 4-7.4. Opening statement**

The lawyer's opening statement should be confined to a brief statement of the issues in the case and evidence the lawyer intends to offer which the lawyer believes in good faith will be available and admissible. It is unprofessional conduct to allude to any evidence unless there is a good faith and reasonable basis for believing such evidence will be tendered and admitted in evidence.

#### ***History of Standard***

There are stylistic changes only.

#### ***Related Standards***

ABA, Code of Professional Responsibility DR7-106(C)(1)

ABA, Standards for Criminal Justice 3-5.5

NAC, Courts 4.15

NDAA, National Prosecution Standards 17-5

#### ***Commentary***

The purpose of the opening statement is to narrowly limit defense counsel to a brief outline of the issues and the matters counsel believes can be supported with competent and admissible evidence.<sup>1</sup> In that statement the lawyer should scrupulously avoid any utterance that cannot later be supported with such evidence.<sup>2</sup> If, through honest inadvertence, counsel's proof falls significantly short of the opening state-

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8. ABA, COMMITTEE ON ETHICS AND PROFESSIONAL RESPONSIBILITY, FORMAL OPINION 319 (1967).

1. *United States v. Signer*, 482 F.2d 394, 398-399 (6th Cir. 1973); *Leonard v. United States*, 277 F.2d 834 (9th Cir. 1960); *State v. Griffith*, 97 Idaho 52, 539 P.2d 604 (1975).

2. See ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-106(C)(1). See generally Annot., 28 A.L.R.2d 972 (1953).

ment, the court should be asked to give a clarifying instruction to avoid either advantage or penalty. In other respects, the opening statement is governed by the standards for closing argument.<sup>3</sup>

#### **Standard 4-7.5. Presentation of evidence**

(a) It is unprofessional conduct for a lawyer knowingly to offer false evidence, whether by documents, tangible evidence, or the testimony of witnesses, or fail to seek withdrawal thereof upon discovery of its falsity.

(b) It is unprofessional conduct for a lawyer knowingly and for the purpose of bringing inadmissible matter to the attention of the judge or jury to offer inadmissible evidence, ask legally objectionable questions, or make other impermissible comments or arguments in the presence of the judge or jury.

(c) It is unprofessional conduct to permit any tangible evidence to be displayed in the view of the judge or jury which would tend to prejudice fair consideration of the case by the judge or jury until such time as a good faith tender of such evidence is made.

(d) It is unprofessional conduct to tender tangible evidence in the presence of the judge or jury if it would tend to prejudice fair consideration of the case unless there is a reasonable basis for its admission in evidence. When there is any substantial doubt about the admissibility of such evidence it should be tendered by an offer of proof and a ruling obtained.

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#### ***History of Standard***

The standard is unchanged except for the addition of the word "substantial" to the last sentence of paragraph (d).

#### ***Related Standards***

ABA, Code of Professional Responsibility DR7-102(A)(4), DR7-106(C)(1)

ABA, Standards for Criminal Justice 3-5.6

NAC, Courts 4.15(2)

NDAA, National Prosecution Standards 17.1(A)(2), (C), (D)(6)

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3. See standard 4-7.8.

**Commentary****Using False Evidence or Known Perjury**

The subject of the lawyer's duty with respect to false evidence, fabricated documents, or perjured testimony by witnesses is also covered in the Code of Professional Responsibility, which states that the duty of the lawyer to the client is to be performed "within the bounds of the law,"<sup>1</sup> and which requires that "a lawyer shall not . . . [k]nowingly use perjured testimony or false evidence."<sup>2</sup> The presentation of false evidence has been considered ample grounds for disbarment.<sup>3</sup> The lawyer who presents a witness knowing that the witness intends to commit perjury thereby engages in subornation of perjury.<sup>4</sup> Even if the witness does not realize the testimony will be false, the lawyer who knows that it is and nevertheless presents it may be guilty of an attempt to suborn perjury or a like offense.<sup>5</sup>

**Presenting Inadmissible Evidence**

The rules of evidence determine what can properly be presented to the trier of fact, whether judge or jury, and the procedures by which it must be presented. These rules operate to keep from the judge or jury incompetent, irrelevant, and unreliable evidence and thus to limit the kinds of evidence that may be considered in deciding a case. The mere offer of inadmissible evidence or asking an improper question may be sufficient to communicate the precise fact that the rules of evidence are designed to keep from the fact finder. Moreover, the damage may be emphasized if it is challenged by an objection, so that the mere offer of inadmissible matter may leave the opposing party with no effective remedy.

Yet this is a common offense on the part of many who would resent the imputation of unfair practices, and not little ingenuity is often employed

1. ABA, CODE OF PROFESSIONAL RESPONSIBILITY EC7-1.

2. *Id.* DR7-102(A)(4).

3. *In re Allen*, 52 Cal. 2d 762, 344 P.2d 609 (1959). See generally Annot., 40 A.L.R.3d 169, §§3-9 (1971).

4. *People v. Davis*, 48 Cal. 2d 241, 309 P.2d 1 (1957) (dictum); see *Conn v. Commonwealth*, 234 Ky. 153, 27 S.W.2d 702 (1930).

5. See *People v. Mosley*, 338 Mich. 559, 61 N.W.2d 785 (1953); *People v. Clement*, 127 Mich. 130, 86 N.W. 535 (1901). The related problem of perjury proposed by the defendant is treated in standard 4-7.7. See editorial note to that standard.



to draw out statements that are promptly stricken out. . . . [H]e who resorts to such methods places himself on the plane of the shyster and the pettifogger.<sup>6</sup>

These practices and the similar tactic of arguing to the bench or making comments on or off the record in a manner calculated to influence the jury are condemned by the Code of Professional Responsibility.<sup>7</sup> These tactics are particularly pernicious because the mere fact that evidence is ruled inadmissible, a question is deemed improper by the court, or an argument is addressed to the court on a question of admissibility may tend to arouse the curiosity of the jury. Many cases have held such conduct to be ground for declaring a mistrial or granting a new trial.<sup>8</sup> Such remedies are inadequate, however, because the matter may be held not to be prejudicial and, in criminal cases, because of the unavailability of an appeal by the government from an acquittal. When counsel is honestly uncertain about whether a particular question or item of evidence is subject to objection, counsel should be permitted to inquire of the court, out of the presence of the jury, regarding the propriety of the proposed action and to secure a ruling.<sup>9</sup>

#### Display and Tender of Tangible Evidence

The rationale underlying paragraph (b), as explained above, applies as well to paragraphs (c) and (d). Tangible evidence requires special treatment because such evidence is immediately subject to scrutiny once it is brought into the courtroom. As in paragraph (b), dealing with testimonial evidence, the purpose of paragraphs (c) and (d) is to prevent tangible evidence from coming to the attention of the trier of fact unless and until it is offered. The premature display of a tangible article in the courtroom may be unduly inflammatory even though it is later admitted. Hence, such an article should not be exposed to view until it is formally offered for admission in evidence. Moreover, the offer must be made in good faith. If there is any doubt as to the admissibility of the article, the display and tender should be made outside the presence of the jury.

6. G. WARVELLE, *ESSAYS IN LEGAL ETHICS* 110-111 (2d ed. 1920).

7. See ABA, *CODE OF PROFESSIONAL RESPONSIBILITY* DR7-106(C)(1), (2), (6), EC7-25.

8. See *State v. Tolson*, 248 Iowa 733, 82 N.W.2d 105 (1957). See generally *Annot.*, 109 A.L.R. 1089 (1937).

9. See *AMERICAN COLLEGE OF TRIAL LAWYERS, CODE OF TRIAL CONDUCT* §19(g).



**Standard 4-7.6. Examination of witnesses**

(a) The interrogation of all witnesses should be conducted fairly, objectively, and with due regard for the dignity and legitimate privacy of the witness, and without seeking to intimidate or humiliate the witness unnecessarily. Proper cross-examination can be conducted without violating rules of decorum.

(b) A lawyer's belief or knowledge that the witness is telling the truth does not preclude cross-examination, but should, if possible, be taken into consideration by counsel in conducting the cross-examination.

(c) A lawyer should not call a witness who the lawyer knows will claim a valid privilege not to testify, for the purpose of impressing upon the jury the fact of the claim of privilege. In some instances, doing so will constitute unprofessional conduct.

(d) It is unprofessional conduct for a lawyer to ask a question which implies the existence of a factual predicate for which a good faith belief is lacking.

***History of Standard***

Original paragraph (b) provided that defense counsel "should not misuse the power of cross-examination or impeachment by employing it to discredit or undermine a witness if he knows the witness is testifying truthfully." This standard has been changed to make clear that it is permissible, if necessary, for defense counsel to cross-examine vigorously witnesses who are believed or known to be testifying truthfully. There are some cases where, unless counsel challenges the prosecution's known truthful witnesses, there will be no opposition to the prosecution's evidence and the defendant will be denied an effective defense. However, lawyers are encouraged in paragraph (b) to take into consideration in conducting cross-examination the fact that the state's witness is testifying truthfully.

Original paragraph (d) stated that "[i]t is unprofessional conduct to ask a question which implies the existence of a factual predicate which the examiner knows he cannot support by evidence." The accepted test, however, for determining the propriety of questions on cross-examination is whether the examiner has a good faith belief for the questions asked, not whether evidence is available to introduce in support of the

question. Accordingly, paragraph (d) has been changed and now contains a "good faith" test as the basis for asking cross-examination questions.

There are stylistic changes in paragraphs (a) and (c).

### ***Related Standards***

ABA, Code of Professional Responsibility DR7-102(A)(5), DR7-106(C)(1), (2)

ABA, Standards for Criminal Justice 3-5.7

NDAA, National Prosecution Standards 17.1(D)(4), 17.6(A), (B), (F), (G)

### ***Commentary***

#### **Character and Scope of Direct and Cross-examination**

The ethic of our legal tradition has long recognized that there are limitations on the manner in which witnesses should be examined beyond those contained in rules of evidence. The Code of Professional Responsibility forbids a lawyer to "[a]sk any question that he has no reasonable basis to believe is relevant to the case and that is intended to degrade a witness or other person."<sup>1</sup> Another source states that "[a] lawyer should never be unfair or abusive or inconsiderate to adverse witnesses or opposing litigants, or ask any question intended not legitimately to impeach but only to insult or degrade the witness."<sup>2</sup> Some states have by statute guaranteed "the right of a witness to be protected from irrelevant, improper or insulting questions, and from harsh or insulting demeanor. . . ."<sup>3</sup> An eminent British barrister has spoken on the subject in these terms:

The right of cross examination is important: it is one of the things which distinguishes the procedures of trial in the common law countries from those derived from Roman law and I think distinguishes it to the advantage of our system. But it is a right easily abused. One has always to remember that its object is not to examine crossly, as Mr. Baron Alderson put it; not to blackguard the witness; not to bring out unhappy

1. ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-106(C)(2). See also EC7-25.

2. AMERICAN COLLEGE OF TRIAL LAWYERS, CODE OF TRIAL CONDUCT §15(e).

3. UTAH CODE ANN. §78-24-11 (1977).

or discreditable things there may have been in the witness's past unless they have a clear and direct bearing on the witness's credibility in the instant case.<sup>4</sup>

Ultimately, a lawyer must always exercise discretion in determining the extent to which the damage done to the reputation of a witness is justified by the contribution that a particular line of questioning may make to the truth-finding function of the trial.

#### **Undermining a Truthful Witness**

The mere fact that defense counsel can, by use of impeachment, impair or destroy the credibility of an adverse witness does not impose on counsel a duty to do so. Cross-examination and impeachment are legal tools that are a monopoly of licensed lawyers, given primarily for the purpose of exposing falsehood. A prosecution witness, for example, may testify in a manner that confirms precisely what the defense lawyer has learned from the defendant and has substantiated by investigation. But defense counsel may believe that the temperament, personality, or inexperience of the witness provide an opportunity, by adroit cross-examination, to confuse the witness and undermine the witness's testimony in the eyes of the jury. If defense counsel can provide an effective defense for the accused and also avoid confusion or embarrassment of the witness, counsel should seek to do so.

Another example of a situation where restraint may be called for is where a witness whose testimony the lawyer believes to be truthful is subject to impeachment by revealing to the jury that the witness was convicted of a crime many years earlier. The use of this conventional method of impeachment against a witness who has testified truthfully should be avoided if it is possible for defense counsel to do so without jeopardizing the defense of the accused. In deciding whether to use such impeachment, counsel undoubtedly will want to consider the tactical implications, since the jury may recognize the undue humiliation to the witness and thus react adversely to the lawyer.

There also is a public policy factor underlying restraint in use of impeachment powers vested in a lawyer. The policy of the law is to

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4. Shawcross, *The Functions and Responsibilities of an Advocate*, 13 REC. ASSN. B. CITY N.Y. 483, 493-494 (1958).

encourage witnesses to come forward and give evidence in litigation. If witnesses are subjected to needless humiliation when they testify, the existing human tendency to avoid "becoming involved" will be increased.

Notwithstanding the foregoing comments, there unquestionably are many cases where defense counsel cannot provide the accused with a defense at all if counsel is precluded from engaging in vigorous cross-examination of witnesses either believed or known to have testified truthfully. For example, where the defendant has admitted guilt to the lawyer and does not plan to testify, and the lawyer simply intends to put the state to its proof and raise a reasonable doubt, skillful cross-examination of the prosecution's witnesses is essential. Indeed, were counsel in this circumstance to forgo vigorous cross-examination of the prosecution's witnesses, counsel would violate the clear duty of zealous representation that is owed to the client.<sup>5</sup> Justice White, in a 1967 Supreme Court opinion, addressed the sometimes professional obligation of defense counsel to impeach truthful witnesses:

[A]bsent a voluntary plea of guilty, we . . . insist that [defense counsel] defend his client whether he is innocent or guilty. The State has the obligation to present the evidence. Defense counsel need present nothing, even if he knows what the truth is. He need not furnish any witnesses to the police, or reveal any confidences of his client, or furnish any other information to help the prosecution's case. If he can confuse a witness, even a truthful one, or make him appear at a disadvantage, unsure or indecisive, that will be his normal course. Our interest in not convicting the innocent permits counsel to put the State to its proof, to put the State's case in the worst possible light, regardless of what he thinks or knows to be the truth. Undoubtedly there are some limits which defense counsel must observe but more often than not, defense counsel will cross-examine a prosecution witness, and impeach him if he can, even if he thinks the witness is telling the truth, just as he will attempt to destroy a witness who he thinks is lying. In this respect, as part of our modified adversary system and as part of the duty imposed on the most honorable defense counsel, we countenance or require conduct which in many instances has little, if any, relation to the search for truth.<sup>6</sup>

5. See ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-101(A)(1), EC7-10.

6. *United States v. Wade*, 388 U.S. 218, 257-258 (1967) (White, J., dissenting in part, concurring in part).

**Forcing Claim of Privilege Before the Jury**

Although the situation arises more frequently for the prosecutor than it does for defense counsel, it is equally unprofessional for either to call a witness he or she knows will assert a claim of privilege in order to encourage the jury to draw inferences from the fact that the witness claims a privilege. If there is genuine doubt whether the witness will claim the privilege or whether the validity of the privilege will be recognized, the matter should be resolved out of the presence of the jury.

**Unfounded Question**

It is an improper tactic for either the prosecutor or defense counsel to attempt to communicate impressions by innuendo through questions that would be to the defendant's advantage to answer in the negative, for example, "Have you ever been convicted of the crime of robbery?" or "Weren't you a member of the Communist party?" or "Did you tell Mr. X that . . . ?" when the questioner has no evidence to support the innuendo.<sup>7</sup> Generally, a question may be asked on cross-examination if, as recommended in paragraph (d), a "good faith belief" in the factual predicate implied in the question is present.<sup>8</sup>

**[Standard 4-7.7. Testimony by the defendant]**

**[(a) If the defendant has admitted to defense counsel facts which establish guilt and counsel's independent investigation established that the admissions are true but the defendant insists on the right to trial, counsel must strongly discourage the defendant against taking the witness stand to testify perjurally.]**

7. See ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-106(C)(1); 6 WIGMORE, EVIDENCE §1808(2) (Chadbourn rev. 1976).

8. See, e.g., *United States v. Pugh*, 436 F.2d 222 (D.C. Cir. 1970); *People v. Lewis*, 180 Colo. 423, 506 P.2d 125 (1973); *Hazel v. United States*, 319 A.2d 136 (D.C. 1974). However, in some situations in some jurisdictions, it may be necessary to have more than a good faith basis present for asking a question on cross-examination. It has been held, e.g., that a witness may not be cross-examined as to prior convictions if the examiner does not have a certified record of the conviction available to rebut a denial of the conviction. See, e.g., *State v. Williams*, 297 Minn. 76, 210 N.W.2d 21 (1973); *People v. Di Paolo*, 366 Mich. 394, 115 N.W.2d 78 (1962). *Contra*, *People v. Lewis*.

**[(b) If, in advance of trial, the defendant insists that he or she will take the stand to testify perjuriously, the lawyer may withdraw from the case, if that is feasible, seeking leave of the court if necessary, but the court should not be advised of the lawyer's reason for seeking to do so.**

**[(c) If withdrawal from the case is not feasible or is not permitted by the court, or if the situation arises immediately preceding trial or during the trial and the defendant insists upon testifying perjuriously in his or her own behalf, it is unprofessional conduct for the lawyer to lend aid to the perjury or use the perjured testimony. Before the defendant takes the stand in these circumstances, the lawyer should make a record of the fact that the defendant is taking the stand against the advice of counsel in some appropriate manner without revealing the fact to the court. The lawyer may identify the witness as the defendant and may ask appropriate questions of the defendant when it is believed that the defendant's answers will not be perjurious. As to matters for which it is believed the defendant will offer perjurious testimony, the lawyer should seek to avoid direct examination of the defendant in the conventional manner; instead, the lawyer should ask the defendant if he or she wishes to make any additional statement concerning the case to the trier or triers of the facts. A lawyer may not later argue the defendant's known false version of facts to the jury as worthy of belief, and may not recite or rely upon the false testimony in his or her closing argument.]**

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***Editorial Note***

This proposed standard was approved by the ABA Standing Committee on Association Standards for Criminal Justice but was withdrawn prior to submission of this chapter to the ABA House of Delegates. Instead, the question of what should be done in situations dealt with by the standard has been deferred until the ABA Special Commission on Evaluation of Professional Standards reports its final recommendations.

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**Standard 4-7.8. Argument to the jury**

**(a) In closing argument to the jury the lawyer may argue all reasonable inferences from the evidence in the record. It is un-**

professional conduct for a lawyer intentionally to misstate the evidence or mislead the jury as to the inferences it may draw.

(b) It is unprofessional conduct for a lawyer to express a personal belief or opinion in his or her client's innocence or personal belief or opinion in the truth or falsity of any testimony or evidence, or to attribute the crime to another person unless such an inference is warranted by the evidence.

(c) A lawyer should not make arguments calculated to inflame the passions or prejudices of the jury.

(d) A lawyer should refrain from argument which would divert the jury from its duty to decide the case on the evidence by injecting issues broader than the guilt or innocence of the accused under the controlling law or by making predictions of the consequences of the jury's verdict.

(e) It is the responsibility of the court to ensure that final argument to the jury is kept within proper, accepted bounds.

### ***History of Standard***

Paragraph (e) has been added. The substance of this addition appeared as standard 5.10 of the original Function of the Trial Judge standards. In addition there are stylistic changes.

### ***Related Standards***

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ABA, Code of Professional Responsibility DR7-102(A)(5), DR7-106(C)(3), (4)

ABA, Standards for Criminal Justice 3-5.8

NAC, Courts 4.15(3)

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NDAA, National Prosecution Standards 17.17(A)

### ***Commentary***

#### ***Inferences Warranted by the Evidence***

Because of the general unavailability of government appeals, courts rarely have occasion to pass directly on the question of the limits of propriety of argument to the jury by defense counsel. The issue has been raised indirectly, however, in many cases in which the propriety of the prosecutor's summation has been questioned, where some courts



have held that statements made by the prosecutor that would otherwise be improper would not lead to reversal because the statements were fairly responsive to impermissible arguments or questions of defense counsel.<sup>1</sup> It should be accepted that both prosecutor and defense counsel are subject to the same general limitations in the scope of their argument.<sup>2</sup>

Defense counsel is no more entitled than the prosecutor to assert as fact that which has not been introduced in evidence.<sup>3</sup> The rules of evidence cannot be subverted by putting to the jury, in argument or opening statements, matters not in the record. For example, where the defendant's willingness to take a lie detector test has been held inadmissible, defense counsel has been precluded from suggesting that willingness in argument.<sup>4</sup> On the other hand, attorneys are entitled to reasonable latitude in arguing inferences from the evidence.<sup>5</sup>

There are often circumstances in which counsel may be entitled to argue to the jury that they should draw an inference adverse to the prosecution as the result of its failure to bring forth some particular item of evidence or to call as a witness someone who has a special relation to the facts of the case.<sup>6</sup> But it is a form of misrepresentation, and therefore improper, for counsel to argue such an inference when counsel knows that the evidence was not presented because it had been excluded by the court or is inadmissible.<sup>7</sup> A lawyer who has successfully urged the court to exclude evidence should not be allowed to point to the absence of that evidence to create an inference that it does not exist.

The obligation to avoid misrepresentation to the jury is broad. An argument to the jury that the accused has a "clean record" when counsel is aware of prior convictions, although the evidence is silent, is an

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1. See *United States v. Alpern*, 564 F.2d 755 (7th Cir. 1977); *United States v. Bastone*, 526 F.2d 971 (7th Cir. 1975):

2. Compare *State v. Simpson*, 247 La. 883, 175 So. 2d 255 (1965), with *Reed v. State*, 232 Miss. 432, 99 So. 2d 455 (1958).

3. See *State v. Powell*, 357 S.W.2d 914 (Mo. 1962).

4. *State v. Anderson*, 261 Minn. 431, 113 N.W.2d 4 (1962).

5. See *State v. Hilliard*, 89 Ariz. 129, 359 P.2d 66 (1961).

6. Cf. *State v. Mode*, 57 Wash. 2d 829, 360 P.2d 159 (1961).

7. In *Rizzo v. United States*, 304 F.2d 810 (8th Cir. 1962), defense counsel had objected to the admission into evidence of certain checks. In response, the prosecution stated that it would not offer them in evidence. Later, in his argument to the jury, defense counsel argued that "Miss Nafie testified she never cashed a check for Mr. Rizzo and you can rest assured that if she had the proof would have been in here and it wasn't here." *Id.* at 829. The court held that the trial judge properly sustained an objection to such an argument.



affirmative misrepresentation of a fact. On the other hand, if the record shows the accused has a long and stable work record, a family, and other ties to the community, it is not improper to argue from this that the accused is a person whose credibility can be relied on.

The Code of Professional Responsibility provides that a lawyer shall not "[k]nowingly make a false statement of . . . fact" or "[s]tate or allude to any matter that . . . will not be supported by admissible evidence."<sup>8</sup>

#### Personal Belief

"[A] lawyer shall not . . . [a]ssert his personal opinion . . . as to the guilt or innocence of an accused. . . ."<sup>9</sup> This statement of the profession's well-established rule, contained in the Code of Professional Responsibility, is justified on several grounds:

In the first place, [the lawyer's] personal belief has no real bearing on the issue; no witness would be permitted so to testify, even under oath, and subject to cross-examination, much less the lawyer without either. Also, if expression of personal belief were permitted, it would give an improper advantage to the older and better known lawyer, whose opinion would carry more weight, and also with the jury at least, an undue advantage to an unscrupulous one. Furthermore, if such were permitted, for counsel to omit to make such a positive assertion might be taken as an admission that he did not believe in his case.<sup>10</sup>

In addition, this prohibition is essential to the maintenance of the appropriate independence of the lawyer from identification with the client. "He is the representative but not the alter ego. . . . Counsel in England never says 'I think.' He says 'I submit' or, 'I suggest,' or, to the Judge or Jury, 'You may think.'"<sup>11</sup> "[No] advocate in any circumstances should ever permit himself to assert his own belief in the merits of the case which he is arguing or in the innocence of the prisoner whom he is defending. The moment he does so he steps outside his role of the advocate."<sup>12</sup>

8. ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-102(A)(5), 7-106(C)(1). See also *id.* EC7-25.

9. *Id.* DR7-106(C)(4).

10. H. DRINKER, *LEGAL ETHICS* 147 (1953).

11. SHAWCROSS, *The Functions and Responsibilities of an Advocate*, 13 REC. ASSN. B. CITY N.Y. 483, 495 (1958).

12. J. SINGLETON, *CONDUCT AT THE BAR* 41 (1933). See generally Martin, *Closing Argument to the Jury for the Defense in Criminal Cases*, 58 J. CRIM. L.C. & P.S. 2, 6 (1967).

The argument in a criminal case will sometimes include points based on probabilities, but this is permissible only if those probabilities are supported by the record or by common experience. Counsel may not suggest, for example, that the evidence is consistent with the probability that someone other than the defendant committed the crime unless there is some basis in the record for doing so. Thus, if an accomplice has testified against the defendant, defense counsel may argue that the accomplice is seeking self-protection or the protection of a friend. The naming of a specific person other than the defendant as the one responsible for the crime, however, is subject to an important limitation. Since such a line of argument could lead to the prosecution of the person named and, at least, may be destructive of the person's good name and reputation, counsel should not make such an argument unless there is reasonable ground in the evidence to support that position.

**Appeals to Prejudice; Attacks on the Prosecutor; Digression from the Evidence**

The prohibition of personal attacks on the prosecutor in closing argument is but part of the larger duty of counsel to avoid acrimony in relations with opposing counsel during trial and to confine argument to record evidence.<sup>13</sup> It is firmly established that the lawyer should abstain from any allusion to the personal peculiarities and idiosyncrasies of opposing counsel.<sup>14</sup> A personal attack by the prosecutor on defense counsel is improper,<sup>15</sup> and the duty to abstain from such attacks is obviously reciprocal.<sup>16</sup>

Remarks calculated to evoke bias, passions, or prejudice "should never be made in a court of justice by any one."<sup>17</sup> There are many cases in which courts have reversed convictions as the result of inflammatory remarks made by the prosecutor containing references to the defendant's race, religion, or ethnic background.<sup>18</sup> This duty is reciprocal and it is improper conduct for defense counsel to make arguments calculated to appeal to such prejudices.<sup>19</sup> There are, of

13. See standards 4-7.1 and 4-7.5.

14. See AMERICAN COLLEGE OF TRIAL LAWYERS, CODE OF TRIAL CONDUCT §14(b).

15. See *Loveless v. State*, 240 Ind. 534, 166 N.E.2d 864 (1960) (dictum).

16. See *People v. Kennedy*, 356 Ill. 151, 190 N.E. 296 (1934); cf. *People v. Marks*, 6 N.Y.2d 67, 160 N.E.2d 26, 188 N.Y.S.2d 465 (1959), cert. denied, 365 U.S. 847 (1961).

17. *People v. Simon*, 252 P. 758, 760 (Cal. App. 1927).

18. See generally Annot., 45 A.L.R.2d 303 (1956).

19. See *State v. Simpson*, 247 La. 883, 175 So. 2d 255 (1965).

course, occasions on which the matter of prejudice is itself an issue. In such circumstances, reference to it in argument would be appropriate if restricted to the evidence.

It is also improper for counsel to divert the jury from its duty to decide the case on the evidence by introducing broad social issues that are not based on evidence in the record.<sup>20</sup> Just as a prosecutor should not be permitted to argue to the jury that the defendant should be found guilty because of widespread crime in the community, it is improper for defense counsel to encourage the jury to disregard their duty because of political or social implications of the case.

#### **Standard 4-7.9. Facts outside the record**

**It is unprofessional conduct for a lawyer intentionally to refer to or argue on the basis of facts outside the record, unless such facts are matters of common public knowledge based on ordinary human experience or matters of which the court can take judicial notice.**

#### ***History of Standard***

There are no changes.

#### ***Related Standards***

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ABA, Code of Professional Responsibility DR7-106(C)(1)

ABA, Standards for Criminal Justice 3-5.9

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#### ***Commentary***

The problem of digression from the record can arise at both the trial and the appellate levels. At the trial level it is highly improper for a lawyer to refer in colloquy, argument, or other context to factual matter beyond the scope of the evidence or the range of judicial notice. This is true whether the case is being tried to a court or to a jury, but it is particularly offensive in a jury trial. It can involve the risk of serious prejudice, with a mistrial as a possible remedy. Ordinarily a trial court

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20. *State v. Reynolds*, 41 N.J. 163, 195 A.2d 449 (1963).

should summarily exclude any reference to factual matter beyond the scope of the evidence in any significant way. The broad discretion a trial court has in such matters enables it to deal with them as they arise by allowing a party to reopen the case or to take other appropriate steps to enlarge the record, so as to provide an evidentiary basis for the matter the party wishes to argue but has for some reason failed to establish. At the appellate level it is also a grave violation of ethical standards to argue factual matters outside the record.<sup>1</sup>

#### **Standard 4-7.10. Posttrial motions**

**The trial lawyer's responsibility includes presenting appropriate motions, after verdict and before sentence, to protect the defendant's rights.**

##### ***History of Standard***

There are no changes.

##### ***Related Standards***

ABA, Standards for Criminal Justice 5-5.2

NAC, Courts 13.1

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##### ***Commentary***

The typical agreement for representation made by retained counsel in a criminal case provides for representation through trial, including post-trial motions. This is as it should be. Consistent with this notion, these standards elsewhere provide that "[c]ounsel initially provided should continue to represent the defendant throughout the trial court proceedings," which is explained as including the filing of any necessary post-trial motions.<sup>1</sup> Moreover, failure to make a motion for a new trial, or to pursue a motion once filed, has been considered ineffective assistance of counsel.<sup>2</sup> Continuity of representation at the stage of posttrial mo-

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1. See standard 4-8.4(c).

1. Standard 5-5.2.

2. Goforth v. Dutton, 409 F.2d 651 (5th Cir. 1969); Wainwright v. Simpson, 360 F.2d 307, 309 (5th Cir. 1966) (dictum).

tions contributes to the efficiency of judicial administration, since the trial lawyer often can present motions without the delay and expense of the preparation of a transcript of the entire trial.<sup>3</sup>

## PART VIII. AFTER CONVICTION

### Standard 4-8.1. Sentencing

(a) The lawyer for the accused should be familiar with the sentencing alternatives available to the court and should endeavor to learn its practices in exercising sentencing discretion. The consequences of the various dispositions available should be explained fully by the lawyer to the accused.

(b) Defense counsel should present to the court any ground which will assist in reaching a proper disposition favorable to the accused. If a presentence report or summary is made available to the defense lawyer, he or she should seek to verify the information contained in it and should be prepared to supplement or challenge it if necessary. If there is no presentence report or if it is not disclosed, the lawyer should submit to the court and the prosecutor all favorable information relevant to sentencing and in an appropriate case be prepared to suggest a program of rehabilitation based on the lawyer's exploration of employment, educational, and other opportunities made available by community services.

(c) Counsel should alert the accused to the right of allocution, if any, and to the possible dangers of making a judicial confession in the course of allocution which might tend to prejudice an appeal.

#### *History of Standard*

There are stylistic changes only.

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3. See also standard 4-8.2.

**Related Standards**

ABA, Standards for Criminal Justice 3-6.1, 3-6.2, 18-5.5(b), 18-6.3

NAC, Corrections 5.18

NDAA, National Prosecution Standards 18.1(E)

**Commentary****Sentencing Alternatives and Practices**

The importance of the role of counsel in the sentencing stage of the criminal process is suggested in part by decisions invalidating sentences because of the absence of defense counsel at the sentencing proceeding.<sup>1</sup> The Supreme Court has suggested that the need for counsel may be greater at sentencing than in the determination of guilt because "[t]here a judge usually moves within a large area of discretion and doubts. . . . Even the most self-assured judge may well want to bring to his aid every consideration that counsel for the accused can appropriately urge."<sup>2</sup> Additionally, defense counsel should determine the statutory alternatives available to the judge in exercising discretion in sentencing for the particular offense involved. But it is not enough for the lawyer to function as a check on the judge in this regard; the lawyer should serve also as counsel to the client. The lawyer should carefully explain to the defendant the sentencing alternatives available to the court and what they will mean for the defendant personally should any of them be selected.

**Preparation and Presentation of Sentencing Data**

Sentencing normally takes place in a context in which neither judge nor counsel is personally acquainted with the defendant. Moreover, the prognosis for rehabilitation depends heavily on the opportunities available to the defendant for gainful employment. This, in turn, may depend on educational opportunities. The defendant may be in need of family counseling or mental health assistance. In most courts these and other considerations are the subject of a presentence report prepared by

1. See, e.g., *Lee v. State*, 99 Ariz. 269, 408 P.2d 408 (1965); *State v. Strickland*, 27 Wis. 2d 623, 135 N.W.2d 295, 302-303 (1965).

2. *Carter v. Illinois*, 329 U.S. 173, 178 (1946).

a probation officer or other staff assistant to the court. Where the probation report is made available to the defense, counsel has a role to play in determining the accuracy of information on which the report is based and in evaluating the soundness of its conclusions. To do so, counsel will need to make some independent investigation. Where there is no such report or it is not released to the defense, counsel will need to develop a defense equivalent to the report for presentation to the court. But even when a presentence report on the defendant has been prepared by the court, counsel may still wish to file with the court written information concerning the defendant's background.

In presenting to the court facts bearing on the sentence, defense counsel must often personally vouch for their accuracy, since the formal processes of receiving testimony are not usually employed at the sentencing stage. Counsel may well advance the interest of the client best by demonstrating a measure of objectivity, but "[h]e should continue, as he has done throughout the trial itself, to advance and protect the best interests of his client. . . . [H]is participation should be as objective and realistic as is consistent with illuminating the most favorable factors bearing upon the requested disposition."<sup>3</sup>

In the trial stage, defense counsel is an advocate in a representative capacity participating in an adversary proceeding. Termination of the trial does not terminate counsel's duties to the client, but the duties are not precisely the same as before. Counsel may not present facts that are known to be false in a manner that creates an inference that they are true. Counsel may not, for example, present facts concerning the defendant's character that would suggest to the judge that the defendant does not have a prior record of crime if it is known that the defendant has such a record and that fact has not been disclosed to the court.

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#### Allocution

It sometimes happens that in the course of exercising the right of allocution, the defendant will freely admit the guilt that he or she has, up to the time of verdict, denied; the defendant, for example, may have taken the stand and controverted the evidence by a denial of any participation. Most judges are not unduly surprised by this, but there are risks involved. Some judges may impose a heavier sentence if it is felt the

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3. See Steffes, *Advocacy Fully Achieved*, 23 LEGAL AID BRIEF CASE 200, 200-201 (1965).



defendant has committed gross perjury.<sup>4</sup> Even more serious perhaps is that the defendant's statement on allocution admitting guilt is part of the record and, if the conviction is appealed, that admission may compromise the appeal, especially if it is based on insufficiency of the evidence.

The other side of the coin is that if the assumptions underlying the right of allocution are correct, the right is one not to be waived lightly. The more realistic view may be that an accused does not often by his or her own utterance influence the sentence. Because of the risks of a judicial confession, defense counsel should be alert to the problem and would be well advised to recommend to the defendant that counsel make all statements in mitigation or that the client exercise the right of allocution with these hazards in mind.

### **Standard 4-8.2. Appeal**

(a) After conviction, the lawyer should explain to the defendant the meaning and consequences of the court's judgment and defendant's right of appeal. The lawyer should give the defendant his or her professional judgment as to whether there are meritorious grounds for appeal and as to the probable results of an appeal. The lawyer should also explain to the defendant the advantages and disadvantages of an appeal. The decision whether to appeal must be the defendant's own choice.

(b) The lawyer should take whatever steps are necessary to protect the defendant's right of appeal.

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#### ***History of Standard***

There are stylistic changes only.

#### ***Related Standards***

ABA, Standards for Criminal Justice 5-5.2, 21-2.2(b), 21-3.2(b)(i)

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4. The Supreme Court has held that a judge may take into consideration in imposing sentence his or her belief that the defendant testified falsely during the trial. *United States v. Grayson*, 438 U.S. 41 (1978).



**Commentary****Advising Defendant Concerning Appeal**

A defendant needs effective representation and advice in the relatively short period immediately following conviction when the decision whether to appeal must be made. Yet it happens on occasion that no legal representation exists, sometimes for months, at this juncture. Lawyers, whether retained or assigned at trial, sometimes take the view that their responsibilities end with the final judgment of the trial court and communication between defendant and attorney frequently ceases.<sup>1</sup> Whatever the cause, the effects are most undesirable. To make the right to counsel meaningful, representation must be continuous throughout the criminal process. Because of the intimate familiarity with the record of the trial proceedings, trial counsel is in the best position to advise the defendant concerning the factors to be weighed in reaching the decision whether to appeal.<sup>2</sup>

Counsel's first duty is to make sure the defendant understands the meaning and consequences of the judgment of the court. For example, if the defendant has been sentenced to a term of imprisonment, counsel should explain to the defendant the applicable provisions of law relating to parole and reduction of sentence for good behavior.

Of greater importance is the duty of counsel to discuss frankly and objectively with the defendant the matters to be considered in deciding whether to appeal. Careful exploration should be made of the possible errors that could be pressed on appeal, their relative strengths and weaknesses, and the probable outcome of an appeal. Counsel should also attempt to learn and evaluate the doubts that the defendant may have about the adjudication of the case. To make the defendant's ultimate choice a meaningful one, counsel's evaluation of the case must be communicated in a comprehensible manner. Possible disadvantages and risks involved in an appeal should also be explained to the defendant. The consequences of an appeal may not be apparent to the defendant. In some circumstances even a successful appeal followed by a new trial may offer little prospect other than postponement of the service of the sentence. On the other hand, the defendant may be unduly chastened by the adverse verdict. Where it is appropriate to do so, the advantages of an appeal should be explained to the defendant. Whatever the de-

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1. See *Buxton v. Brown*, 222 Ga. 564, 150 S.E.2d 636 (1966).

2. See standard 21-2.2, which is similar to standard 4-8.2.

fendant's situation, the decision is a critical one, since claims of trial error are lost if they are not raised on appeal. Because of the importance of the decision, trial counsel should always consult promptly with the defendant after making a careful appraisal of the prospects of an appeal.

### Protecting the Right of Appeal

A considerable body of postconviction litigation has been generated involving failures on the part of trial counsel to protect the defendant's right of appeal. A few state courts have held that the failure of counsel to advise the defendant of the right to appeal is not a basis for postconviction relief.<sup>3</sup> Federal district courts have reached similar conclusions where the courts believed the defendants had seemed satisfied with the outcome of the litigation at the state trial court stage.<sup>4</sup> In other federal habeas corpus cases based on the failure of defense counsel to inform the defendant of the right to appeal, relief has been granted.<sup>5</sup> In other cases, habeas corpus relief has been granted on the related claim that defense counsel had known of possibly meritorious grounds for appeal which had not been communicated to defendants, who had not appealed.<sup>6</sup>

Where the claim for postconviction relief has been based on the failure of defense counsel to execute defendant's instructions to appeal, the cases are again mixed in outcome. A few courts have denied relief.<sup>7</sup> Most, however, have granted a nunc pro tunc remedy to the defendant thus deprived of appeal.<sup>8</sup> The fact situations out of which many cases

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3. See, e.g., *Downs v. Warden*, 568 P.2d 575 (Nev. 1977); *Buxton v. Brown*, 222 Ga. 564, 150 S.E.2d 636 (1966); *Petition of Graham*, 106 N.H. 545, 215 A.2d 697 (1965); *Richardson v. Williard*, 241 Or. 376, 406 P.2d 156 (1965).

4. See, e.g., *Love v. Virginia*, 297 F. Supp. 661 (W.D. Va. 1969); *Dillon v. Payton*, 288 F. Supp. 163 (W.D. Va. 1968); *Gibson v. Peyton*, 262 F. Supp. 574 (W.D. Va. 1966); *Godlock v. Ross*, 259 F. Supp. 659 (E.D.N.C. 1966).

5. See, e.g., *Bonds v. Wainwright*, 564 F.2d 1125 (5th Cir. 1977); *Lumpkin v. Smith*, 439 F.2d 1084 (5th Cir. 1971); *Wynn v. Page*, 369 F.2d 930 (10th Cir. 1966); *United States ex rel. Thurmond v. Mancusi*, 275 F. Supp. 508, 522-524 (E.D.N.Y. 1967); *Fox v. North Carolina*, 266 F. Supp. 19 (E.D.N.C. 1967); *United States ex rel. Mitchell v. Fay*, 241 F. Supp. 165 (S.D.N.Y. 1965).

6. See, e.g., *Ingram v. Peyton*, 367 F.2d 933 (4th Cir. 1966); *Wainwright v. Simpson*, 360 F.2d 307 (5th Cir. 1966). See also *Camp v. United States*, 352 F.2d 800 (5th Cir. 1965).

7. See, e.g., *Ex parte Wilson*, 392 S.W.2d 134 (Tex. Crim 1965). See also *Horton v. Bomar*, 230 F. Supp. 271 (M.D. Tenn. 1964), *affd.*, 335 F.2d 583 (6th Cir. 1964).

8. See, e.g., *Atilus v. United States*, 406 F.2d 694 (5th Cir. 1969); *Kent v. United States*, 423 F.2d 1050 (5th Cir. 1970); *Byrd v. Smith*, 407 F.2d 363 (5th Cir. 1969); *Williams v.*

have arisen indicate genuine uncertainty on the part of lawyers concerning their responsibilities after verdict. There is often misunderstanding between lawyer and client concerning the action that will be taken by each.<sup>9</sup> Rather than continue to face the problem in the form of petitions for relief from time limitations on filing appeals or of postconviction collateral attacks on the ground of inadequate representation, trial counsel's obligation to protect the defendant's right of appeal should be affirmed. Accordingly, paragraph (b) recommends that "[t]he lawyer . . . take whatever steps are necessary to protect the defendant's right of appeal." Frequently this will include perfecting the appeal, even though arrangements may have to be made for other counsel to represent the defendant before the appellate court.

### Standard 4-8.3. Counsel on appeal

**Appellate counsel should not seek to withdraw from a case solely on the basis of his or her own determination that the appeal lacks merit.**

#### *History of Standard*

In the original edition, this standard provided that "[t]rial counsel, whether retained or appointed by the court, should conduct the appeal if the defendant elects to avail himself of that right unless new counsel is substituted by the defendant or the appropriate court." This language has been deleted in view of a provision in chapter 5, on Providing Defense Services, recommending that counsel "should continue to represent the defendant throughout the trial court proceedings." As the commentary to standard 5-5.2 reflects, the failure to recommend that counsel initially appointed should continue to represent the defendant throughout the appellate proceedings is deliberate. The chapter on Providing Defense Services also urges that counsel not be appointed by

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United States, 402 F.2d 548 (8th Cir. 1968); *United States ex rel. Maselli v. Reincke*, 261 F. Supp. 457 (D. Conn. 1966), *aff'd*, 383 F.2d 129 (2d Cir. 1967); *Coffman v. Bomar*, 220 F. Supp. 343 (M.D. Tenn. 1963); *People v. Collier*, 62 Cal. 2d 543, 399 P.2d 569, 43 Cal. Rptr. 1 (1965); *People v. Brown*, 39 Ill. 2d 307, 235 N.E.2d 562 (1968); *Commonwealth v. Peake*, 210 Pa. Super. 133, 231 A.2d 908 (1967).

9. See *United States v. Robinson*, 361 U.S. 220 (1960); *People v. Diehl*, 62 Cal. 2d 114, 396 P.2d 697, 41 Cal. Rptr. 281 (1964).

judges. Except for a stylistic change, the single sentence constituting the instant standard is unchanged from the first edition.

### ***Related Standards***

ABA, Standards for Criminal Justice 5-5.2, 5-5.3, 20-2.2(c), 21-2.2(a), (b), 21-3.2(b)

NAC, Courts 13.1

NLADA, National Study Commission Recommendations 4.3(a), 5.11, 5.12

### ***Commentary***

The responsibility of counsel assigned to represent a person unable to afford representation requires that the lawyer serve the client as an advocate. It is not appropriate for counsel to act as an amicus curiae or as adviser to the court. Before the merits of an appeal are determined by a court, the defendant is entitled to the advocacy of a lawyer.<sup>1</sup> The possibility exists in every appeal, by those with retained as well as assigned counsel, that the defendant will want to raise claims that the lawyer finds lack merit. The defendant who has selected a lawyer and is paying for the service is not likely to reject counsel's advice. Where counsel has been assigned and receives no compensation from the client, the chances are greater that the client will take a position independent of, and perhaps in total opposition to, that recommended by the lawyer.

As stated earlier, every lawyer has a primary obligation to give the client sound professional advice on the matter for which the lawyer is retained.<sup>2</sup> If a convicted defendant wants to appeal on entirely frivolous grounds, trial counsel should attempt to dissuade the defendant from appealing and appellate counsel should seek to persuade the defendant to withdraw the appeal. Such advice should be given freely and forcefully. Assigned counsel has a special responsibility to develop a relationship of trust and confidence with the client so that the client will appreciate that the lawyer knows the case and has the client's best interests clearly in mind.

Counsel, however, should not conclude too quickly that an appeal is

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1. See *Anders v. California*, 386 U.S. 738 (1967); *Swenson v. Bosler*, 386 U.S. 258 (1967); *Entsminger v. Iowa*, 386 U.S. 748 (1967); *Ellis v. United States*, 356 U.S. 674 (1958).

2. See standard 4-8.2(a).

frivolous. A defendant is entitled to more than merely a negative reaction to the supposed errors that the convicted defendant thinks are present in the case. The lawyer should examine and analyze the record, as the lawyer would do if a client were paying a fee for this service. In some instances, even where the existing doctrine does not support a case for reversal on appeal, there may be a sound basis for arguing for a change in the law.<sup>3</sup>

Despite counsel's best effort to find meritorious grounds for appeal, there will arise situations in which counsel is faced with an appeal in which the entire case, or part of the case, is frivolous. In such circumstances, a variety of responses by assigned counsel have been found. Principal among them is the request for leave to withdraw from the case. Others have been more or less overt, professionally responsible actions by the attorney to dissociate himself or herself from the groundless contentions.

Considerable attention has been focused to date on the matter of counsel's withdrawal and the effect on the litigation of such withdrawal. In *Anders v. California*,<sup>4</sup> the Supreme Court affirmed the power, if not the duty, of counsel to withdraw in some cases: "Of course, if counsel finds his case to be wholly frivolous, after a conscientious examination of it, he should so advise the court and request permission to withdraw."<sup>5</sup> The Court found that permitting counsel's withdrawal in *Anders* was improper because counsel's stated basis for so acting was only an opinion that there was no merit in the appeal. The Court did not equate such a no-merit statement with an evaluation of the appeal as frivolous.

The *Anders* decision thus appears to rest on the distinction between complete frivolity and absence of merit. The latter is not enough to support either a request by counsel to withdraw or the granting of such a request by the court. The Supreme Court outlined the procedure to be followed when counsel concludes that an appeal is wholly frivolous:

That request [for permission to withdraw] must . . . be accompanied by a brief referring to anything in the record that might arguably support the appeal. A copy of counsel's brief should be furnished the indigent and

3. See *Anders v. California*, 386 U.S. 738 (1967); *Harders v. California*, 373 F.2d 839 (9th Cir. 1967); *Johnson v. United States*, 360 F.2d 844, 847 (D.C. Cir. 1966) (concurring opinion). See also Leventhal, *What the Court Expects of the Federal Lawyer*, 27 *FED. B.J.* 1 (1967).

4. 386 U.S. 738 (1967).

5. *Id.* at 744. See also *Ellis v. United States*, 356 U.S. 674, 675 (1958).

time allowed him to raise any points that he chooses; the court — not counsel — then proceeds, after a full examination of all the proceedings, to decide whether the case is wholly frivolous. If it so finds it may grant counsel's request to withdraw and dismiss the appeal insofar as federal requirements are concerned, or proceed to a decision on the merits, if state law so requires. On the other hand, if it finds any of the legal points arguable on their merits (and therefore not frivolous) it must, prior to decision, afford the indigent the assistance of counsel to argue the appeal.<sup>6</sup>

In an appeal that is not entirely frivolous in counsel's estimate, the problem may arise of the appellant insisting on including in the appeal a particular point despite counsel's protest that it is frivolous. In such a situation, the lawyer might brief and argue the points he or she believes are supportable and omit the others.<sup>7</sup> Alternatively, the lawyer might include the frivolous question in the brief but deal with it sketchily and without developing it in detail or pressing it on the court.<sup>8</sup> Another possibility is for counsel to present the grounds but openly dissociate himself or herself from them.<sup>9</sup>

#### Standard 4-8.4. Conduct of appeal

(a) Appellate counsel should be diligent in perfecting an appeal and expediting its prompt submission to the appellate court.

(b) Appellate counsel should be scrupulously accurate in referring to the record and the authorities upon which counsel relies in the presentation to the court of briefs and oral argument.

(c) It is unprofessional conduct for a lawyer intentionally to refer to or argue on the basis of facts outside the record on appeal, unless such facts are matters of common public knowledge based on ordinary human experience or matters of which the court may take judicial notice.

6. 386 U.S. at 744.

7. See *State ex rel. Henderson v. Boone Circuit Court*, 246 Ind. 207, 204 N.E.2d 346 (1965) (counsel's action upheld); cf. *Bennett v. State*, 161 Me. 489, 214 A.2d 667 (1965) (retained counsel; action upheld).

8. See *Wallace v. State*, 247 Ind. 405, 215 N.E.2d 354 (1966) (counsel's action upheld); *Johnson v. United States*, 360 F.2d 844, 847 (D.C. Cir. 1966) (concurring opinion).

9. See *Brown v. State*, 223 Md. 401, 164 A.2d 722 (1960) (counsel's action upheld).



**History of Standard**

There are stylistic changes only.

**Related Standards**

ABA, Code of Professional Responsibility DR7-106(C)(1)

ABA, Standards for Criminal Justice 3-5.9, 21-3.2(b)

**Commentary****Diligence in Prosecuting Appeal**

As at the pretrial and trial stages of a criminal case, it is the duty of the lawyer to avoid unnecessary delay in performing the various steps involved in the processing and submission of an appeal to the appellate court.<sup>1</sup> The various steps in the appellate process — for example, designation of the record, specification of errors, filing of briefs — are governed by rules prescribing time limits within which particular actions must be performed. Such rules are designed to expedite the orderly disposition of criminal appeals. The lawyer has a duty to comply with them and must not ask for additional time except for good cause fairly and honestly presented to the appellate court.<sup>2</sup> Above all, counsel must not seek delay merely to accommodate the selfish interest of the client to postpone as long as possible the execution of the judgment under review. Dilatory tactics for that purpose constitute abuse of the right to appellate review, are demeaning to the lawyer, and are contrary to the lawyer's duties as an officer of the court in the administration of criminal justice.

**Accuracy in Brief and Oral Argument**

In presenting the facts and issues to the appellate court in the brief and on oral argument, the lawyer must confine himself or herself to the record made in the trial court and carefully observe the distinction between recorded matter and argumentation. In reviewing the evidence and happenings at the trial, counsel's statement must be objective, accurate, and free of distorting or argumentative coloration. Adverse as

1. Compare standard 4-1.2(a).

2. Compare standard 4-1.2(b).

well as favorable evidence should be set forth. All evidence and other factual matter of record relevant to an issue on appeal should be presented fairly and accurately in the lawyer's statement of the case. Argumentative contentions concerning the import of testimony, inferences derived from the evidence, and rulings of the trial judge should be presented for what they are — the lawyer's arguments in support of claims of reversible error at the trial. Counsel must not mislead the court by misrepresenting the record or by ignoring matters of record that are adverse to counsel's contentions.

Similarly, it is the duty of the lawyer to be accurate in citing precedents that support the lawyer's contentions. The Code of Professional Responsibility requires that "a lawyer . . . disclose [l]egal authority in the controlling jurisdiction known to him to be directly adverse to the position of his client and which is not disclosed by opposing counsel."<sup>3</sup> But having done so, the lawyer is free, under the adversary system, to challenge the soundness of such authority.<sup>4</sup>

If the lawyer discovers that material matter has been omitted from the record on appeal, the proper course is to cure such omission by an appropriate motion. The lawyer should not undertake to deal with the matter on the hypothesis that it is already properly before the appellate court.

#### Matter Not of Record

Under no circumstances should the lawyer refer to or rely on matter that is completely extraneous to the record made in the trial court and beyond the scope of the doctrine of judicial notice. This is improper for the same reason that deviation from the record would have been improper in closing arguments at trial. An appellate court's function is limited to review of what took place in the trial court. In an appellate court a lawyer must take the case as it was tried and on that record alone.

In cases where new counsel appears on appeal, review of the transcript sometimes leads to further inquiry, but matter discovered by such inquiry may not be used on the appeal. Means are provided for presenting newly discovered evidence in rules of court or statutes. Usually they require that leave be secured from the appellate court to file a motion in the trial court in relation to the newly discovered evidence.

3. ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-106(B)(1).

4. See *id.* DR7-102(A)(2).



**Standard 4-8.5. Postconviction remedies**

After a conviction is affirmed on appeal, appellate counsel should determine whether there is any ground for relief under other postconviction remedies. If there is a reasonable prospect of a favorable result counsel should explain to the defendant the advantages and disadvantages of taking such action. Appellate counsel is not obligated to represent the defendant in a postconviction proceeding unless counsel has agreed to do so. In other respects the responsibility of a lawyer in a postconviction proceeding should be guided generally by the standards governing the conduct of lawyers in criminal cases.

***History of Standard***

There are stylistic changes only.

***Related Standards***

ABA, Standards for Criminal Justice 22-4.3

NAC, Courts 13.1

***Commentary*****Advising the Defendant**

The situation of appellate counsel after an appeal has resulted in the affirmance of a conviction is fundamentally the same as that of trial counsel after a judgment of conviction. Counsel's first task is to evaluate the prospects of further relief to the client. One avenue of such relief may be further appellate review, if any is available, assuming the first appeal was in an intermediate appellate court. In many cases, however, the only course may be resort to a postconviction remedy. Of course, if there are contentions to be made arising out of facts not developed at the trial, a proceeding in which those facts can be alleged and proved will be the only appropriate method of relief.

**Assistance in Obtaining Counsel**

The nature of the lawyer's obligation to take steps to secure postconviction relief for a client the lawyer represented at an earlier stage of the

proceedings and the lawyer's function in assisting the client in obtaining counsel if requested to do so are governed by the considerations set forth in the commentary to standard 4-8.2.

#### **Conduct of Lawyers in Postconviction Proceedings**

Since a postconviction proceeding is fundamentally an original judicial proceeding, involving problems of investigation, preparation, and trial, the standards governing lawyers in these tasks are essentially the same as those outlined in these standards for the defense of a criminal case.

The recommendations in this standard should not be read as suggesting that the lawyer has a duty to invoke postconviction remedies. If there is no basis for pursuing such a remedy, it is the duty of the lawyer to advise the client candidly. This is especially true where the relief available is nothing more than a new trial, and the more so when a new trial is likely to result in a conviction before another judge and jury.

#### **Standard 4-8.6. Challenges to the effectiveness of counsel**

(a) If a lawyer, after investigation, is satisfied that another lawyer who served in an earlier phase of the case did not provide effective assistance, he or she should not hesitate to seek relief for the defendant on that ground.

(b) If a lawyer, after investigation, is satisfied that another lawyer who served in an earlier phase of the case provided effective assistance, he or she should so advise the client and may decline to proceed further.

(c) A lawyer whose conduct of a criminal case is drawn into question is entitled to testify concerning the matters charged and is not precluded from disclosing the truth concerning the accusation, even though this involves revealing matters which were given in confidence.

#### ***History of Standard***

There are stylistic changes only.

**Related Standards**

ABA, Code of Professional Responsibility DR1-103, DR4-101(C)(4), (D)

**Commentary****Raising the Ineffectiveness of Another Lawyer's Representation**

The traditional position of the bar that a lawyer must stand ready to challenge the conduct of a colleague where that is necessary to the protection of a client's rights is an essential of our system of justice. Nothing would be more destructive of the goals of effective assistance of counsel and justice than to immunize the misconduct of a lawyer by the unwillingness of other lawyers to expose the inadequacy. Lawyers must be especially careful to avoid permitting their personal regard for a fellow lawyer to blind them to that lawyer's failure to provide the effective assistance to which every defendant is entitled as a matter of constitutional right. Of course, a lawyer owes it to the lawyer attacked, as he or she would to the person who is the object of any legal attack, not to proceed in a matter that is not grounded in fact and law and is merely vindictive and intended to harass the accused lawyer or the courts.<sup>1</sup>

**Action When Prior Representation Was Effective**

The logical and fair corollary to the standard of paragraph (a) is that if succeeding counsel, after full investigation, concludes that the claim of ineffective legal assistance is groundless, he or she must candidly say so to the client and decline to proceed further. Any other course would be unprofessional harassment of counsel and an imposition on the court. Moreover, unjustified proceedings against former counsel would demean lawyers and reduce them to serving as alter egos for their clients — a role for defense counsel that is rejected in these standards.

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1. See ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR7-102(A)(1). See also *People v. Gaither*, 173 Cal. App. 2d 662, 343 P.2d 799 (1959), cert. denied, 362 U.S. 991 (1960), which one author has characterized as "an extreme example of an unwarranted attack on trial counsel" by successor counsel. Waltz, *Inadequacy of Trial Defense Representation as a Ground for Post-Conviction Relief in Criminal Cases*, 59 NW. U.L. REV. 289, 292 n.15 (1964).

**Waiver of Attorney-Client Privilege**

The Code of Professional Responsibility states that "[a] lawyer may reveal . . . [c]onfidences or secrets necessary . . . to defend himself or his employees or associates against an accusation of wrongful conduct."<sup>2</sup> It has often been held, moreover, that a lawyer is justified in testifying in a proceeding in which the lawyer's professional conduct has been called into question and is not precluded from testifying to matters that would otherwise be protected by the attorney-client privilege.<sup>3</sup> This intrusion on the confidentiality of lawyer-client communications is necessary to prevent an injustice to the attorney; moreover, by raising the issue, the client draws the true facts into controversy and waives the privilege. It has been argued, however, that "the line should be strictly drawn in determining the materiality and relevancy of what the lawyer may properly disclose, since the fear of his disclosure of confidential information as to his client might easily be used to stifle" the proceedings in which his conduct is drawn in question.<sup>4</sup>

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2. ABA, CODE OF PROFESSIONAL RESPONSIBILITY DR4-101(C)(4).

3. *See State v. Bastedo*, 253 Iowa 103, 111 N.W.2d 255 (1961); 8 WIGMORE, EVIDENCE §2327, at 638 (McNaughton rev. 1961).

4. ABA, COMMITTEE ON PROFESSIONAL ETHICS, FORMAL OPINION 19 (1930).





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**ABA Standards for Criminal Justice  
Providing Defense Services  
Third Edition**

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# **ABA Standards for Criminal Justice Providing Defense Services Third Edition**

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**James G. Exum, Jr., Chairperson**

ABA Criminal Justice Standards Committee

**Norman Lefstein**

Task Force Chairperson; Chairperson, Criminal Justice Standards Committee 1989–1990

**Sheldon Krantz**

Chairperson, Section of Criminal Justice 1989–1990

**Michael L. Bender**

Chairperson, Section of Criminal Justice 1990–1991

**Andrew L. Sonner**

Chairperson, Section of Criminal Justice 1991–1992

**Neal R. Sonnett**

Chairperson, Section of Criminal Justice 1992–1993

**Richard Wilson, Reporter**

---

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# **ABA Criminal Justice Standards Committee**

---

**James G. Exum, Jr., Chairperson**

Chief Justice, Supreme Court of North Carolina, Raleigh, North Carolina

**Paul D. Borman**

Chief Defender, Federal Defender Office, Detroit, Michigan

**Albert J. Krieger**

Private practitioner, Miami, Florida

**Norman Lefstein**

Dean, Indiana University Law School, Indianapolis, Indiana

**Norman K. Maleng**

District Attorney, Seattle, Washington

**Vance W. Raye**

Justice, Third District Court of Appeal, Sacramento, California

**Michael D. Schrunk**

District Attorney, Portland, Oregon

**James Vorenberg**

Professor of Law, Harvard Law School, Cambridge, Massachusetts

**Patricia M. Wald**

Judge, U.S. Court of Appeals, District of Columbia Circuit, Washington, D.C.

July 1992

*Liaisons to the Criminal Justice Standards Committee***Mary Broderick**

National Legal Aid and Defender Association

**M.L. "Skip" Ebert, Jr.**

National Association of Attorneys General

**Kevyn Diann Gray**

ABA Law Student Division

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ABA Judicial Administration Division

**Robert M.A. Johnson**

National District Attorneys Association

**Dennis Saylor**

U.S. Department of Justice

**Irwin H. Schwartz**

National Association of Criminal Defense Lawyers

*Staff to the Criminal Justice Standards Committee***Susan W. Shaffer**

Director

**Linda M. Linnell**

Administrative Assistant

---

During the preparation of the third edition of *Providing Defense Services Standards*, the following persons also served as members of the Criminal Justice Standards Committee: Albert J. Datz (Chair), private practitioner, Jacksonville, Florida; Charles L. Becton, private practitioner, Raleigh, North Carolina; William P. Curran, County Attorney, Clark County, Las Vegas, Nevada; Arthur C. "Cappy" Eads, District Attorney, Belton, Texas; Steven H. Goldberg, Dean, Pace University School of Law, White Plains, New York; and Alexander H. Williams III, Judge, Superior Court, Los Angeles, California. Thomas Foley, Ramsey County Attorney, St. Paul, Minnesota, also served for a substantial period of time as liaison to the Criminal Justice Standards Committee from the National District Attorneys Association.

# **Task Force: Providing Defense Services Standards**

---

**Norman Lefstein, Chairperson**

Dean, Indiana University Law School, Indianapolis, Indiana

**Shirley S. Abrahamson**

Justice, Supreme Court of Wisconsin, Madison, Wisconsin

**Bennett H. Brummer**

Public Defender, Miami, Florida

**Ronald H. Clark**

Chief Deputy, Criminal Division, King County Prosecuting  
Attorney's Office, Seattle, Washington

**Samuel Dash**

Professor, Georgetown University Law Center, Washington, D.C.

**Charles R. English**

Private practitioner, Chaleff, English & Catalano, Santa Monica,  
California

---

**Richard Wilson, Reporter**

Professor of Law, Washington College of Law, American  
University, Washington, D.C.

---

*Liaisons to the Task Force***Thomas Foley**

National District Attorneys Association

**David Garfunkel**

National Legal Aid and Defender Association

**David A. Horowitz**

ABA Judicial Administration Division

**Albert J. Krieger**

National Association of Criminal Defense Lawyers

*Staff to the Task Force***Susan W. Shaffer**

Director, Criminal Justice Standards Committee

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## INTRODUCTION

### ***Background: The Process of Adoption of the Third Edition***

The standards on provision of defense services emerge from a drafting effort of more than two years, begun with the work of an updating task force in the spring of 1988 and completed with the adoption of the standards at the ABA Annual Meeting in 1990. The Task Force on Prosecution and Defense Function/Providing Defense Services was appointed by the Criminal Justice Standards Committee, a standing committee of the Criminal Justice Section. The Task Force first met in May 1988 to chart direction. After review of a preliminary draft in November of that year, a second draft was prepared for review by the Criminal Justice Standards Committee in January 1989. After review by the Standards Committee, third and fourth working drafts were prepared and reviewed by the Task Force and the Standards Committee, respectively, during 1989.

The initial report of the Standards Committee was referred to the Criminal Justice Section Council for preliminary review at its fall meeting in 1989, after which the Standards Committee reviewed and approved a final working draft at a meeting in January 1990. At that point, the Standards Committee had been given the benefit of review by numerous outside organizations, several of which had active liaisons to the committee, as well as several substantive revisions recommended by the Criminal Justice Section Council. The approved draft of the Standards Committee was submitted to the Section Council for consideration once again at its meeting in April 1990. At that meeting, the revisions were overwhelmingly approved by the Council.

The adopted standards on defense services are the result of careful drafting and review by representatives of all segments of the criminal justice system—judges, prosecutors, defense counsel, court personnel and academics active in criminal justice teaching and research. Circulation of the standards to a wide range of outside expertise guaranteed a rich array of comment and criticism which has greatly strengthened the final product.

### ***Major Changes in the Third Edition***

The standards on provision of defense services have been revised by the ABA due to the significance of changes in this area of the law over the past decade. Indeed, changes have occurred both with regard to the

right to counsel for the legally indigent defendant and in structures and funding for defense services at the state and local levels.

In recent years there have been several national studies of defense services. These are the first studies conducted since 1973,<sup>1</sup> and they have revealed both the significant impact of the imposition of the death penalty on the provision of defense services and the growth of contract services as an alternative model for service delivery. Both of those issues have received extensive treatment in the third edition revisions.

The ABA made significant contributions over the last decade through important studies of defense services. Using data from a national survey, the ABA's Standing Committee on Legal Aid and Indigent Defendants published a study prepared by Professor Norman Lefstein entitled *Criminal Defense Services for the Poor: Methods and Programs for Providing Legal Representation and the Need for Adequate Financing* (1982). During 1988, the ABA Special Committee on Criminal Justice in a Free Society published *Criminal Justice in Crisis*, a substantial portion of which was devoted to defense services. These analytical reports provide a critical basis for informed amendment and update of standards on defense services.

Further growth in public defender caseloads has been occasioned both by the dramatic increases in charges in drug-related offenses and the increasing federal government intervention in the relationship between the accused and private counsel. In the latter area, federal prosecutors have issued grand jury subpoenas and used fee forfeiture provisions and cash reporting requirements to impact on the relationship between private defense attorneys and their clients.<sup>2</sup> These actions have resulted in either voluntary or compelled withdrawal of private counsel from representation, with concomitant increases in public expenditures for defense services in these cases.

The last decade has also seen an increasing trend toward state funding and organization of defense services. The standards dealing with structure and funding of defense services have proven to be flexible enough to respond to these trends, yet required revision to reflect experience with organization and funding at state and local levels.

The increase in caseloads and expenditures over the last decade has resulted in greater sophistication in the administration of defense services, and a wider range of policy issues which need to be addressed.

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1. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, *THE OTHER FACE OF JUSTICE* (1973).

2. See, e.g., Genego, *The New Adversary*, 54 BROOKLYN L. REV. 781 (1988).

Experience with this increasingly complex area of practice is reflected in amendments to standards dealing with caseloads, attorneys' fees, rotation of assignments, continuity of representation and impact litigation.

The most significant addition to the third edition standards is a new Part III on contract defense services. This new part acknowledges the significant growth of the contract model as a means for delivery of defense services, while stopping short of endorsement of the use of contracts as the primary delivery system in the jurisdiction. The ABA recognized the difficulties inherent in using contracts for defense services when, at the Annual Meeting in 1985, the ABA House of Delegates recommended that contracts not be awarded on the basis of cost alone, and that jurisdictions choosing to use contracts do so in accordance with both the National Legal Aid and Defender Association's *Guidelines for Negotiating and Awarding Governmental Contracts for Defense Services*, and Chapter 5 of the second edition *ABA Standards for Criminal Justice*. The new part contains three new standards on the use of contracts for the delivery of defense services. In addition, the possible inclusion of a contract component in the system for defense services necessitated additional reference to contracts for services in many of the more general provisions on defense services.

Another area of significant amendment in the third edition is that of defense services in capital cases. At the time of the adoption of the second edition, the death penalty had only recently been given new and carefully circumscribed approval by the United States Supreme Court.<sup>3</sup> In 1989, at its Midyear Meeting, the ABA House of Delegates adopted *Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases*. Those guidelines have been incorporated by reference into the standards through standard 5-1.2(d). In addition, standards 5-3.3(b)(vi), 5-5.1, 5-5.3(b), 5-6.1, and 5-6.2 all contain new language dealing with the issues raised by representation by appointed counsel in capital cases.

There are other significant additions in the third edition. A new standard 5-5.4 is added to encourage permission for defender programs to engage in impact litigation. Significant amendments are made to standard 5-1.2, Systems for legal representation; 5-1.6, Funding; 5-2.2, Eligibility to serve (for assigned counsel); 5-2.3, Rotation of assignments (for assigned counsel); 5-2.4, Compensation and expenses (for assigned

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3. *Gregg v. Georgia*, 428 U.S. 153 (1976).

counsel); 5-5.3, Workload (for public defenders); 5-6.1, Initial provision of counsel; 5-7.2, Reimbursement, notice and imposition of contribution (for the defendant); 5-7.3, Determination of eligibility (of the defendant); 5-8.1, Providing counsel to persons in custody; and 5-8.2, In-court waiver (of counsel).

The third edition changes recognize the significant growth in defense services over the past decade, as well as the profound changes in interpretation of the constitutional right to counsel and the scope of the criminal sanction, as viewed by the United States Supreme Court. These new changes should serve as a useful tool to both the policy-maker and the litigator who seeks legal and ethical guidance on the provision of defense services in state and federal courts.

# **PART I.**

## **GENERAL PRINCIPLES**

### **Standard 5-1.1. Objective**

**The objective in providing counsel should be to assure that quality legal representation is afforded to all persons eligible for counsel pursuant to this chapter. The bar should educate the public to the importance of this objective.**

#### ***History of Standard***

This standard is unchanged from the second edition. "Quality representation" is the appropriate standard by which to measure counsel's performance; the phrase continues to suggest full compliance with the amended third edition ABA Defense Function Standards.

#### ***Related Standards***

ABA Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases 1.1 (1989).

ABA Standards for Criminal Justice 4-1.2(b) (3d ed. 1993).

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.13(3) (1973).

National Legal Aid and Defender Association, National Study Commission on Defense Services 1.1 (1976).

#### ***Commentary***

The United States Supreme Court continues to adhere to the fundamental principle that flows consistently through its Sixth Amendment jurisprudence on the right to counsel: all criminal defendants, regardless of wealth or poverty, are entitled to representation by counsel at a fair trial.<sup>1</sup> The Court has clarified the constitutional standard for

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1. Gideon v. Wainwright, 372 U.S. 353 (1963).

performance by counsel as the provision of "reasonably effective assistance" to the accused.<sup>2</sup>

On the other hand, during the past decade the Supreme Court made significant changes in interpretation of other provisions of the U.S. Constitution dealing with the criminal process, particularly the Fourth and Fifth Amendments. Increasingly complex resolutions of these issues have made the quality of representation by counsel all the more important to accused and convicted persons.

The central issue in defense services has not been whether representation is an entitlement but what the nature and extent of that representation will be. As the decade passed, the picture regarding defense services became increasingly clear, primarily because new and more comprehensive national data were available; data which were unknown previously. Major new national studies and surveys were conducted by the federal government.<sup>3</sup> Following the suggestion of this standard, the American Bar Association took seriously its obligation of public education.<sup>4</sup> The National Legal Aid and Defender Association, too, played a significant role in the improvement of defense services by the adoption of comprehensive standards dealing with appellate offices, contracts for defense services, capital cases and assigned counsel systems.<sup>5</sup>

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2. *Strickland v. Washington*, 466 U.S. 668 (1984). The Court held that the defendant must prove that performance was deficient under this standard and that the defense was prejudiced badly enough that the outcome would have been different without counsel's errors. Moreover, the decisions of counsel are entitled to a strong presumption of validity.

3. U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE STATISTICS, NATIONAL CRIMINAL DEFENSE SYSTEMS STUDY (September 1986); BUREAU OF JUSTICE STATISTICS BULLETIN, CRIMINAL DEFENSE FOR THE POOR, 1986 (September 1988); NATIONAL INSTITUTE OF JUSTICE, NATIONAL ASSESSMENT PROGRAM: FINAL SURVEY RESULTS FOR PUBLIC DEFENDERS (Institute for Law and Justice, Oct. 1990).

4. See, e.g., LEFSTEIN, CRIMINAL DEFENSE SERVICES FOR THE POOR (for The ABA Standing Committee on Legal Aid and Indigent Defendants, May, 1982); AMERICAN BAR ASSOCIATION, *GIDEON* UNDONE: THE CRISIS IN INDIGENT DEFENSE FUNDING (Nov. 1982); SPANGENBERG AND SMITH, AN INTRODUCTION TO INDIGENT DEFENSE SYSTEMS (for the ABA Standing Committee on Legal Aid and Indigent Defendants, Bar Information Program, 1986); ABA POSTCONVICTION DEATH PENALTY REPRESENTATION PROJECT, MANUAL FOR ATTORNEYS REPRESENTING DEATH-SENTENCED PRISONERS IN POSTCONVICTION PROCEEDINGS (1987); SPECIAL COMMITTEE ON CRIMINAL JUSTICE IN A FREE SOCIETY, AMERICAN BAR ASSOCIATION CRIMINAL JUSTICE SECTION, CRIMINAL JUSTICE IN CRISIS (Nov. 1988).

5. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, STANDARDS AND EVALUATION DESIGN FOR APPELLATE DEFENDER OFFICES (1980); NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, GUIDELINES FOR NEGOTIATING AND AWARDED GOVERNMENTAL CONTRACTS FOR CRIMINAL DEFENSE SERVICES (1984); NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, STANDARDS FOR THE APPOINTMENT AND PERFORMANCE OF COUNSEL IN DEATH PENALTY

Analysis of the newly available information is sobering. The principal author of the government reports concluded that defense services programs are "in a state of crisis" because the defender system is being overlooked by legislatures and courts attempting to respond to public outcry against growing crime rates.<sup>6</sup> The ABA's Dash Committee report, written to respond to the growing crisis in the criminal justice system, was similarly pessimistic. "In the case of the indigent defendant," it concluded, "the problem is not that the defense representation is too aggressive but that it is too often inadequate because of underfunded and overburdened public defender offices."<sup>7</sup>

Thus, whatever the standard by which to measure the performance of counsel, even the minimum constitutional mandate of "reasonably effective assistance" cannot be met when the defender system is not structurally sound or is deprived of the resources necessary for quality performance by each and every attorney who provides defense services in individual cases.

### **Standard 5-1.2. Systems for legal representation**

**(a) The legal representation plan for each jurisdiction should provide for the services of a full-time defender organization when population and caseload are sufficient to support such an organization. Multi-jurisdictional organizations may be appropriate in rural areas.**

**(b) Every system should include the active and substantial participation of the private bar. That participation should be through a coordinated assigned-counsel system and may also include contracts for services. No program should be precluded from representing clients in any particular type or category of case.**

**(c) Conditions may make it preferable to create a statewide system of defense.**

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CASES (1988); NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, STANDARDS FOR THE ADMINISTRATION OF ASSIGNED COUNSEL SYSTEMS (1989). The death penalty standards were adopted by the ABA, with some amendments, as GUIDELINES FOR THE APPOINTMENT AND PERFORMANCE OF COUNSEL IN DEATH PENALTY CASES (1989). They are incorporated by reference in standard 5-1.2(d).

6. Spangenberg, *We Are Still Not Defending the Poor Properly*, 3 CRIM. JUST. 11 (Fall 1989).

7. SPECIAL COMMITTEE ON CRIMINAL JUSTICE IN A FREE SOCIETY, ABA CRIMINAL JUSTICE SECTION, CRIMINAL DEFENSE IN CRISIS 9 (Nov. 1988).



**(d) Where capital punishment is permitted in the jurisdiction, the plan should take into account the unique and time-consuming demands of appointed representation in capital cases. The plan should comply with the ABA *Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases*.**

### ***History of Standard***

In the second edition, this standard stated that in each jurisdiction there should be both organized defense services and assignments to private attorneys. The significant changes in this standard recognize the continued growth, diversity and acceptance of defender systems during the past decade.

The title of this section was changed by substituting the word "systems" for the less comprehensive term "plan," in keeping with the expanded number of topics addressed in the section. The standard was divided into four subsections.

Subsection (a) adds a new phrase at the end of the first sentence and a new second sentence. The new language acknowledges that many small- to moderate-sized jurisdictions do not have sufficient qualified lawyers or resources to create a full-time defender office. The language is taken from second edition commentary which suggested that "[i]n rural areas with small caseloads, it may be appropriate for the defender organization to have small staffs and to be given responsibility for larger geographical divisions." The commentary also suggested that the term "jurisdiction" in this chapter may be either "the state or a smaller geographical entity," a choice left to the states. The "multi-jurisdictional organizations" here, however, refer to jurisdictions within a state.

A new phrase was added at the beginning of the first sentence of a new subsection (b). A new second sentence recognizes the use of contractual services as one of the appropriate means to assure substantial private bar participation in the delivery of defense services, while maintaining the Standards' commitment to a "mixed" model of public defender offices and assigned counsel panels, with the public defender office as the "primary" delivery system. The assigned counsel panel is still preferred as the primary means to assure participation by the private bar, while contracts for services are seen as a permissible component of the panel if under its administration.

Language regarding the use of contracts for services as an alternative system is added to a number of standards here, where appropriate. A



new Part III carefully defines the circumstances in which contracts may be used and sets new standards for the maintenance of quality in the use of this type of defender system.

Subsection (c) adds a sentence which is an adaptation of similar language found in Standard 3-2.2(b), dealing with the organization of prosecutorial services. It acknowledges the continuing national trend toward the organization of defense services at the state level. Such programs have generally fared better than locally funded programs in resource allocation and quality of services in recent years.

Subsection (d) is the first of several references to the special burdens created for the provision of quality defense services by cases in which the death penalty is a possibility or is imposed. The number of individuals on death row due to capital prosecutions, convictions and appeals in this country has risen exponentially since the U.S. Supreme Court gave its approval to the penalty in 1976. Those individuals are virtually all represented by public defenders, assigned or contract counsel, or volunteer *pro bono* attorneys. The second sentence to subsection (d) refers to extensive ABA guidelines for counsel in capital cases adopted by the ABA House of Delegates in 1989.

### ***Related Standards***

ABA Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases 1.1, 3.1, 11.2 (1989).

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.5 (1973).

National Legal Aid and Defender Association, National Study Commission on Defense Services 2.1, 2.2 (1976).

National Legal Aid and Defender Association, Standards for Defender Services I.2.a (1976).

### ***Commentary***

#### **The Three Potential Components of a Defender System**

The principal components of existing systems for provision of defense services are three: the public defender program (which, in the federal system, includes a program of community defenders), the administered or *ad hoc* assigned counsel panel and the contract for services. The components have grown in complexity over the last decade; it is sometimes difficult to distinguish one from the other. In each of three subse-

quent parts, these components of a defender system are more carefully defined and described, and the appropriate structure and financing of each component is detailed.

This edition recognizes the existence and use of a new type of delivery system: contracts for defense services. This is due to immense growth in their use during the past two decades. A 1973 national survey of defense services did not mention contracts for services. In the most recent national data, however, contracts for services accounted for about 11 percent of all defender services in the country, and several states, including Arizona, Idaho, Kentucky, North Dakota, Oregon and Washington, provided the majority of representation in serious criminal matters through the use of contracts for services.<sup>1</sup>

However, as is noted in Part III, contracts for services should be implemented with an overriding concern for quality, not cost. Some of the initial contract programs grew out of a legitimate concern by governments for containing the costs incurred when public defender offices were forced to declare conflicts of interest and reject potential clients, sometimes in large percentages. Other programs, unfortunately, adopted the use of flat-fee contracts with competitive bidding by potential providers of services, based solely on a concern for the cheapest possible system. These programs, as the experience of the past decade shows, have conspicuously failed to provide quality representation to the accused,<sup>2</sup> and in many cases, have resulted in even higher costs to the jurisdiction than if another model had been chosen. In a resolution adopted in 1985, the American Bar Association condemned the use of contracts which are awarded only on the basis of cost.

The American Bar Association does not endorse the use of contracts for services as a viable, separate, "stand-alone" component for the delivery of defense services. Instead, the structure proposed here creates a hierarchy of models. The primary component in every jurisdiction

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1. BUREAU OF JUSTICE STATISTICS BULLETIN, CRIMINAL DEFENSE FOR THE POOR, 1986 at 3 (Sept. 1988).

2. The most dramatic example of this is the decision of the Arizona Supreme Court in *State v. Smith*, 140 Ariz. 355, 681 P.2d. 1374 (1984), in which it was held that the contract bidding system used by Mohave County "so overworks the attorneys that it violates . . . the right of a defendant to due process and right to counsel as guaranteed by the Arizona and United States Constitutions." While it applied the holding prospectively, the court held that if the same procedures for selection and compensation of counsel under the suspect contracts were used again, a rebuttable inference of ineffectiveness of counsel would be created. Other examples are discussed in Part III, *infra*.

should be a public defender office, where conditions permit. The secondary component is an administered assigned counsel panel, which assures an appropriate level of participation by the private bar. Bar participation also may occur through a contract for services, which may be part of the larger, coordinated system. This structure should guarantee adequate independence, oversight and quality control for the use of contracts.

### **The Advantages of a Public Defender Program**

When adequately funded and staffed, defender organizations employing full-time personnel are capable of providing excellent defense services. By devoting all of their efforts to legal representation, defender programs ordinarily are able to develop unusual expertise in handling various kinds of criminal cases. Moreover, defender offices frequently are in the best position to supply counsel soon after an accused is arrested. By virtue of their experience, full-time defenders also are able to work for changes in laws and procedures aimed at benefiting defendants and the criminal justice system.

There also are definite purposes served by retaining the presence of substantial private bar participation in the system for criminal defense. Just as private attorneys often can learn from the full-time lawyers of defender organizations, there are many private attorneys, qualified by training and experience, who can contribute substantially to the knowledge of defenders. In addition, a "mixed" system of representation consisting of both private attorneys and full-time defenders offers a "safety valve," so that the caseload pressures on each group are less likely to be burdensome.

In some cities, where a mixed system has been absent and public defenders have been required to handle all of the cases, the results have been unsatisfactory. Caseloads have increased faster than the size of staffs and necessary revenues, making quality legal representation exceedingly difficult. Furthermore, the involvement of private attorneys in defense services assures the continued interest of the bar in the welfare of the criminal justice system. Without the knowledgeable and active support of the bar as a whole, continued improvements in the nation's justice system are rendered less likely.

Finally, private attorney representation in criminal cases is essential because of new and stricter policies within defense services programs regarding conflicts of interest, primarily in representation of codefen-

dants.<sup>3</sup> In some cases, these policies can result in the declaration of conflicts of interest in more than 25 percent of all cases assigned to a public defender program. Such declarations contributed greatly to the initial growth of contract programs, as noted above.

This edition makes more emphatic the notion that centralization of services need not eliminate flexibility to respond to local conditions. In some jurisdictions, the use of multi-county systems in which a full-time defender travels to several counties may be appropriate. Such systems are in use in Colorado, Kansas, Nevada and New Mexico.

Standard 5-1.2 is consistent with the recommendation of the National Advisory Commission, which urges that in each jurisdiction there should be both "a full-time public defender" program and "substantial participation of the private bar."<sup>4</sup> The Standards for Defender Services prepared by the National Legal Aid and Defender Association recommend that "[a] full-time defender organization should be available for all communities, rural or metropolitan, as the preferred method of supplying legal services . . ."<sup>5</sup>

### State Versus Local Organization of Services

In the second edition, the commentary noted that this section took no position on whether services should be organized at the state or local levels. New subsection (c) in this edition moderates that position with-

3. These policies flow, in significant measure, from the cautions regarding multiple representation expressed in decisions of the U.S. Supreme Court, including *Holloway v. Arkansas*, 435 U.S. 475 (1978), *Cuyler v. Sullivan*, 446 U.S. 335 (1980), *Burger v. Kemp*, 483 U.S. 776, and *Wheat v. United States*, 486 U.S. 153 (1988). Those decisions, while not making multiple representation a per se error, have led to even more restrictive policies in a number of state courts. See, e.g., *People v. Macerola*, 47 N.Y.2d 257, 417 N.Y.S.2d 908, 391 N.E.2d 990 (1979) ("... the trial judge has an independent obligation to insure that two or more defendants represented by the same attorney are aware of the potential risks involved in joint representation."); *Cole v. White*, 376 S.E.2d 599 (W.Va. 1988) (An inquiry is required by the court in all cases in which codefendants are jointly represented by the same attorney or attorneys who are associated in the practice of law, under W. VA. R. CRIM. PROC. 44(c)). Many defender offices, responding to the increasingly strict handling of conflicts of interest by the courts, have adopted *per se* policies of conflict declaration. See Broderick and Cohen, *When Public Defenders Have Conflicts of Interest*, 2 CRIM. JUST. 18 (Spring 1987) and ABA STANDARDS FOR CRIMINAL JUSTICE 4-3.5 (3d ed. 1993).

4. NATIONAL ADVISORY COMMISSION ON CRIMINAL JUSTICE STANDARDS AND GOALS, COURTS 13.5 (1973).

5. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, STANDARDS FOR DEFENSE SERVICES I.2.a (1976).

out endorsing the statewide model as the best means for service provision.

As was noted in the second edition, the national trend in defender services continues toward statewide organization. In the 1986 survey, twenty-four jurisdictions were organized on a centralized basis.<sup>6</sup> As of 1989, an additional eight jurisdictions had taken action to focus the organization of defense services at the state level.<sup>7</sup>

There is, however, a noteworthy distinction between new state programs adopted in the last decade and those adopted in prior years. The principal difference lies in the flexibility of the model. Instead of a staff of full-time defenders employed by a central state office, a number of states have adopted a model providing for administration of the defender program through legislation or court rule creating an independent state commission for defense services and uniform standards for the adoption of local models. Staffing of the program is through a small central staff at the state level while decisions as to choice of delivery system are left to the counties: public defender, assigned counsel, contract or combination systems may be chosen as appropriate. In this model, all of the salient standards of this chapter regarding professional independence, support services, training and other issues can be handled through the central office, which is insulated from local pressures to reduce budgets or refuse payments because the state system is protected by an independent board of directors similar to that suggested in standard 5-1.3. Such systems, for example, have been successfully implemented in the last decade in Kansas and West Virginia.<sup>8</sup>

This hardly suggests that the statewide defender office is obsolete. Several statewide offices have shown their ability to grow and change

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6. Alaska, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Kansas, Kentucky, Maryland, Massachusetts, Minnesota, Missouri, Nevada, New Hampshire, New Jersey, New Mexico, North Dakota, Ohio, Oregon, Rhode Island, Vermont, West Virginia, Wisconsin and Wyoming. CRIMINAL DEFENSE FOR THE POOR, 1986, *supra*, note 1, at 2, Table 1.

7. Georgia, Indiana, Iowa, Massachusetts, Minnesota, Missouri, Oregon, and Tennessee. Spangenberg, *We Are Still Not Defending the Poor Properly*, 4 CRIM. JUST. 11 (Fall 1989). Finally, the direction in 1989 was clearly toward the creation of state-wide commissions and task forces to improve defense services. Such commissions existed in 14 states in 1989: Alabama, Arizona, California, Illinois, Maine, Michigan, Missouri, Nebraska, North Carolina, Oklahoma, Pennsylvania, South Carolina, Virginia, and Washington. *Id.* at 44-45.

8. KAN. STAT. ANN. §§ 22-4501(d), 22-4519, 22-4522, 22-4523 (1988); W. VA. CODE §§ 29-21-3, 29-21-6(c), 29-21-7(a), 29-21-8, 29-21-13(a), 29-21-15(1), (2) (Supp. 1990).

with the times while maintaining financial stability. Notable in this regard are the systems in Colorado, Massachusetts, New Jersey and Wisconsin.<sup>9</sup>

In rural areas with small criminal caseloads, it may be appropriate for the defender organization to have small staffs and to be given responsibility for larger geographical divisions. In addition to providing representation of clients, the defenders in rural areas also should aid private attorneys in discharging their assigned-counsel or contractual duties.<sup>10</sup>

### **Capital Cases**

Thirty-seven states and the federal government now permit the imposition of the death penalty for certain homicides. At present, more than 2,500 individuals are under sentence of death, many of whom have not yet completed their first appeal of right. More than 160 people have been executed, but the rate of conviction for capital crimes greatly exceeds the number of executions each year. Virtually all of the persons charged with or convicted of capital crimes are represented either by court-appointed counsel or by volunteer attorneys, and after the first appeal of right, far too many are unrepresented by counsel at all.<sup>11</sup>

New language on the death penalty is added in this section and throughout the third edition Standards for Defense Services. Any system in which the death penalty is an option for prosecutors is faced with unique obligations, not merely in quantity of work but in quality as well. In addition to the demands in time and energy required to provide quality representation in these one-of-a-kind trials and appeals, defenders

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9. COLO. REV. STAT. § 21-1-101 (1986); MASS. ANN. LAWS. ch. 211D, §§ 4,5 (Law. Co-op. 1986), MASS. ANN. LAWS. ch. 211D, § 1, 6 (Law. Co-op. 1986 & Supp. 1991); N.J. REV. STAT. §§ 2A:158A-3, 2A:158A-4 (1985), N.J. REV. STAT. §§ 2A:158A-7, 2A:158A-22 (1985 & Supp. 1990); WISC. STAT. §§ 977.01, 977.08 (1985), WISC. STAT. § 977.05 (1985 & Supp. 1990), WISC. STAT. § 977.02 (Supp. 1990).

10. See commentary to standard 5-3.2.

11. The absence of counsel, and the concomitant need for volunteer attorneys, arises from the decision of the U.S. Supreme Court in *Murray v. Giarratano*, 109 S.Ct. 2765 (1989), which holds that a state prisoner under sentence of death has no constitutionally protected right to counsel beyond the first appeal of right in the state courts. Congress responded to the crisis created in the federal courts by this ruling through the creation of new institutions and higher fees for counsel representing persons seeking relief from state sentences of death through state or federal habeas corpus. Sixteen state back-up centers were designed to provide assistance and direct services for state prisoners seeking state or federal habeas corpus relief, and the federal judicial conference has approved fee rates of up to \$125 per hour in such cases. The back-up centers were made part of the structure of the Criminal Justice Act, at 18 U.S.C. § 3006A (g)(2)(B) (1992).



often feel a strong moral sense of responsibility for their clients' lives, thus adding a burden of emotional investment as well. The ABA Death Penalty Guidelines specifically state that "minimum standards that have been promulgated concerning representation of defendants in criminal cases generally . . . should not be adopted as sufficient for death penalty cases."<sup>12</sup>

A recent national survey of attorneys working in capital cases indicated that they spend an average of 400 to 500 hours in the preparation and trial of a capital case.<sup>13</sup> A 1989 study of the California State Public Defender, which provides significant representation in California capital appeals, reveals that attorneys there spend an average of four times as much time on capital representation as on cases with any other penalty, including those with life imprisonment without parole.<sup>14</sup> In Florida, with one of the highest death row populations in the nation, the Florida Public Defender Association has set standards which suggest that an attorney should handle only five capital trials a year.<sup>15</sup> Studies in Maryland, Kansas and Virginia suggest that the trial of a capital case takes approximately 3.5 times longer than those in non-capital murders.<sup>16</sup> These data lead to the inexorable conclusion that the impact of capital representation on a defender system is not only significant; it can be devastating.

American Bar Association resolutions have frequently and consistently taken positions supporting the provision of quality representation by counsel in capital cases. As early as 1979, the Association went on record supporting the adoption of a rule by the United States Supreme Court to provide for appointment of counsel to prepare petitions for discretionary review of state court convictions of legally indigent persons sentenced to death. In 1985, the Association again acted to guarantee quality representation by urging the appointment of two counsel for the trial of death penalty cases with a legally indigent accused. In 1990, the Association urged the federal courts to adopt a comprehensive plan to assure representation and adequate compensation for attorneys in

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12. ABA GUIDELINES FOR THE APPOINTMENT AND PERFORMANCE OF COUNSEL IN DEATH PENALTY CASES 11.2(A) (1986).

13. All surveys and studies referred to here are summarized in Wilson and Spangenberg, *State Post-Conviction Representation of Defendants Sentenced to Death*, 72 JUDICATURE 331, 336-337 (1989).

14. *Id.*

15. *Id.*

16. *Id.*

federal habeas corpus review of state death penalty proceedings.<sup>17</sup>

The most significant and relevant action on the death penalty came in 1989, when, at its Midyear Meeting, the Association adopted its own comprehensive *Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases*, and urged that such guidelines be adopted by any entity providing counsel in capital cases. These guidelines are incorporated by reference into the third edition standards. The 34 comprehensive standards which make up the guidelines become part of the black letter provisions here by virtue of the language in subsection (d). They provide guidance not only to counsel in capital cases but to legislatures and policy-makers seeking direction in the provision of counsel in death penalty cases.<sup>18</sup>

### **Need for a Plan and Reports on Operations**

It is also recommended that the overall program for providing defense services be embodied in a written plan. For example, the resources of a defender program and the extent to which it plans to provide representation should be clearly defined. Furthermore, consistent with standards 5-2.1 and 5-3.3, the plan should explain the system to be used in distributing assignments to private attorneys through the panel and contracts for services. Publication of the terms of the plan ensures that the bar is aware of the process by which counsel is being provided and promotes public confidence in the defender and assigned-counsel programs, which is essential if they are to be financed adequately and operate effectively.

In addition, those responsible for the administration of defense services programs, including contracts for services, should render periodic reports on operations, and these reports should be made available to the funding source, to the courts, to the bar, and to the public. Regular reports help to maintain public confidence in the integrity of the services provided and are a standard feature of most public agencies. The

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17. AMERICAN BAR ASSOCIATION, TOWARD A MORE JUST AND EFFECTIVE SYSTEM OF REVIEW IN STATE DEATH PENALTY CASES 49-76 (August 1990).

18. Two states, Indiana and Ohio, have adopted eligibility standards for the provision of defense services in capital cases. INDIANA RULES OF CRIMINAL PROCEDURE, CRIMINAL RULE 24 (Oct. 1991); OHIO SUPREME COURT RULES OF SUPERINTENDENCE FOR COURTS OF COMMON PLEAS, RULE 65 (1991). See also the specific provisions of these standards and those for the ABA Defense Function Standards, which incorporate new language regarding representation by defense counsel in capital trials and appeals.



statutes establishing statewide defender programs reflect the requirement to prepare periodic reports.<sup>19</sup>

### **Standard 5-1.3. Professional independence**

(a) The legal representation plan for a jurisdiction should be designed to guarantee the integrity of the relationship between lawyer and client. The plan and the lawyers serving under it should be free from political influence and should be subject to judicial supervision only in the same manner and to the same extent as are lawyers in private practice. The selection of lawyers for specific cases should not be made by the judiciary or elected officials, but should be arranged for by the administrators of the defender, assigned-counsel and contract-for-service programs.

(b) An effective means of securing professional independence for defender organizations is to place responsibility for governance in a board of trustees. Assigned-counsel and contract-for-service components of defender systems should be governed by such a board. Provisions for size and manner of selection of boards of trustees should assure their independence. Boards of trustees should not include prosecutors or judges. The primary function of boards of trustees is to support and protect the independence of the defense services program. Boards of trustees should have the power to establish general policy for the operation of defender, assigned-counsel and contract-for-service programs consistent with these standards and in keeping with the standards of professional conduct. Boards of trustees should be precluded from interfering in the conduct of particular cases. A majority of the trustees on boards should be members of the bar admitted to practice in the jurisdiction.

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19. ALASKA STAT. § 18.85.160(b) (1990) ("Public Defender shall submit an annual report to the legislature and Supreme Court . . ."); DEL. CODE ANN. tit. 29, § 4606 (1983) ("Public Defender shall make an annual report to the Governor and the General Assembly . . ."); N.M. STAT. ANN. § 31-15-7(9) (Supp. 1990) ("Chief public defender; general duties and powers—submit an annual report . . ."); CONN. GEN. STAT. § 51-291(2) (1985) (The chief public defender is to "submit to the commission . . . a report which shall include all pertinent data . . .").

### ***History of Standard***

This section has been divided into two subsections. Subsection (a) generally describes aspects of professional independence for the appointed attorney. Subsection (b) describes the composition and functions of a board of trustees as the means to secure professional independence for the program.

The word "normally," which appeared in the second edition, is stricken from the last sentence of subsection (a) where reference is made to the selection of lawyers in specific cases. The deletion emphasizes the notion that judges and other court personnel should not select lawyers for specific cases.

In subsection (b), three new sentences have been added in the third edition. The additions embody concepts found in the commentary to the second edition and are intended to strengthen the concept of independence by further specifying the size, manner of selection, composition and functions of boards of trustees.

In this section, as throughout the remainder of the chapter, reference is made to the use of contract-for-service programs wherever mention is made of the other types of delivery models. The intention is to keep major program components parallel.

### ***Related Standards***

ABA Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases 3.1 (1989).

ABA Standards for Providers of Civil Legal Services to the Poor 7.1-7.3 (1986).

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.8, 13.9 (1973).

National Legal Aid and Defender Association, Guidelines for Negotiating and Awarding Governmental Contracts for Defense Services IV-1 and IV-2 (1984).

National Legal Aid and Defender Association, National Study Commission on Defense Services 2.10, 2.11, 2.13 (1976).

National Legal Aid and Defender Association, Standards for Defender Services III.1, III.2, III.4 (1976).

National Legal Aid and Defender Association, Standards for the Administration of Assigned Counsel Systems 2.2, 3.2-3.2.2 (1989).

## Commentary

### Integrity of the Professional Relationship

There are two principal alternative structures that jurisdictions can adopt to achieve a mixed system of representation consisting of defenders and private assigned counsel. First, the defender office can administer the assigned-counsel panel and, if utilized in that jurisdiction, contracts for services. Under this approach, the defender office undertakes full responsibility for all facets of the program relating to the participation of the private bar, including, for example, selection of panel lawyers, training, and processing of fee vouchers. A full-time staff of lawyers employed by the defender office also provides representation.<sup>1</sup> The second alternative is to have two separate entities, a defender organization and an assigned-counsel program (which may include a contract component), operating independently but with substantial coordination of activities.<sup>2</sup>

1. E.g., MD. ANN. CODE art. 27A, § 6(b) (1990) ("the district public defender, subject to the supervision of the Public Defender, shall appoint attorneys from the appropriate panels . . ."); N.J. REV. STAT. § 2A:158A-7(d) (1985 & Supp. 1990) ("The Public Defender shall . . . [e]ngage counsel from said trial pools on a case basis . . . and compensate them for their services"); MASS. ANN. LAWS ch. 211D, § 5 (Law. Co-op. 1986) ("... [The] committee shall establish, supervise & maintain a system for the appointment of counsel . . ."), § 6 (b) (1986 & Supp. 1991) ("... [The] committee shall enter into contract agreements with any state, county or local bar association . . . [and] may also contract with such other organized groups . . ."); N.M. STAT. ANN. § 31-15-7(A)(11) (Michie 1978) ("The chief [defender shall] . . . formulate a fee schedule for attorneys who are not employees of the department who serve as counsel for indigent persons under the Public Defender Act"), § 31-15-8(C) ("The appellate division shall assist private counsel not employed under the Public Defender Act in any appellate, review or postconviction remedy proceeding by providing representation for persons entitled to representation under the Indigent Defense Act"), § 31-15-10(D) ("The district public defender shall notify the chief if, for any reason, he is unable to represent a person entitled to his representation, and the chief shall make provision for representation."); VT. STAT. ANN. tit. 13, § 5253(b) (Supp. 1990) ("... [T]he defender general may contract for the services of investigators or additional attorneys-at-law to provide services . . ."); WIS. STAT. § 977.05(5)(e) (West 1991) ("The state public defender shall . . . [n]egotiate contracts with local public defender organizations as directed by the board.")

2. The use of administratively separate offices, which can occur under the second alternative, is seen by some jurisdictions as an effective means to avoid problems created by the need of a defender office to refuse cases due to conflicts of interest. One of the largest such operations operates in Los Angeles County. See THE SPANGENBERG GROUP, A STUDY OF THE PRACTICAL ALTERNATIVES THAT WOULD REDUCE THE NUMBER OF PUBLIC DEFENDERS' CONFLICT OF INTEREST CASES IN LOS ANGELES COUNTY (Final Report, July

Whichever structure is adopted, it is essential that both full-time defenders and assigned counsel be fully independent, free to act on behalf of their clients as dictated by their best professional judgment. A system that does not guarantee the integrity of the professional relation is fundamentally deficient in that it fails to provide counsel who have the same freedom of action as the lawyer whom the person with sufficient means can afford to retain.<sup>3</sup> Where counsel is not fully independent to act in the client's behalf, the deficiency is often perceived by the defendant, which encourages cynicism toward the justness of the legal system.

The United States Supreme Court has concluded that a defendant represented by court-appointed counsel does not enjoy any Sixth Amendment right to a "meaningful attorney-client relationship."<sup>4</sup> The Court found that the key to compliance with constitutional requirements is not that counsel be a person in whom the accused has the most confidence but that counsel be capable of effective assistance. That case involved the substitution of a new public defender when the first became sick on the eve of trial. The trial judge denied a continuance over the strong objection of the defendant himself, who wished to keep his original attorney. While court calendars may require such exigencies, the integrity of the existing attorney-client relationship is clearly compromised by such judicial interference. Judges should exercise their discretion in a manner which is sensitive to the existence and maintenance

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1986).

The creation of a "second public defender" office has also been used to avoid conflicts of interest. Alaska and New Hampshire have done this on a statewide basis. ALASKA STAT. § 44.21.410(a)(5) (1991) (The office of public advocacy shall . . . provide legal representation . . . in cases involving indigent persons who are entitled to representation . . . and who cannot be represented by the public defender agency because of a conflict of interests."); N.H. REV. STAT. ANN. § 604-B:8 (1990) ("The state of New Hampshire . . . may, in addition to the contract for the public defender program . . . contract for an alternate public defender program to represent indigent defendants in circumstances where, because of conflict of interest or otherwise, the public defender program is unable to provide representation to a defendant.").

3. In *Polk County v. Dodson*, 454 U.S. 312, 318-321 (1981), the Court stated that "[e]xcept for the source of payment, the relationship [of public defender and client] became identical to that existing between any other lawyer and client." Later, the Court concluded, "Held to the same standards of competence and integrity as a private lawyer, a public defender works under canons of professional responsibility that mandate his exercise of independent judgment on behalf of the client." (Citations omitted.)

4. *Morris v. Slappy*, 461 U.S. 1 (1983).

of the attorney-client relationship if equity between retained and appointed counsel is to have meaning.

Another situation which may compromise the integrity of a relationship between attorney and client is the use of so-called "horizontal" or "stage" representation. In that scheme, different attorneys from the public defender office or contracting agency represent the defendant at each stage of the proceeding. The practice of "horizontal" representation is explicitly rejected in standard 5-6.2, and is implicitly rejected here as well.

The importance of independence for lawyers who represent the poor has been stressed in other standards relating to defense services. The National Legal Aid and Defender Association states that "[h]owever attorneys are selected to represent qualified clients, they shall be as independent as any other private counsel who undertakes the defense of an accused person."<sup>5</sup> A similar view is expressed in the standards of the National Advisory Commission: "The method employed to select public defenders should insure that the public defender is as independent as any private counsel who undertakes the defense of a fee-paying criminally accused person."<sup>6</sup>

As a means of achieving independence for counsel, standard 5-1.3 recommends that "[t]he selection of lawyers for specific cases should not be made by the judiciary or elected officials, but should be arranged for by administrators of the defender and assigned-counsel programs." Retained lawyers are neither chosen nor approved by the courts, and there are no compelling reasons for defenders and private assigned counsel to be treated differently. Moreover, if a lawyer desires continuous appointments from the court or elected officials, there may be a strong temptation to compromise clients' interest in ways that will maximize the number of future case assignments. The assignment of cases by the defender or assigned-counsel program also should help to alleviate the fear of clients that the defense lawyer is working for the judge or court official in charge of appointments.

Studies have shown the effectiveness of early entry by the defender office in cases, and a number of jurisdictions permit representation by the defender program prior to formal court appointment where the

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5. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, STANDARDS FOR DEFENSE SERVICES III.1 (1976).

6. NATIONAL ADVISORY COMMISSION ON CRIMINAL JUSTICE STANDARDS AND GOALS, COURTS 13.8 (1973).

defendant requests counsel and asserts a lack of financial means to retain a lawyer. Nonetheless, there may be unusual situations where the assignment of lawyers by the defender or assigned-counsel program may not be feasible. For example, where a defendant is arrested and presented in court at an irregular hour, the judge may be the only person available to select a lawyer for the defendant's presentment. Such instances should be the rare exception to the general rule of selection of counsel by the program itself.

### **Governing Board**

Another means of assuring the professional independence of defenders and private assigned counsel is to provide for the establishment of boards of trustees to oversee the delivery of defense services. The presence of a board serves to insulate the legal representation plan from unwarranted judicial interference. During the past decade, boards of trustees or other similar bodies have been adopted in a number of states, even where there are no statewide public defender services.<sup>7</sup> This development is consistent with ABA and other national standards. For example, the National Legal Aid and Defender Association states that "[t]he most appropriate method of assuring independence modified with a proper mixture of supervision is to create a board of directors. . . ."<sup>8</sup>

In some jurisdictions, public defenders who are either elected or locally appointed have achieved a considerable measure of independence. Hence, the standard simply acknowledges that for defenders a board of trustees is "[a]n effective means of securing professional indepen-

7. Different styles of boards of trustees or commissions have been adopted. *See, e.g.*, COLO. REV. STAT. § 21-1-101(2) (1986) ("The Colorado supreme court shall provide for the appointment, terms, and procedure for a five-member public defender commission . . ."); D.C. CODE ANN. § 1-2703(a) (1981) ("The powers of the Service shall be vested in a Board of Trustees composed of 11 members."); GA. CODE ANN. § 17-12-71(a) (Harrison 1990) (" . . . there shall be established a nominating committee . . ."), (c) (" . . . [T]his committee shall make itself available, upon the request of the person appointed as public defender, to advise and assist in any matters pertaining to the operation of the office of public defender."); MASS. ANN. LAWS ch. 211D, § 1 (Law. Co-op. 1986 & Supp. 1991) ("There shall be a committee for public counsel services . . . to plan, oversee, and coordinate the delivery of . . . legal services . . . The committee shall consist of fifteen persons to be appointed for a term of three years by the justices for the supreme judicial court."); WIS. STAT. ANN. § 15.78 (West 1991) ("There is created a public defender board consisting of 9 members appointed for staggered 3-year terms.").

8. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, STANDARDS FOR DEFENSE SERVICES III.1 (1976).



dence." The standard, however, states categorically that assigned-counsel programs "should be governed by such a board." This is because, despite their diminution over time, most programs in this country for the assignment of private lawyers remain ad hoc in nature, very much under the control and supervision of the judiciary.<sup>9</sup> The use of boards of trustees for assigned-counsel programs is still the single most promising means of promoting their independence.

An important function of a board of trustees, regardless of whether adapted to a defender or to an assigned-counsel system, is to establish general policy for the program composed of lawyers performing professional work. Because of the potential for political interference from a board of trustees, it is critical that the board's oversight not deal with day-to-day operations, including matters such as specific hiring and promotional decisions. It is preferable for the majority of the trustees on such boards to be members of the bar. Trustees who are lawyers will tend to assure a response to the needs and problems of the program grounded in an understanding of the lawyer's professional function and responsibility. Indeed, because of the specialization involved in the field of criminal defense, it is undoubtedly desirable for many of the attorney board members to have a background in the practice of criminal law. However, boards of trustees should not be limited solely to lawyers. In order for the defender and/or assigned-counsel programs to have the confidence of the community as a whole, it is important that the board reflect the racial, ethnic, and sexual composition of the client community.

Members of governing boards should not include prosecutors and judges. This restriction is necessary in order to remove any implication that defenders are subject to the control of those who appear as their adversaries or before whom they must appear in the representation of defendants, except for the general disciplinary supervision which judges maintain over all members of the bar.<sup>10</sup>

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9. The trend is away from this method of operation. In 1973, fully 80 percent of all rural areas used the ad hoc system of judicial appointment, while in 1982 the percent of all counties using such systems dropped to 59.5 percent. Data from 1986 indicate that the ad hoc system of appointment of counsel by judges was used in a bare majority of jurisdictions (52 percent). BUREAU OF JUSTICE STATISTICS BULLETIN, CRIMINAL DEFENSE FOR THE POOR, 1986 at 3, Table 3 (1988).

10. The exclusion of judges and prosecutors from defender boards is sometimes codified. *See, e.g.*, D.C. CODE ANN. § 1-2703(b)(4) (1981) ("Judges of the United States courts in the District of Columbia and of District of Columbia courts may not be appointed to serve as members of the Board of Trustees."); WIS. STAT. ANN. § 15.78 (West 1991) ("No

**Interference in the Conduct of Particular Cases**

An essential criterion of an adequate system of providing representation is the ability of defenders and assigned counsel to perform their functions much as they would if they were privately retained. This, however, is not an appropriate role of a board of trustees. The primary function of a board should be to make general policy, not to attempt to dictate the conduct of particular cases. Consistent with this principle, several public defender statutes explicitly prohibit interference in the handling of specific cases by defenders.<sup>11</sup>

**Standard 5-1.4. Supporting services**

The legal representation plan should provide for investigatory, expert, and other services necessary to quality legal representation. These should include not only those services and facilities needed for an effective defense at trial but also those that are required for effective defense participation in every phase of the process. In addition, supporting services necessary for providing quality legal representation should be available to the clients of retained counsel who are financially unable to afford necessary supporting services.

***History of Standard***

Standard 5-1.4 in the second edition dealt with both supporting services and training. The importance of the topics resulted in their separation into two separate standards. New standard 5-1.5 contains the language of former standard 5-1.4 regarding training. Two phrases added to the first sentence bring the standard into congruence with the sentiment and language of standard 5-1.1.

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member may be, or be employed on the staff of, a judicial or law enforcement officer, district attorney, corporation counsel or the state public defender.”).

11. *E.g.*, D.C. CODE § 1-2703(a) (1981) (“The Board of Trustees shall establish general policy for the Service but shall not direct the conduct of particular cases”); MINN. STAT. ANN. § 611.215 (West 1992) (“In no event shall the board or its members interfere with the discretion, judgment or zealous advocacy of counsel in their handling of individual cases as a part of the judicial branch of government.”); WIS. STAT. § 977.04 (West 1991) (“The board shall not make any decision regarding the handling of any case nor interfere with the state public defender or any member of his or her staff in carrying out professional duties.”).



The last sentence is new to this standard but transfers, virtually verbatim, language from standard 5-6.1 in the second edition. The language is more consistent with the topic discussed here.

### **Related Standards**

ABA Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases 8.1 (1989).

ABA Standards for Criminal Justice 3-2.4, 4-4.1 (3d ed. 1993).

ABA Standards for Providers of Civil Legal Services to the Poor 6.3 (1986).

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.14 (1973).

National Legal Aid and Defender Association, Guidelines for Negotiating and Awarding Governmental Contracts for Defense Services III-8 (1984).

National Legal Aid and Defender Association, National Study Commission on Defense Services 3.4 (1976).

National Legal Aid and Defender Association, Standards for Defender Services IV.3 (1976).

National Legal Aid and Defender Association, Standards for the Administration of Assigned Counsel Systems 4.6 (1989).

### **Commentary**

A *sine qua non* of quality legal representation is the support personnel and equipment necessary for professional service. In private law firms, overhead expenses, of which support services are a significant part, average about 45 percent of all office expenses.<sup>1</sup> Secretarial tasks can only be performed properly with adequate word-processing equipment (usually computers); telephones with the ability to send and receive fax messages; adequate copying and mailing facilities; adequate data-processing and filing systems; and whatever specialized equipment may be required to perform necessary investigations.<sup>2</sup>

Quality legal representation cannot be rendered either by defenders or by assigned counsel unless the lawyers have available other supporting services in addition to secretaries and investigators. Among these

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1. ALTON AND WEIL, *THE 1990 SURVEY OF LAW FIRM ECONOMICS*, at 17.

2. See also standard 5-4.3.

are access to necessary expert witnesses, as well as personnel skilled in social work and related disciplines to provide assistance at pretrial release hearings and at sentencing. The quality of representation at trial, for example, may be excellent and yet unhelpful to the defendant if the defense requires the assistance of a psychiatrist or handwriting expert and no such services are available.

If the defense attorney must personally conduct factual investigations, the financial cost to the justice system is likely to be greater because the defender's time is generally more valuable than the investigator's. Moreover, when an attorney personally interviews witnesses, the attorney may be placed in the untenable position of either taking the stand to challenge the witnesses' credibility if their testimony conflicts with statements previously given or withdrawing from the case.<sup>3</sup> Other standards (see related standards section herein) also stress the critical importance of supporting services.

In the case of defender programs, the budget appropriation should be sufficient to enable the employment or retention of as many nonlegal personnel as are necessary for purposes of providing an adequate defense. In the federal courts, recent amendments to the Criminal Justice Act make the authorization of such services mandatory, without financial limits, when counsel for the person who is unable to afford them is able to make a showing of necessity in an *ex parte* proceeding.<sup>4</sup> Significantly, this statute authorizes payments for services other than counsel even for the clients of retained lawyers who are unable to afford investigators and expert witnesses,<sup>5</sup> and it also authorizes the expenditure of some funds on an emergency basis without prior court authorization.<sup>6</sup>

The United States Supreme Court has held that fundamental fairness requires that a defendant on trial in a capital case must be provided with the funds necessary to hire an expert psychiatrist, where sanity is the only material issue at trial.<sup>7</sup> The defendant, who was represented by assigned counsel, had been refused the funds for the examination

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3. See, e.g., *Rosen v. National Labor Relations Board*, 735 F.2d 564 (D.C. Cir. 1984); *Jones v. City of Chicago*, 610 F.Supp. 350 (N.D. Ill. 1984); *Mentor Lagoons, Inc. v. Rubin*, 31 Ohio 3d 256, 510 N.E.2d 379 (1987). See also ABA MODEL CODE OF PROFESSIONAL RESPONSIBILITY DR 5-102(A) (1981); ABA MODEL RULES OF PROFESSIONAL CONDUCT 3.7 (1983).

4. 18 U.S.C. § 3006A (e)(1) (1992).

5. *Id.*

6. 18 U.S.C. § 3006A (e)(2) (1992).

7. *Ake v. Oklahoma*, 470 U.S. 68 (1985).

under then-prevailing Oklahoma law. The Court concluded that the state has the obligation to provide any legally indigent accused the “basic tools of an adequate defense or appeal.”<sup>8</sup> While the Court’s ruling can be read narrowly as applying only in death penalty cases where sanity is an issue at both trial and sentencing, the Court’s test for access to “basic tools of an adequate defense” has potentially broad application in all contexts regarding the provision of support services.

The courts of a number of states have recognized a defendant’s constitutional right to a broad range of supporting services, including such diverse issues as forensic dental records, fingerprints, firearms, jury selection and demography.<sup>9</sup> Inability to afford counsel necessarily means that a defendant is unable to afford essential supporting services, such as investigative assistance and expert witnesses. The converse does not follow, however. Just because a defendant is able to afford retained counsel does not mean that sufficient finances are available for essential services. This standard, like the Criminal Justice Act provisions noted above, authorizes supporting services to be made available to the clients of retained counsel who are unable to afford the required assistance. This means that the defense services program should include sufficient funding in its budget for such contingencies, and defense services funded through the courts should do likewise.

### **Standard 5-1.5. Training and professional development**

**The legal representation plan should provide for the effective training, professional development and continuing education of all counsel and staff involved in providing defense services. Continuing education programs should be available, and public funds should be provided to enable all counsel and staff to attend such programs.**

#### ***History of Standard***

This standard is new with the third edition, but the content draws heavily from the second edition. The first sentence of the standard is a

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8. In determining whether access to a psychiatrist was a “basic tool,” the Court applied the balancing test of *Matthews v. Eldridge*, 424 U.S. 319 (1976).

9. See generally KENTUCKY DEPARTMENT OF PUBLIC ADVOCACY, OBTAINING FUNDS FOR THE DEFENSE OF INDIGENTS ACCUSED OF CRIMES (June 1990).

modified version of the last sentence of standard 5-1.4 from the second edition. The last sentence is adapted directly from standard 3-2.6 in the second edition, which deals with training programs for prosecutors.

### **Related Standards**

ABA Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases 9.1 (1989).

ABA Standards for Criminal Justice 3-2.6 (3d ed. 1993).

ABA Standards for Providers of Civil Legal Services to the Poor 3.5 (1986).

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.16 (1973).

National Legal Aid and Defender Association, Guidelines for Negotiating and Awarding Governmental Contracts for Defense Services III-17 (1984).

National Legal Aid and Defender Association, National Study Commission on Defense Services 5.7, 5.8 (1976).

National Legal Aid and Defender Association, Standards for the Administration of Assigned Counsel Systems 4.3 (1989).

National Legal Aid and Defender Association, Standards for Defender Services V.1-V.7 (1976).

### **Commentary**

Adequate and frequent training programs are a key component in the provision of quality representation by defense attorneys. Criminal law is a complex and difficult legal area, and the skills necessary for provision of a full range of services must be carefully developed. Moreover, the consequences of mistakes in defense representation may be substantial, including wrongful conviction and death or the loss of liberty. Despite recent suggestions by the U.S. Supreme Court that defenders may be insulated from liability in most circumstances,<sup>1</sup> the cost of retrials based on trial errors by defense counsel or on counsel's ineffectiveness may alone be sufficient justification for effective training as a cost-saving device. The strong trend in the states away from the imposition of a mandatory *pro bono* obligation in criminal cases is

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1. *Ferri v. Ackerman*, 444 U.S. 193 (1979); *Polk County v. Dodson*, 454 U.S. 312 (1981); *but see*, *Tower v. Glover*, 467 U.S. 914 (1984).

grounded in the notion that the demands of contemporary criminal practice make it impossible to impose an obligation of service on attorneys who work in this complex and demanding field.<sup>2</sup>

To meet the need for training, programs should be established for both beginning and advanced practitioners, and should emphasize substantive legal subjects as well as effective trial, appellate and collateral attack techniques. In defender offices, it is particularly important that there be entry-level training programs, so that new attorneys receive at the outset of their practice an intensive learning experience that will equip them to provide effective representation. The necessity of training assigned counsel is just as important, but their attendance at training programs may have to be spaced over longer periods because of other time commitments. One possible function of a defender program in the mixed system of representation suggested in standard 5-1.2 would be to offer training seminars to attorneys participating in the assigned-counsel program. Another efficient use of the office's programs might be in the provision of courses on criminal law and procedure topics which would fulfill local continuing legal education requirements.

Attendance at regional and national training programs also should be encouraged. Many defender programs have made it a part of their regular training schedule to send all new attorneys to the annual summer course of the National Criminal Defense College within two years of their entry into the office. Other useful programs are offered through the National Institute of Trial Advocacy and the National Legal Aid and Defender Association, both regionally and nationally. Some states have particularly strong programs in training in particular topics such as capital case advocacy.

## **Standard 5-1.6. Funding**

**Government has the responsibility to fund the full cost of quality legal representation for all eligible persons, as defined in standard 5-7.1. It is the responsibility of the organized bar to be vigilant in supporting the provision of such funding. The level of government that funds defender organizations, assigned-counsel programs or contracts for services depends upon which level will best insure the provision of independent, quality legal representation. Under no circumstances should the funding power interfere with or retaliate**

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2. See discussion in commentary to standards 5-1.6 and 5-2.2.

**against professional judgments made in the proper performance of defense services.**

### ***History of Standard***

This standard, new with the second edition, has been amended significantly. Changes in the first sentence make more clear and emphatic the obligation of government, not the bar or the individual attorney, to fully fund defense services.

A new second sentence makes clear a role for the organized bar in assisting funding efforts. The language parallels that of the opening standard of the chapter, 5-1.1, which sets forth an educative function for the bar.

The amended third sentence clarifies the factors which should determine the level of government at which services are funded.

### ***Related Standards***

ABA Standards for Providers of Civil Legal Services to the Poor 3.6, 6.2 (1986).

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.6 (1973).

National Legal Aid and Defender Association, National Study Commission on Defense Services 2.17, 2.18 (1976).

National Legal Aid and Defender Association, Standards for Defender Services I.3 (1976).

### ***Commentary***

Our system of justice is a reflection of our societal development, and the furnishing of adequate defense services a measure of our justice system. Only society as a whole has the necessary resources to finance defender and assigned-counsel programs. Accordingly, this standard declares that the sole responsibility of paying for defense services rests on government. Presently, representation systems are financed primarily by state governments, local governments, or a combination of both.<sup>1</sup>

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1. Federal defender programs are an example of appropriate government funding. They are funded by the Administrative Office of the U.S. Courts from the recommendation of the Defense Services Committee of the U.S. Judicial Conference. 18 U.S.C. § 3006A (g)(2)(a) (1992).

But regardless of the source of funding, the level of financing in many states is inadequate—sometimes woefully inadequate. The likely result is the denial of effective legal representation for those unable to afford counsel.

This standard deals with the funding of the defender system as a whole, not the related issues of the compensation to be paid to assigned counsel, addressed in standard 5-2.4, or the salaries paid to public defenders or contracting attorneys, addressed in standards 5-4.1 and 5-3.3(b)(ix). Taken as a whole, funding for defender services in the United States increased during the past decade. Funding from all sources increased by 60 percent from 1982 to 1986, when the total reached nearly \$1 billion.<sup>2</sup> The great majority of this increase, however, was due solely to the huge increase in caseloads during the decade—per capita case costs increased in the same period by only 14 percent, to an average of \$223 per case, nationwide.<sup>3</sup> Some expansion of funding at the state level was due not only to the rise in caseloads but also to the increased breadth of responsibility of programs into a broad range of quasi-criminal proceedings in which counsel has been newly mandated.<sup>4</sup> Finally, the reinstitution of the death penalty and its increasing imposition in cases handled by defender programs also contributed to the cost of defense services. At bottom, relative to the rest of the criminal justice system, defender services continue to suffer. Prosecution, for example, is funded at a ratio of three to one over defense services at both the federal and state or local levels.<sup>5</sup>

Individual states, on the other hand, fared better in many cases because the funding of defense services was centralized at the state level.<sup>6</sup> As of 1986, only ten states funded their defender services at the county level; twenty states were funded wholly at the state level while

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2. BUREAU OF JUSTICE STATISTICS BULLETIN, CRIMINAL DEFENSE FOR THE POOR, 1986 at 4 (1988).

3. Robert L. Spangenberg, *We Are Still Not Defending the Poor Properly*, 4 CRIM. JUST. 11 (Fall 1989).

4. See discussion at standard 5-5.2.

5. ABA BAR INFORMATION PROGRAM, POSTCONVICTION DEATH PENALTY REPRESENTATION PROJECT, A COMPARISON OF PROSECUTION AND DEFENSE RESOURCES FOR CAPITAL LITIGATION 5 (Sept. 1991).

6. Between 1982 and 1989, states which shifted to state funding included Delaware, Georgia, Indiana, Iowa, Minnesota, Montana, Oregon, South Dakota and Tennessee. Spangenberg, *We Are Still Not Defending the Poor Properly*, 6 CRIM. JUST. 11 (1989).



the remainder used some combination of state and local funding.<sup>7</sup> Other standards recommend that representation programs be financed at the state level because the state is best able to bear the bill and because funding is not made a function of the sometimes-volatile local hostility to the provision of public funds for the representation of persons accused of serious crimes against local citizens.<sup>8</sup> While this may often be true, standard 5-1.5 does not take a position on whether funding should be state or local, because of the belief that this decision should be based "upon which level will best insure the provision of independent, quality legal representation."

Some states now fund defense services substantially from fees imposed in all criminal cases or from taxes earmarked for dedication to defender services.<sup>9</sup> Such systems put the defender system at risk because the amount raised each year may fluctuate widely, the actual revenues cannot be easily projected, the fees frequently fall disparately on a particular segment of the population, and costs of administration of these systems are inordinately high. Systems based on user fees or taxes should be avoided; funds for defense services are best allocated from general revenues.

Whatever the level and source of financing, the power of the purse obviously should not be used to interfere with or prevent the proper discharge of defense services. Thus, the funding authority, like boards of trustees for defender and assigned-counsel programs (see standard 5-1.3), should not seek to intervene in the conduct of particular cases. Nor should funding bodies retaliate against unpopular, albeit professionally proper, actions of defender programs by reducing the level of available financing.

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7. BUREAU OF JUSTICE STATISTICS BULLETIN, CRIMINAL DEFENSE FOR THE POOR, 1986 at 4, Table 4 (1988).

8. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, NATIONAL STUDY COMMISSION ON DEFENSE SERVICES 2.17 (1976).

9. Such systems are used currently in Alabama, Arkansas, Louisiana, and Oklahoma. In Ohio, 50 percent of the funds for operation of the system come from such sources.



## **PART II.**

### **ASSIGNED COUNSEL**

#### **Standard 5-2.1. Systematic assignment**

The plan for legal representation should include substantial participation by assigned counsel. That participation should include a systematic and publicized method of distributing assignments. Except where there is a need for an immediate assignment for temporary representation, assignments should not be made to lawyers merely because they happen to be present in court at the time the assignment is made. A lawyer should never be assigned for reasons personal to the person making assignments. Administration of the assigned-counsel program should be by a competent staff able to advise and assist the private attorneys who provide defense services.

#### ***History of Standard***

The first sentence was amended to reflect the language in section 5-1.2(b). The standard maintains its commitment to use of a staff model for the administration of all assigned counsel programs. In rural areas or in areas with few criminal cases, it may be useful to use a contract for services which is part of a larger plan, or to have a single assigned-counsel program include several judicial districts, as is suggested in standard 5-1.2(a). Alternatively, this standard's requirement that there be a staff can be discharged by having the defender office administer the assigned-counsel plan.<sup>1</sup> In a statewide defender program, it may be possible to have the necessary staff for assigned-counsel panels hired and supervised by the central office. In addition to supplying advice and assistance to private attorneys, a staff is necessary to discharge essential administrative tasks in connection with operation of the assigned-counsel program.

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1. See commentary to standard 5-1.3.

### **Related Standards**

ABA Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases 4.1 (1989).

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.15 (1976).

National Legal Aid and Defender Association, Standards for the Administration of Assigned Counsel Systems 3.1.B, 3.3, 4.1 (1989).

National Legal Aid and Defender Association, National Study Commission on Defense Services 2.2, 2.3, 2.16 (1976).

National Legal Aid and Defender Association, Standards for Defender Services I.2.b (1976).

### **Commentary**

During the decade from 1975 to 1985, the national use of the assigned counsel model as the exclusive means for delivery of defense services declined by 20 percent.<sup>2</sup> Because these programs largely serve rural areas, it is now estimated that they serve only about one-quarter of the U.S. population.<sup>3</sup>

Unfortunately, the last available data show that fully 75 percent of assigned counsel jurisdictions continue to operate on an ad hoc basis.<sup>4</sup> In the ad hoc system, selection of the attorney is either completely within the discretion of the judge or is from a frequently ignored "list" of attorneys kept by the judge or other court personnel. The assignment of criminal cases on this informal basis also has been condemned by the National Legal Aid and Defender Association<sup>5</sup> and the National Advi-

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2. In 1982, one national study reported that, from 1973 to 1982, the percentage of jurisdictions using assigned counsel declined from 72 percent to 60 percent. BUREAU OF JUSTICE STATISTICS SPECIAL REPORT, CRIMINAL DEFENSE SYSTEMS 3 (Aug. 1984). In 1986, the percentage had declined further to 52 percent. BUREAU OF JUSTICE STATISTICS BULLETIN, CRIMINAL DEFENSE FOR THE POOR, 1986, Table 3 (Sept. 1988).

3. CRIMINAL DEFENSE SYSTEMS, *supra*, n. 2, at Table 2.

4. BUREAU OF JUSTICE STATISTICS, NATIONAL DEFENSE SYSTEMS STUDY 17, Table 15 (Sept. 1988).

5. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, NATIONAL STUDY COMMISSION ON DEFENSE SERVICES 2.3 (1976); NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, STANDARDS FOR DEFENSE SERVICES I.2(b) (1976). NLADA has more recently adopted a comprehensive set of standards to address the administration of assigned counsel systems. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, STANDARDS FOR THE ADMINISTRATION OF ASSIGNED COUNSEL SYSTEMS (1989). References are made to those standards in the "Related Standards" sections of this Part.

sory Commission on Criminal Justice Standards and Goals.<sup>6</sup> Among the reasons frequently mentioned for the unsuitability of the random approach are the following:

undue reliance on inexperienced counsel and overall lack of quality control; the potentiality of patronage or its counterpart, discrimination, in the selection process and the corollary possibility of political control or undue influence intruding upon the independence of counsel; unavailability of lawyers resulting in waivers of counsel; inadequate or, at best, uneven provision of compensation for services and general lack of fiscal controls; the lack of training and continuing education in criminal law and procedure; and the inability of the approach to develop a skilled and vigorous defense bar able and willing to seek reforms in the criminal justice system.<sup>7</sup>

At its worst, the ad hoc system for assigning counsel is typified by the practice of appointing lawyers only because they happen to be present in the courtroom at the time a defendant is brought before the judge. This method of assignment obviously is unlikely to achieve an equitable distribution of assignments among the qualified members of the bar, and in some jurisdictions the practice has given rise to a cadre of mediocre lawyers who wait in the courtroom in hopes of receiving an appointment.

However the assigned-counsel program is structured, it is urged that the plan for distributing assignments be in writing and publicized. Publicity is apt to dispel doubts concerning the method by which the defense of the accused is being achieved and fosters scrutiny of the plan by the bar and public. This recommendation is consistent with the federal Criminal Justice Act of 1964, which requires that each United States District Court prepare a plan for assigning counsel pursuant to the act.<sup>8</sup>

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6. NATIONAL ADVISORY COMMISSION ON CRIMINAL JUSTICE STANDARDS AND GOALS, COURTS 13.5 (1973).

7. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, NATIONAL STUDY COMMISSION ON DEFENSE SERVICES, commentary at 142 (1976).

8. 18 U.S.C. § 3006A(a) (1992). See ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS, DEFENDER SERVICES DIVISION, MODEL CRIMINAL JUSTICE ACT PLAN (March 1, 1991).

In order to have an effective assigned-counsel system, a competent staff should be available to advise and assist members of the private bar who provide representation. Some staff members should be experienced in criminal defense matters, and the assistance should include, if desired, advice on the handling of specific cases, information concerning recent criminal law and procedure developments, written materials on criminal defense, and appropriate training programs. In addition, there are numerous administrative tasks that must be discharged, including the assignment of cases to private attorneys (standard 5-1.3), the collection of names of qualified members of the bar (standard 5-2.2), and the approval of compensation vouchers submitted by appointed lawyers (standard 5-2.4).

### **Standard 5-2.2. Eligibility to serve**

**Assignments should be distributed as widely as possible among the qualified members of the bar. Lawyers licensed to practice law in the jurisdiction, experienced and active in trial practice, and familiar with the practice and procedure of the criminal courts should be encouraged to submit their names for inclusion on the roster of attorneys from which assignments are made. Each jurisdiction should adopt specific qualification standards for attorney eligibility, and the private bar should be encouraged to become qualified pursuant to such standards. Counsel should not seek to avoid appointment by a tribunal to represent a person except for good cause.**

#### ***History of Standard***

The standard was amended in three ways for the third edition. First, the second sentence now states that lawyers should be “encouraged to submit” their names for inclusion on the roster, rather than including all names, as the second edition urged. This clarifies the inherent meaning of the sentence; participation on the roster should be voluntary rather than compulsory. Second, a new sentence was added which suggests the adoption of qualification standards for participating attorneys, a practice which is used in the best panel programs. Third, a new last sentence is added, mirroring the language of ABA Model Rule 6.2.

***Related Standards***

ABA Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases 5.1 (1989).

ABA Model Rules of Professional Conduct 6.2 (1983).

ABA Standards for Criminal Justice 4-1.6 (3d ed. 1993).

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.15 (1976).

National Legal Aid and Defender Association, Standards for the Administration of Assigned Counsel Systems 2.9, 4.1.1 (1989).

National Legal Aid and Defender Association, National Study Commission on Defense Services 2.15 (1976).

National Legal Aid and Defender Association, Standards for Defender Services I.2.b (1976).

***Commentary***

In 1988, the American Bar Association's Special Committee on Criminal Justice in a Free Society surveyed the entire criminal justice system. Among the important conclusions which it reached was the following:

All lawyers, whether criminal practitioners or not, share in the responsibility of ensuring that the most visible legal institution in the Nation, the criminal justice system, is of the highest attainable quality. Increasingly, however, indigent defense in many cities is almost the exclusive responsibility of public defenders and a very small private bar. The remainder of the trial bar is not fulfilling its obligation to participate through the representation of indigent defendants, and as a result, the shunning of criminal defense practice deprives the criminal justice system of a powerful voice for criminal justice reform, because the influential lawyers are unfamiliar with the working of the criminal justice system.<sup>1</sup>

Standard 5-2.2 is aimed at making certain that private bar involvement is accomplished. Its emphasis lies in the participation of "quali-

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1. SPECIAL COMMITTEE ON CRIMINAL JUSTICE IN A FREE SOCIETY, AMERICAN BAR ASSOCIATION, CRIMINAL JUSTICE IN CRISIS 7-8 (1988).

fied" members of the bar. The standard thus rejects the notion that every member of the bar admitted to practice in a jurisdiction should be required to provide representation.<sup>2</sup> Instead, it suggests that the members of the bar qualified for appointments are those who are "experienced and active in trial practice, and familiar with the practice and procedure of the criminal courts . . ." (emphasis added). The practice of criminal law is complex, and only qualified attorneys can properly be expected to serve as assigned counsel. While it is imperative that assigned counsel possess advocacy skills so that prompt and wise reactions to the exigencies of a trial may be expected, this alone is not deemed sufficient. There must also be familiarity with the practice and procedure of the criminal courts and knowledge in the art of criminal defense.<sup>3</sup>

It is critical, however, that the assigned-counsel system be administered in a manner that attracts participation from the largest possible cross-section of members of the bar and affords opportunities for inexperienced lawyers to become qualified for assigned cases. Accordingly, those responsible for administering assigned-counsel programs should continuously canvass the bar to make certain that all who display a willingness to serve are permitted to do so. One means of acquiring

2. In Knoxville, Tennessee, the judges of the general sessions court, which handles misdemeanors, responded to a caseload crisis by drafting 1,200 practicing and non-practicing lawyers into service as assigned counsel without compensation, resulting in strong criticism on both legal and ethical grounds. *Criminal Crash Course*, 78 A.B.A.J. 14 (April 1992).

3. In *United States v. Cronin*, 466 U.S. 648, 104 S. Ct. 2039 (1984), the Supreme Court held that the Sixth Amendment guarantee of effective assistance of counsel is not violated simply because a real estate lawyer, totally unfamiliar with criminal law and trials, is assigned to provide representation in a complicated fraud prosecution. The Sixth Amendment is breached, according to the Court, only if there is a breakdown of the adversarial process and specific errors of trial counsel are shown. The Court further explained in a footnote: "We consider in this case only the commands of the Constitution. We do not pass on the wisdom or propriety of appointing inexperienced counsel in a case such as this. It is entirely possible that many courts should exercise their supervisory powers to take greater precautions to ensure that counsel in serious criminal cases are qualified . . . We address not what is prudent or appropriate, but only what is constitutionally compelled. . . ." 466 U.S. at 665, 104 S. Ct. at 2050, n.38.

A few states have responded to the high threshold for review of claims of ineffectiveness by the adoption of comprehensive performance standards. See, e.g., Committee for Public Counsel Services, *Performance Guidelines Governing Representation of Indigents in Criminal Cases*, 15 MASS. LAWYERS WEEKLY 1048 (March 17, 1987) (Massachusetts). See generally Gist, *Assigned Counsel: Is the Representation Effective?*, 4 CRIM. JUST. 16 (1989); Genego, *The Future of Effective Assistance of Counsel: Performance Standards and Competent Representation*, 22 AM. CRIM. L. REV. 181-212 (1984).

information on members of the bar is to ask that all interested lawyers complete a questionnaire in which is listed prior involvement in criminal defense or prosecution and previous civil trial experience.

There is no more demanding task for a criminal lawyer than that of representing a person accused or convicted of a capital offense. The selection of such attorneys within an assigned counsel system therefore takes on critical importance. The U.S. Congress recognized this concept when it limited representation for state prisoners under sentence of death in federal habeas corpus proceedings to lawyers with significant experience in criminal law and procedure.<sup>4</sup> Eligibility standards also are part of the *Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases* adopted by the ABA in 1989.<sup>5</sup>

Where interested attorneys lack sufficient experience and skill in criminal defense, there are a variety of procedures that can help them qualify for assigned cases. For example, in one assigned-counsel program inexperienced applicants are first required to observe a wide variety of criminal court proceedings. The lawyer is then directed to work with a regular member of the assigned counsel panel, during which time the apprentice attorney is asked to conduct various kinds of court proceedings (e.g., preliminary hearings, misdemeanor trials) under the supervision of the experienced lawyer. Attendance at training programs sponsored by the assigned-counsel program also is required. At the conclusion of the apprenticeship period, the attorney becomes a regular panel member and is assigned to the least serious misdemeanor cases.<sup>6</sup>

An attorney who is not competent to handle a criminal case has an absolute duty to decline court appointment.<sup>7</sup> Declination of an appointment is also appropriate when representation would create an unrea-

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4. The Anti-Drug Abuse Act, 21 U.S.C. § 848 (q)(4)(B) and (q)(9)(1991).

5. ABA GUIDELINES FOR THE APPOINTMENT AND PERFORMANCE OF COUNSEL IN DEATH PENALTY CASES 5.1 (1989).

6. These procedures have been utilized by the San Mateo, California, assigned-counsel program to qualify panel attorneys for assigned cases. NLADA, National Study Commission Report, commentary at 240. Other programs have adopted exemplary qualification standards which must be met by participating panel attorneys. See, e.g., OHIO PUBLIC DEFENDER COMMISSION, ASSIGNED COUNSEL STANDARDS & STATE MAXIMUM FEE SCHEDULE, § 120-1-10 (Revised 1990); MICHIGAN APPELLATE ASSIGNED COUNSEL SYSTEM REGULATIONS, MINIMUM STANDARDS FOR INDIGENT CRIMINAL APPELLATE DEFENSE SERVICES, Section 4 (Amended Jan. 28, 1988); WASHINGTON DEFENDER ASSOCIATION, STANDARDS FOR PUBLIC DEFENSE SERVICES, Standard 14 (Oct. 1989).

7. See generally Monahan and Aprile, *Pro Bono Service in Criminal Cases Is Neither Mandatory Nor Ethical*, 5 CRIM. JUST. 35 (Fall 1990).



sonable financial burden, or when the client is "so repugnant to the lawyers as to be likely to impair the attorney-client relationship."<sup>8</sup> These grounds constitute good cause for declination of an appointment, and have been recognized with increasing frequency by state courts.

Just as counsel should decline appointment in certain criminal matters, courts should not require counsel to accept assignment of cases when the attorney offers valid reasons.<sup>9</sup> A majority of the state courts which have reached the issue now conclude that trial judges may not invoke either the attorney's oath or the traditional obligation of *pro bono* service as a means of compelling attorney service without risking constitutional violations.<sup>10</sup>

### **Standard 5-2.3. Rotation of assignments and revision of roster**

**(a) As nearly as possible, assignments should be made in an orderly way to avoid patronage and its appearance, and to assure fair distribution of assignments among all whose names appear on the roster of eligible lawyers. Ordinarily, assignments should be made in the sequence that the names appear on the roster of eligible lawyers. Where the nature of the charges or other circumstances require, a lawyer may be selected because of his or her special qualifications to serve in the case, without regard to the established sequence.**

8. ABA MODEL RULES OF PROFESSIONAL CONDUCT 6.2 (1983).

9. In *Mallard v. U.S. District Court for the Southern District of Iowa*, 490 U.S. 296 (1989), the Supreme Court narrowly held that 28 U.S.C. § 1915(d), which states that a court may "request" counsel to represent a person unable to retain an attorney, does not authorize "coercive appointments of counsel." *Id.*, at 1823. The notion that attorneys are "officers of the court," however, is tenacious, and finds its way into Supreme Court jurisprudence. See, e.g., *Federal Trade Commission v. Superior Court Trial Lawyers Association*, 493 U.S. 411 (1990) (dissenting opinion of Justice Blackmun, at 453; *In re Snyder*, 472 U.S. 634 (1985), *reversing on other grounds*, *Matter of Snyder*, 734 F.2d 334 (8th Cir. 1984).

10. A summary of the state decisions is provided in *State ex rel. Stephan v. Smith*, 747 P.2d 816 (Kan. 1988). Other decisions have recognized that the acceptance of *pro bono* cases is not a condition of licensure as an attorney. See, e.g., *DeLisio v. State*, 740 P.2d 437 (Alaska 1987). See also Note, *Current Status of the Traditional Duty of the Attorney to Serve Without Compensation Upon Court Appointment*, 93 W. VA. L. REV. 1001 (1991); Martineau, *The Attorney as Officer of the Court: Time To Take the Gown Off the Bar*, 35 S.C.L. REV. 541 (1984). But see *Madden, et al. v. Township of Delran, et al.*, 126 N.J. 591, 601 A.2d 211 (1992).



**(b) The roster of lawyers should periodically be revised to remove those who have not provided quality legal representation or who have refused to accept appointments on enough occasions to evidence lack of interest. Specific criteria for removal should be adopted in conjunction with qualification standards.**

### ***History of Standard***

A new subsection (b) was added to the standard. Provisions regarding revision of the roster and removal of attorneys are a necessary adjunct to those regarding a process for the selection of attorneys to serve on the roster, covered in standard 5-2.2.

### ***Related Standards***

ABA Standards for Providers of Civil Legal Services to the Poor 3.4 (1986).

National Legal Aid and Defender Association, National Study Commission on Defense Services 2.16, 5.5 (1976).

National Legal Aid and Defender Association, Standards for the Administration of Assigned Counsel Systems 4.1, 4.5 (1989).

### ***Commentary***

The practice of systematically rotating the assignment of cases achieves equality of distribution among qualified attorneys and also makes it unlikely that any single attorney will become overloaded with appointments. It is doubtful, however, that a single list of attorneys should be used for the purpose of making all assignments in rotation. Cases differ in complexity and seriousness, and there are likely to be wide differences in the backgrounds and experiences of panel attorneys. Accordingly, it may be necessary to have several lists of attorneys, including lawyers qualified for capital cases, other felonies, and misdemeanors. As criminal defense experience is acquired, lawyers can be promoted from the misdemeanor panel to the felony panel and then ultimately to the list of attorneys qualified for capital cases.<sup>1</sup>

Regardless of whether one or more lists of panel attorneys are used, it occasionally will be necessary to make assignments that are not within

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1. See commentary to standard 5-2.2, *supra*.

the normal rotation of attorney names. Sometimes this may occur because a particular case requires an attorney possessing special qualifications. Rotational appointments also may be impossible where the designated attorney has a conflict of interest or where there is a need to consolidate a case with other pending cases of the same client.

Neither statutes nor court decisions recognize the right of an eligible defendant to select the private lawyer of his or her choice.<sup>2</sup> Nor does the defendant generally have the right to choose assigned counsel rather than a defender (or vice versa) or to select a new lawyer when relations with an attorney deteriorate.<sup>3</sup> In contrast, the defendant with sufficient funds can retain the lawyer of his or her choice and discharge an attorney when confidence in the lawyer diminishes.

The overall goal of the assigned-counsel program should be to assure the presence of sufficient numbers of private practitioners capable of providing competent legal services. In addition to encouraging private lawyers to provide representation, some effort also should be devoted by the administrators of the program to monitoring the performance of assigned counsel. Admittedly, this is not an easy task and there obviously are difficulties in having third parties scrutinize the judgments of private counsel. On the other hand, the difficulty of the task should not be an excuse for doing nothing. At the very least, the staff of the program should investigate and keep track of any complaints made against assigned counsel by judges and clients. Where there is compelling evidence that an attorney consistently has ignored basic responsibilities outlined in the ABA Defense Function Standards, or that the attorney has refused appointment repeatedly, the attorney's name should be removed from the roster after notice and hearing, with the possibility of reinstatement after removal if adequate demonstration of remedial measures is shown.<sup>4</sup>

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2. See generally Annotation, *Indigent Accused's Right to Choose Particular Counsel Appointed to Assist Him*, 66 A.L.R.3d 996 (1975).

3. The United States Supreme Court has stated in dicta that there is no Sixth Amendment basis for the recognition of "a meaningful attorney-client relationship," where a defendant complained that he had an established relationship with a public defender whose emergency surgery required that a substitute defender replace him on the eve of trial. The Court stated that the only test should be whether the new defender is "competent and prepared." *Morris v. Slappy*, 461 U.S. 1 (1983). The issue was, however, not addressed as part of the holding of the Court, and has not been reached to date.

4. See NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, STANDARDS FOR THE ADMINISTRATION OF ASSIGNED COUNSEL SYSTEMS 4.5-4.5.3 (1989).

## **Standard 5-2.4. Compensation and expenses**

Assigned counsel should receive prompt compensation at a reasonable hourly rate and should be reimbursed for their reasonable out-of-pocket expenses. Assigned counsel should be compensated for all hours necessary to provide quality legal representation. Compensation for assigned counsel should be approved by administrators of assigned-counsel programs.

### ***History of Standard***

The third edition makes the language on “reasonable compensation” more explicit. Rather than the second edition’s call for compensation for “time and service performed,” the newly revised standard calls for “prompt” payment “at a reasonable hourly rate,” as well as reasonable out-of-pocket expenses. A new second sentence makes clear that assigned counsel are to be paid for “all hours necessary to provide quality legal representation.”

### ***Related Standards***

ABA Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases 10.1 (1989).

ABA Standards for Criminal Justice 21-2.4, 22-4.3 (2d ed. 1980).

National Legal Aid and Defender Association, Standards for the Administration of Assigned Counsel Systems 4.7–4.7.4 (1989).

National Legal Aid and Defender Association, National Study Commission on Defense Services 3.1 (1976).

### ***Commentary***

These standards adopt the view that “[g]overnment has the responsibility to fund the full cost of quality legal representation . . .”<sup>1</sup> The government should assure that every assigned attorney, in every assigned case, receives “prompt compensation at a reasonable hourly rate,” as well as reimbursement for reasonable out-of-pocket expenses. This standard thus rejects the view that lawyers are required to provide pro bono legal services in criminal cases.<sup>2</sup>

Just what constitutes a “reasonable hourly rate” has been the subject of much litigation and significant legislative modification over the past

1. See standard 5-1.6 and accompanying commentary.

2. See commentary to standard 5-2.2 on the trend away from enforcement of the pro bono obligation in assigned criminal cases.

decade. One end of the spectrum was expressed more than 20 years ago by the President's Crime Commission, which said that counsel should be paid "a fee comparable to that which an average lawyer would receive from a paying client for performing similar services."<sup>3</sup> The other end, unfortunately, continues to be embodied in statutory maximum fee limitations which are vastly disproportionate to the efforts expended by counsel in even the most routine criminal matter.<sup>4</sup> The problem is particularly acute in capital cases, where states sometimes treat statutory compensation provisions the same for capital and non-capital representation, despite the extraordinary responsibilities inherent in death penalty litigation.<sup>5</sup>

Since a primary objective of the payment system should be to encourage vigorous defense representation, flat payment rates should be discouraged.<sup>6</sup> The possible effect of such rates is to discourage lawyers from doing more than what is minimally necessary to qualify for the flat payment. Recent decisions striking down statutory fee maximums

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3. PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE, TASK FORCE REPORT: THE COURTS 61 (1967). See, e.g., *Hulse v. Wifvat*, 306 N.W.2d 707, 711 (Iowa 1981) (defining reasonable compensation as "the ordinary and customary charges for like services in the community.") A recent decision from Arkansas articulated detailed factors to be considered by the trial court in awarding fees: "the experience and ability of the attorney, the time and labor required to perform the legal service properly, the novelty and difficulty of the issues involved, the fee customarily charged in the locality for similar legal services, the time limitations imposed upon the client's defense or by the circumstances, and the likelihood, if apparent to the court, that the acceptance of the particular employment will preclude other employment of the lawyer." *Arnold v. Kemp*, 813 S.W.2d 770, 776 (Ark. 1991).

4. One such example is Virginia, where the maximum statutory limit is \$100 in district courts, \$132 for misdemeanors and \$575 for felonies in circuit courts. VA. CODE ANN. § 19.2-163 (Michie 1991). Another is the non-waivable maximum of \$500 in felony cases which continues to apply in South Carolina. See S.C. CODE ANN. § 17-3-50 (Law. Co-op. 1990).

5. Wilson and Spangenberg, *State Post-Conviction Representation of Defendants Sentenced to Death*, 72 JUDICATURE 331, 335-336 and Table 3 (1989).

6. Though no state statute apparently provides for flat payment rates for assigned counsel, many do establish minimum and/or maximum compensation schedules, e.g., KY. REV. STAT. § 31.070 (1980 & Cum. Supp. 1982); MISS. CODE ANN. § 99-15-17 (Cum. Supp. 1983); TEX. CRIM. PROC. CODE art. 26.05 (Vernon Cum. Supp. 1984). In practice, the amounts awarded pursuant to these types of statutes sometimes result in flat fees because the courts fail to exercise the discretion that the law authorizes. See also Annot., 3 A.L.R.4th 576 (1981) (validity of state statute or court rule fixing maximum fees for court-appointed counsel).

constitute a strong trend away from the payment of flat fees.<sup>7</sup> It is also important that the compensation plan provide for extra payments to counsel when representation is provided in unusually protracted or complicated cases.<sup>8</sup>

The federal Criminal Justice Act of 1964 was amended in 1988 to provide more generous compensation for assigned counsel in federal cases. According to this statute, a maximum of \$3,500 may be paid for a felony and a maximum of \$1,000 for a misdemeanor, subject to waiver for extended and complex cases; the hourly rates are \$60 per hour for in-court time and \$40 per hour for time spent out of court, with exceptions permitting payment of up to \$75 per hour in some districts.<sup>9</sup> Federal compensation, however, is by no means high, particularly in light of inflationary trends in the economy and when compared with fees paid in retained criminal cases.

There are a variety of reasons for requiring that reasonable compensation be paid to assigned counsel. First, it is simply unfair to ask those lawyers who happen to have skill in trial practice and familiarity with criminal law and procedure to donate time to defense representation. It is worth remembering that the judge, prosecutor, and other officials in the criminal courtroom are not expected to do work for compensation that is patently inadequate. Lawyers do, of course, have a public service responsibility,<sup>10</sup> but the dimension of the national need and constitutional importance of counsel is so great that it cannot be discharged by

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7. See, e.g., *Arnold v. Kemp*, 306 Ark. 294, 813 S.W.2d 770 (1991); *State v. Makemson*, 491 So.2d 1109 (Fla. 1986); *Remata v. State*, 559 So.2d 1132 (Fla. 1990); *People v. Johnson*, 417 N.E.2d 1062 (Ill. App. 1981); *State ex rel. Stephan v. Smith*, 747 P.2d 816 (Kan. 1987); *Wilson v. State*, 574 So.2d 1338 (Miss. 1990); *State v. Ryan*, 444 N.W.2d 656 (Neb. 1989); *State v. Robinson*, 465 A.2d 1214 (N.H. 1983); *State v. Lynch*, 769 P.2d 816 (Okla. 1990). The Florida Supreme Court has gone farther in capital cases. In *State v. White*, 537 So.2d 1376 (Fla. 1989), the court stated, "we are hard pressed to find any capital case in which the circumstances would not warrant an award of attorney's fees in excess of the current statutory fee cap."

8. In 1989, for example, the ABA Task Force on Death Penalty Habeas Corpus called for statutory amendments to 28 U.S.C. § 2254, dealing with federal habeas corpus by state prisoners, to provide for reasonable compensation "notwithstanding the rates and maximum limits generally applicable to criminal cases," as well as ex parte determinations of the need for all reasonable expenses of counsel. Recommendations and Report of the AMERICAN BAR ASSOCIATION TASK FORCE ON DEATH PENALTY HABEAS CORPUS, TOWARD A MORE JUST AND EFFECTIVE SYSTEM OF REVIEW IN STATE DEATH PENALTY CASES 20 (1989).

9. 18 U.S.C. § 3006A(d)(1),(2) (1992).

10. See ABA MODEL RULES OF PROFESSIONAL CONDUCT 6.1 (1983).

unpaid or inadequately compensated attorneys. Indeed, where payments for counsel are deficient, it is exceedingly difficult to attract able lawyers into criminal practice and to enhance the quality of the defense bar. But most important, the quality of the representation often suffers when adequate compensation for counsel is not available.

The standard recognizes that payment of fees must be prompt as well as adequate. Some jurisdictions incur debts to assigned counsel but either fail to or willfully withhold payment as a means of fiscal control. This practice is unfair to counsel with whom the jurisdiction has a contractual relationship. Moreover, the standard now clearly distinguishes between the fees paid to counsel and the expenses incurred by counsel for such necessary items as investigative, expert or other services. Each is necessary for the provision of quality representation, and each should be paid.

This standard recommends that counsel should be compensated for "all hours necessary to provide quality legal representation," and that approval of compensation for assigned counsel be by administrators of assigned-counsel programs. Where the discretion to approve payment claims is vested in the judiciary, the necessary independence of counsel is compromised. Defense lawyers ought not be placed in the position where the amount of their compensation may be influenced by the degree to which the court is pleased with their representation. Moreover, in jurisdictions where there are multiple judges passing on voucher claims, the reimbursements paid to counsel may be exceedingly inequitable, depending on which judge happens to approve the voucher. It is also a questionable use of judicial time for judges to approve the compensation claims of assigned counsel. When judges review vouchers, reasons should be articulated for cuts and defense counsel should have an opportunity to defend expenses and fees, with an opportunity for administrative review.

The administrators of assigned-counsel programs should be free to develop flexible standards for compensation that take into consideration the number of hours reasonably expended in light of the complexity, duration and difficulty of the case. To assist in the development of fee schedules, it may be appropriate to develop criteria that can be used in assessing voucher claims.

## PART III.

### CONTRACT DEFENSE SERVICES

#### **Standard 5-3.1. Use of contracts for services**

Contracts for services of defense counsel may be a component of the legal representation plan. Such contracts should ensure quality legal representation. The contracting authority should not award a contract primarily on the basis of cost.

#### ***History of Standard***

This standard is new.

#### ***Related Standards***

National Legal Aid and Defender Association, Guidelines for Negotiating and Awarding Governmental Contracts for Criminal Defense, Preamble and Guideline IV.3 (1984).

National Legal Aid and Defender Association, National Study Commission on Defender Services 2.6 (1976).

#### ***Commentary***

##### **Defining Contracts for Defense Services**

Contracts for defense services are not a new phenomenon. Two of the largest defender offices in the country, Philadelphia and New York City, have, since their inception, been private nonprofit corporations that contract with city government for the provision of defense services.<sup>1</sup> By the same token, every attorney who accepts appointment as part of an assigned counsel panel has, in some sense, a contractual rela-

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1. See *In re* Articles of Inc. of Defenders Ass'n of Philadelphia, 453 Pa. 353, 307 A.2d 906, cert. denied, 414 U.S. 1079 (1973) (holding that nonprofit defender association is sufficiently independent from city government to avoid conflict of interest); *Wallace v. Kern*, 481 F.2d 621 (2d Cir. 1973) (holding that New York City's nonprofit legal services corporation, the Legal Aid Society, does not act under color of state law for purposes of civil rights liability).



tionship with the government. However, contracts for defense services, as used here, refer to the provision of defense services over a period of time to a determined population of individuals or in a determined jurisdiction at a contractual rate offered and controlled by a government or representative thereof. In that sense, then, the older nonprofit corporations, while serving, for all intents and purposes as public defender offices, technically would be contract offices, while the private assigned counsel would not.

When contract programs began to proliferate widely in the early 1980s, observers found it easier to describe contracts for defense services than to precisely define them. In one of the earliest studies, the authors focused on the major elements of contracts: the negotiation and award process, the parties, the services provided, and the payment mechanisms.<sup>2</sup> A 1982 national survey was the first to take note of the growth of contracts as a primary means of defense service delivery. The survey noted that such contracts provided services through "individual private attorneys, local bar associations, nonprofit organizations, or law firms joined for the purposes of securing a contract."<sup>3</sup> The same survey provided a profile of contract defense service programs: counties were usually responsible for making the contract award; contracts were most often awarded to individual practitioners or private law firms; the average number of cases involved was between 100 and 250 cases per attorney; and contracts typically involved "block grants" of a fixed number of cases at a fixed price. Almost one-fourth of the reporting counties had an existing public defender program, with the contract designed solely for provision of services in cases involving conflicts of interest or declarations of unavailability by the public defender program. One-half of the counties reportedly used competitive bidding for representation through contracts, while the remaining half normally negotiated a contract with a single lawyer or law firm.<sup>4</sup> These characteristics continue to be typical of contemporary contract programs.<sup>5</sup>

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2. Spangenberg, Davis and Smith, *Contract Systems Under Attack: Balancing Cost and Quality*, 39 NLADA BRIEFCASE 5, 7 (Fall 1982).

3. U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE STATISTICS, NATIONAL CRIMINAL DEFENSE SYSTEMS STUDY 19 (Sept. 1986).

4. *Id.* at 19-20.

5. Two local studies focus on the problems of conflicts of interest and the development of contracts for services. THE SPANGENBERG GROUP, A STUDY OF THE PRACTICAL ALTERNATIVES THAT WOULD REDUCE THE NUMBER OF PUBLIC DEFENDERS' CONFLICT OF INTEREST CASES IN LOS ANGELES COUNTY (Final Report, July 1986); THE SPANGENBERG GROUP, STUDY



### Growth in Contract Systems

Contract systems for the delivery of defense services were a new phenomenon in the 1980s. A national study of defense services in 1973 did not include contract services as a means for the delivery of defense services.<sup>6</sup> By 1986, however, the use of contract defense systems had grown to include 11 percent of all counties in the United States.<sup>7</sup> That growth was the fastest of any system for the provision of defense services during the relevant period. The growth continues. Arizona, Idaho, Kentucky, New Mexico, North Dakota, Oregon, and Washington now provide a majority of their defense services through the use of contracts for services. In 1984, Alaska, a statewide public defender jurisdiction, created the separate Office of Public Advocacy to contractually handle conflict and other cases. Contract offices were also created in Los Angeles, St. Louis, and the Harlem Neighborhood Public Defender Program of New York City to handle conflicts of interest and declarations of unavailability by the existing public defender offices.

Criticism of the use of contracts, particularly through bidding and the use of block grant awards, grew with the proliferation of contract systems. The oldest experiment with the use of contracting through bids, in San Diego, California, was so heavily criticized nationally that the county eventually abandoned the system for a public defender model.<sup>8</sup>

In the case of contracts for defense services, there were two reasons for rapid growth in their use. First, the law of conflicts of interest grew more strict as a result of decisions by the United States Supreme Court that suggested that representation of multiple defendants created serious problems of conflicts of interest.<sup>9</sup> Public defender programs grew concerned about the appearance of impropriety and developed policies for the declaration of conflicts of interest in all multiple-defendant cases,

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OF THE PROPOSED KING COUNTY OPERATED AND MANAGED PUBLIC DEFENSE PROGRAM (Final Report, Oct. 1989).

6. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, *THE OTHER FACE OF JUSTICE* (1973).

7. BUREAU OF JUSTICE STATISTICS, *CRIMINAL DEFENSE FOR THE POOR*, 1986 at 1-3 (Sept. 1988).

8. See Mayer, *Low Bid, Low Service*, AM. LAWYER, April 1985, at 33; Schachter, *Contract System May Put Lawyers at Odds with Clients*, L.A. TIMES, Dec. 8, 1985, at Part II, 1; Galante, *Contract Public Defenders Slammed*, NAT. L.J., April 7, 1986, at 3, col.2.

9. *Holloway v. Arkansas*, 435 U.S. 475 (1978) and *Wheat v. United States*, 486 U.S. 153, 154 (1988). In *Wheat*, several defendants sought to remain with the same lawyer after attempts to waive conflicts of interest. The Court held that the trial judge may override the choice of lawyers and order separate counsel when "a potential for conflict exists which may or may not burgeon into an actual conflict as the trial progresses." *Id.* at 163.

as well as in other cases that presented potential conflicts of interest.<sup>10</sup> The rise in declarations of conflicts, in turn, led the counties, or in one case, the entire state of Alaska, to create second public defender offices or contracts for services with lawyers as a means to institutionally control costs.<sup>11</sup>

A second reason for the growth in contracts was an attempt to control burgeoning costs due to increased caseloads in public defender offices. Some of the earliest use of contracts for services was accompanied by the use of bidding systems that encouraged bidders to compete to submit the lowest possible bid in order to obtain the stable, predictable and sometimes sizeable income provided by winning a contract. Unfortunately, most of these early contracts were not accompanied by any criteria for awarding the contract, for monitoring performance, for dealing with any unanticipated rise or fall in caseload, or for contract renewal or termination. Instability in systems was promoted by the simple fact that the contract provider could change from year to year, and even if the contractor remained the same, market pressures frequently compelled submission of lower and lower bids in order to keep the contract. The desire for economy in services all too often overrode constitutional obligations.

Results were uniformly dismal. Contracts were criticized in national studies<sup>12</sup> and several contractual programs failed to survive judicial scrutiny on constitutional grounds.<sup>13</sup> In 1985, the ABA House of Delegates adopted a resolution opposing the award of contracts for defense services on the basis of cost alone, and urging governments to consider

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10. See Broderick and Cohen, *When Public Defenders Have Conflicts of Interest*, 2 CRIM. JUST. 18 (1987).

11. See Turner, *Tucson PD Office Clones Itself*, NAT. L.J., April 11, 1988, at 3.

12. Lefstein, CRIMINAL DEFENSE SERVICES FOR THE POOR: METHODS AND PROGRAMS FOR PROVIDING LEGAL REPRESENTATION AND THE NEED FOR ADEQUATE FINANCING 49-55 (ABA Standing Committee on Legal Aid and Indigent Defendants, May 1982); WILSON, CONTRACT BID PROGRAMS: A THREAT TO QUALITY INDIGENT DEFENSE SERVICES (NLADA 1982).

13. See, e.g., *State v. Smith*, 140 Ariz. 355, 681 P.2d 1374 (1984) (Mohave County contract system so overworks contract attorneys as to deny defendants' rights to due process and counsel under Arizona and U.S. Constitutions); *People v. Barboza*, 173 Cal. Rptr. 458, 627 P.2d 188 (1981) (contract with county creates disincentive to declaration of conflicts of interest, which violates rules of criminal procedure); *Gendron v. State Bar of California*, 35 Cal. 3d 409, 673 P.2d 260 (1983) (disciplinary action against contract defender upheld); *but see People v. Knight*, 239 Cal. Rptr. 413, 194 Cal. App. 3d 337 (2d Dist., 1987) (no ineffective assistance merely because services provided through contract).

additional factors such as "attorney workload maximums, staffing ratios, criminal law expertise, and training, supervision and compensation guidelines." The need for national standards to guarantee the delivery of quality defense services through control of the contracting process was apparent.

### **The Emergence of Local and National Standards**

The National Legal Aid and Defender Association developed a set of national standards for the delivery of contracts for services entitled *Guidelines for Negotiating and Awarding Governmental Contracts for Criminal Defense Services*. That document, the product of nearly four years of effort and drawing heavily on the *ABA Standards for Criminal Justice*, was approved by the NLADA Board of Directors in 1984, after which it was circulated to the ABA for review and comment. At its annual meeting in 1985, the ABA House of Delegates approved a resolution urging jurisdictions using contracts for services to do so in accordance with both the *ABA Standards* and the *NLADA Guidelines*.

State and local defender programs and other awarding agencies have also begun to adopt contract standards. States that have taken such action include Massachusetts, North Dakota, Oregon, and Washington.<sup>14</sup> Though controls on the use of contracts grow, many continue to fear that the issue of cost will override concern with quality legal services.<sup>15</sup>

Contracts for defense services, under these standards, should be no more than a "component" of the legal representation plan. It is assumed that contracts should not be the primary provider, as they often are in practice. The role of primary provider, under the standards, is reserved for the public defender office, which is considered to be the most effective means of protection of the delivery of quality legal representation.<sup>16</sup> The contract model may be an effective way to assure the important involvement of the private bar in the delivery of defense services, but

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14. See, e.g., Spears, *Contract Counsel: A Different Way to Defend the Poor*, 6 CRIM. JUST. 24 (Spring 1991); WASHINGTON DEFENDER ASSOCIATION, *STANDARDS FOR PUBLIC DEFENDER SERVICES* (Oct. 1989).

15. See, e.g., Nelson, *Quality Control for Indigent Defense Contracts*, 76 CAL. L. REV. 1147 (1988). Concerns with privatization of services have also arisen in the area of prisons, and criticism of private prisons has also been vocal. See, e.g., Robbins, *The Legal Dimensions of Private Incarceration*, 38 AM. U. L. REV. 531 (1989).

16. See standard 5-1.2 and commentary.

that involvement may also be accomplished by the use of a coordinated assigned counsel panel.

The key with all components of an effective defense services program is not merely cost but also the provision of quality legal representation. While it should be obvious that no contract for defense services should be awarded on the basis of cost alone, the apparent economies in the use of contracts make the admonition necessary on the face of the standard. If the contractor follows even the rudimentary components of the contracting process, as set forth in these standards, appropriate attention will be given to the balance of cost and quality.

Reference to the use of contracts has also been incorporated throughout this chapter, where contracts may make up an important component of service delivery.<sup>17</sup>

### **Standard 5-3.2. Contracting parties and procedures**

(a) The contracting authority and each contractor should be identified in the contract. Procedures for the award of contracts should be published by the contracting authority substantially in advance of the scheduled date of award.

(b) The contracting authority should ensure the professional independence of the contractor by means of a board of trustees, as provided in standard 5-1.3.

(c) The contracting parties should avoid provisions that create conflicts of interest between the contractor and clients.

#### ***History of Standard***

This standard is new.

#### ***Related Standards***

National Legal Aid and Defender Association, Guidelines for Negotiating and Awarding Governmental Contracts for Defense Services I-1, I-2, II-1, II-2, II-3, III-1, III-13, IV-1, IV-2, and IV-3 (1984).

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17. See standards 5-1.3, 5-1.6, 5-5.4, 5-7.3, and 5-8.1.

### **Commentary**

Subsection (a) is based on the NLADA *Guidelines for Negotiating and Awarding Governmental Contracts for Defense Services* (hereinafter *Guidelines*).<sup>1</sup> Under the *Guidelines*, the "contracting authority" is "the public office, officer, or agency which has the authority to prepare bids, negotiate, or otherwise conclude a contract and to obligate funds for those unable to afford defense services."<sup>2</sup> The "contractor" is "an attorney, law firm, professional association, lawyer's association, law school, bar association or non-profit organization" which can or does contract for defense services.<sup>3</sup> The language regarding precontract publication of procedures is new with this standard. Such publication gives to potential contractors both notice and an opportunity to adequately prepare for submission of a contract proposal.

Subsection (b) reiterates the theme of independence for the contracting attorneys, a central concern in the provision of legal services to a sometimes unpopular and politically disempowered constituency. The use of a board of trustees or directors also provides support and insulation for the contracting attorneys or entities.<sup>4</sup>

Subsection (c) addresses a particular concern with the provision of services through contracts. Contracts may create disincentives for the declaration of a conflict of interest, where the contractor must reimburse the county for the cost of outside counsel. Such contracts have been held to violate statutes or court rules barring conflicts of interest.<sup>5</sup>

### **Standard 5-3.3. Elements of the contract for services**

**(a) Contracts should include provisions which ensure quality legal representation and fully describe the rights and duties of the parties, including the compensation of the contractor.**

**(b) Contracts for services should include, but not be limited to, the following subjects:**

**(i) the categories of cases in which the contractor is to provide services;**

**(ii) the term of the contract and the responsibility of the**

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1. See commentary to standard 5-3.1.

2. GUIDELINES, Guideline I-1.

3. GUIDELINES, Guideline I-2.

4. See commentary to standard 5-1.3.

5. *People v. Barboza*, 29 Cal. 3d 374 (1981); *People v. Mroczo*, 35 Cal. 3d 92 (1983).

contractor for completion of cases undertaken within the contract term;

(iii) the basis and method for determining eligibility of persons served by the contract, consistent with standard 5-7.1;

(iv) identification of attorneys who will perform legal representation under the contract and prohibition of substitution of counsel without prior approval;

(v) allowable workloads for individual attorneys, and measures to address excessive workloads, consistent with standard 5-5.3;

(vi) minimum levels of experience and specific qualification standards for contracting attorneys, including special provisions for complex matters such as capital cases;

(vii) a policy for conflict of interest cases and the provision of funds outside of the contract to compensate conflict counsel for fees and expenses;

(viii) limitations on the practice of law outside of the contract by the contractor;

(ix) reasonable compensation levels and a designated method of payment;

(x) sufficient support services and reasonable expenses for investigative services, expert witnesses and other litigation expenses;

(xi) supervision, evaluation, training and professional development;

(xii) provision of or access to an appropriate library;

(xiii) protection of client confidences, attorney-client information and work product related to contract cases;

(xiv) a system of case management and reporting;

(xv) the grounds for termination of the contract by the parties.

### ***History of Standard***

The standard is new.

### ***Related Standards***

ABA Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases 4.1, 5.1 (1989).

National Legal Aid and Defender Association, Guidelines for Negotiating and Awarding Contracts for Defense Services III-2 through III-23 (1984).

### **Commentary**

The elements of a contract for defense services are surprisingly complex if quality services are to be provided. Compliance with the items listed here is the most significant guarantee of quality in the delivery of contractual services.

Subsection (a) suggests that each contract should be developed through a careful and considered process. The elements of a good contract for services, the minimum of which are listed in subsection (b), obviate the use of standard form contracts.

The elements of a contract included in subsection (b) generally parallel the structure of the chapter with regard to the structure and funding of effective defense services. They draw heavily on specific components elucidated in the *Guidelines*. As elsewhere in the chapter, but not explicitly in the *Guidelines*, the standard gives special attention to the problems created by capital cases.

In addition to the explicit elements listed here, the contracting parties should have an agreement with regard to the provision of malpractice insurance for the attorneys and their staffs.





## **PART IV.**

### **DEFENDER SYSTEMS**

#### **Standard 5-4.1. Chief defender and staff**

Selection of the chief defender and staff should be made on the basis of merit. Recruitment of attorneys should include special efforts to employ women and members of minority groups. The chief defender and staff should be compensated at the rate commensurate with their experience and skill sufficient to attract career personnel and comparable to that provided for their counterparts in prosecutorial offices. The chief defender should be appointed for a fixed term of years and be subject to renewal. Neither the chief defender nor staff should be removed except upon a showing of good cause. Selection of the chief defender and staff by judges should be prohibited.

#### ***History of Standard***

The standard has been amended to reflect current law regarding affirmative action and the hiring of minorities and women. The first two sentences were amended to make clear that hiring based on merit and the targeting of specific populations for hiring are not inconsistent concepts.

The second sentence was amended to remove reference to the recruitment of minority attorneys based on the minority groups which are "substantially represented in the defender program's client population."

#### ***Related Standards***

ABA Standards for Criminal Justice 3-2.3 (3d ed. 1993).

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.7-13.11 (1973).

National Legal Aid and Defender Association, National Study Commission on Defense Services 2.12, 3.2, 5.9 (1976).

National Legal Aid and Defender Association, Standards for Defender Services III.3, IV.4 (1976).

## **Commentary**

### **Selection and Independence of Chief Defender and Staff**

Selection of the chief defender and staff should not be based on political considerations or on any other factors unrelated to the ability of persons to discharge their employment obligations. Hiring and promotion should be based on merit and the defender program should encourage opportunities for career service. These themes also are contained in other national standards for defenders. The National Legal Aid and Defender Association, for example, recommends that the defender director "be selected on the basis of a non-partisan, merit procedure which ensures the selection of a person with the best available administrative and legal talent, regardless of political party affiliation, contributions, or other irrelevant criteria."<sup>1</sup>

Independence of the chief defender and staff is fundamental to both the fact and appearance of zealous representation of the accused. As noted in standard 5-1.3, one means of assuring independence for a defender organization is to create a board of trustees with overall responsibility for the general policies of the program and selection of the chief defender. It may also be possible, though perhaps more difficult, to achieve independence if the chief defender is elected or chosen by a political body, such as a county commission or city council. What is not deemed satisfactory is for the chief defender to be chosen by judges, because that method fails to guarantee that the program will remain free of "judicial supervision."<sup>2</sup> Even with the best of motives by both judges and defenders, the appearance of justice is tarnished when the judiciary selects the chief defender or exercises control over the hiring of staff.

Neither merit selection nor objectives of independence suggest that it is inappropriate to make special efforts to recruit minority candidates and women for staff positions in public defender offices. State law or policy often makes it mandatory to make such efforts. Diversity in the attorney staff of public defender offices contributes to the institutional goal of quality representation.<sup>3</sup>

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1. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, NATIONAL STUDY COMMISSION ON DEFENSE SERVICES 2.12 (1976).

2. See standard 5-1.3.

3. Similar policies are embodied in the third edition ABA PROSECUTION FUNCTION STANDARDS, standard 3-2.3 (3d ed. 1993), dealing with prosecution office hiring practices.

### Employment Status

Security of employment for the chief defender and staff is essential in attracting career personnel and in encouraging professional independence. Standard 5-4.1 endorses the principle that staffs of defender programs should not be removed unless a good cause showing is made. Any lesser protection for employees may interfere with the recruitment of qualified personnel and would make it possible for chief defenders to politicize offices by bringing in personal friends or politically-connected attorneys who may not be particularly well qualified.<sup>4</sup> But while the opportunity to make a career in criminal defense work should be available, in most defender programs there is a great deal of turnover among the younger lawyers, due to the pressure involved in criminal litigation. Where removal of an attorney is sought by the chief defender, notice and hearing procedures should be provided, the decision should be subject to review, and due process protection should be accorded. Although standard 5-3.1 also sanctions removal of the chief defender based on good cause, presumably such proceedings would be uncommon, due to the appointment of the chief defender for a fixed term. The use of a fixed term helps to assure that the performance of the chief defender will be constantly reexamined by the board of trustees or other appointing authority.

There is disagreement among national standards on whether chief defenders and their staffs should be given tenure. The National Advisory Commission flatly recommends against "civil service status" for staff attorneys, believing that tenure may preclude a new chief defender from assembling the best possible staff.<sup>5</sup> The National Legal Aid and Defender Association urges that the chief defender be appointed for a fixed term of from four to six years, subject to renewal.<sup>6</sup> It also recommends that removal of staff attorneys be made "only for cause, except during a fixed probationary period which an office may employ for newly hired attorneys."<sup>7</sup>

In the past decade, two more states, Tennessee and Nebraska, have joined Florida in providing for the popular election of public defenders

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4. See *Branti v. Frankel*, 445 U.S. 507 (1980) (dismissal of assistant public defenders solely because of their political beliefs violates the First and Fourteenth Amendments).

5. NATIONAL ADVISORY COMMISSION ON CRIMINAL JUSTICE STANDARDS AND GOALS, COURTS 13.10 (1973).

6. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, NATIONAL STUDY COMMISSION ON DEFENSE SERVICES 2.12 (1976).

7. *Id.* 5.9.

in the state.<sup>8</sup> This standard calls for the appointment of defenders as the best method to assure independence of the defender office and to avoid the risk of issues other than merit becoming involved in the selection of the chief defender. Other provisions of these standards suggest that appointment is the best, though not the only appropriate means for selection of the public defender.<sup>9</sup>

### **Compensation**

The ability to attract and retain qualified lawyers in criminal defense programs is exceedingly difficult when the compensation is inadequate. In order to encourage sufficient salaries for the chief defender and staff, standard 5-3.1 suggests that salaries be "comparable to that provided for their counterparts in prosecutorial offices."<sup>10</sup> This presupposes, of course, that the salaries paid to the chief prosecutor and staff are adequate. Where they are not, it may be advisable to compare the chief defender's salary to that which is paid to the presiding trial judge in the jurisdiction as well as the earnings of attorneys in private practice engaged in defense representation. Both the National Advisory Commission and the National Legal Aid and Defender Association recommend that the salary of the chief defender be comparable to that paid the local presiding judge.<sup>11</sup>

## **Standard 5-4.2. Restrictions on private practice**

**Defense organizations should be staffed with full-time attorneys. All such attorneys should be prohibited from engaging in the private practice of law.**

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8. See, e.g., FLA. STAT. ANN. § 27.50 (West 1991); TENN. CODE ANN. § 8-14-202(b)(1)(A) (1991). The legislation in Nebraska limits elections to the cities of Omaha and Lincoln. NEB. REV. STAT. § 23-3401 (1990). Public defenders have also been elected in San Francisco for many years.

9. See commentary to standard 5-1.3.

10. The federal Criminal Justice Act provides that compensation of the Federal Defender "shall be fixed . . . at a rate not to exceed" that of the U.S. Attorney in the same federal district. 18 U.S.C. § 3006A(g)(2)(a) (1992).

11. NATIONAL ADVISORY COMMISSION ON CRIMINAL JUSTICE STANDARDS AND GOALS, COURTS 13.7 (1973); NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, NATIONAL STUDY COMMISSION ON DEFENSE SERVICES 3.2 (1976).

### ***History of Standard***

The standard was unchanged.

### ***Related Standards***

ABA Standards for Criminal Justice 3-2.3(b) (3d ed. 1993).

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.7 (1973).

National Legal Aid and Defender Association, National Study Commission on Defense Services 2.9 (1976).

National Legal Aid and Defender Association, Standards for Defender Services III.3 (1976).

### ***Commentary***

The work of defenders is exceedingly demanding, normally requiring that they devote as much effort to their cases as time permits. Where part-time law practice is permitted, defenders are tempted to increase their total income by devoting their energies to private practice at the expense of their nonpaying clients. Even more important, the expertise required of defense counsel is less likely to be developed if an attorney maintains a private practice involving civil cases. A prohibition of private practice by full-time personnel also assists in countering any tendency for those responsible for financing to maintain low salary structures on the assumption that defenders can supplement their salaries through private practice. Where part-time defenders continue to be used, clear and uniform standards should exist for the scope and performance of duties, limits on private practice and the avoidance of conflicts of interest. At the very least, part-time defenders should not handle retained criminal cases in the same courtrooms as their criminal cases. It may also be appropriate to prohibit the part-time defender from handling private criminal matters in the same county where that person serves as a defender, or even to restrict the part-time defender to the handling of retained civil cases outside of the defender program.

In rural jurisdictions, where the volume of criminal cases is generally small, it may be desirable to regionalize defense services in order to create offices with caseloads large enough to justify full-time personnel. This approach has proved feasible in jurisdictions with statewide public

defender programs.<sup>1</sup> Another option is the use of contracts for services as part of a comprehensive program. Furthermore, as part of the mixed system of representation recommended in standard 5-1.2, some of the time of defenders in rural areas can be profitably spent assisting private counsel in their handling of assigned cases.

The trend in recent years, particularly in jurisdictions with statewide defender systems, has been toward requiring full-time attorneys who are precluded from the private practice of law. Standard 5-4.2, moreover, parallels the recommendations contained in all of the other standards for defender services.<sup>2</sup>

Nothing in this section is meant to suggest that any public defender should be prohibited from the performance of pro bono legal work, so long as it is outside of the office and office hours and does not involve court appearances.

### **Standard 5-4.3 Facilities; library**

**Every defender office should be located in a place convenient to the courts and be furnished in a manner appropriate to the dignity of the legal profession. A library of sufficient size, considering the needs of the office and the accessibility of other libraries, and other necessary facilities and equipment should be provided.**

#### ***History of Standard***

The standard was not amended.

#### ***Related Standards***

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.13, 13.14 (1973).

National Legal Aid and Defender Association, National Study Commission on Defense Services 2.7, 3.4 (1976).

National Legal Aid and Defender Association, Standards for Defender Services IV.2, IV.5 (1976).

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1. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, NATIONAL STUDY COMMISSION ON DEFENSE SERVICES 181-182 (1976).

2. See the related standards section herein.

## **Commentary**

### **Office Location**

The principal office of the defender program must necessarily be located near the courts in order to avoid inconvenience to the staff and unnecessary travel. Where defender offices are located in court buildings, the identification of the program should make clear that it is not associated with the judiciary or law enforcement components of the criminal justice system. Indeed, it has been argued that the presence of defender offices in courthouses may contribute to defendants doubting whether the program is independent of the judiciary. Location of the office outside of the courthouse should not, of course, prevent the defender program from access to a private location in the courthouse for client and witness conferences.

Regardless of its downtown location, the defender program may also find it useful to establish branch offices in the neighborhoods in which many of its clients reside. The standards of the National Advisory Commission and the National Legal Aid and Defender Association contain recommendations to this effect.<sup>1</sup>

### **Office Appearance**

It is essential to the efficient operation of the defender program that facilities be provided in which clients can be interviewed in privacy. Without offices and facilities befitting the nature of a lawyer's professional calling, the accused may very well lack confidence in the defender and, ultimately, in the system of justice itself. Appropriate facilities are also necessary to attract and retain career personnel.

### **Equipment and Library**

The equipment of the defender program should take advantage of the significant advances in office technology which have become available to the private practitioner and other government offices. Thus, there should be dictation and transcription equipment, photocopying equipment capable of handling complex documents, computers and word processing equipment, computer-assisted legal research, facsimile facilities and audio- and videotaping equipment, to mention a few exam-

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1. NATIONAL ADVISORY COMMISSION ON CRIMINAL JUSTICE STANDARDS AND GOALS, COURTS 13.13 (1973); NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, NATIONAL STUDY COMMISSION ON DEFENSE SERVICES 2.7 (1976).

ples. The presence of other law libraries in the vicinity of the defender office may make the purchase of less widely used volumes unnecessary, but should not serve as an excuse for failing to establish any library at all.



## PART V.

### TYPES OF PROCEEDINGS AND QUALITY OF REPRESENTATION

#### Standard 5-5.1. Criminal Cases

Counsel should be provided in all proceedings for offenses punishable by death or incarceration, regardless of their denomination as felonies, misdemeanors, or otherwise. An offense is also deemed to be punishable by incarceration if the fact of conviction may be established in a subsequent proceeding, thereby subjecting the defendant to incarceration.

#### *History of Standard*

An amendment to the first sentence now specifically includes any proceeding in which capital punishment is a possibility. The word "incarceration" was substituted for the less precise term "imprisonment" in the standard. "Incarceration" includes both prison and jail sentences.

#### *Related Standards*

ABA Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases 1.1, 3.1 (1989).

ABA Standards for Criminal Justice 4-1.2 (3d ed. 1993).

ABA Standards for Criminal Justice 11-5.3, 14-1.3 (2d ed. 1980).

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.1 (1973).

National Legal Aid and Defender Association, National Study Commission on Defense Services 1.1 (1976).

National Legal Aid and Defender Association, Standards for Defender Services II.3 (1976).

#### *Commentary*

In *Gideon v. Wainwright*,<sup>1</sup> the Supreme Court recognized that the Sixth and Fourteenth Amendments require that counsel be made available

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1. 372 U.S. 335 (1963).

when the defendant is charged with a serious crime. The Court also has extended the right to public representation to various types of pretrial proceedings, such as preliminary hearings,<sup>2</sup> lineup identifications,<sup>3</sup> and custodial interrogations.<sup>4</sup> In misdemeanor and petty offense cases, the Court ruled in *Argersinger v. Hamlin*<sup>5</sup> that counsel must be provided if imprisonment is imposed, unless the defendant knowingly and intelligently waives the right to an attorney.

There has been considerable debate since the Court's ruling in *Argersinger* concerning how the decision can best be implemented. This is because *Argersinger*, by its terms, extended the right to counsel in misdemeanor and petty offense cases only for defendants who are actually imprisoned. But it cannot be known whether imprisonment results until sentence is pronounced. On the other hand, it is obviously essential to decide whether to provide counsel well before trial or a plea of guilty, let alone pronouncement of sentence.<sup>6</sup>

To comply with *Argersinger*, this standard recommends that counsel be provided "in all criminal proceedings for offenses punishable by incarceration." The effect of this standard is to provide counsel for all defendants who are actually jailed, and also to make counsel available for all defendants who, while not incarcerated, are prosecuted for offenses subject to jailing.<sup>7</sup> Inevitably, therefore, counsel will be provided in some cases where *Argersinger* does not specifically require a lawyer.

This broad standard for implementing *Argersinger* is justified. First, the presence of counsel in cases punishable by incarceration that do not result in the imposition of an actual sentence to jail will help to assure fair proceedings. The Supreme Court stressed in *Argersinger* the need for counsel in order to assure fair trials, and this objective obviously is served regardless of whether incarceration results. Moreover, no other suggested formulation for implementing the *Argersinger* decision is satisfactory. A "classification of offense" standard, whereby courts

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2. *Coleman v. Alabama*, 399 U.S. 1 (1970).

3. *United States v. Wade*, 388 U.S. 218 (1967).

4. *Miranda v. Arizona*, 384 U.S. 436 (1966).

5. 407 U.S. 25 (1972).

6. See standard 5-8.1

7. See *Ridgeway v. Baker*, 720 F.2d 1409 (5th Cir. 1983) (indigent father facing imprisonment for contempt for noncompliance with Texas child support order has due process right to court-appointed counsel, regardless of characterization of proceeding as "civil"). See also *Fernos-Lopez v. Figarella*, 929 F.2d 20 (1st Cir. 1991); *Colson v. Maine*, 646 F. Supp. 102 (Dist. of Maine 1986).

determine never to impose imprisonment for certain misdemeanors and petty offenses and thus withhold providing counsel in these cases, is tantamount to judicial repeal of the legislature's penalty provision of incarceration. A "predetermination procedure," discussed in the *Argersinger* decision,<sup>8</sup> by which the court confers with the prosecutor in advance of the proceeding to determine the likelihood of imprisonment being imposed, is also rejected. In addition to being time-consuming, there is substantial risk that the court will receive information about the defendant or the offense charged which will make it exceedingly difficult for the judge to sit as fair and impartial arbiter, regardless of whether it is determined that counsel should be provided.

Many states have enacted statutes consistent with standard 5-5.1 requiring, at a minimum, that counsel be afforded whenever there is possibility of imprisonment. The standards promulgated by several other national groups are more far-reaching. Thus, the National Legal Aid and Defender Association provides that counsel should be made available "[i]n any governmental fact-finding proceeding . . . which might result in the loss of liberty or in a legal disability of a criminal or punitive nature,"<sup>9</sup> and the National Advisory Commission standards extend to all criminal cases, regardless of whether deprivation of liberty is a possibility.<sup>10</sup>

Standard 5-5.1 does not expressly apply to cases punishable only by a fine, although it can be argued that counsel is necessary in such proceedings in order to assure fair trials, just as in cases involving the possibility of imprisonment.<sup>11</sup> The standard, however, does state that

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8. *Argersinger v. Hamlin*, 407 U.S. at 42 (Burger, C.J., concurring). *But see id.* at 54 (Powell, J., concurring), where it is noted that such pretrial determinations may present equal protection problems: "There may well be an unfair and unequal treatment of individual defendants, depending on whether the individual judge had determined in advance to leave open the option of imprisonment. Thus, an accused indigent would be entitled in some courts to counsel while in other courts in the same jurisdiction an indigent accused of the same offense would have no counsel."

9. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, NATIONAL STUDY COMMISSION ON DEFENSE SERVICES 1.1 (1976).

10. NATIONAL ADVISORY COMMISSION ON CRIMINAL JUSTICE STANDARDS AND GOALS, COURTS 13.1 (1973).

11. However, in *Scott v. Illinois*, 99 S. Ct. 1158 (1979), the Supreme Court held that the Constitution does not require the furnishing of counsel to a defendant who receives only a fine. In *Scott* the defendant could have been imprisoned, but the trial court decided on a fine rather than incarceration. Pursuant to standard 5-5.1, of course, the court would have been required to offer counsel to the accused since the offense was "punishable by incarceration."

counsel should be provided "if in fact of conviction may be established in a subsequent proceeding, thereby subjecting the defendant to imprisonment." The standard thus covers what may be termed "imprisonment once removed" situations.<sup>12</sup> For example, counsel is required under this standard when a conviction can be used in a subsequent proceeding so as to apply a recidivist statute and thereby lead to imprisonment.<sup>13</sup> Consistent with this standard, the Supreme Court has held in *Baldasar v. Illinois*<sup>14</sup> that an uncounseled misdemeanor conviction, which did not result in incarceration, may not be used under an enhanced penalty statute to convert a subsequent misdemeanor offense into a felony.<sup>15</sup>

### Standard 5-5.2. Collateral proceedings

Counsel should be provided in all proceedings arising from or connected with the initiation of a criminal action against the accused, including but not limited to extradition, mental competency, postconviction relief, and probation and parole revocation, regardless of the designation of the tribunal in which they occur or classification of the proceedings as civil in nature.

#### History of Standard

There were no changes in this standard for the third edition.

#### Related Standards

ABA Standards for Criminal Justice 4-8.5 (3d ed. 1993).

ABA Standards for Criminal Justice 18-7.5, 22-4.3, 33-5.2 (2d ed. 1980).

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12. Compare *People v. Lynn*, 102 Ill. 2d 267 (1984) (defendant placed on probation after pleading guilty, without counsel, to a misdemeanor charge did not have right to counsel "retroactively violated" when probation was revoked and he was sentenced to prison).

13. See also S. KRANTZ et al., *RIGHT TO COUNSEL IN CRIMINAL CASES* 44 (1976); Note, *Argersinger v. Hamlin and the Collateral Use of Prior Misdemeanor Convictions of Indigents Unrepresented by Counsel at Trial*, 35 OHIO ST. L.J. 168, 182-186 (1974).

14. 446 U.S. 22 (1980).

15. But cf. *Lewis v. United States*, 445 U.S. 55 (1980) (an uncounseled felony conviction may be used as a proper predicate for imposing federal sanctions for possession of a firearm by a felon).

National Advisory Commission on Criminal Justice Standards and Goals, Corrections 2.2 (1973).

National Legal Aid and Defender Association, National Study Commission on Defense Services 1.1 (1976).

### **Commentary**

This standard recognizes a broad right to counsel in collateral criminal proceedings in which a defendant may be deprived of liberty or otherwise subjected to serious deprivations. Implementation of this standard undoubtedly involves the extension of counsel to some proceedings in which the right to legal representation is neither constitutionally nor statutorily required. In the collateral proceedings contemplated by this standard, however, counsel is regarded as necessary to serve as the client's advocate and to assure fair hearings and procedures.

This standard contemplates, *inter alia*, the assignment of counsel in situations where all of the elements of a formal adversary proceeding against the accused may not be present. Thus, a person summoned before a grand jury who is the target of an investigation should be afforded legal representation.<sup>1</sup> Similarly, counsel should be provided to defendants at lineups conducted immediately after arrest and before the initiation of charges,<sup>2</sup> and also to persons seeking to challenge the execution of search warrants that do not result in arrests.

In recent years, the line between criminal and civil proceedings which give rise to a constitutional right to counsel has become increasingly blurred. Thus, protected liberty interests have extended due process concepts to justify the provision of counsel for indigent litigants in such "quasi-criminal" matters as contempt for failure to make child support payments, termination of parental rights, civil commitment, and civil

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1. In *United States v. Washington*, 431 U.S. 181 (1977), the Supreme Court held that a target witness summoned before a grand jury did not have to be advised that he was the object of the grand jury probe. The Court in *Washington* did not decide whether Miranda warnings were constitutionally required since the grand jury witness was, in fact, advised of the right to remain silent and to obtain assistance of counsel, and that his testimony could be used against him in a subsequent proceeding. See also, *United States v. Mandujano*, 425 U.S. 564 (1976), where, in a plurality opinion that commanded only four votes, the Supreme Court stated that Miranda warnings need not be given to a putative or virtual defendant called before a grand jury.

2. In *United States v. Wade*, 388 U.S. 218 (1967), the Supreme Court held that counsel should be provided to defendants at postindictment pretrial lineups occurring prior to initiation of formal proceedings. *Kirby v. Illinois*, 406 U.S. 682 (1972).

contempt.<sup>3</sup> The arguments for a right to counsel in these contexts seem to suggest a right to counsel in traditionally civil contexts as well, so long as critical liberty interests are involved.<sup>4</sup> This standard stops at proceedings "arising from or connected with" the commencement of criminal proceedings, but should not be taken to disparage the right to counsel in broader contexts as an essential aspect of a fair trial and access to justice, so long as an effective administrative infrastructure—perhaps like that suggested in this chapter—is provided.<sup>5</sup>

Although the Supreme Court has held that a state is not required to provide counsel in discretionary reviews of convictions,<sup>6</sup> a majority of states do provide authorization for counsel to some extent in postconviction proceedings.<sup>7</sup> The right to legal representation in such proceedings is provided for in both the Uniform Post-Conviction Procedure Act<sup>8</sup>

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3. See BRANDT, THE RIGHT TO COUNSEL: AN OVERVIEW 30-35 (Undated Monograph, Abt Associates Inc., Criminal Defense Technical Assistance Project); Catz and Firak, *The Right to Appointed Counsel in Quasi-Criminal Cases: Towards an Effective Assistance of Counsel Standard*, 19 HARV. CIV. RTS.-CIV. LIB. L. REV. 397, 399-400 (1984).

4. See, e.g., Johnson and Schwartz, *Beyond Payne: The Case for a Legally Enforceable Right to Representation in Civil Cases for Indigent California Litigants, Part One: The Legal Arguments*, 11 LOYOLA L.A. L. REV. 249 (1978); Mowrer v. Superior Court (Ledesma), 201 Cal. Rptr. 893, 155 Cal. App. 3d 262 (2d Dist. 1984) (right to appointed counsel, though not public defender, in paternity action); Scherer, *Gideon's Shelter: The Need To Recognize a Right to Counsel for Indigent Defendants in Eviction Proceedings*, 23 HARV. CIV. RTS.-CIV. LIB. L. REV. 557 (1988); Note, *The Right to Appointed Counsel for Indigent Civil Litigants: The Demands of Due Process*, 30 WILLIAM AND MARY L. REV. 627 (1989). But see Lassiter v. Department of Social Services, 452 U.S. 18 (1981) (presumption against the appointment of counsel where, in termination of parental rights suit, litigant cannot be deprived of personal liberty).

5. The American Bar Association has also adopted a set of standards for the provision of legal services in civil legal services programs. ABA STANDARDS FOR PROVIDERS OF CIVIL LEGAL SERVICES TO THE POOR (August 1986).

6. Ross v. Moffitt, 417 U.S. 600 (1974) (no right to counsel in discretionary appeal to highest state court); Pennsylvania v. Finley, 107 S. Ct. 1990 (1987) (no right to counsel in state postconviction proceedings); Murray v. Giarratano, 109 S. Ct. 2765 (1989) (no right to counsel in capital state postconviction proceedings).

7. Thirty-four states provide for the appointment of counsel in postconviction proceedings, either by statute or by specific court rule. Note, *Discretionary Appointment of Counsel at Post-Conviction Proceedings*, 8 U. GA. L. REV. 434, 453-456 (1974). In capital cases, only nineteen states make the appointment of counsel mandatory. Wilson and Spangenberg, *State Post-Conviction Representation of Defendants Sentenced to Death*, 72 JUDICATURE 331, 334, Table 1 (April-May 1989).

8. National Conference of Commissioners on Uniform State Laws, Uniform Post-Conviction Procedure Act § 5 (1980).

and in the standards of the National Advisory Commission.<sup>9</sup> Detailed provisions of the ABA Standards related to the assignment of counsel in postconviction cases are contained in standards 22-4.3 and 22-5.2.<sup>10</sup> In the area of extradition, the vast majority of states have adopted the Uniform Criminal Extradition Act, which guarantees to defendants “the right to demand and procure legal counsel.”<sup>11</sup>

This standard goes beyond what the Supreme Court has required in probation and parole revocation proceedings. In *Gagnon v. Scarpelli*,<sup>12</sup> the Court held that a state is not constitutionally obligated to provide counsel at all such hearings. Legal representation, according to *Gagnon*, should be furnished on a case-by-case basis, depending on whether the probationer or parolee is likely to have difficulty in presenting his or her version of the disputed facts without the aid of counsel. With this approach there is substantial risk that counsel will be withheld from some defendants who desire legal representation. Accordingly, this standard contemplates that counsel be made available for all probation and parole revocation hearings. Such proceedings should occur without counsel only if a knowing and intelligent waiver of counsel has been entered. The requirement of counsel at probation revocation proceedings is dealt with in greater detail in ABA standard 18-7.5 (2d ed. 1980).

### Standard 5-5.3. Workload

**(a) Neither defender organizations, assigned counsel nor contractors for services should accept workloads that, by reason of their excessive size, interfere with the rendering of quality**

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9. National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.4 (1973).

10. See also ABA CRIMINAL JUSTICE MENTAL HEALTH STANDARDS 7-5.7(a) (2d ed. 1987) (stating that “whenever a correctional official, other state official, the prosecution, or counsel for the convict have reason to believe that a convict may be currently incompetent, such person should petition the court for an order requiring an evaluation. . . . If a convict is not represented by counsel, the court should appoint counsel at the same time it orders the evaluation.”); and INSTITUTE FOR JUDICIAL ADMINISTRATION—AMERICAN BAR ASSOCIATION JUVENILE JUSTICE STANDARDS RELATING TO COUNSEL FOR PRIVATE PARTIES 2.3 (1980) (urging the provision of counsel in delinquency and in need of supervision matters, “all proceedings arising from or related to” such matters, and custody or adoption proceedings).

11. NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS, UNIFORM CRIMINAL EXTRADITION ACT § 10 (1936).

12. 411 U.S. 778 (1973).



representation or lead to the breach of professional obligations. Special consideration should be given to the workload created by representation in capital cases.

(b) Whenever defender organizations, individual defenders, assigned counsel or contractors for services determine, in the exercise of their best professional judgment, that the acceptance of additional cases or continued representation in previously accepted cases will lead to the furnishing of representation lacking in quality or to the breach of professional obligations, the defender organization, individual defender, assigned counsel or contractor for services must take such steps as may be appropriate to reduce their pending or projected caseloads, including the refusal of further appointments. Courts should not require individuals or programs to accept caseloads that will lead to the furnishing of representation lacking in quality or to the breach of professional obligations.

### ***History of Standard***

"Workload," as used in this standard, is to be distinguished from the more narrow term "caseload." Caseload is the number of cases assigned to an attorney at any given time. Workload is the sum of all work performed by the individual attorney at any given time, which includes the number of cases to which the attorney is assigned, but also includes other tasks for which that attorney is responsible. For example, a managing attorney who has extensive supervisory responsibilities but a very low caseload may have a heavier workload than a staff attorney whose caseload is average. Similarly, a case may create workload issues when it takes longer to prepare or dispose of because the penalty is higher or because it is especially complex. Subsection (a) deals with workload; subsection (b) deals with caseload.

Subsection (a) adds reference to contracts for services in the first sentence, as well as a new final sentence which accents the particular problems affecting workload as a result of the concentration of immense resources in the burgeoning numbers of capital prosecutions and appeals in cases in which the defendant is legally indigent.

Subsection (b) also makes reference to contracts for services. It adds a reference to individual attorneys when discussing those who must use discretion to determine the limits of caseload and the steps to be taken in response to that caseload. A new final sentence is also added urging



courts to be sensitive to the imposition of excessive caseloads. The addition recognizes that the problem of excessive caseloads originates in both the reluctant acceptance of cases by overburdened appointed counsel as well as in docket pressures experienced by appointing judges.

### ***Related Standards***

ABA Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases 6.1 (1989).

ABA Standards for Criminal Justice 4-1.3(e) (3d ed. 1993).

ABA Standards for Providers of Civil Legal Services to the Poor 3.2 (1986).

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.12 (1973).

National Legal Aid and Defender Association, Guidelines for Negotiating and Awarding Governmental Contracts for Defense Services III-6 (1984).

National Legal Aid and Defender Association, National Study Commission on Defense Services 5.1, 5.3 (1976).

National Legal Aid and Defender Association, Standards for Defender Services IV.1 (1976).

National Legal Aid and Defender Association, Standards for the Administration of Assigned Counsel Systems 4.1.2 (1989).

### ***Commentary***

The goal in providing defense services should be to secure quality legal representation for persons unable to afford counsel (standard 5-1.1). This objective should be pursued regardless of whether the defense services provided relate to criminal cases (standard 5-5.1) or to collateral matters (standard 5-5.2).

One of the most significant impediments to the furnishing of quality defense services for the poor is the presence of excessive workloads. One recent national survey, for example, found workloads to be one of the most significant concerns of public defender offices. Defenders attributed the precipitous growth in their caseloads to increased drug prosecutions, police or prosecutorial overcharging, mandatory mini-

mums or increased sentences, and failure of funding agencies to provide adequate attorneys and other resources.<sup>1</sup>

All too often in defender organizations or in contracts for services attorneys are asked to provide representation in too many cases. Assigned counsel whose principal professional activity is representation of the accused in criminal matters may also accept an excessive number of cases, either because of the perceived economic benefits or because of pressures from the judiciary due to exploding dockets. Unfortunately, not even the most able and industrious lawyers can provide quality representation when their workloads are unmanageable. Excessive workloads, moreover, lead to attorney frustration, disillusionment by clients, and weakening of the adversary system.

The attorney who has too many clients also experiences special concerns about his or her ethical duties. The Model Rules admonish an attorney not to represent a client if "the representation will result in violation of the rules of professional conduct. . . ."<sup>2</sup> The commentary to that section states that representation should not be accepted "unless it can be performed competently, promptly . . . and to completion."<sup>3</sup> At least one state, Wisconsin, has issued an ethics opinion on limits to defender workload.<sup>4</sup> Similarly, the ABA Defense Function standards state that defense counsel "should not carry a workload that, by reason of its excessive size, interferes with the rendering of quality representation. . . ."<sup>5</sup>

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1. NATIONAL INSTITUTE OF JUSTICE, NATIONAL ASSESSMENT PROGRAM: SURVEY RESULTS FOR PUBLIC DEFENDERS 3 (Nov. 26, 1990).

2. ABA MODEL RULES OF PROFESSIONAL CONDUCT 1.16(a)(1) (1983).

3. *Id.* to Rule 1.16, paragraph 1.

4. Wisconsin Committee on Professional Ethics, Formal Opinion E-84-11, Sept. 1984. The opinion states that a staff lawyer faced with a workload "that makes it impossible . . . to prepare adequately for cases and to represent clients competently" should, "except in extreme or urgent cases, decline new legal matters and should continue representation in pending matters only to the extent that the duty of competent, nonneglectful representation can be fulfilled." In addition, the attorney "should withdraw from a sufficient number of matters to permit handling of the remaining matters." In support of its conclusion, the Committee cites to ABA Formal Opinion 347 (Dec. 1, 1981).

5. ABA STANDARDS FOR CRIMINAL JUSTICE 4-1.3(e) (3d ed. 1993). Excessive workloads may contribute to the likelihood of malpractice suits being brought against public defenders. The Supreme Court has held that an attorney appointed in the federal courts to represent a criminal defendant is not entitled to immunity in a state malpractice suit brought by the former client. *Ferri v. Ackerman*, 444 U.S. 193 (1979). *But see* *Polk County v. Dodson*, 454 U.S. 312 (1981) (public defender immune under 42 U.S.C. § 1983 for actions performed as counsel under color of state law); *see also* *Tower v. Glover*, 467 U.S.

Methods for measurement of caseloads and workloads have advanced considerably over time. The most rudimentary method is that of counting the number of open files allocated to each attorney in a defender or contract program. This method obviously suffers, however, from the lack of any information on how long a case may take for disposition or how complex the case may be. It provides no means by which to project future staffing needs. Another method is to count the number of cases which are or should be disposed of over a fixed period of time, usually a year. Finally, time-based systems calculate how long it takes an attorney to perform a specific task, on average, then divide that figure into the total available time over a specific period to come up with how many "units" of activity an attorney can perform over the time period in question.<sup>6</sup> The National Legal Aid and Defender Association has developed systems for automated or manual management information of defender programs<sup>7</sup> and the calculation of "weighted" caseloads<sup>8</sup> which explain and amplify the accurate measurement of workload and caseload.

The determination of whether caseloads are excessive necessarily is entrusted to the defender organization and to the individual attorney, whether a staff public defender, a contractor for services or an assigned counsel. Only the lawyers themselves know how much must be done to represent their clients and how much time the preparation is likely to take. To assist in assessing workloads, some defender offices have established caseload guidelines that are useful in determining whether the office workload or that of a particular attorney is excessive.<sup>9</sup> It is

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914 (1984) (proven conspiracy between defender and other court personnel can deprive defender of immunity under civil rights statute).

6. See M. BRODERICK AND R. BURKE, *PUBLIC DEFENDER CASELOADS AND COMMON SENSE: AN UPDATE* 25-39 (NLADA, 1992).

7. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, *AMICUS, A MANUAL MANAGEMENT INFORMATION SYSTEM FOR PUBLIC DEFENDER OFFICES* (1980).

8. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, *CASE WEIGHTING SYSTEMS: A HANDBOOK FOR BUDGET PREPARATION* (Sept. 1985).

9. In determining maximum effective workloads for its staff attorneys, the District of Columbia Public Defender Service considers the following factors: quality of representation, speed of turnover of cases, percentage of cases tried, extent of support services available to staff attorneys, court procedures, and other activities or complex litigation. 1 LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, *AN EXEMPLARY PROJECT* 13-14 (1974). In Ohio, the Public Defender Commission Rules call for each public defender office in the state to set minimum and maximum workloads for its attorneys and staff. OHIO PUBLIC DEFENDER COMMISSION, *ASSIGNED COUNSEL STANDARDS & STATE MAXIMUM FEE SCHEDULE*, Rule 120-1-07.

also helpful for managers of defender offices to encourage their attorneys to make known any concerns they have regarding excessive workloads.<sup>10</sup> In addition, in some instances it may be useful to arrange for independent assessments of workload levels to be conducted by independent consultants.<sup>11</sup>

The standards of the National Advisory Commission, first developed in 1973, have proven resilient over time, and provide a rough measure of caseloads. They recommend that an attorney handle no more than the following number of cases in each category each year:

- 150 felonies<sup>12</sup> per attorney per year; or
- 400 misdemeanors per attorney per year; or
- 200 juvenile cases per attorney per year; or
- 200 mental commitment cases per attorney per year; or
- 25 appeals per attorney per year.<sup>13</sup>

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10. The tensions which are created between competing goals of staff and supervising attorney in a defender program are explored in Mounts, *Public Defender Programs, Professional Responsibility, and Competent Representation*, 1982 WISC. L. REV. 473. See also Klein, *The Relationship of the Court and Defense Counsel: The Impact on Competent Representation and Proposals for Reform*, 29 BOST. COL. L. REV. 531 (1988).

11. Several significant workload and caseload studies have been performed in recent years. See MAXIMUS, DESIGN A WORKLOAD MEASUREMENT AND DEVELOP WORKLOAD/CASELOAD STANDARDS (New York Legal Aid Society, 1989); NATIONAL CENTER FOR STATE COURTS AND THE SPANGENBERG GROUP, WORKLOAD AND PRODUCTIVITY STANDARDS: A REPORT TO THE OFFICE OF THE STATE PUBLIC DEFENDER [OF CALIFORNIA] (July 28, 1989); THE SPANGENBERG GROUP, CASELOAD/WORKLOAD STUDY FOR THE STATE PUBLIC DEFENDER OF WISCONSIN (Final Report, Sept. 1990); THE SPANGENBERG GROUP, WEIGHTED CASELOAD STUDY FOR THE STATE OF MINNESOTA BOARD OF PUBLIC DEFENSE (Draft, Jan. 1991).

12. The standard does not refer to capital representation. Thus, felonies referred to here do not include death penalty cases.

13. NATIONAL ADVISORY COMMISSION ON CRIMINAL JUSTICE STANDARDS AND GOALS, COURTS 13.12 (1973). These standards were recently endorsed by an ABA Committee studying the criminal justice system, with slight modification. While supporting the standards in all other categories, the Committee recommended that attorneys handle no more than 300, not 400, misdemeanors per year. ABA SPECIAL COMMITTEE ON CRIMINAL JUSTICE IN A FREE SOCIETY, CRIMINAL JUSTICE IN CRISIS 43 (1989). The Washington (State) Defender Association also adopted a variation of the national standards, with 300 misdemeanors and 250 juvenile or civil commitment cases per attorney per year. WASHINGTON DEFENDER ASSOCIATION, STANDARDS FOR PUBLIC DEFENSE SERVICES, STANDARD THREE (Oct. 1989). The modified number of misdemeanor cases seems particularly apt when it is considered that the original standard was adopted before the full impact of the U.S. Supreme Court's decision in *Argersinger v. Hamlin*, 407 U.S. 25 (1972).

Such an approach presents the obvious difficulty that not all felonies are of equal complexity and not all lawyers are of equal ability or have access to identical supporting services. Practices and policies, as well as court capacity, vary from jurisdiction to jurisdiction. In contrast, the National Legal Aid and Defender Association avoids any reference to precise numbers of cases that can be handled.<sup>14</sup> However, it emphasizes that excessive workloads must be curtailed and that defender organizations must vigorously pursue alternatives when the numbers of persons requiring representation exceed the capacity of their staffs.

Workload in capital cases creates extraordinary difficulties in every jurisdiction in which the death penalty can be imposed.

Time requirements in such cases vastly exceed those of noncapital felony cases.<sup>15</sup> In some states where death row populations are high, the situation has reached crisis proportions. After conducting a national survey, for example, attorneys in Florida arrived at an annual caseload standard of five cases per attorney when the defendant was not under a warrant of death, and three cases per attorney when a warrant for execution had been issued.<sup>16</sup> In California, where the Office of the State Public Defender handled capital appeals in the California Supreme Court, one study concluded that the attorneys handling such cases should be responsible for only two to three briefs per year in such cases.<sup>17</sup>

Once the determination is made that quality representation is impossible due to inordinate workload, a variety of options are available. If

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14. NLADA, NATIONAL STUDY COMMISSION ON DEFENSE SERVICES 5.1, 5.3 (1976); NLADA, STANDARDS FOR DEFENDER SERVICES 4.1 (1976).

15. A compilation of recent state and national data, for example, found that attorneys in capital cases spent an average of 400 to 500 hours in representation at trial in state court, and that the average total time spent on a capital case, from trial through all petitions to the United States Supreme Court, averaged between 1412 and 1710 hours. Wilson and Spangenberg, *State Post-Conviction Representation of Defendants Sentenced to Death*, 72 JUDICATURE 331, 336, Table 4 (1989).

16. THE SPANGENBERG GROUP, A CASELOAD/WORKLOAD FORMULA FOR FLORIDA'S OFFICE OF THE CAPITAL COLLATERAL REPRESENTATIVE: EXECUTIVE SUMMARY, Table 1 (Feb. 1987). These caseloads, it should be noted, were based on the allocation of one investigator and one legal secretary per every two attorneys. *Id.*, at Table 2. Even these standards have not ended the litigation over the appropriate limits on capital caseloads in Florida public defender offices. *In re Order on Prosecution of Criminal Appeals by the Tenth Judicial Circuit Public Defender*, 561 So. 2d 1130 (Fla. App. 1990).

17. Based on a work unit theory of twenty-six units per experienced attorney per year, the formula put the value of a brief in a capital case at nine units. NATIONAL CENTER FOR STATE COURTS AND THE SPANGENBERG GROUP, WORKLOAD AND PRODUCTIVITY STANDARDS: A REPORT TO THE OFFICE OF THE STATE PUBLIC DEFENDER 82-93 (July 28, 1989).

assigned counsel are involved, the administrator of the program should reassign cases to other private counsel or request the defender organization to provide representation. No additional cases should be given to the assigned counsel until the program administrator is assured that the workload has been brought under control. In the case of a defender program with excessive workload, additional cases must be refused and, if necessary, pending cases transferred to assigned counsel. In order to ease workload pressures, the statute of one statewide defender program authorizes the agency to engage private counsel "on a case basis whenever needed to meet caseload demands."<sup>18</sup> The agency is also given authority to "divide the case workload . . . between the professional staff and the trial pool of attorneys."<sup>19</sup> The capability of reducing excessive workloads for both defenders and assigned counsel is greatly aided where the programs are fully independent of judicial and political controls.<sup>20</sup>

#### **Standard 5-5.4. Impact litigation**

**(a) The legal representation plan should permit pursuit of litigation which affects:**

- (i) substantial numbers of similarly situated clients of the program, or**
- (ii) fundamental rights which cannot otherwise be effectively protected.**

**(b) Any such litigation should be undertaken only when it is in the best interests of the affected clients.**

#### ***History of Standard***

The standard is new.

#### ***Related Standards***

ABA Standards for Providers of Civil Legal Services to the Poor 5.3, 6.5 (1986).

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18. N.J. STAT. ANN. § 2A:158A-9 (1971 & Cum. Supp. 1981-1982).

19. *Id.*

20. See standards 5-1.3 and 5-4.1.

## Commentary

The defender organization in each jurisdiction is best equipped and trained to do that for which it was created: provision of quality services in the defense of criminal cases. However, the legal representation plan in every jurisdiction should permit the defender office to initiate separate legal proceedings on behalf of clients of the program. Such cases, in which the clients become plaintiffs in either individual or class actions, may be appropriate when substantial numbers of clients are similarly situated or where the state or its agents violate fundamental rights which cannot otherwise be protected. Clients of defender offices are, definitionally, without the resources to afford counsel. As such, these clients usually are not in a position to pursue legal actions as plaintiffs in order to protect legal rights that may be important to their cases. The standard does not suggest that the defender office must take all cases in which such action is requested; it only urges defender offices (and their funding sources) to recognize that such actions should be permitted, if, in the judgment of the office and after discussion and consent from affected clients, they are necessary.

Examples of cases are numerous. They have included actions to protect attorney-client communications, where jail officials were reading client correspondence; actions to keep juvenile clients in clean, uncrowded and conveniently located facilities; or actions to challenge improper jury selection procedures that affect large numbers of the agency's clients.<sup>1</sup> The source of authority for such actions may be implicit in the creation of the office,<sup>2</sup> or may be part of the office's organizational structure.<sup>3</sup>

In some jurisdictions where the workload problem has been particularly acute, defender organizations have instituted lawsuits to challenge requirements that they be required to take additional cases.<sup>4</sup> Such

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1. Each of these actions was actually pursued by the Los Angeles public defender office in the 1970s. Bohne, *The Public Defender as Policy-Maker*, 62 JUDICATURE 176, 178-180 (Oct. 1978).

2. *Id.*

3. There are specialized litigation units, for example, in defender offices in the District of Columbia, the Philadelphia Defender Association and the New York Legal Aid Society.

4. See standard 5-5.3. E.g., *Gardner v. Luckey*, 500 F.2d 712 (5th Cir. 1974); *Wallace v. Kern*, 481 F.2d 621 (2d Cir. 1973), *cert. denied*, 414 U.S. 1135 (1974); *Noe v. County of Lake*, 468 F. Supp. 50 (N.D. Ind. 1978), *aff'd without opinion*, 601 F.2d 595 (7th Cir. 1979); *Family Division Trial Lawyers v. Moultrie*, 725 F.2d 695 (D.C. Cir. 1984); *Luckey v. Harris*, 860 F.2d 1012 (11th Cir. 1988), *on pet. for rehearing and suggestions for rehearing en banc*, 896 F.2d 479 (11th Cir. 1989), *cert. denied*, 110 S. Ct. 2572.



"systemic" attacks have lead to significant improvements in defender systems. Fears of political recriminations or lack of resources may make the defender program reluctant to pursue such actions.<sup>5</sup> In such instances, the office may cooperate with other interested parties in bringing the action.<sup>6</sup> In others, the action is brought by attorneys disaffected with little or no compensation for their services who then bring suit to recover fees and expenses.<sup>7</sup> The growth of these actions in recent years shows that litigative solutions are often the only effective means of forcing salutary changes in defender systems.

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5. See, e.g., *State v. Evans*, 129 Ariz. 153, 629 P.2d 989 (1981) (Attorney General and county attorneys lack standing to prohibit county public defenders from pursuing federal habeas corpus on behalf of all agency clients under sentence of death, where the actions of the public defenders were alleged to have exceeded statutory authority).

6. In Connecticut, for example, the Connecticut Civil Liberties Union brought an action on behalf of seven inmates in state habeas corpus proceedings, alleging that the Public Defender's Office had unreasonably delayed the filing of their appeals. The office cooperated in providing information on the situation of each client. *Gaines v. Manson*, 194 Conn. 510, 481 A.2d 1084 (1984).

7. *State ex rel. Partain v. Oakley*, 227 S.E.2d 314 (W. Va. 1976); *Hulse v. Wifvat*, 306 N.W.2d 707 (Iowa 1981); *Makemson v. Martin County*, 491 So. 2d 1109 (Fla. 1986); *DeLisio v. Alaska Supreme Court*, 740 P.2d 437 (Alaska 1987); *State ex rel. Stephan v. Smith*, 747 P.2d 816 (Kan. 1987); *Jewell v. Maynard*, 383 S.E.2d 536 (W. Va. 1989); *State v. Ryan*, 444 N.W.2d 656 (Neb. 1989); *Wilson v. State*, 574 So. 2d 1338 (Miss. 1990); *Arnold v. State*, 306 Ark. 294 (1991); *State v. Lynch*, 769 P.2d 1150 (Okla. 1991). These systemic attacks are analyzed in Note, (Un)Lucky v. Miller: *The Case for a Structural Injunction to Improve Indigent Defense Services*, 101 Yale L. J. 481 (1991); Margulies, *Resource Deprivation and the Right to Counsel*, 80 J. CRIM. L. & CRIMINOLOGY 673 (1989); Wilson, *Litigative Approaches to Enforcing the Right to Effective Assistance of Counsel in Criminal Cases*, 14 N.Y.U. REV. L. & SOC. CHANGE 203 (1986); Bright, et al., *Keeping Gideon from Being Blown Away*, 4 CRIM. JUST. 10 (Winter 1990); CRIMINAL DEFENSE TECHNICAL ASSISTANCE PROJECT, *DEVELOPING STRATEGIES FOR RESOLVING WORKLOAD PROBLEMS AND CONTROLLING CASELOADS* (Undated monograph, Abt Associates, Cambridge, Mass.).



## **PART VI.**

### **STAGE OF PROCEEDINGS**

#### **Standard 5-6.1. Initial provision of counsel**

Upon request, counsel should be provided to persons who have not been charged or taken into custody but who are in need of legal representation arising from criminal proceedings. Counsel should be provided to the accused as soon as feasible and, in any event, after custody begins, at appearance before a committing magistrate, or when formal charges are filed, whichever occurs earliest. In capital cases, two qualified trial attorneys should be assigned to represent the defendant. The authorities should promptly notify the defender, the contractor for services, or the official responsible for assigning counsel whenever the person in custody requests counsel or is without counsel.

#### ***History of Standard***

The first sentence in this edition was the last sentence of the same standard in the second edition.

A new third sentence was added regarding the provision of two qualified attorneys in capital cases at trial. It is taken from the language of an ABA resolution adopted at the 1985 Midyear Meeting.

The last sentence was revised. The word "promptly" was added to denote the urgency with which action should be taken, and the phrase "contractor for services" was also added to conform with changes made throughout the chapter.<sup>1</sup>

#### ***Related Standards***

ABA Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases 2.1 (1989).

ABA Standards for Criminal Justice 4-2.1 (3d ed. 1993).

ABA Standards for Criminal Justice 10-4.1, 10-4.2, 14-1.3, 22-3.1 (2d ed. 1980).

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1. See Part III., Contracts for Services.

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.1, 13.3 (1973).

National Legal Aid and Defender Association, Guidelines for Negotiating and Awarding Governmental Contracts for Defense Services III-18 (1984).

National Legal Aid and Defender Association, National Study Commission on Defense Services 1.2-1.4 (1976).

National Legal Aid and Defender Association, Standards for Defender Services II.2 (1976).

National Legal Aid and Defender Association, Standards for the Administration of Assigned Counsel Systems 2.5 (1989).

## ***Commentary***

Decisions of the Supreme Court have held that the right to representation by counsel attaches at "critical stages" that occur prior to trial, such as custodial interrogations conducted by law enforcement authorities,<sup>2</sup> lineups conducted after the initiation of adversary proceedings,<sup>3</sup> and preliminary hearings.<sup>4</sup> The Court also has recognized that the right to counsel may also apply at preliminary judicial proceedings where pleas are required to be entered that are later used against defendants or where defenses must be claimed that are irretrievably lost if not asserted.<sup>5</sup> This standard, however, extends beyond the Supreme Court's decisions, for it applies to situations that have not been held to be "critical stages" within the meaning of the Sixth Amendment. Thus, the standard recommends that counsel be provided "as soon as feasible after custody begins," assuming that this event occurs, as it usually does, prior to the defendant's appearance before a judicial officer or the filing

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2. *Miranda v. Arizona*, 384 U.S. 436 (1966).

3. *Kirby v. Illinois*, 406 U.S. 682 (1972).

4. *Coleman v. Alabama*, 399 U.S. 1 (1970).

5. *White v. Maryland*, 373 U.S. 59 (1963) (plea entered at arraignment and in the event of later trial could be introduced in evidence against defendant); *Hamilton v. Alabama*, 368 U.S. 52 (1961) (defense of insanity was required to be pleaded at arraignment or lost).

of formal charges.<sup>6</sup> Indeed, any qualified person who needs the assistance of counsel before being taken into custody, or even before the filing of formal criminal charges, should be able to receive that assistance if requested.<sup>7</sup>

Effective representation of the accused requires that counsel be provided at the earliest possible time. Often there are witnesses who must be interviewed promptly by the defense lest their memories of critical events fade or the witnesses become difficult to locate. Where the accused is incarcerated, defense counsel must begin immediately to marshal facts in support of the defendant's pretrial release from custody. Counsel's early presence in the case can also sometimes serve to convince the prosecutor to dismiss unfounded charges, to charge the accused with less serious offenses, or to divert the case entirely from the criminal courts.<sup>8</sup> Perhaps most important, unless the indigent accused is provided counsel at the earliest possible time, discrimination occurs between the poor defendant and the defendant of financial means: the latter is able to afford counsel and frequently acquires legal representation well before formal commencement of adversary proceedings. This standard seeks to provide for the indigent accused similar representation opportunities.

To aid in achieving the goal of early representation by counsel, the standard recommends that the appropriate authorities assume responsibility for notifying the defender or assigned-counsel programs when a person in custody is without counsel or requests to see an attorney.

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6. However, the Supreme Court has held in *United States v. Gouveia*, 467 U.S. 180, (1984), that the Sixth Amendment does not require the appointment of counsel prior to the initiation of adversary judicial proceedings against indigent inmates who are confined in administrative detention for approximately nineteen months while being investigated for criminal activities committed in prison. Standard 5-6.1 does not specifically address the type of fact situation involved in *Gouveia*, although its underlying rationale is inconsistent with the Supreme Court's result in the *Gouveia* case. See also ABA STANDARDS FOR CRIMINAL JUSTICE 23-3.3 (2d ed. 1980), which deals with alleged criminal misconduct of prisoners.

7. The ABA's Grand Jury Policy and Model Act suggests that it is appropriate to appoint counsel in some circumstances during grand jury proceedings. See ABA GRAND JURY POLICY AND MODEL ACT (1977-1982).

8. A national study by the Justice Department found, for example, that early representation by appointed counsel improved the accuracy of bail setting and early release of defendants without danger to the public, promoted prompt and efficient case processing and resolution, improved the attorney-client relationship, and made defender programs more cost-effective. U.S. DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE, EARLY REPRESENTATION BY DEFENSE COUNSEL FIELD TEST: FINAL EVALUATION REPORT (The URSA Institute, August 1984).

By implication, this standard necessarily imposes a responsibility on defender and assigned-counsel programs to provide representation to defendants at early stages of proceeding. Indeed, to implement fully the goal of this standard, defender and assigned-counsel programs should publicize their availability in courts and detention facilities, be prepared to provide emergency twenty-four-hour representation, and conduct routine daily checks of detention facilities to ascertain whether unrepresented defendants are present. Similarly, the ABA Model Rules impose on prosecutors the obligation not to give any advice to defendants who are unrepresented except the advice to obtain counsel, without cost if necessary.<sup>9</sup>

The requirements of capital litigation have made the appointment of two attorneys at trial a necessity. The process by which the two counsel enter a capital case is, of course, no different than any other covered by this standard. In 1985, at its Midyear Meeting, the ABA adopted a resolution stating that in the trial of capital cases two attorneys should be appointed as trial counsel. One person is to act as primary defense counsel and the other as co-counsel. Both are to have "substantial trial experience which includes the trial of serious felony cases," as is suggested by standard 5-2.2.<sup>10</sup> The appointment of co-counsel lessens the burden on primary counsel and provides that attorney with both research assistance and emotional support. The second attorney provides a fresh perspective. Most important, the two attorneys are necessary for the additional duties created by the need for an integrated defense at bifurcated proceedings dealing first with guilt or innocence and later with a sentence of either death or some lesser penalty. In capital trials, courts should be most concerned with fairness, not economy.

Standard 5-6.1 is consistent with the recommendations of other national organizations. The National Advisory Commission urges that representation begin "at the time the individual either is arrested or is requested to participate in an investigation that has focused upon him as a likely suspect."<sup>11</sup> Likewise, the National Legal Aid and Defender Association states that representation should be available when a person

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9. ABA MODEL RULES OF PROFESSIONAL CONDUCT 4.3 (1983).

10. Similar criteria for the appointment of counsel are found in recent federal legislation dealing with the appointment of qualified counsel for the representation of persons under sentence of death for federal capital crimes. Comprehensive Drug Abuse Prevention and Control Act of 1990, 21 U.S.C.A. § 848(q)(4) through (9) (1992).

11. NATIONAL ADVISORY COMMISSION ON CRIMINAL JUSTICE STANDARDS AND GOALS, COURTS 13.1 (1973).

is arrested, detained, or "reasonably believes that a process will commence which might result in a loss of liberty or the imposition of a legal disability of a criminal or punitive nature. . . ."<sup>12</sup>

### **Standard 5-6.2. Duration of representation**

Counsel should be provided at every stage of the proceedings, including sentencing, appeal, certiorari and postconviction review. In capital cases, counsel also should be provided in clemency proceedings. Counsel initially provided should continue to represent the defendant throughout the trial court proceedings and should preserve the defendant's right to appeal, if necessary.

#### ***History of Standard***

The insertion of the word "certiorari" in the first sentence is consistent with an ABA resolution calling for appointment of counsel by the Supreme Court for preparation of certiorari petitions, adopted in 1979.

A new second sentence was added to make explicit reference to provision of counsel in all aspects of capital representation, including clemency. This language is consistent with both the ABA *Guidelines* in capital cases, incorporated into this chapter at standard 5-1.2 above, and the recent recommendations of the ABA on provision of appointed counsel in federal habeas corpus proceedings, which differ only in recommending that the attorney appointed after trial be a person other than trial counsel.<sup>1</sup>

#### ***Related Standards***

ABA Guidelines for the Appointment and Performance of Counsel in Capital Cases 11.9.1-11.9.5 (1989).

ABA Standards for Criminal Justice 4-8.1-4-8.6 (3d ed. 1993).

ABA Standards for Criminal Justice 11-5.3, 14-1.3, 18-6.3, 18-7.5, 20-2.2, 21-2.2, 21-3.2, 22-4.3, 22-5.2 (2d ed. 1980).

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.1 (1973).

12. NLADA, NATIONAL STUDY COMMISSION ON DEFENSE SERVICES 1.2 (1976).

1. ABA TASK FORCE ON DEATH PENALTY HABEAS CORPUS, TOWARD A MORE JUST AND EFFECTIVE SYSTEM OF REVIEW IN STATE DEATH PENALTY CASES (Oct. 1989).

National Legal Aid and Defender Association, Guidelines for Negotiating and Awarding Governmental Contracts for Defense Services III-23 (1984).

National Legal Aid and Defender Association, National Study Commission on Defense Services 5.11 (1976).

National Legal Aid and Defender Association, Standards for Defender Services 2.3 (1976).

National Legal Aid and Defender Association, Standards for the Administration of Assigned Counsel Systems 2.6 (1989).

## Commentary

### Stage of Proceedings

Once representation begins as provided in standard 5-6.1, it is important that it continue throughout all subsequent stages of the criminal proceeding. The right to counsel at sentencing is firmly established. The role and responsibilities of counsel at sentencing is discussed in ABA Standard 18-6.3 (2d ed. 1980). The right to counsel for defendants on their first appeal to an appellate court is constitutionally required pursuant to the Supreme Court's 1963 decision in *Douglas v. California*.<sup>2</sup> Although not constitutionally required, counsel normally should be present for the preparation of certiorari petitions and the handling of postconviction petitions.<sup>3</sup>

### Continuity in the Trial Court

This standard suggests that the attorney initially appointed to provide representation continue to do so throughout the trial proceedings.<sup>4</sup> This affords the best opportunity for the development of a close and confidential attorney-client relationship. The standard thus rejects the practice in some public defender programs in which "stage" or "horizontal"

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2. 372 U.S. 353 (1963). See also chapter 21 of the ABA STANDARDS FOR CRIMINAL JUSTICE, second edition, which deals generally with procedures for processing appeals and the duties of appellate counsel.

3. See ABA STANDARDS FOR CRIMINAL JUSTICE 5-5.2 (3d ed. 1992), 22-4.3, and 22-5.2 (2d ed. 1980). The U.S. Supreme Court has rejected the right to counsel in both noncapital and capital collateral attacks. *Pennsylvania v. Finley*, 107 S. Ct. 1990 (1987) and *Murray v. Giarratano*, 109 S. Ct. 2765 (1989).

4. However, the Supreme Court has held that in some circumstances the Sixth Amendment right to counsel is not violated if a defendant is required to proceed with substitute counsel. See *Morris v. Slappy*, 461 U.S. 1 (1983), discussed at commentary to standard 5-6.3.

representation is used, that is, different public defenders represent the accused at different stages of the proceedings, such as preliminary hearings, pretrial motion hearings, trials, and sentencing. The utilization of stage representation in defender offices has developed due to the belief that it is cost-efficient and because it enables defenders to specialize and often reduces travel time and scheduling conflicts.<sup>5</sup> The disadvantages of such representation, particularly in human terms, are substantial. Defendants are forced to rely on a series of lawyers and, instead of believing they have received fair treatment, may simply feel that they have been "processed by the system." This form of representation may be inefficient as well, because each new attorney must begin by familiarizing himself or herself with the case and the client must be reinterviewed. Moreover, when a single attorney is not responsible for the case, the risk of substandard representation is probably increased. Appellate courts confronted with claims of ineffective assistance of counsel by public defenders have commented critically on stage representation practices.<sup>6</sup> The National Legal Aid and Defender Association—the only other national group to address this issue specifically—also has recommended that clients receive only one attorney throughout the trial proceedings.<sup>7</sup>

### **Continuity on Appeals**

This standard is silent on the issue of whether trial counsel should be required to provide appellate representation. In support of appointing new counsel on appeal, it is argued that a fresh lawyer may perceive issues from the transcript which trial counsel may miss, due to closeness and familiarity with the case. It also is suggested that new counsel on appeal is necessary in order to assure that arguments regarding ineffective assistance of counsel are presented to the appellate court. In

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5. See L. MCINTYRE, *THE PUBLIC DEFENDER: THE PRACTICE OF LAW IN THE SHADOWS OF REPUTE* 101–102, 134–135 (1987).

6. *E.g.*, *Moore v. United States*, 432 F.2d 730, 736 (3d Cir. 1970) ("in such an institutionalized system there are inherent the risks of a loss of the close confidential relationship between litigant and counsel and the subordination of an individual client's interest to the larger interest of the organization"). See also *United States ex rel. Thomas v. Zelker*, 332 F. Supp. 595 (S.D.N.Y. 1971) (in determining whether defendant had been afforded effective assistance of counsel, court considered the fact that defendant was represented by at least four public defenders at various stages before trial and was not aware who was acting as his attorney at any given time).

7. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, NATIONAL STUDY COMMISSION ON DEFENSE SERVICES 5.11 (1976).



addition, the brief-writing skills required of appellate counsel may not always be possessed by trial attorneys. On the other hand, it is said that familiarity with the case greatly facilitates preparation of the brief and oral argument. Significantly, the plans adopted by most federal courts pursuant to the Criminal Justice Act of 1964 generally provide for continuity of representation through appeal.

Where local rule requires that trial counsel normally provide representation on appeal, in some instances the practice may impose an unreasonable burden. An attorney's other professional commitments, for example, may not afford sufficient time to prepare a time-consuming appeal. Alternatively, counsel may believe that there is a nonfrivolous issue concerning whether counsel rendered effective assistance in the trial court. Or the geographic separation of the trial and appellate courts may impose a serious travel hardship. Whenever any of these circumstances are present, counsel should be encouraged to inform the appointing authorities and arrangements should be made to assign counsel better able to carry the case forward.

In defender programs, it may be appropriate to establish an appeals division, which can lead to substantial specialization in brief writing and oral argument. Other programs develop a system of rotation between the trial and appellate divisions, which provides a wide range of flexibility and opportunities for new experience. A defender who has numerous trial commitments may find it difficult to devote sufficient time to brief preparation. When the trial lawyer from the defender program does not prepare the brief, he or she should at least be available to consult with the appellate attorney concerning possible issues on appeal. If the defender attorney on appeal believes that an issue of ineffective assistance of counsel should be presented, the defender program should be excused and private counsel appointed to the case. Unless this is done, the appellate lawyer from the defender office will be faced with a conflict of interest in complaining about the conduct of a colleague who represented the client in the trial court. The problem is avoided in jurisdictions that have established wholly independent statewide appellate defender programs.<sup>8</sup>

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8. *E.g.*, CAL. GOVT. CODE § 15421 (West 1980); ILL. ANNOT. STAT. ch. 38, § 208-1 et seq. (Smith-Hurd Cum. Supp. 1980-1981).



### **Standard 5-6.3. Removal**

**Representation of an accused establishes an inviolable attorney-client relationship. Removal of counsel from representation of an accused, therefore, should not occur over the objection of the attorney and the client.**

#### ***History of Standard***

No changes were made to this standard.

#### ***Related Standards***

ABA Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases 7.1 (1989).

National Legal Aid and Defender Association, National Study Commission on Defense Services 5.12 (1976).

#### ***Commentary***

Counsel for indigent defendants should have total freedom to represent their clients as they deem professionally appropriate. Whether selected to provide representation by the judiciary or whether chosen, as recommended herein, "by the administrators of the defender, assigned-counsel and contract-for-services programs,"<sup>1</sup> attorneys should not have to fear that zealous representation of clients may result in their removal. Clients, moreover, should have the right to continue satisfactory relationships with defense lawyers in whom they have confidence and trust.<sup>2</sup> Significantly, where retained counsel are involved, courts have held that a lawyer cannot, consistent with the Sixth Amendment,

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1. Standard 5-1.3.

2. However, the Supreme Court has held that a defendant's Sixth Amendment right to counsel is not violated where, six days before trial, defendant's original counsel from the public defender's office is replaced by another public defender, original counsel was hospitalized and replacement counsel assured the trial court that he had time to prepare and did not need a continuance. *Morris v. Slappy*, 461 U.S. 1 (1983). Also, the Court in this case rejected the argument that the Sixth Amendment right to counsel includes the right to a "meaningful attorney-client relationship." 461 U.S. at 14. ABA STANDARDS FOR CRIMINAL JUSTICE 5-6.2 and 5-6.3 (2d ed. 1980), and accompanying commentary, are cited with approval in *Morris v. Slappy*, 461 U.S. at 24 n.6. (Brennan, J., concurring).

be removed over the objection of the defendant.<sup>3</sup> Some state courts have recognized a state constitutional right to "trust and confidence" in appointed counsel.<sup>4</sup>

Ideally, this standard also should apply in cases involving an attorney's representation of multiple parties where a client, after being informed of a potential conflict of interest, wishes to continue the attorney's employment.<sup>5</sup> The National Legal Aid and Defender Association states that "the defense system should not terminate or interfere with [the attorney-client] . . . relationship without great justification, and the attorney should resist efforts by the court to terminate or interfere with that relationship."<sup>6</sup>

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3. *E.g.*, *United States v. Seale*, 461 F.2d 345 (7th Cir. 1972); *Releford v. United States*, 288 F.2d 298 (9th Cir. 1961); *Lee v. United States*, 235 F.2d 219 (D.C. Cir. 1956); *People v. Crovedi*, 417 P.2d 868 (Cal. 1966). One exception occurs when counsel is to be paid with the proceeds of criminal activity which are the subject of forfeiture under federal law. *Caplin & Drysdale, Inc. v. U.S.*, 491 U.S. 617 (1989) and *Monsanto v. U.S.*, 491 U.S. 600 (1989).

4. *E.g.*, *Harris v. People*, 567 P.2d 750 (Cal. 1977); *Amadeo v. State*, 384 S.E.2d 181 (Ga. 1989).

5. The U.S. Supreme Court, however, has held that a trial court acted within its discretion in refusing to accept defendant's request to substitute counsel who had been representing two separately charged accomplices, although the defendant had executed the appropriate waivers. *Wheat v. United States*, 486 U.S. 153 (1988). The majority rejected the contention that waivers by all affected defendants cure any problem created by multiple representation.

6. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, NATIONAL STUDY COMMISSION ON DEFENSE SERVICES 5.12 (1976).

## **PART VII.**

### **ELIGIBILITY FOR ASSISTANCE**

#### **Standard 5-7.1. Eligibility; ability to pay partial costs**

**Counsel should be provided to persons who are financially unable to obtain adequate representation without substantial hardship. Counsel should not be denied because of a person's ability to pay part of the cost of representation, because friends or relatives have resources to retain counsel, or because bond has been or can be posted.**

#### ***History of Standard***

This edition eliminates as redundant the phrase "to themselves or their families" after the word "hardship" in the first sentence, as it appeared in the second edition's standard 5-6.1.

The title and some language in the section is new, but the concepts are not. The title and new language in the second sentence come from what was standard 5-6.2 in the second edition, which dealt, *inter alia*, with a defendant's ability to pay partial costs of defense.

The last sentence of the second edition version of this standard (5-6.1) was inappropriate here. It was moved to current standard 5-1.4 (3d ed. 1992).

#### ***Related Standards***

ABA Standards for Providers of Civil Legal Services to the Poor 2.1 (1986).

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.2 (1973).

National Legal Aid and Defender Association, Guidelines for Negotiating and Awarding Governmental Contracts for Defense Services III-3 (1984).

National Legal Aid and Defender Association, National Study Commission on Defense Services 1.5 (1976).

National Legal Aid and Defender Association, Standards for Defender Services II.1 (1976).

National Legal Aid and Defender Association, Standards for the Administration of Assigned Counsel Systems 2.3 (1989).

## Commentary

### Financially Unable/Substantial Hardship

The fundamental test for determining eligibility for counsel should be whether persons are "financially unable to obtain adequate representation without substantial hardship." All of the other nationally recognized standards on defense services cited in the related standards section also adopt a "financial inability/substantial hardship" test. The federal Criminal Justice Act of 1964<sup>1</sup> and the statutes in a great majority of the states invoke the test of "inability to afford counsel" or the equivalent, and many mention substantial hardship.<sup>2</sup> In many states, the standards for providing counsel are detailed and make specific references to such factors as income, expenses, liquid assets, and number and ages of dependents.<sup>3</sup> It is common now for states to use variations on the Legal Services Corporation's poverty formula.<sup>4</sup>

No state uses only "indigency" as the basis for providing counsel. This test is rejected because it confuses the question of the right to be provided counsel with issues about eligibility for public welfare assistance and suggests a rigid standard for every defendant without regard to the cost of obtaining legal services for a particular case. One use of eligibility for welfare or public assistance, however, is the development of "presumptive eligibility" in criminal cases. The major national study of eligibility criteria recommended adoption of the system used in a number of states whereby any applicant for appointment of counsel who is a current recipient of state or federally administered public assistance is automatically considered eligible for appointed counsel without further inquiry.<sup>5</sup>

1. 18 U.S.C. § 3006A(b)(1992).

2. U.S. DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE, CONTAINING THE COSTS OF INDIGENT DEFENSE PROGRAMS: ELIGIBILITY SCREENING AND COST RECOVERY PROGRAMS 13, 78 (Sept. 1986).

3. *Id.* at 78.

4. In 1986, for example, the Legal Services Corporation formula was used in Colorado and North Dakota. *Id.* at 16-18.

5. *Id.* at 15. "[I]t appears that a large number of criminal defendants fall into this category." *Id.* Recommendation 2, at 69.

### Eligibility Guidelines

A majority of states now have formal eligibility criteria.<sup>6</sup> Perhaps because statutes concerning eligibility are written in general terms, however, there are considerable disparities in eligibility determinations among the states and sometimes within the same state. In order to assure fair eligibility determination and equal treatment for defendants similarly situated, it is essential that there be detailed written guidelines that implement this standard's "financial inability/substantial hardship" test or other tests of a similar nature.

Standard 5-7.1 contains an important recommendation which should be included in all regulations relating to eligibility: the ability of defendants to post bond should not be used as a basis to deny providing counsel. The ability to post bond is rejected as a basis for denying counsel because it requires the accused to choose between receiving legal representation and the chance to be at liberty pending trial. Since a person's freedom prior to trial often is essential to the preparation of an adequate defense, placing the defendant in this dilemma is arguably a denial of the effective assistance of counsel.<sup>7</sup>

A host of other specific factors should also be considered in preparing eligibility guidelines. For example, the National Legal Aid and Defender Association suggests that a defendant's "liquid assets" be taken into account; these are defined as "cash in hand, stocks and bonds, bank accounts and any other property which can be readily converted to cash."<sup>8</sup> While a defendant's home and car are suggested as factors to be considered by the National Advisory Commission<sup>9</sup> and the National Legal Aid and Defender Association,<sup>10</sup> exclusion of these factors is recommended by the latter's National Study Commission Recommendations since neither is capable of immediate conversion to cash and

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6. U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE STATISTICS, NATIONAL CRIMINAL DEFENSE SYSTEMS STUDY 34 (Sept. 1986). This is particularly true in those states with statewide public defender programs. *Id.*

7. A District of Columbia statute recognizes the importance of a defendant's pretrial freedom by providing for temporary custodial release upon a showing that such release is necessary to the preparation of a viable defense. D.C. CODE § 23-1321(h)(2) (Cum. Supp. 1983). See also *United States v. Reese*, 463 F.2d 830 (D.C. Cir. 1972).

8. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, NATIONAL STUDY COMMISSION ON DEFENSE SERVICES 1.5 (1976).

9. NATIONAL ADVISORY COMMISSION ON CRIMINAL JUSTICE STANDARDS AND GOALS, COURTS 13.2 (1973).

10. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, STANDARDS FOR DEFENDER SERVICES II.1(a) (1976).

both are necessities. Indeed, in a case where counsel was denied because of ownership of an automobile, the Supreme Court of Hawaii reversed on the grounds that the defendant's vehicle was a reasonable necessity of life.<sup>11</sup> Additional factors to consider in establishing eligibility guidelines include the debts and liabilities of the accused, the cost of retaining competent counsel in the area, and the defendant's own assessment of whether representation can be obtained without creating substantial personal family hardship. Eligibility criteria also should be regularly updated to account for inflation and increases in the cost of living.

### **Standard 5-7.2. Reimbursement, notice and imposition of contribution**

(a) Reimbursement of counsel or the organization or the governmental unit providing counsel should not be required, except on the ground of fraud in obtaining the determination of eligibility.

(b) Persons required to contribute to the costs of counsel should be informed, prior to an offer of counsel, of the obligation to make contribution.

(c) Contribution should not be imposed unless satisfactory procedural safeguards are provided.

### ***History of Standard***

The title of the standard was changed, and the text has been significantly modified. The first sentence of standard 5-6.2 in the second edition, dealing with partial ability to pay, has been transferred intact to standard 5-7.1 in the third edition. New standard 5-7.2 has been divided into three subsections.

Subsection (a) continues the second edition policy against the use of "reimbursement," defined in commentary as applying "where the defendant is ordered at the termination of proceedings to make payments for the representation that has been provided."

"Contribution," discussed in commentary as a payment "at the time counsel is provided or during the course of proceedings," is implicitly approved in black-letter and discussed with approval in commentary.

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11. *State v. Mickle*, 56 Haw. 23, 525 P.2d 1108 (1974).

This policy on the use of contribution also reflects the commentary discussion in the second edition.

Subsections (b) and (c) were added to protect procedural rights of the accused in the event that contribution is imposed. Subsection (b) contains a notice provision, while subsection (c) suggests the adoption of appropriate due process protection.

New standard 5-8.1 strikes a phrase found in the second edition (standard 5-7.1) about advice by the court to defendants as to the provision of counsel "without cost." Subsection (b) of the third edition standard 5-7.2 seeks to reconcile the apparent conflict in these standards between the obligation of advice of the right to appointed counsel at state expense and the potential obligation of the defendant to contribute to the costs of counsel. The third edition uses the word "person" in reference to those against whom contribution is assessed, bringing the language herewith into conformity with that of standard 5-8.1, which uses the term "person" when referring to an offer of counsel prior to formal charging.

### ***Related Standards***

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.2 (1973).

National Legal Aid and Defender Association, National Study Commission on Defense Services 1.7 (1976).

### ***Commentary***

This standard refers to "reimbursement" (sometimes called "recoupment") and to "contribution." The concepts are different, although the goal is the same in each: to obtain repayment for the costs of counsel to the state from some defendants who can afford to make such payments either because their lack of assets is temporary or because they fall just below the margin of legal indigency. It is the point in the proceedings at which the imposition of the obligation occurs that distinguishes the two terms. "Reimbursement" applies to situations where the defendant is ordered at the termination of the court proceedings to make payments for the representation that has been provided. Most

states have enacted laws that authorize reimbursement to be ordered,<sup>1</sup> and the Supreme Court has sustained the constitutionality of one such statute.<sup>2</sup> In addition, the federal Criminal Justice Act of 1964 and several state statutes authorize a "contribution" from defendants,<sup>3</sup> whereby the defendant makes payment, usually of a nominal fixed sum, for the representation provided either at the time counsel is first appointed or during the course of the trial proceedings.

Notwithstanding the constitutionality of reimbursement statutes, this standard recommends that defendants be ordered to provide reim-

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1. A 1982 national survey found that 75 percent of all counties reported that they had some system for the recovery of costs, although distinction was made between recoupment and contribution. U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE STATISTICS, NATIONAL CRIMINAL DEFENSE SYSTEMS STUDY 34 (Sept. 1986). A later survey found that thirty-six states had specific statutes which authorize recoupment. U.S. DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE, CONTAINING THE COST OF INDIGENT DEFENSE PROGRAMS: ELIGIBILITY SCREENING AND COST RECOVERY PROCEDURES 33, 77, Appendix A (Sept. 1986).

2. In *Fuller v. Oregon*, 417 U.S. 40 (1974), the Supreme Court sustained the constitutionality of the Oregon statute, which applied only to convicted defendants and which required the trial court to consider whether imposing recoupment could result in substantial hardship to the defendant. *But see James v. Strange*, 407 U.S. 128 (1972) (Kansas recoupment provision that did not provide indigent defendants with the same exemptions as other judgment debtors held unconstitutional as a violation of equal protection); *Rinaldi v. Yeager*, 384 U.S. 306 (1966) (New Jersey recoupment statute requiring only convicted defendants who are imprisoned to repay the cost of a transcript on appeal violated equal protection); *Giaccio v. Pennsylvania*, 382 U.S. 399 (1966) (recoupment statute that allowed a jury to require the defendant to pay court costs if found guilty of "misconduct" held void for vagueness). *See also Olson v. James*, 603 F.2d 150 (10th Cir. 1979) (statute allowing state to garnish wages and recoup cost of counsel even from indigent defendants who are acquitted held unconstitutional in violation of Fourteenth Amendment); *Opinion of the Justices*, 121 N.H. 531, 431 A.2d 144 (1981) (defendants receiving legal assistance must be afforded the same protection against garnishment of wages as civil judgment debtors).

In *Fitch v. Belshaw*, 581 F. Supp. 273 (D. Or. 1984), a later Oregon recoupment statute, which permitted courts to require indigent defendants, regardless of financial status and without notice or hearing, to reimburse the state for court-appointed attorneys, was held to violate the Sixth and Fourteenth Amendments. Unlike the statute upheld in *Fuller v. Oregon*, *supra*, this statute was applicable to both convicted and acquitted defendants, contained no standards for whether a defendant was able to pay, and did not permit a defaulting defendant to show that the refusal to pay was unintentional.

3. 18 U.S.C. § 3006A(f) (1982). Annot. 51 A.L.R. Fed. 561 (1981) (propriety of order under 18 U.S.C. § 3006A(f) (1976) directing contribution payment by or on behalf of defendant). The national study of cost recovery programs found that eleven states had statutes which permit contribution. CONTAINING THE COST OF INDIGENT DEFENSE PROGRAMS, *supra*, note 1, at 49-55 and Appendix A, at 77.



bursment for their defense costs only in instances where they have made fraudulent representations for purposes of being found eligible for counsel. Defendants who fraudulently misrepresent their financial condition to the person who determines eligibility should not be permitted to benefit from their deceit, and the defendant's lawyer has an ethical duty to reveal the misrepresentation to the court.<sup>4</sup> On the other hand, there are compelling policy reasons for not routinely requiring defendants to reimburse the state or local treasury for the cost of their representation. The offer of free legal assistance is rendered hollow if defendants are required to make payments for counsel for several years following conviction. Reimbursement requirements also may serve to discourage defendants from exercising their right to counsel, and long-term duties to make payments for representation may interfere with the rehabilitation of defendants.<sup>5</sup>

Policy considerations are different if defendants with limited financial resources are required to make contributions for their defense at the time counsel is provided or during the course of the proceedings. Such contribution orders do not impose on defendants long-term financial debts and normally are not entered unless there is a realistic prospect that the defendants can make reasonably prompt payments. Accordingly, contribution orders, in contrast to orders for reimbursement, are less likely to chill the exercise by defendants of their right to counsel. Because of the difference between contribution and reimbursement, standard 5-7.2 specifically precludes only reimbursement. Should contributions be required of defendants, however, in order to avoid interference with the attorney-client relationship, either the court or its

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4. See ABA MODEL RULES OF PROFESSIONAL CONDUCT 3.3 (a)(2) (1983) ("A lawyer shall not knowingly . . . fail to disclose a material fact to a tribunal when disclosure is necessary to avoid assisting a . . . fraudulent act by the client. . .").

5. These problems are especially evident where repayment of costs is made a consideration of probation. Imposing such a condition has been challenged on the ground that it unduly chills the defendant's constitutional right to counsel: "many indigent defendants will come to realize that the judge's offer to supply counsel is not the gratuitous offer of assistance that it might appear to be; that, in the event the case results in a grant of probation, one of the conditions might well be the reimbursement of the county for the expense involved. This knowledge is quite likely to deter or discourage many defendants from accepting the offer of counsel despite the gravity of the need for such representation. . . ." *Fuller v. Oregon*, 417 U.S. at 51, quoting *In re Allen*, 71 Cal. 2d 388, 391, 455 P.2d 143, 144, 78 Cal. Rptr. 207, 208 (1969). See also Annot., 39 A.L.R.4th 597 (1991).

designee, rather than the defender or assigned-counsel program, should be responsible for the collection of funds.<sup>6</sup>

The standard calls for advice to the person to whom an offer of counsel is made that there will be an obligation to make a contribution. This makes clear the judge's obligation not to merely offer counsel without advice as to the consequences of accepting the offer; counsel cannot be offered "without cost" to the defendant when contribution will be part of the obligation of acceptance. Defendants, moreover, appear more willing to accept the obligation when informed of it in advance, and a contribution is easier to collect than when an obligation is imposed after sentencing.

When recoupment is practiced, even though not recommended here, appropriate procedural safeguards should be created. The most significant of these safeguards, as gleaned from the cases and statutes, are:

- the right to notice of the potential obligation;
- the right to an evidentiary hearing on the imposition of costs of counsel, with an attorney present and with the opportunity to present witnesses and to have a written record of the judicial findings;
- the right to a determination of present ability to pay actual costs of counsel and related fees, such as investigative or clerical costs;
- the right to all civil judgment debtor protection;
- the right to petition for remission of fees, in the event of future inability to pay;
- notice that failure to pay will not result in imprisonment, unless willful;
- notice of a limit, statutory or otherwise, on time for the recovery of fees;
- adequate information as to the actual costs of counsel, with the right not to be assessed a fee in excess of those actual costs;
- where any of these rights are relinquished, the execution of a voluntary, knowing and intelligent written waiver, as is required in any instance concerning the constitutional right to counsel.<sup>7</sup>

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6. The national study on cost recovery programs also recommends contribution over recoupment for many of the same reasons articulated here. CONTAINING THE COST OF INDIGENT DEFENSE PROGRAMS, *supra*, note 1, at 70, Recommendation Five.

7. See Wilson, *Bad Policy, Bad Law: Compelling Indigent Defendants to Pay*, 3 CRIM. JUST. 16, 19 (Fall 1988); CONTAINING THE COSTS OF INDIGENT DEFENSE PROGRAMS, *supra* note 1, at 71-72, Recommendation Ten.

The distinction between contribution and reimbursement is recognized by the standards of the National Advisory Commission and the National Legal Aid and Defender Association. The standards of both reject any requirement of reimbursement but state that a defendant may be required, at the time representation is provided, to make a limited financial contribution if it can be done without causing substantial hardship. The National Legal Aid and Defender Association emphasizes that "[t]he contribution should be made in a single lump sum payment immediately upon, or shortly after, the eligibility determination."<sup>8</sup>

Despite the foregoing favorable recommendations, one very practical consideration militates against the use of either reimbursement or contribution: the amounts that can be collected under such programs are negligible.<sup>9</sup> There is, after all, little to be gained from seeking collection from a legally indigent and incarcerated individual.

### **Standard 5-7.3. Determination of eligibility**

Determination of eligibility should be made by defenders, contractors for services, assigned counsel, a neutral screening agency, or by the court. When the eligibility determination is not made by the court, confidentiality should be maintained, and the determinations should be subject to review by a court at the request of a person found to be ineligible. A questionnaire should be used to determine the nature and extent of the financial resources available for obtaining representation. If at any subsequent stage of the proceedings new information concerning eligibility becomes available, eligibility should be redetermined.

#### ***History of Standard***

The changes in this standard represent a shift from the policy of the second edition's standard 5-6.3. The standard adds neutral screening agencies and courts to defender agencies as appropriate assessors of eligibility for services. The second edition limited eligibility determi-

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8. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, NATIONAL STUDY COMMISSION ON DEFENSE SERVICES 1.7(a) (1976).

9. In the last national survey of defense services, the overwhelming majority of counties recovered costs from less than 10 percent of all persons who went through the system. NATIONAL CRIMINAL DEFENSE SYSTEMS STUDY, *supra*, note 1, at 34-35.

nations to defender organizations only. However, the standard now makes explicit that whatever the agency or person who makes an eligibility determination, principles of confidentiality of the communication apply.

### ***Related Standards***

National Legal Aid and Defender Association, Guidelines for Negotiating and Awarding Governmental Contracts for Criminal Defense Services III.3 (1984).

National Legal Aid and Defender Association, National Study Commission on Defense Services 1.6 (1976).

### ***Commentary***

The vast majority of serious criminal cases begin with arrest and a period of detention following which the defendant is brought to court. Standard 5-6.1 recommends that "[c]ounsel . . . be provided to the accused as soon as feasible . . . after custody begins. . . ." Standard 5-7.3 provides maximum flexibility in the determination of eligibility by allowing the inquiry to be made by a full range of personnel or agencies. There are, however, relative advantages and disadvantages in who conducts screening.

It is often appropriate for screening to be conducted by the appointed lawyer directly. The lawyer for the accused, who has a continuing and personal interest in the client's welfare, is likely to conduct eligibility interviews in a dignified manner. Information given during the interview, if candid, may involve revelations as to the proceeds of criminal conduct. The attorney is most able to make judgments about the relationship of information given during the eligibility interview and evidence of guilt or innocence of the offense charged. The suggestion that lawyers make the eligibility determination is consistent with the private attorney model, where retained counsel normally begin by ascertaining whether the client can afford the cost of the requested legal services. In addition, when the eligibility inquiry and determination are made by the defender, assigned counsel or contractor, the attorney-client privilege protects the information disclosed to the lawyer.

If an attorney is not available, it may be appropriate to have paraprofessional personnel of the defender or assigned-counsel program conduct interviews of defendants or, alternatively, to have employees

of pretrial release agencies inquire concerning eligibility. However, in a majority of jurisdictions, the inquiry is conducted by the trial court itself, usually at first appearance.<sup>1</sup> The judge is most often given the final authority to review eligibility decisions, and no particular system of screening has shown itself to have advantages over another.<sup>2</sup>

Whenever an accused is questioned about eligibility for counsel, it is suggested that the information be recorded on a questionnaire based on the guidelines recommended in standard 5-7.1. The use of a questionnaire facilitates rapid determinations of eligibility and, in the event that eligibility is denied, provides a record that can be reviewed by the trial court. An accused who seeks such review should be required to waive the attorney-client privilege respecting the financial information disclosed to the lawyer. If it is decided that the eligibility guidelines have been misapplied so as to screen out an eligible individual, the court should be permitted to order that the defender organization or assigned-counsel program provide representation.

No provision is made in this standard for a court to review a favorable determination of eligibility. As a practical matter, defenders and assigned counsel normally are interested in limiting their caseloads, rather than accepting the cases of persons financially ineligible for representation. Of course, if a private attorney or other person believed that a client was financially ineligible, a complaint could be lodged with the administrators of the defender or assigned-counsel programs, which would have the responsibility for making certain that eligibility guidelines are properly applied. If during the progress of a case new financial information comes to the attention of defenders or assigned counsel, the eligibility of the accused should be redetermined.

This standard is consistent with provisions in most state statutes that vest decisions on eligibility in the courts. Similarly, the federal Criminal Justice Act of 1964 authorizes judges to determine whether the accused is eligible for assigned counsel.<sup>3</sup> These provisions are part of an overall

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1. U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE STATISTICS, NATIONAL CRIMINAL DEFENSE SYSTEMS STUDY 34 (Sept. 1986).

2. U.S. DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE, CONTAINING THE COSTS OF INDIGENT DEFENSE PROGRAMS: ELIGIBILITY SCREENING AND COST RECOVERY PROCEDURES 12 (Sept. 1986). In its recommendations, however, this study implicitly rejects screening in open court by urging that eligibility determinations be "conducted at a centralized location by a single responsible organization. . . ." *Id.* at 70, Recommendation Three.

3. 18 U.S.C. § 3006A(b) (1992).

series of rules that place responsibility for the assignment of counsel on the courts and also empower judges to approve the amounts of compensation to be paid to assigned counsel.<sup>4</sup> In this chapter, in contrast, it is recommended that the court not play a role in the "selection of lawyers for specific cases" (standard 5-1.3(a)) and that "[c]ompensation for assigned counsel . . . be approved by administrators of assigned-counsel programs" (standard 5-2.4). A suggestion that eligibility determinations be limited to defenders or assigned counsel is made by the National Legal Aid and Defender Association.<sup>5</sup>

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4. 18 U.S.C. § 3006A(b), (d) (1992).

5. NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, NATIONAL STUDY COMMISSION ON DEFENSE SERVICES 1.6 (1976).

## **PART VIII.**

### **OFFER AND WAIVER**

#### **Standard 5-8.1. Providing counsel to persons in custody**

(a) A person taken into custody or otherwise deprived of liberty should immediately be informed, preferably by defense counsel, of the right to legal representation. An offer of counsel should be made in words easily understood, and it should be stated expressly that one who is unable to pay for representation is entitled to counsel.

(b) Custodial authorities should provide access to a telephone, the telephone number of the defender, assigned counsel or contract for services program, and any other means necessary to establish communication with a lawyer.

(c) The defender, assigned counsel or contract for services program should ensure that information on access to counsel is provided to persons in custody. An attorney or representative from the appropriate program should be available to respond promptly to a person in custody who requests the services of counsel.

#### ***History of Standard***

This is a substantial redraft of the second edition's standard 5-7.1. Revision is intended to clarify the standard's concern with nonjudicial mechanisms for provision of information to the custodial accused as to the availability of counsel. This is to be contrasted with the following section, which focuses on the provision and waiver of counsel in judicial proceedings. The title of the standard is changed to accord with the policy change, and the standard is now divided into three subsections.

Subsection (a) changes in the first sentence include the addition of the words "preferably by defense counsel" and the substitution of the more precise phrase "legal representation" for "assistance." The second sentence in the second edition was deleted as unnecessary. The third sentence now deletes the word "adequate," as has been done throughout the chapter where it appears in this context.

Subsection (b) transfers a sentence from the end of the second edition version to a new placement, while subsection (c) substitutes a new

sentence which shifts the onus to the defense service provider to assure information and access to counsel.

### ***Related Standards***

ABA Standards for Criminal Justice 4-2.1, 4-2.2, 4-2.3 (3d ed. 1993).  
National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.3 (1973).

National Legal Aid and Defender Association, National Study Commission Recommendations 1.2, 1.3, 1.4 (1976).

National Legal Aid and Defender Association, Standards for Defender Services II.2.b (1976).

### ***Commentary***

Standard 5-6.1 recommends that representation be provided the accused at the earliest possible time, either when "custody begins, at appearance before a committing magistrate, or when formal charges are filed, whichever occurs earliest." Standard 5-8.1 deals with important aspects of achieving early representation by counsel, that is, the party responsible for notifying the accused concerning the right to representation by counsel, where and when such notice should be given, and in what manner it should be provided.

Ordinarily, an offer of counsel should be made to the accused by a lawyer, and this should occur prior to defendant's appearance in court. The defense lawyer is in the best position to explain the advantages of having counsel and the pitfalls apt to be encountered in the absence of legal representation. Moreover, the accused is most likely to regard the defense lawyer as a person interested in protecting the accused's interests. If the offer of counsel is made by a police officer or prosecutor, it is less likely to be stated fairly and to be intelligently understood, due to the adversary relationship between the parties. The private offer of counsel through an attorney also minimizes the risk that information prejudicial to the accused will be revealed in the process.

In urban areas, where many persons are brought daily to a station-house, jail, or other central place for booking, it may be best to provide a defender or assigned counsel to make the initial offer of counsel. Alternatively, a defender program may wish to use paralegals for the function. In rural areas, the volume and frequency of arrests and factors of distance may make it impractical to adopt such a system, although



it is undoubtedly possible to have the offer of counsel made by a lawyer over the telephone.

In the event the accused is not contacted and offered the assistance of counsel, he or she should at least be afforded the opportunity to request a lawyer. In order to make this possible, a telephone should be available, as should the telephone numbers of the defender program. The telephone, of course, is only one of various means by which to provide access to counsel for the custodial accused.

The offer of counsel to which this standard is addressed should not be confused with the "warning" required pursuant to *Miranda v. Arizona*<sup>1</sup> to render admissible in evidence statements made by the accused while in custody. Necessarily, the circumstances and terms of such a warning cannot fulfill all the requirements for an offer of counsel, and the fact that a warning valid within the meaning of *Miranda* has been made should not in itself be considered as fulfilling the requirement of a formal offer.

The manner in which counsel is offered to the accused has considerable impact on the decision whether to accept or reject the assistance of counsel. Decisions of the Supreme Court require that the accused be given the opportunity to make an intelligent and uncoerced choice whether to be represented by counsel.<sup>2</sup> The accused cannot make such a choice if the offer is made in language that cannot be understood or is couched in unfamiliar terms. Since, for example, the word "counsel" is an unfamiliar abstraction to many persons, the explanation should emphasize the way in which a lawyer can assist in meeting the problems faced by the accused. Similarly, the accused should be informed that provision of counsel may be accompanied by an obligation of contribution, depending on financial eligibility, so that an informed choice can be exercised.<sup>3</sup>

The other national standard that comes closest to dealing with the subject matter of standard 5-8.1 is that of the National Advisory Commission. The standard, however, does not follow ABA Standard 5-8.1 in urging that advice regarding the right to counsel be given as soon as "[a] person [is] taken into custody or otherwise deprived of liberty. . . ." The Commission states that counsel may be requested by

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1. 384 U.S. 436 (1966).

2. *E.g.*, *Argersinger v. Hamlin*, 407 U.S. 25 (1972); *Carnley v. Cochran*, 369 U.S. 506 (1962); *Von Moltke v. Gillies*, 332 U.S. 708 (1948); *Johnson v. Zerbst*, 304 U.S. 458 (1938).

3. See text and commentary to standard 5-7.2.

an accused at a criminal proceeding, and that when such a request is made, "the public defender or appointed counsel should contact the accused."<sup>4</sup> This standard, too, puts the burden on the defender program to assure that information regarding counsel be given to all defendants in custody. This may be by signs prepared by the office, or by pamphlets or business cards describing the services of the office, but the best way to assure accurate information is to provide regular and prompt access to an attorney or other appropriate representative of the program.

### **Standard 5-8.2. In-court waiver**

(a) The accused's failure to request counsel or an announced intention to plead guilty should not of itself be construed to constitute a waiver of counsel in court. An accused should not be deemed to have waived the assistance of counsel until the entire process of offering counsel has been completed before a judge and a thorough inquiry into the accused's comprehension of the offer and capacity to make the choice intelligently and understandingly has been made. No waiver of counsel should occur unless the accused understands the right and knowingly and intelligently relinquishes it. No waiver should be found to have been made where it appears that the accused is unable to make an intelligent and understanding choice because of mental condition, age, education, experience, the nature or complexity of the case, or other factors. A waiver of counsel should not be accepted unless it is in writing and of record.

(b) If an accused in a proceeding involving the possibility of incarceration has not seen a lawyer and indicates an intention to waive the assistance of counsel, a lawyer should be provided before any in-court waiver is accepted. No waiver should be accepted unless the accused has at least once conferred with a lawyer. If a waiver is accepted, the offer should be renewed at each subsequent stage of the proceedings at which the accused appears without counsel.

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4. NATIONAL ADVISORY COMMISSION ON CRIMINAL JUSTICE STANDARDS AND GOALS, COURTS 13.3 (1973).

### ***History of Standard***

The revised standard now incorporates in a single location standards 5-7.2 and 5-7.3 from the second edition, because both standards deal with in-court provision and waiver of counsel. The two subsections of the new standard make this change by using language very similar to that of the prior standards.

Subsection (a) adds a new third sentence which defines waiver. The new last sentence is a reworded version of the first sentence of former standard 5-7.3.

Subsection (b) is a reworded version of the remainder of former standard 5-7.3. As now written, the standard better accomplishes what was desired—the provision of advice by counsel to all defendants who face the possibility of incarceration as to the consequences of waiver of counsel, prior to the in-court waiver of counsel.

### ***Related Standards***

ABA Standards for Criminal Justice 4-3.9 (3d ed. 1993).

ABA Standards for Criminal Justice 6-3.6, 11-5.3(b)(i), 14-1.3, 21-3.2 (2d ed. 1980).

National Advisory Commission on Criminal Justice Standards and Goals, Courts 13.3 (1973).

### ***Commentary***

The Supreme Court has held that an accused is constitutionally entitled to proceed without counsel.<sup>1</sup> Before the right to pro se representation may be claimed, however, the accused “should be made aware

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1. *Faretta v. California*, 422 U.S. 806 (1975); *see also* *McKaskle v. Wiggins*, 465 U.S. 168 (1984). *But see* *People v. Woodruff*, 85 Ill. App. 3d 645, 406 N.E.2d 1155 (1980) (no error occurs when trial court fails to advise defendant of right to proceed pro se); *State v. Garcia*, 92 Wash. 2d 647, 600 P.2d 1010 (1979) (trial court has no duty to inform criminal defendant of right to proceed pro se). Other duties arise when the court appoints “hybrid” or “standby” counsel. *See also* ABA STANDARDS FOR CRIMINAL JUSTICE 4-3.9 (3d ed. 1993); NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, STANDARDS FOR THE ADMINISTRATION OF ASSIGNED COUNSEL SYSTEMS 2.8 (1989).

of the dangers and disadvantages of self-representation,"<sup>2</sup> and a waiver of counsel should not be accepted unless it is entered knowingly and intelligently.<sup>3</sup> Thus, the court should inquire whether the accused apprehends the nature of the charges, the offenses included within them, the allowable punishments, possible defenses to the charges, and circumstances in mitigation thereof, among other factors.<sup>4</sup> Since the question ultimately is the subjective understanding of the accused rather than the quality or content of the explanation provided, the court should question the accused in a manner designed to reveal that understanding, instead of framing questions that call for a simple yes or no response.<sup>5</sup> As the Supreme Court has noted: "A judge can make certain that an accused's professed waiver of counsel is understandingly and wisely made only from a penetrating and comprehensive examination of all the circumstances under which such a plea is tendered."<sup>6</sup>

It follows that the absence of a request for counsel cannot be treated as a waiver. Nor should a defendant who is without counsel be called upon to plead unless a valid waiver of legal representation has been entered.<sup>7</sup> Although a lack of legal knowledge generally will not serve as a basis for denying assertion of the right to self-representation, waivers of counsel have been held invalid where they were not intelligently or understandingly made because of factors indicating the inherent

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2. *Faretta v. California*, *supra* note 1, at 835. See also *Maddox v. State*, 613 S.W.2d 275 (Tex. Crim. App. 1980) (trial judge's allowing defendant to represent self after insufficient warning of the dangers of self-representation held reversible error). But see *State v. Edwards*, 592 S.W.2d 308 (Mo. 1979) (where defendant requests and receives hybrid representation, trial court does not err by failing to warn of the perils of self-representation).

3. *E.g.*, *Carnley v. Cochran*, 389 U.S. 506, 513-517 (1962). See also *Edwards v. Arizona*, 451 U.S. 477 (1981) (relinquishment of the right to counsel requires a knowing and intelligent waiver from defendants subjected to custodial interrogation).

4. *Von Moltke v. Gillies*, 332 U.S. 708, 723-724 (plurality opinion of Black, J.) (1948). Four justices in *Von Moltke* determined that the waiver was constitutionally deficient; two additional Justices agreed to reverse due to the inconclusiveness of the record. *Carvey v. LeFevre*, 611 F.2d 19 (2d Cir. 1979), *cert. denied*, 446 U.S. 921 (1979) (failure to tell defendant about his pending indictment rendered any waiver of counsel ineffective).

5. *United States ex. rel. Miner v. Erickson*, 428 F.2d 623, 636 (8th Cir. 1970) (dissenting opinion). See also *Minor v. United States*, 375 F.2d 170, 175-179 (8th Cir. 1967) (dissenting opinion).

6. *Von Moltke v. Gillies*, 332 U.S. at 724 (1948).

7. ABA STANDARDS FOR CRIMINAL JUSTICE 14-1.3 (2d ed. 1980) (indigent defendant not required to plead until the right to counsel is either accepted or validly waived).

incapacity of the accused to comprehend the matter.<sup>8</sup> The requirement that waivers be reduced to writing and made a matter of record helps to assure that the issue of counsel will not be treated lightly, and also aids in minimizing postconviction disputes over the matter of waiver.

An accused who expresses a desire to proceed without counsel may sometimes fail to understand fully the assistance a lawyer can provide. Accordingly, this standard recommends that "[n]o waiver should be accepted unless the accused has at least once conferred with a lawyer." Some courts have recognized that counsel may be assigned by the court for this limited purpose.<sup>9</sup> Such a practice helps to counter the argument that any waiver of counsel by a layperson must be the result of insufficient information or knowledge.

The value and need for legal assistance may become clear to the defendant only at a stage of the proceedings subsequent to the initial offer of counsel and after a waiver has been entered. Since the occasions on which persons appear without counsel should be kept to a minimum (see standard 5-1.1), the earlier waiver of counsel should not be held to preclude the appointment of counsel at a later stage of the proceedings. Accordingly, the offer of counsel should be renewed at each stage of the case, and the defendant should be afforded the opportunity to withdraw the waiver of counsel previously entered.

Provisions in the Uniform Rules of Criminal Procedure are the most detailed of any national standards on the subject of waiver of counsel. These provide that counsel may not be deemed waived unless the relinquishment of legal representation is made "expressly and voluntarily and the court is satisfied that the defendant fully understands" a number of specific matters, including the nature of the charges, the range of penalties, and the assistance a defense attorney can render at trial, at the guilty plea stage, and at sentencing.<sup>10</sup> The Uniform Rules also provide

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8. *E.g.*, *United States v. Allen*, 895 F.2d 1577 (10th Cir. 1990).

9. *People v. Culbert*, 69 Ill. App. 2d 162, 167, 215 N.E.2d 470, 473 (1966) (dictum); *State v. Erickson*, 80 S.D. 639, 647, 129 N.W. 2d 712, 716 (1964) (dictum); *State v. Thomson*, 78 S.D. 235, 100 N.W.2d 121 (1960). *State ex rel. J.M. v. Taylor*, 276 S.E.2d 199 (W.Va. 1981) (juvenile may waive counsel only on advice of counsel); *See also Nineteenth Annual Review of Criminal Procedure: United States Supreme Court and Courts of Appeals 1988-1989: Trial: Right to Counsel*, 78 GEO. L.J. 1077 (1990).

10. NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS, UNIFORM RULES OF CRIMINAL PROCEDURE 711 (1974).

that a court may refuse to accept a waiver of counsel until the accused has consulted with a lawyer. These rules also provide that the court may appoint "standby counsel to assist when called upon by the defendant."<sup>11</sup>

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11. See also Annot., 98 A.L.R.3d 13 (1980).



**ABA**

**TEN**

**PRINCIPLES**

**OF A PUBLIC DEFENSE DELIVERY SYSTEM**



*February 2002*



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# TEN PRINCIPLES

OF A PUBLIC DEFENSE DELIVERY SYSTEM

*February 2002*

Approved by American Bar Association House of Delegates, February 2002. The American Bar Association recommends that jurisdictions use these Principles to assess promptly the needs of public defense delivery systems and clearly communicate those needs to policy makers.

# INTRODUCTION

The *ABA Ten Principles of a Public Defense Delivery System* were sponsored by the ABA Standing Committee on Legal and Indigent Defendants and approved by the ABA House of Delegates in February 2002. The Principles were created as a practical guide for governmental officials, policymakers, and other parties who are charged with creating and funding new, or improving existing, public defense delivery systems. The Principles constitute the fundamental criteria necessary to design a system that provides effective, efficient, high quality, ethical, conflict-free legal representation for criminal defendants who are unable to afford an attorney. The more extensive ABA policy statement dealing with indigent defense services is contained within the ABA Standards for Criminal Justice, *Providing Defense Services* (3d ed. 1992), which can be viewed on-line (black letter only) and purchased (black letter with commentary) by accessing the ABA Criminal Justice Section homepage at <http://www.abanet.org/crimjust/home.html>.

## ACKNOWLEDGMENTS

The Standing Committee on Legal Aid and Indigent Defendants is grateful to everyone assisting in the development of the *ABA Ten Principles of a Public Defense Delivery System*. Foremost, the Standing Committee acknowledges former member James R. Neuhard, Director of the Michigan State Appellate Defender Office, who was the first to recognize the need for clear and concise guidance on how to design an effective system for providing public defense services. In 2000, Mr. Neuhard and Scott Wallace, Director of Defender Legal Services for the National Legal Aid and Defender Association, jointly produced a paper entitled “The Ten Commandments of Public Defense Delivery Systems,” which was later included in the Introduction to Volume I of the U.S. Department of Justice’s Compendium of Standards for Indigent Defense Systems. The *ABA Ten Principles of a Public Defense Delivery System* are based on this work of Mr. Neuhard and Mr. Wallace.

Special thanks go to the members of the Standing Committee and its Indigent Defense Advisory Group who reviewed drafts and provided comment. Further, the Standing Committee is grateful to the ABA entities that provided invaluable support for these Principles by co-sponsoring them in the House of Delegates, including: Criminal Justice Section, Government and Public Sector Lawyers Division, Steering Committee on the Unmet Legal Needs of Children, Commission on Racial and Ethnic Diversity in the Profession, Standing Committee on Pro Bono and Public Services. We would also like to thank the ABA Commission on Homelessness and Poverty and the ABA Juvenile Justice Center for their support.

L. Jonathan Ross  
Chair, Standing Committee on  
Legal Aid and Indigent Defendants

# ABA TEN PRINCIPLES OF A PUBLIC DEFENSE DELIVERY SYSTEM

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## *Black Letter*

- 1 The public defense function, including the selection, funding, and payment of defense counsel, is independent.
- 2 Where the caseload is sufficiently high, the public defense delivery system consists of both a defender office and the active participation of the private bar.
- 3 Clients are screened for eligibility, and defense counsel is assigned and notified of appointment, as soon as feasible after clients' arrest, detention, or request for counsel.
- 4 Defense counsel is provided sufficient time and a confidential space within which to meet with the client.
- 5 Defense counsel's workload is controlled to permit the rendering of quality representation.
- 6 Defense counsel's ability, training, and experience match the complexity of the case.
- 7 The same attorney continuously represents the client until completion of the case.
- 8 There is parity between defense counsel and the prosecution with respect to resources and defense counsel is included as an equal partner in the justice system.
- 9 Defense counsel is provided with and required to attend continuing legal education.
- 10 Defense counsel is supervised and systematically reviewed for quality and efficiency according to nationally and locally adopted standards.



# ABA TEN PRINCIPLES OF A PUBLIC DEFENSE DELIVERY SYSTEM

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*With Commentary*

**1** The public defense function, including the selection, funding, and payment of defense counsel,<sup>1</sup> is independent. The public defense function should be independent from political influence and subject to judicial supervision only in the same manner and to the same extent as retained counsel.<sup>2</sup> To safeguard independence and to promote efficiency and quality of services, a nonpartisan board should oversee defender, assigned counsel, or contract systems.<sup>3</sup> Removing oversight from the judiciary ensures judicial independence from undue political pressures and is an important means of furthering the independence of public defense.<sup>4</sup> The selection of the chief defender and staff should be made on the basis of merit, and recruitment of attorneys should involve special efforts aimed at achieving diversity in attorney staff.<sup>5</sup>

**2** Where the caseload is sufficiently high,<sup>6</sup> the public defense delivery system consists of both a defender office<sup>7</sup> and the active participation of the private bar. The private bar participation may include part-time defenders, a controlled assigned counsel plan, or contracts for services.<sup>8</sup> The appointment process should never be *ad hoc*,<sup>9</sup> but should be according to a coordinated plan directed by a full-time administrator who is also an attorney familiar with the varied requirements of practice in the jurisdiction.<sup>10</sup> Since the responsibility to provide defense services rests with the state, there should be state funding and a statewide structure responsible for ensuring uniform quality statewide.<sup>11</sup>

**3** Clients are screened for eligibility,<sup>12</sup> and defense counsel is assigned and notified of appointment, as soon as feasible after clients' arrest, detention, or request for counsel. Counsel should be furnished upon arrest, detention, or request,<sup>13</sup> and usually within 24 hours thereafter.<sup>14</sup>

**4** Defense counsel is provided sufficient time and a confidential space within which to meet with the client. Counsel should interview the client as soon as practicable before the preliminary examination or the trial date.<sup>15</sup> Counsel should have confidential access to the client for the full exchange of legal, procedural, and factual information between counsel and client.<sup>16</sup> To ensure confidential communications, private meeting space should be available in jails, prisons, courthouses, and other places where defendants must confer with counsel.<sup>17</sup>

**5** Defense counsel's workload is controlled to permit the rendering of quality representation. Counsel's workload, including appointed and other work, should never be so large as to interfere with the rendering of quality representation or lead to the breach of ethical obligations, and counsel is obligated to decline appointments above such levels.<sup>18</sup> National caseload standards should in no event be exceeded,<sup>19</sup> but the concept of workload (i.e., caseload adjusted by factors such as case complexity, support services, and an attorney's nonrepresentational duties) is a more accurate measurement.<sup>20</sup>

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**6** **Defense counsel's ability, training, and experience match the complexity of the case.** Counsel should never be assigned a case that counsel lacks the experience or training to handle competently, and counsel is obligated to refuse appointment if unable to provide ethical, high quality representation.<sup>21</sup>

**7** **The same attorney continuously represents the client until completion of the case.** Often referred to as “vertical representation,” the same attorney should continuously represent the client from initial assignment through the trial and sentencing.<sup>22</sup> The attorney assigned for the direct appeal should represent the client throughout the direct appeal.

**8** **There is parity between defense counsel and the prosecution with respect to resources and defense counsel is included as an equal partner in the justice system.** There should be parity of workload, salaries and other resources (such as benefits, technology, facilities, legal research, support staff, paralegals, investigators, and access to forensic services and experts) between prosecution and public defense.<sup>23</sup> Assigned counsel should be paid a reasonable fee in addition to actual overhead and expenses.<sup>24</sup> Contracts with private attorneys for public defense services should never be let primarily on the basis of cost; they should specify performance requirements and the anticipated workload, provide an overflow or funding mechanism for excess,

unusual, or complex cases,<sup>25</sup> and separately fund expert, investigative, and other litigation support services.<sup>26</sup> No part of the justice system should be expanded or the workload increased without consideration of the impact that expansion will have on the balance and on the other components of the justice system. Public defense should participate as an equal partner in improving the justice system.<sup>27</sup> This principle assumes that the prosecutor is adequately funded and supported in all respects, so that securing parity will mean that defense counsel is able to provide quality legal representation.

**9** **Defense counsel is provided with and required to attend continuing legal education.** Counsel and staff providing defense services should have systematic and comprehensive training appropriate to their areas of practice and at least equal to that received by prosecutors.<sup>28</sup>

**10** **Defense counsel is supervised and systematically reviewed for quality and efficiency according to nationally and locally adopted standards.** The defender office (both professional and support staff), assigned counsel, or contract defenders should be supervised and periodically evaluated for competence and efficiency.<sup>29</sup>

# NOTES

<sup>1</sup> “Counsel” as used herein includes a defender office, a criminal defense attorney in a defender office, a contract attorney, or an attorney in private practice accepting appointments. “Defense” as used herein relates to both the juvenile and adult public defense systems.

<sup>2</sup> National Advisory Commission on Criminal Justice Standards and Goals, Task Force on Courts, Chapter 13, *The Defense* (1973) [hereinafter “NAC”], Standards 13.8, 13.9; National Study Commission on Defense Services, *Guidelines for Legal Defense Systems in the United States* (1976) [hereinafter “NSC”], Guidelines 2.8, 2.18, 5.13; American Bar Association Standards for Criminal Justice, *Providing Defense Services* (3<sup>rd</sup> ed. 1992) [hereinafter “ABA”], Standards 5-1.3, 5-1.6, 5-4.1; *Standards for the Administration of Assigned Counsel Systems* (NLADA 1989) [hereinafter “Assigned Counsel”], Standard 2.2; NLADA *Guidelines for Negotiating and Awarding Contracts for Criminal Defense Services*, (1984) [hereinafter “Contracting”], Guidelines II-1, 2; National Conference of Commissioners on Uniform State Laws, *Model Public Defender Act* (1970) [hereinafter “Model Act”], § 10(d); Institute for Judicial Administration/American Bar Association, *Juvenile Justice Standards Relating to Counsel for Private Parties* (1979) [hereinafter “ABA Counsel for Private Parties”], Standard 2.1(D).

<sup>3</sup> NSC, *supra* note 2, Guidelines 2.10-2.13; ABA, *supra* note 2, Standard 5-1.3(b); Assigned Counsel, *supra* note 2, Standards 3.2.1, 2; Contracting, *supra* note 2, Guidelines II-1, II-3, IV-2; Institute for Judicial Administration/ American Bar Association, *Juvenile Justice Standards Relating to Monitoring* (1979) [hereinafter “ABA Monitoring”], Standard 3.2.

<sup>2</sup> Judicial independence is “the most essential character of a free society” (American Bar Association Standing Committee on Judicial Independence, 1997).

<sup>5</sup> ABA, *supra* note 2, Standard 5-4.1

<sup>6</sup> “Sufficiently high” is described in detail in NAC Standard 13.5 and ABA Standard 5-1.2. The phrase generally can be understood to mean that there are enough assigned cases to support a full-time public defender (taking into account distances, caseload diversity, etc.), and the remaining number of cases are enough to support meaningful involvement of the private bar.

<sup>7</sup> NAC, *supra* note 2, Standard 13.5; ABA, *supra* note 2, Standard 5-1.2; ABA Counsel for Private Parties, *supra* note 2, Standard 2.2. “Defender office” means a full-time public defender office and includes a private nonprofit organization operating in the same manner as a full-time public defender office under a contract with a jurisdiction.

<sup>8</sup> ABA, *supra* note 2, Standard 5-1.2(a) and (b); NSC, *supra* note 2, Guideline 2.3; ABA, *supra* note 2, Standard 5-2.1.

<sup>9</sup> NSC, *supra* note 2, Guideline 2.3; ABA, *supra* note 2, Standard 5-2.1.

<sup>10</sup> ABA, *supra* note 2, Standard 5-2.1 and commentary; Assigned Counsel, *supra* note 2, Standard 3.3.1 and commentary n.5 (duties of Assigned Counsel Administrator such as supervision of attorney work cannot ethically be performed by a non-attorney, citing ABA Model Code of Professional Responsibility and Model Rules of Professional Conduct).

<sup>11</sup> NSC, *supra* note 2, Guideline 2.4; Model Act, *supra* note 2, § 10; ABA, *supra* note 2, Standard 5-1.2(c); *Gideon v. Wainwright*, 372 U.S. 335 (1963) (provision of indigent defense services is obligation of state).

<sup>12</sup> For screening approaches, see NSC, *supra* note 2, Guideline 1.6 and ABA, *supra* note 2, Standard 5-7.3.

<sup>13</sup> NAC, *supra* note 2, Standard 13.3; ABA, *supra* note 2, Standard 5-6.1; Model Act, *supra* note 2, § 3; NSC, *supra* note 2, Guidelines 1.2-1.4; ABA Counsel for Private Parties, *supra* note 2, Standard 2.4(A).

<sup>14</sup> NSC, *supra* note 2, Guideline 1.3.

<sup>15</sup> American Bar Association Standards for Criminal Justice, *Defense Function* (3<sup>rd</sup> ed. 1993) [hereinafter “ABA Defense Function”], Standard 4-3.2; *Performance Guidelines for Criminal Defense Representation* (NLADA 1995) [hereinafter “Performance Guidelines”], Guidelines 2.1-4.1; ABA Counsel for Private Parties, *supra* note 2, Standard 4.2.

16 NSC, *supra* note 2, Guideline 5.10; ABA Defense Function, *supra* note 15, Standards 4-3.1, 4-3.2; Performance Guidelines, *supra* note 15, Guideline 2.2.

17 ABA Defense Function, *supra* note 15, Standard 4-3.1.

18 NSC, *supra* note 2, Guideline 5.1, 5.3; ABA, *supra* note 2, Standards 5-5.3; ABA Defense Function, *supra* note 15, Standard 4-1.3(e); NAC, *supra* note 2, Standard 13.12; Contracting, *supra* note 2, Guidelines III-6, III-12; Assigned Counsel, *supra* note 2, Standards 4.1, 4.1.2; ABA Counsel for Private Parties, *supra* note 2, Standard 2.2(B)(iv).

19 Numerical caseload limits are specified in NAC Standard 13.12 (maximum cases per year: 150 felonies, 400 misdemeanors, 200 juvenile, 200 mental health, or 25 appeals), and other national standards state that caseloads should “reflect” (NSC Guideline 5.1) or “under no circumstances exceed” (Contracting Guideline III-6) these numerical limits. The workload demands of capital cases are unique: the duty to investigate, prepare, and try both the guilt/innocence and mitigation phases today requires an average of almost 1,900 hours, and over 1,200 hours even where a case is resolved by guilty plea. *Federal Death Penalty Cases: Recommendations Concerning the Cost and Quality of Defense Representation* (Judicial Conference of the United States, 1998). See also ABA Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases (1989) [hereinafter “Death Penalty”].

20 ABA, *supra* note 2, Standard 5-5.3; NSC, *supra* note 2, Guideline 5.1; *Standards and Evaluation Design for Appellate Defender Offices* (NLADA 1980) [hereinafter “Appellate”], Standard 1-F.

21 Performance Guidelines, *supra* note 15, Guidelines 1.2, 1.3(a); Death Penalty, *supra* note 19, Guideline 5.1.

22 NSC, *supra* note 2, Guidelines 5.11, 5.12; ABA, *supra* note 2, Standard 5-6.2; NAC, *supra* note 2, Standard 13.1; Assigned Counsel, *supra* note 2, Standard 2.6; Contracting, *supra* note 2, Guidelines

III-12, III-23; ABA Counsel for Private Parties, *supra* note 2, Standard 2.4(B)(i).

23 NSC, *supra* note 2, Guideline 3.4; ABA, *supra* note 2, Standards 5-4.1, 5-4.3; Contracting, *supra* note 2, Guideline III-10; Assigned Counsel, *supra* note 2, Standard 4.7.1; Appellate, *supra* note 20 (*Performance*); ABA Counsel for Private Parties, *supra* note 2, Standard 2.1(B)(iv). See NSC, *supra* note 2, Guideline 4.1 (includes numerical staffing ratios, e.g.: there must be one supervisor for every 10 attorneys, or one part-time supervisor for every 5 attorneys; there must be one investigator for every three attorneys, and at least one investigator in every defender office). Cf. NAC, *supra* note 2, Standards 13.7, 13.11 (chief defender salary should be at parity with chief judge; staff attorneys at parity with private bar).

24 ABA, *supra* note 2, Standard 5-2.4; Assigned Counsel, *supra* note 2, Standard 4.7.3.

25 NSC, *supra* note 2, Guideline 2.6; ABA, *supra* note 2, Standards 5-3.1, 5-3.2, 5-3.3; Contracting, *supra* note 2, Guidelines III-6, III-12, and *passim*.

26 ABA, *supra* note 2, Standard 5-3.3(b)(x); Contracting, *supra* note 2, Guidelines III-8, III-9.

27 ABA Defense Function, *supra* note 15, Standard 4-1.2(d).

28 NAC, *supra* note 2, Standards 13.15, 13.16; NSC, *supra* note 2, Guidelines 2.4(4), 5.6-5.8; ABA, *supra* note 2, Standards 5-1.5; Model Act, *supra* note 2, § 10(e); Contracting, *supra* note 2, Guideline III-17; Assigned Counsel, *supra* note 2, Standards 4.2, 4.3.1, 4.3.2, 4.4.1; NLADA *Defender Training and Development Standards* (1997); ABA Counsel for Private Parties, *supra* note 2, Standard 2.1(A).

29 NSC, *supra* note 2, Guidelines 5.4, 5.5; Contracting, *supra* note 2, Guidelines III-16; Assigned Counsel, *supra* note 2, Standard 4.4; ABA Counsel for Private Parties, *supra* note 2, Standards 2.1 (A), 2.2; ABA Monitoring, *supra* note 3, Standards 3.2, 3.3. Examples of performance standards applicable in conducting these reviews include NLADA Performance Guidelines, ABA Defense Function, and NLADA/ABA Death Penalty.





**FOR MORE INFORMATION OR TO ORDER PUBLICATIONS, CONTACT STAFF AT:**

American Bar Association, Division for Legal Services

321 N. Clark Street, 19<sup>th</sup> Floor

Chicago, Illinois 60610

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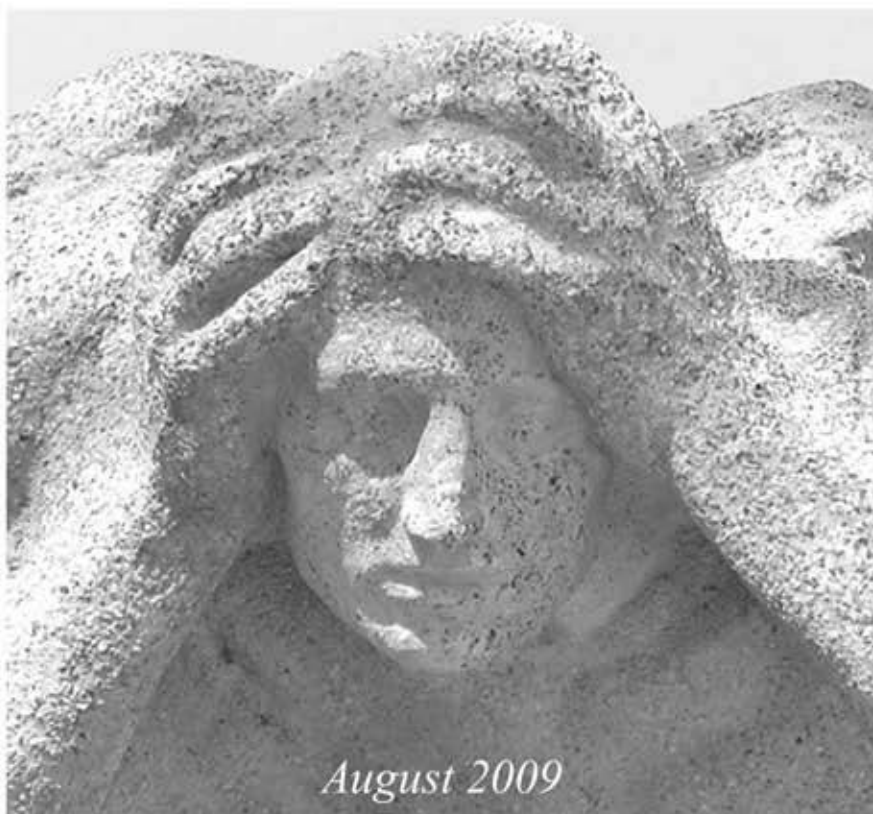
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# EIGHT GUIDELINES

OF PUBLIC DEFENSE  
RELATED TO EXCESSIVE WORKLOADS



**ABA Standing Committee  
on Legal Aid and Indigent Defendants**

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**2008 - 2009**

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## ACKNOWLEDGMENTS

The Standing Committee on Legal Aid and Indigent Defendants is grateful to everyone who assisted in the development of the *ABA Eight Guidelines of Public Defense Related to Excessive Workloads*.

First and foremost, the Standing Committee thanks Professor Norman Lefstein who had the vision to recognize the need to develop the Guidelines and served as Reporter for the project. Professor Lefstein's expertise in the area of indigent defense is well known, as he previously served as Reporter for the Second Edition of ABA Criminal Justice Standards Relating to *The Defense Function and Providing Defense Services*. His prior publications for ABA SCLAID include *Criminal Defense Services for the Poor*, published in 1982, and his co-authorship of *Gideon's Broken Promise: America's Continuing Quest for Equal Justice*, published in 2004. Recently, he served as co-Reporter for *Justice Denied: America's Continuing Neglect of Our Constitutional Right to Counsel*, published in 2009 by the Constitution Project's National Right to Counsel Committee. Earlier in his career, Professor Lefstein served as director of the Public Defender Service for the District of Columbia, as an Assistant U.S. Attorney, and as a staff member in the Office of the Deputy Attorney General of the U.S. Department of Justice.

Special thanks also are owed to members of the Standing Committee and especially to its Indigent Defense Advisory Group whose members reviewed numerous drafts of the Guidelines and provided extensive comments. Also, the Committee is indebted to its talented ABA SCLAID staff, Georgia Vagenas, Assistant Counsel, who assisted all of us and made significant contributions to the Guidelines.

The Standing Committee is grateful as well to the many ABA entities that provided support for the Guidelines by co-sponsoring them in the House of Delegates, including the Criminal Justice Section; Special Committee on Death Penalty Representation; Council on Racial and Ethnic Justice; Standing Committee on Judicial Independence; General Practice, Solo, and Small Firm Division; Section of Litigation; Section of Individual Rights and Responsibilities; Government and Public Sector Lawyers Division; and American Judicature Society. Further, we thank the ABA Standing Committee on Ethics and Professional Responsibility for its review of the Guidelines and comments. The Committee also thanks the many members of the defender community throughout the country whose review of the Guidelines and thoughtful comments improved our final product. The National Legal Aid and Defender Association was instrumental in disseminating the draft Guidelines nationwide and the assistance of its leadership and staff is gratefully acknowledged.

Finally, the Standing Committee expresses its appreciation to John Terzano, President, and Joyce McGee, Executive Director, of The Justice Project, which has administered the grant that facilitated the preparation and publication of the Guidelines.

**Hon. Deborah Hankinson (former)  
Chair, Standing Committee on  
Legal Aid and Indigent Defendants  
2006-2009**

**Resolution adopted by American Bar Association House of Delegates,  
August, 2009:**

**RESOLVED**, That the American Bar Association adopts the black letter  
(and introduction and commentary) Eight Guidelines of Public Defense  
Related to Excessive Workloads, dated August 2009.

## Introduction

The American Bar Association (ABA) has declared the achievement of quality representation as the objective for those who furnish defense services for persons charged in criminal and juvenile delinquency cases who cannot afford a lawyer. This goal is not achievable, however, when the lawyers providing the defense representation have too many cases, which frequently occurs throughout the United States. This was emphasized in the report of the ABA Standing Committee on Legal Aid and Indigent Defendants published in 2004, *Gideon's Broken Promise: America's Continuing Quest for Equal Justice*, available at [www.indigentdefense.org](http://www.indigentdefense.org). Additionally, in 2009, two national studies concerned with indigent defense documented the enormous caseloads of many of the lawyers who provide representation of the indigent and the crucial importance of addressing the problem.<sup>1</sup>

In 2006, the ABA Standing Committee on Ethics and Professional Responsibility issued its first ever ethics opinion concerning the obligations of lawyers, burdened with excessive caseloads, who provide indigent defense representation.<sup>2</sup> The opinion made clear that there are “no exceptions” for lawyers who represent indigent clients, i.e., *all* lawyers have a duty to furnish “competent” and “diligent” service, as required by rules of professional conduct.<sup>3</sup>

Although Formal Opinion 06-441 set forth *some* of the steps that those providing defense services should take when faced with excessive caseloads, neither the ethics opinion nor ABA Standards for Criminal Justice contain the kind of detailed action plan, set forth in these Guidelines, to which those providing public defense should adhere as they seek to comply with their professional responsibilities. Thus, Guideline 1 urges the management of public defense programs to assess whether excessive workloads are preventing their lawyers from fulfilling performance obligations; and Guidelines 2, 3, and 4 relate to the need for continuous supervision and monitoring of workloads, training of lawyers respecting their ethical duty when confronted with excessive workloads, and the need for management to determine if excessive workloads exist. Guidelines 5 through 8 address the range of options that public defense providers and their lawyers should consider when excessive workloads are present. As set forth in Guideline 6, depending upon the circumstances, it may be necessary for those providing public defense to seek redress in the courts, but other choices may be available, as suggested in Guideline 5, before this step is required.

These Guidelines are intended for the use of public defense programs and for lawyers who provide the representation, when they are confronted with too many persons to represent and are thus prevented from discharging their responsibilities under professional conduct rules. In addition, because these Guidelines contain important considerations for those responsible for indigent defense services, they should be valuable to a number of other audiences, including members of boards and commissions that oversee public defense representation, policymakers responsible for funding indigent defense, and judges who are called upon to address the caseload concerns of those who provide public defense services. Since these Guidelines relate directly to the fair, impartial, and effective administration of justice in our courts, they also should be of special interest to bar leaders, as well as to the legal profession and to the public.

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<sup>1</sup> See Report of the National Right to Counsel Committee, JUSTICE DENIED: AMERICA'S CONTINUING NEGLECT OF OUR CONSTITUTIONAL RIGHT TO COUNSEL (The Constitution Project 2009)[hereinafter JUSTICE DENIED], available at [www.tcpjusticedenied.org](http://www.tcpjusticedenied.org); MINOR CRIMES, MASSIVE WASTE: THE TERRIBLE TOLL OF AMERICA'S BROKEN MISDEMEANOR COURTS (Nat'l Assoc. Crim. Defense Lawyers 2009) [hereinafter MINOR CRIMES], available at [www.nacdl.org/misdemeanor](http://www.nacdl.org/misdemeanor).

<sup>2</sup> ABA Comm. on Ethics and Prof'l Responsibility, Formal Op. 06-441 (2006)[hereinafter ABA Formal Op. 06-441].

<sup>3</sup> ABA MODEL RULES OF PROF'L CONDUCT R. 1.1, R. 1.3 (2008) [hereinafter ABA MODEL RULES].



# ABA EIGHT GUIDELINES OF PUBLIC DEFENSE RELATED TO EXCESSIVE WORKLOADS

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## *Black Letter*

### **GUIDELINE 1**

The Public Defense Provider avoids excessive lawyer workloads and the adverse impact that such workloads have on providing quality legal representation to all clients. In determining whether these objectives are being achieved, the Provider considers whether the performance obligations of lawyers who represent indigent clients are being fulfilled, such as:

- Whether sufficient time is devoted to interviewing and counseling clients;
- Whether prompt interviews are conducted of detained clients and of those who are released from custody;
- Whether pretrial release of incarcerated clients is sought;
- Whether representation is continuously provided by the same lawyer from initial court appearance through trial, sentencing, or dismissal;
- Whether necessary investigations are conducted;
- Whether formal and informal discovery from the prosecution is pursued;
- Whether sufficient legal research is undertaken;
- Whether sufficient preparations are made for pretrial hearings and trials; and
- Whether sufficient preparations are made for hearings at which clients are sentenced.

### **GUIDELINE 2**

The Public Defense Provider has a supervision program that continuously monitors the workloads of its lawyers to assure that all essential tasks on behalf of clients, such as those specified in Guideline 1, are performed.

### **GUIDELINE 3**

The Public Defense Provider trains its lawyers in the professional and ethical responsibilities of representing clients, including the duty of lawyers to inform appropriate persons within the Public Defense Provider program when they believe their workload is unreasonable.

### **GUIDELINE 4**

Persons in Public Defense Provider programs who have management responsibilities determine, either on their own initiative or in response to workload concerns expressed by their lawyers, whether excessive lawyer workloads are present.

## ABA EIGHT GUIDELINES OF PUBLIC DEFENSE RELATED TO EXCESSIVE WORKLOADS

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### *Black Letter*

#### **GUIDELINE 5**

**Public Defense Providers consider taking prompt actions such as the following to avoid workloads that either are or are about to become excessive:**

- **Providing additional resources to assist the affected lawyers;**
- **Curtailing new case assignments to the affected lawyers;**
- **Reassigning cases to different lawyers within the defense program, with court approval, if necessary;**
- **Arranging for some cases to be assigned to private lawyers in return for reasonable compensation for their services;**
- **Urging prosecutors not to initiate criminal prosecutions when civil remedies are adequate to address conduct and public safety does not require prosecution;**
- **Seeking emergency resources to deal with excessive workloads or exemptions from funding reductions;**
- **Negotiating formal and informal arrangements with courts or other appointing authorities respecting case assignments; and**
- **Notifying courts or other appointing authorities that the Provider is unavailable to accept additional appointments.**

#### **GUIDELINE 6**

**Public Defense Providers or lawyers file motions asking a court to stop the assignment of new cases and to withdraw from current cases, as may be appropriate, when workloads are excessive and other adequate alternatives are unavailable.**

#### **GUIDELINE 7**

**When motions to stop the assignment of new cases and to withdraw from cases are filed, Public Defense Providers and lawyers resist judicial directions regarding the management of Public Defense Programs that improperly interfere with their professional and ethical duties in representing their clients.**

#### **GUIDELINE 8**

**Public Defense Providers or lawyers appeal a court's refusal to stop the assignment of new cases or a court's rejection of a motion to withdraw from cases of current clients.**

# ABA EIGHT GUIDELINES OF PUBLIC DEFENSE RELATED TO EXCESSIVE WORKLOADS

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## *Guidelines with Commentary*

### GUIDELINE 1

**The Public Defense Provider avoids excessive lawyer workloads and the adverse impact that such workloads have on providing quality legal representation to all clients. In determining whether these objectives are being achieved, the Provider considers whether the performance obligations of lawyers who represent indigent clients are being fulfilled, such as:**

- **Whether sufficient time is devoted to interviewing and counseling clients;**
- **Whether prompt interviews are conducted of detained clients and of those who are released from custody;**
- **Whether pretrial release of incarcerated clients is sought;**
- **Whether representation is continuously provided by the same lawyer from initial court appearance through trial, sentencing, or dismissal;**
- **Whether necessary investigations are conducted;**
- **Whether formal and informal discovery from the prosecution is pursued;**
- **Whether sufficient legal research is undertaken;**
- **Whether sufficient preparations are made for pretrial hearings and trials; and**
- **Whether sufficient preparations are made for hearings at which clients are sentenced.**

### Comment

These Guidelines use “Public Defense Provider” or “Provider” to refer to public defender agencies and to programs that furnish assigned lawyers and contract lawyers. The words “lawyer” and “lawyers” refer to members of the bar employed by a defender agency, and those in private practice who accept appointments to cases for a fee or provide defense representation pursuant to contracts. The ABA long ago recognized the importance of indigent defense systems including “the active and substantial participation of the private bar...” provided “through a coordinated assigned-counsel system” and also perhaps including “contracts for services.”<sup>4</sup> In addition to covering all providers of defense services, these Guidelines are intended to apply both to adult and juvenile public defense systems. The objective of furnishing “quality legal representation” is American Bar Association policy related to indigent defense services.<sup>5</sup> This goal is consistent with the ABA’s Model Rules of Professional Conduct, which require that “competent representation” be provided consisting of “the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.”<sup>6</sup> However, if workloads are excessive, neither competent nor quality representation is possible. As stated in the ABA’s Model Rules, “[a] lawyer’s workload must be controlled so that each matter can be handled

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<sup>4</sup> ABA STANDARDS FOR CRIMINAL JUSTICE: PROVIDING DEFENSE SERVICES, Std. 5-1.2(b) (3<sup>rd</sup> ed. 1992)[hereinafter ABA PROVIDING DEFENSE SERVICES].

<sup>5</sup> “The objective in providing counsel should be to assure that quality legal representation is afforded to all persons eligible for counsel pursuant to this chapter.” ABA PROVIDING DEFENSE SERVICES, *supra* note 4, Std. 5-1.1. *See also* ABA TEN PRINCIPLES OF A PUBLIC DEFENSE DELIVERY SYSTEM, Principle 5 (2002)[hereinafter ABA TEN PRINCIPLES (“Defense counsel’s workload is controlled to permit the rendering of quality representation.”)].

<sup>6</sup> ABA MODEL RULES, *supra* note 3, R. 1.1.

competently.”<sup>7</sup> In addition, it has been successfully argued that an excessive number of cases create a concurrent conflict of interest, as a lawyer is forced to choose among the interests of various clients, depriving at least some, if not all clients, of competent and diligent defense services.<sup>8</sup> The responsibilities of defense lawyers are contained in performance standards<sup>9</sup> and in professional responsibility rules governing the conduct of lawyers in all cases.<sup>10</sup>

When defense lawyers fail to discharge the kinds of fundamental obligations contained in this Guideline, it is frequently because they have excessive workloads. For example, the failure of lawyers to interview clients thoroughly soon after representation begins and in advance of court proceedings, as necessary, is often due to excessive workloads.<sup>11</sup> When Public Defense Providers rely upon “horizontal” systems of representation, in which multiple lawyers represent the client at different stages of a case, and lawyers often stand in for one another at court proceedings, it is usually because there are too many cases for which the Provider is responsible.<sup>12</sup> If written motions are not filed, legal research not conducted, and legal memoranda not filed with the court, the lawyers most likely have an excessive workload. Similarly, excessive workloads may be the reason that crime scenes are not visited in cases where it might be useful to do so. Besides the performance obligations listed in Guideline 1, there are other indicia of excessive workloads, such as a lack of time for lawyers to participate in defense training programs, the need for which is addressed in Guideline 3 and the accompanying commentary.

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<sup>7</sup> *Id.* at R. 1.3, cmt. 2.

<sup>8</sup> “When excessive caseload forces the public defender to choose between the rights of the various indigent criminal defendants he represents, a conflict of interest is inevitably created.” In *Re Order on Prosecution of Criminal Appeals* by the Tenth Judicial Circuit Public Defender, 561 So. 1130, 1135 (Fla. 1990). *See also* American Council of Chief Defenders, Nat’l Legal Aid and Defender Assoc., Ethics Opinion 03-01, at 4 (2003): “The duty to decline excess cases is based both on the prohibition against accepting cases which cannot be handled ‘competently, promptly to completion’ ... and the conflict-of-interest based requirement that a lawyer is prohibited from representing a client ‘if the representation of that client may be materially limited by the lawyer’s responsibility to another client.’” A portion of the language last quoted is from ABA MODEL RULES, *supra* note 3, R. 1.7 (a)(2).

<sup>9</sup> The most comprehensive and authoritative standards respecting the obligations of defense lawyers in criminal cases have been developed by the National Legal Aid and Defender Association. *See* PERFORMANCE GUIDELINES FOR CRIMINAL DEFENSE REPRESENTATION (4<sup>th</sup> Printing)(Nat’l Legal Aid and Defender Assoc. 2006). Important defense obligations also are contained in ABA STANDARDS FOR CRIMINAL JUSTICE, DEFENSE FUNCTION STANDARDS(3<sup>rd</sup> ed. 1993)[hereinafter ABA DEFENSE FUNCTION].

<sup>10</sup> *See, e.g.*, ABA MODEL RULES, *supra* note 3, R 1.4, dealing with the obligation of lawyers to promptly and reasonably communicate with the client.

<sup>11</sup> “As soon as practicable, defense counsel should seek to determine all relevant facts known to the accused.” ABA DEFENSE FUNCTION, *supra* note 9, Std. 4-3.2 (a). *See also* ABA TEN PRINCIPLES, *supra* note 5, Principle 4: “Defense Counsel is provided sufficient time and confidential space within which to meet with the client.”

<sup>12</sup> “Counsel initially provided should continue to represent the defendant throughout the trial court proceedings....” ABA PROVIDING DEFENSE SERVICES, *supra* note 4, Std. 5-6.2. *See also* ABA TEN PRINCIPLES, *supra* note 5, Principle 7: “The same attorney continuously represents the client until completion of the case.” These ABA policy statements do not preclude one or more lawyers with special expertise providing assistance to the lawyer originally assigned to provide representation, and such practices do not necessarily reflect excessive defense workloads.

## **GUIDELINE 2**

**The Public Defense Provider has a supervision program that continuously monitors the workloads of its lawyers to assure that all essential tasks on behalf of clients, such as those specified in Guideline 1, are performed.**

### **Comment**

This Guideline is derived from the ABA Ten Principles of a Public Defense Delivery System and emphasizes the critical relationship between supervision and workloads. The ABA Ten Principles require that “workload[s]...[be] controlled” and that lawyers be “supervised and systematically reviewed for quality and efficiency according to nationally and locally adopted standards.”<sup>13</sup> “Workload,” as explained in the ABA Ten Principles, refers to “caseload adjusted by factors such as case complexity, support services, and an attorney’s nonrepresentational duties.”<sup>14</sup> The need for such oversight is just as important in programs that use assigned lawyers and contract lawyers as it is in public defender offices. When lawyers have a private practice in addition to their indigent defense representation, the extent of their private practice also must be considered in determining whether their workload is reasonable.<sup>15</sup> This applies to part-time public defenders, assigned lawyers, and contract lawyers.

The ABA endorses complete independence of the defense function, in which the judiciary is neither involved in the selection of counsel nor in their supervision.<sup>16</sup> This call for independence applies to public defender programs, as well as to indigent defense programs that furnish private assigned counsel<sup>17</sup> and legal representation through contracts.<sup>18</sup> Accordingly, the supervision called for under this Guideline is to be provided by seasoned lawyers who are experienced indigent defense practitioners and who act within a management structure that is independent of the judicial, executive and legislative branches of government.

Unless there is supervision of lawyer performance at regular intervals, reasonable workloads and quality representation are not likely to be achieved. Although variations in approach may be called for depending on the kinds of cases represented by the lawyer (e.g., misdemeanor, felony, juvenile, capital, appellate, post-conviction cases) and the lawyer’s level of experience, supervision normally requires (1) that meetings be held between an experienced lawyer supervisor and the lawyer being supervised; (2) that the work on cases represented by the supervisee be thoroughly reviewed through case reviews, mock presentations or other thorough reviews; (3) that the lawyer supervisor reviews selected files of the supervisee; (4) that selected court documents prepared by the supervisee be reviewed; (5) that periodic court observations of the supervisee’s representation of clients be conducted; and (6) that the number of cases

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<sup>13</sup> ABA TEN PRINCIPLES, *supra* note 5, at Principles 5 and 10.

<sup>14</sup> *Id.* at Commentary to Principle 5.

<sup>15</sup> The Massachusetts Committee on Public Counsel Services makes extensive use of private lawyers and seeks to monitor the quality of representation they provide. *See JUSTICE DENIED*, *supra* note 1, at 194, n. 52. However, there are few public defense programs that monitor the *private* caseloads of assigned lawyers or contract lawyers to determine whether these caseloads might interfere with the provision of quality legal representation. *But see* WASH. REV. CODE § 10.1-01.050 (2008): “Each individual or organization that contracts to perform public defense services for a county or city shall report...hours billed for nonpublic defense legal services in the previous calendar year, including number and types of private cases.”

<sup>16</sup> *See infra* note 54, which contains language from ABA PROVIDING DEFENSE SERVICES, *supra* note 4, dealing with the independence of the defense function.

<sup>17</sup> *See also* ABA PROVIDING DEFENSE SERVICES, *supra* note 4, Std. 5-2.1.

<sup>18</sup> *See id.* at Std. 5-3.2 (b).

represented by the supervisee, as well as their complexity and likely time commitments, be carefully assessed. In overseeing the work of those providing public defense services, it is important that supervisors have access to data through a management information system, which shows the lawyer's current caseload, the status of cases represented by the lawyer, and other important relevant data.<sup>19</sup>

### **GUIDELINE 3**

**The Public Defense Provider trains its lawyers in the professional and ethical responsibilities of representing clients, including the duty of lawyers to inform appropriate persons within the Public Defense Provider program when they believe their workload is unreasonable.**

#### **Comment**

The requirement of training for lawyers who provide public defense representation is well established ABA policy.<sup>20</sup> This Guideline emphasizes a particular subject area in which Public Defense Providers have an obligation to provide training. Lawyers who provide defense services need to be aware of their ethical responsibilities to provide "competent" and "diligent" representation, as required by rules of professional conduct,<sup>21</sup> as well as performance standards that will enable them to fulfill those duties. In addition, lawyers should be instructed that they have a responsibility to inform appropriate supervisors and/or managers within the Provider program when they believe their workload is preventing or soon will prevent them from complying with professional conduct rules.<sup>22</sup> This is especially important because there is an understandable reluctance of public defense lawyers to report to those in charge that they either are not, or may not, be providing services consistent with their ethical duties and performance standards. Despite such reluctance, defense lawyers need to make regular personal assessments of their workload to determine whether it is reasonable, whether they are performing the tasks necessary in order to be competent and diligent on behalf of their clients, and whether they need to communicate concerns about their workload to their supervisor. In discussing the ABA Model Rules and their application to excessive public defense caseloads, the ABA Standing Committee on Ethics and Professional Responsibility has explained that lawyers have a duty to inform their supervisors, the heads of defense programs, and, if applicable, the governing board of the Provider when lawyers believe that they have an excessive number of cases.<sup>23</sup> Conversely, it is important that Providers not take retaliatory action against lawyers who, in good

<sup>19</sup> The National Right to Counsel Committee recommends that systems of indigent defense establish "[u]niform definitions of a case and a continuous uniform case reporting system...for all criminal and juvenile cases. This system should provide continuous data that accurately contains the number of new appointments by case type, the number of new dispositions by case type, and the number of pending cases." JUSTICE DENIED, *supra* note 1, Recommendation 11, at 199. See also LA. REV. STAT. ANN. § 15-148 (B)(1) (Supp. 2009), which requires the state's public defender agency to establish a uniform case reporting system, including data pertaining to workload.

<sup>20</sup> See ABA PROVIDING DEFENSE SERVICES, *supra* note 4, Std. 5-1.5; ABA TEN PRINCIPLES, *supra* note 5, Principles 6 and 9.

<sup>21</sup> See ABA MODEL RULES, *supra* note 3, R 1.1., 1.3.

<sup>22</sup> The ABA Model Rules contemplate that issues respecting the discharge of professional duties will be brought to the attention of supervisors: "A subordinate lawyer does not violate the Rules of Professional Conduct if that lawyer acts in accordance with a supervisory lawyer's reasonable resolution of an arguable question of professional responsibility." ABA MODEL RULES, *supra* note 3, R. 5.2 (b). See also ABA Formal Op. 06-441, *supra* note 2, at 5-6.

<sup>23</sup> "If the supervisor fails to provide appropriate assistance or relief, the lawyer should continue to advance up the chain of command within the office until relief is obtained or the lawyer has reached and requested assistance or relief from the head of the public defender's office.... Such further action might include: if relief is not obtained from the head of the public defender's office, appealing to the governing board, if any, of the public defender's office...." ABA Formal Op. 06-441, *supra* note 2, at 6.

faith, express concerns about their workloads.

#### **GUIDELINE 4**

**Persons in Public Defense Provider programs who have management responsibilities determine, either on their own initiative or in response to workload concerns expressed by their lawyers, whether excessive lawyer workloads are present.**

#### **Comment**

Public Defense Providers should learn of excessive workloads when lawyers who provide defense services communicate their concerns to management or from the system for monitoring workloads used by the Provider.<sup>24</sup> Clearly, management should take seriously concerns about case overload expressed by lawyers since those providing client representation are best able to appreciate the daily pressures of their workload yet may be reluctant to complain. Regardless of the source of concerns, it is incumbent upon management to determine whether the volume of cases, perhaps in combination with other responsibilities, is preventing lawyers from providing “competent” and “diligent” representation and a failure to discharge their responsibilities under applicable performance standards.<sup>25</sup> Depending upon the circumstances, supervisors of lawyers and heads of Provider programs are accountable under professional conduct rules when violations of ethical duties are committed by subordinate lawyers for whom they are responsible.<sup>26</sup> However, when a lawyer and supervisor disagree about whether the lawyer’s workload is excessive, the decision of the supervisor is controlling if it is a “reasonable resolution of an arguable question of professional duty.”<sup>27</sup> Where the resolution of the supervisor is not reasonable, the lawyer must take further action.<sup>28</sup>

Consistent with prior ABA policy, these Guidelines do not endorse specific numerical caseload standards, except to reiterate a statement contained in the commentary to existing principles

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<sup>24</sup> Client complaints may also be an indication that representation is inadequate due to excessive workloads. *See, e.g., NAT’L LEGAL AID AND DEFENDER ASSOC., GUIDELINES FOR LEGAL DEFENSE SYSTEMS IN THE UNITED STATES: REPORT OF THE NATIONAL STUDY COMMISSION ON DEFENSE SERVICES* 405 (1976).

<sup>25</sup> “As an essential first step, the supervisor must monitor the workloads of subordinate lawyers to ensure that the workload of each lawyer is appropriate. This involves consideration of the type and complexity of cases being handled by each lawyer; the experience and ability of each lawyer; the resources available to support her; and any non-representational responsibilities assigned to the subordinate lawyers.” ABA Formal Op. 06-441, *supra* note 2, at 7. A supervisor’s assessment of the workloads of subordinate lawyers will be significantly aided if an adequate management information system is established, as noted in the Comment to Guideline 2 *supra*. As recognized in the ABA’s ethics opinion, the extent of support staff (e.g., investigators, social workers, and paralegals) to assist lawyers impacts the number of persons that a lawyer can represent. When adequate support personnel are lacking or if they have excessive caseloads, it is important for the Provider to seek additional personnel.

<sup>26</sup> “A lawyer shall be responsible for another lawyer’s violation of the Rules of Professional Conduct if: (1) the lawyer orders or, with knowledge of the specific conduct, ratifies the conduct involved; or (2) the lawyer is a partner or has comparable managerial authority in the law firm in which the other lawyer practices, or has direct supervisory authority over the other lawyer, and knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action.” ABA MODEL RULES, *supra* note 3, R. 5.1 (c). “Firm” or “law firm” denotes...lawyers employed in a legal services organization or the legal department of a corporation or other organization.” *Id.* at R. 1.0 Terminology. Responsibility for lawyer conduct may also extend to lawyer members of governing boards of Public Defense Providers.

<sup>27</sup> *See* ABA MODEL RULES, *supra* note 3, R. 5.2 (b), quoted in note 22 *supra*.

<sup>28</sup> This includes the possibility of filing motions to withdraw from a sufficient number of cases to permit representation to be provided consistent with professional conduct rules. *See* ABA Formal Op. 06-441, *supra* note 2, at 6, and language quoted in note 23 *supra*.

approved by the ABA: “National caseload standards should in no event be exceeded.”<sup>29</sup> This statement refers to numerical annual caseload limits published in a 1973 national report.<sup>30</sup> As noted by the ABA Standing Committee on Ethics and Professional Responsibility, while these standards “may be considered, they are not the sole factor in determining whether a workload is excessive. Such a determination depends not only the number of cases, but also on such factors as case complexity, the availability of support services, the lawyer’s experience and ability, and the lawyer’s nonrepresentational duties.”<sup>31</sup> Thus, while the ABA has not endorsed specific caseload numbers, except to the limited extent discussed above, the routine failure to fulfill performance obligations like those listed in Guideline 1, usually indicates that lawyers have excessive workloads.

## **GUIDELINE 5**

**Public Defense Providers consider taking prompt actions such as the following to avoid workloads that either are or are about to become excessive:**

- **Providing additional resources to assist the affected lawyers;**
- **Curtailing new case assignments to the affected lawyers;**
- **Reassigning cases to different lawyers within the defense program, with court approval, if necessary;**
- **Arranging for some cases to be assigned to private lawyers in return for reasonable compensation for their services;**
- **Urging prosecutors not to initiate criminal prosecutions when civil remedies are adequate to address conduct and public safety does not require prosecution;**
- **Seeking emergency resources to deal with excessive workloads or exemptions from funding reductions;**
- **Negotiating formal and informal arrangements with courts or other appointing authorities respecting case assignments; and**
- **Notifying courts or other appointing authorities that the Provider is unavailable to accept additional appointments.**

### **Comment**

Some of the most important ways in which a Provider may be able to reduce excessive lawyer workloads are listed in this Guideline. When workloads have been determined to be excessive, the steps suggested will be appropriate to pursue if they can be quickly achieved. However, if

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<sup>29</sup> ABA TEN PRINCIPLES, *supra* note 5, Commentary to Principle 5, at 2.

<sup>30</sup> “In its report on the Courts, the Commission [National Advisory Commission on Criminal Justice Standards and Goals] recommended the following maximum annual caseloads for a public defender office, i.e., on average, the lawyers in the office should not exceed, per year, more than 150 felonies; 400 misdemeanors; 200 juvenile court cases; 200 mental health cases; or 25 appeals.” JUSTICE DENIED, *supra* note 1, at 66. As noted in JUSTICE DENIED, these caseload numbers are 35 years old, the numbers were never “empirically based,” and were intended “for a public defender’s office, not necessarily for each individual attorney in that office.” *Id.* In fact, the Commission warned of the “dangers of proposing any national guidelines.” *Id.* The American Council of Chief Defenders, a unit of the National Legal Aid and Defender Association comprised of the heads of defender programs in the United States, also has urged that the caseload numbers contained in the 1973 Commission report not be exceeded. *See American Council of Chief Defenders Statement on Caseloads and Workloads*, August 24, 2007. Some state and local governments have set limits on the number of cases that defense lawyers can handle on an annual basis. *See infra* note 37.

<sup>31</sup> ABA Formal Op. 06-441, *supra* note 2, at 4.



the steps will take a good deal of time to achieve, they will likely be appropriate to pursue *only in advance* of the time that workloads actually have become excessive. In other words, once workloads are determined to be excessive, a Provider must be able to achieve immediate relief; when this is not possible, the Provider must seek relief as set forth in Guideline 6.

This Guideline is based on the assumption that judges are appointing either the Public Defense Provider or its lawyers to the cases of indigent clients. In jurisdictions in which the Provider is not appointed by judges or court representatives, but instead clients are simply referred to the defense program, the Provider is required to decline representation if acceptance would result in a violation of the rules of professional conduct.<sup>32</sup> Providers who continue to accept cases when an excessive workload is present will fail to provide competent and diligent services as required under rules of professional conduct, have an arguable conflict of interest because of the multiple clients competing for their time and attention,<sup>33</sup> and may be unable to fulfill their duties under the Sixth Amendment.<sup>34</sup>

In the more usual situation in which courts assign cases to the Public Defense Provider, the cooperation of courts may be necessary in order to implement some of the alternatives suggested in this Guideline. One of the most straightforward ways to address excessive lawyer workloads is for the Provider and judges or other officials to negotiate informal arrangements to suspend or reduce new court assignments, with the understanding that additional cases will be represented by assigned counsel, contract lawyers, or other Provider program. This may not be a feasible alternative, however, if funds are not available to compensate the lawyers.<sup>35</sup> It may also be possible to persuade a court to order, or for the funding authority to authorize, that additional resources be provided due either to the complexity of certain types of cases or to one or two particularly time-consuming cases.<sup>36</sup> Further, it may be possible to arrange through either contract or legislation a limit on the number and types of cases annually assigned to lawyers.<sup>37</sup>

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<sup>32</sup> “Except as stated in paragraph (c) [where a court orders counsel to proceed with representation], a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if the representation will result in violation of the rules of professional conduct or other law.” ABA MODEL RULES, *supra* note 3, R. 1.16 (a)(1).

<sup>33</sup> See *supra* note 8 and accompanying text.

<sup>34</sup> See discussion of litigation in JUSTICE DENIED, *supra* note 1, at 110-128.

<sup>35</sup> “[A]ttorneys in several states have successfully argued that a state’s refusal to provide adequate compensation amounts to a taking of property under federal or state constitutions, and just compensation must therefore be paid. There appear to be no recent decisions of state appellate courts requiring that lawyers provide pro bono service in indigent criminal and juvenile cases.” JUSTICE DENIED, *supra* note 1, at 104-05. The ABA has recognized that “[g]overnment has the responsibility to fund the full cost of quality legal representation for all eligible persons....” ABA PROVIDING DEFENSE SERVICES, *supra* note 4, Std. 5-1.6.

<sup>36</sup> For example, pursuant to a motion of The Defender Association in Seattle, Washington, a trial court ordered increased “attorney fees and paralegal fees and investigation fees to the levels requested...[as] necessary to provide effective assistance of counsel.” See *In the Detention of Kevin Ambers, et al.*, Superior Court of Washington for King County, Order Granting Respondent’s Motion for Increased Payment for Respondent’s Counsel on above Consolidated Cases, January 20, 2006, *available at* <http://www.defender.org/files/archive/judgelauorderjan202006.pdf>.

<sup>37</sup> The New Hampshire Public Defender, a nonprofit organization that provides defense services, enters into a contract with the state’s Judicial Council that contains caseload limitations and requires the defender program to notify the courts if caseloads are too high so that private lawyers can be appointed. See JUSTICE DENIED, *supra* note 1, at 168. In Seattle, the City Council has enacted an ordinance that imposes a ceiling on the number of cases to which lawyers may be assigned annually. The ordinance can be accessed on the website of The Defender Association serving Seattle and King County, Washington. See <http://www.defender.org/node/18>. In Massachusetts, legislation authorizes the Committee on Public Counsel Services to establish “standards” that contain “caseload limitation levels” both for private assigned lawyers and public defenders. See MASS. G. L., Chapter 211D, § 9 (c) (2009).

In some jurisdictions where courts appoint counsel, it may nevertheless be possible for the Provider simply to notify judges or other officials that lawyers from the defense program are unavailable to accept appointments in all or certain categories of cases for a specified period of time or until further notice. A declaration of “unavailability” has sometimes been used successfully, such as in some counties in California. This approach is seemingly based on the implicit premise that governments, which establish and fund providers of public defense, never intended that the lawyers who furnish the representation would be asked to do so if it meant violating their ethical duties pursuant to professional conduct rules. On the other hand, some Providers may conclude that this approach is either not contemplated by the jurisdiction’s statutes<sup>38</sup> or is otherwise deemed inappropriate.

In addition to the options listed in this Guideline for dealing with excessive caseloads, there may be other ways in which Public Defense Providers can seek to achieve caseload reductions. For example, two national studies issued in 2009 recommended that legislatures consider reclassifying certain offenses as civil infractions so that the need to provide lawyers is removed, assuming there are not adverse public safety consequences.<sup>39</sup> However, if this course is followed, it is important that the possible adverse collateral consequences resulting from a conviction be carefully considered along with any new legislation since a defense lawyer will not be available to counsel the person.<sup>40</sup> Another alternative that can serve to reduce public defense caseloads is for cases to be diverted from the criminal justice system during the pretrial stage. Depending on the jurisdiction, implementation will require legislation, a change in court rules, or approval of prosecutors.<sup>41</sup>

When a Provider cannot reduce excessive lawyer workloads, a motion filed with the court, aimed at stopping case assignments and/or permitting lawyers to withdraw from cases (see Guideline 6 *infra*), or conceivably the filing of a separate civil action, will be necessary. Regardless of the type of litigation pursued, it is almost certain to be time-consuming, labor intensive, and the results not easily predicted. In addition, speedy resolution of the matter may prove elusive. If a trial court decision is adverse to the Provider, an appeal may be required. If the Provider is successful in the trial court, the state may appeal. Moreover, the trial court may simply fail to render a prompt decision in the matter. Accordingly, every effort should be made to resolve excessive workloads without resort to litigation, which is why the options specified in Guideline 5 are so important.

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<sup>38</sup> Consider, for example, the law in Colorado pertaining to the Colorado State Public Defender: “The state public defender shall represent as counsel...each indigent person who is under arrest for or charged with committing a felony.” COLO. REV. STAT. § 21-1-103 (2004); “Case overload, lack of resources, and other similar circumstances shall not constitute a conflict of interest.” *Id.* at § 21-2-103. This statute is contrary to rules of professional conduct governing lawyers and with these Guidelines.

<sup>39</sup> The National Association of Criminal Defense Lawyers has urged that “[o]ffenses that do not involve a significant risk to public safety...be decriminalized” and cites successful examples where this has occurred. See MINOR CRIMES, *supra* note 1, at 27-8. Similarly, the National Right to Counsel Committee has suggested that “certain non-serious misdemeanors...be reclassified, thereby reducing financial and other pressures on a state’s indigent defense system,” and also notes examples where this has taken place. See JUSTICE DENIED, *supra* note 1, at 198.

<sup>40</sup> “Under these circumstances, to impose harsh collateral consequences of a conviction, like housing limitations, deportation, and employment limitations would be fundamentally unfair.” MINOR CRIMES, *supra* note 1, at 28.

<sup>41</sup> See JOHN CLARK, PRETRIAL DIVERSION AND THE LAW: A SAMPLING OF FOUR DECADES OF APPELLATE COURT RULINGS I-1-I-2 (Pretrial Justice Institute 2006).

## **GUIDELINE 6**

**Public Defense Providers or lawyers file motions asking a court to stop the assignment of new cases and to withdraw from current cases, as may be appropriate, when workloads are excessive and other adequate alternatives are unavailable.**

### **Comment**

When alternative options for dealing with excessive workloads, such as those listed in Guideline 5, are exhausted, insufficient, or unavailable, the Public Defense Provider is obligated to seek relief from the court. Thus, a court should be asked to stop additional assignments in all or certain types of cases and, if necessary, that lawyers be permitted to withdraw from representation in certain cases. Continued representation in the face of excessive workloads imposes a mandatory duty to take corrective action in order to avoid furnishing legal services in violation of professional conduct rules.<sup>42</sup> If representation is furnished pursuant to court appointment, withdrawal from representation usually requires judicial approval.<sup>43</sup> Because lawyers have as their primary obligation the responsibility to represent the interests of current clients, withdrawals from representation is less preferable than seeking to halt the assignment of new appointments.<sup>44</sup> Normally, Providers, rather than individual lawyers, will take the initiative and move to suspend new case assignments and, if necessary, move to withdraw from cases since the Provider has the responsibility to monitor lawyer workloads (Guideline 1), determine whether workloads are excessive (Guideline 4), and explore options other than litigation (Guideline 5). If the Public Defense Provider has complied with Guidelines 1 through 4, it should be in an especially strong position to show that its workload is excessive, and its representations regarding workloads should be accepted by the court.<sup>45</sup> Nevertheless, in making its motion to the court, the Provider may deem it advisable to present statistical data, anecdotal information, as well as other kinds of evidence.<sup>46</sup> The Provider also may want to enlist the help of a private law firm with expertise in civil litigation that is willing to provide representation on a pro bono basis. There are notable examples in which private firms have volunteered their time and been extremely helpful to Providers in litigating issues related to excessive workloads.<sup>47</sup> As discussed earlier, an individual lawyer is obliged to take action when there is disagreement with those in charge of the Provider about whether the lawyer has an excessive workload and the lawyer concludes that Provider officials have made an unreasonable decision respecting the matter.<sup>48</sup>

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<sup>42</sup> See ABA MODEL RULES, *supra* note 3, R. 1.16 (a)(1), quoted in note 32 *supra*. See also discussion in Comment to Guideline 1 *supra*. It may also be appropriate to include in a motion to withdraw a request that charges against one or more clients be dismissed due to the failure of the government to provide effective assistance of counsel as required by federal and state law.

<sup>43</sup> “When a lawyer has been appointed to represent a client, withdrawal ordinarily requires approval of the appointing authority.” ABA MODEL RULES, *supra* note 3, R. 1.16, cmt. 2.

<sup>44</sup> “A lawyer’s primary ethical duty is owed to existing clients.” ABA Formal Op. 06-441, *supra* note 2, at 4.

<sup>45</sup> See also *infra* notes 49-52 and accompanying text.

<sup>46</sup> See discussion of litigation respecting such motions in JUSTICE DENIED, *supra* note 1, at 144-45.

<sup>47</sup> The following observation, offered in discussing the role of volunteer lawyers in litigating systemic challenges to indigent defense systems, is also applicable to litigating motions to withdraw and/or to halt additional appointments: “[E]xternal counsel affiliated with law firms, bar associations, or public interest organizations who are willing to provide pro bono representation can make significant contributions. Besides possessing the necessary experience, they are likely to have more time, personnel, and resources than do public defenders to devote to a major systemic challenge. They also are used to conducting extensive discovery, preparing exhibits, and may have funds to retain necessary experts.” *Id.* at 143.

<sup>48</sup> See *supra* notes 27-28 and accompanying text. See also Norman Lefstein and Georgia Vagenas, *Restraining Excessive Defender Caseloads: The ABA Ethics Committee Requires Action*, 30 THE CHAMPION 12-13 (Nat’l Assoc. Crim. Defense Lawyers, December

## **GUIDELINE 7**

**When motions to stop the assignment of new cases and to withdraw from cases are filed, Public Defense Providers and lawyers resist judicial directions regarding the management of Public Defense Programs that improperly interfere with their professional and ethical duties in representing their clients.**

### **Comment**

The concern that underlies this Guideline relates to the risk that judges confronted with motions to halt the assignment of new cases or to permit lawyers to withdraw from cases will delve inappropriately into the internal operations of Public Defense Providers. While it is appropriate for judges to review motions asking that assignments be stopped and withdrawals from cases permitted, courts should not undertake to micro-manage the operations of defense programs.<sup>49</sup>

When Providers file motions requesting that assignments be stopped and that withdrawals be permitted, their prayer for relief should be accorded substantial deference because Providers are in the best position to assess the workloads of their lawyers. As the ABA has noted, “[o]nly the lawyers themselves know how much must be done to represent their clients and how much time the preparation is likely to take.”<sup>50</sup> In discussing a defense lawyer’s claim of conflict of interest in representing co-defendants, the Supreme Court has noted that “attorneys are officers of the court, and ‘when they address the judge solemnly upon a matter before the court, their declarations are virtually made under oath.’”<sup>51</sup> In an accompanying footnote, the Court further declared: “When a considered representation regarding a conflict of interest comes from an officer of the court, it should be given the weight commensurate with the grave penalties risked for misrepresentation.”<sup>52</sup>

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2006); and ABA Formal Op. 06-441, *supra* note 2, at 1, 4-6. In 2009, a California appellate court endorsed the approach of the ABA’s ethics opinion: “Under the ABA opinion, a deputy public defender whose excessive workload obstructs his or her ability to provide effective assistance to a particular client should, with supervisory approval, attempt to reduce the caseload, as by transferring cases to another lawyer with a lesser caseload. If the deputy public defender is unable to obtain relief in that manner, the ABA opinion provides that he or she must ‘file a motion with the trial court requesting permission to withdraw from a sufficient number of cases to allow the provision of competent and diligent representation to the remaining clients.’... The conduct prescribed by the ABA Opinion, which is fully consistent with the California Rules of Professional Conduct, may also be statutorily mandated.” In re Edward S., 173 Cal. App. 4<sup>th</sup> 387, 413, 92 Cal. Rptr. 3d 725, 746 (Cal. App. 1<sup>st</sup> Dist. 2009). This decision cites with approval an earlier California decision, *Ligda v. Superior Court*, 85 Cal. Rptr. 744, 754 (Cal. Ct. App. 1970) (“[w]hen a public defender reels under a staggering workload, he ... should proceed to place the situation before the judge, who upon a satisfactory showing can relieve him, and order the employment of private counsel at public expense.”).

<sup>49</sup> “We acknowledge the public defender’s argument that the courts should not involve themselves in the management of public defender offices.” In re Certification of Conflict in Motions to Withdraw, 636 So.2d 18, 21-22 (Fla. 1994).

<sup>50</sup> ABA PROVIDING DEFENSE SERVICES, *supra* note 4, at 71. See also *State v. Smith*, 681 P.2d 1374, 1381 (Ariz. 1984) (“Attorneys are in a position to know when a contract [for defense services] will result in inadequate representation of counsel.”).

<sup>51</sup> *Holloway v. Arkansas*, 435 U.S. 475, 486 (1978).

<sup>52</sup> *Id.*, at n. 9. Judges should be especially understanding of the representations of Providers given that the “judiciary plays a central in preserving the principles of justice and the rule of law.” ABA CODE OF JUDICIAL CONDUCT, Preamble (2007). Similarly, prosecutors have a duty “to seek justice ... [and] to reform and improve the administration of criminal justice.” ABA STANDARDS FOR CRIMINAL JUSTICE: PROSECUTION FUNCTION STANDARDS, Std.3-1.2 (c), (d) (3<sup>rd</sup> ed., 1993). However, when a Provider seeks relief in court from an excessive workload, the prosecutor seemingly has a conflict of interest in opposing the Provider’s motion. Not only do the decisions of prosecutors in filing charges against persons directly impact the caseloads of Providers, but the

The ABA has recognized that the judiciary needs to ensure that Providers and their lawyers are not forced to accept unreasonable numbers of cases: “Courts should not require individuals or programs to accept caseloads that will lead to the furnishing of representation lacking in quality or to the breach of professional obligations.”<sup>53</sup> This Guideline is a corollary to the well accepted proposition that defense services should be independent of the judicial and executive branches of government.<sup>54</sup> Thus, an ABA standard recommends that “[t]he selection of lawyers for specific cases should not be made by the judiciary or elected officials...”<sup>55</sup> This same standard also urges that the plan for legal representation “guarantee the integrity of the relationship between lawyer and client.”<sup>56</sup>

## **GUIDELINE 8**

**Public Defense Providers or lawyers appeal a court’s refusal to stop the assignment of new cases or a court’s rejection of a motion to withdraw from cases of current clients.**

### **Comment**

The ABA Standing Committee on Ethics and Professional Responsibility has indicated that a trial court’s denial of motions to halt appointments or to withdraw from pending cases should be appealed, if possible.<sup>57</sup> An appeal or an application for a writ of mandamus or prohibition should properly be regarded as a requirement of “diligence” under professional conduct rules.<sup>58</sup> However, if a defense motion is rejected and an appeal is not permitted, the Public Defense Provider usually has no choice except to continue to provide representation.<sup>59</sup> Similarly, if the motion for relief is granted but implementation of the order is stayed pending appeal, the

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likelihood of successful prosecutions are enhanced if Providers are burdened with excessive caseloads. The adversary system is premised on the assumption that justice is best served when both sides in litigation are adequately funded and have sufficient time to prepare their respective cases.

<sup>53</sup> ABA PROVIDING DEFENSE SERVICES, *supra* note 4, Std. 5-5.3 (b). Sometimes the problem is not the number of cases, but the pressure placed on defense lawyers to proceed when they have not had sufficient time to prepare. In an Ohio case, a public defender was prepared to represent his client, but asked for a continuance before proceeding to trial because he had just been appointed earlier the same day and lacked sufficient time to interview witnesses. The trial court denied the public defender’s request for a continuance and held the lawyer in contempt because of his refusal to proceed to trial. In reversing the contempt finding, the appellate court concluded that the trial judge had “improperly placed an administrative objective of controlling the court’s docket above its supervisory imperative of facilitating effective, prepared representation at trial.” *State v. Jones*, 2008 WL 5428009, at \*5 (Ohio App. 2008).

<sup>54</sup> “The legal representation plan for the jurisdiction should be designed to guarantee the integrity of the relationship between lawyer and client. The plan and the lawyers serving under it should be...subject to judicial supervision only in the same manner and to the same extent as are lawyers in private practice. The selection of lawyers for specific cases should not be made by the judiciary...” ABA PROVIDING DEFENSE SERVICES, *supra* note 4, at Std. 5-1.3 (a).

<sup>55</sup> *Id.*

<sup>56</sup> *Id.*

<sup>57</sup> “If the court denies the lawyer’s motion to withdraw, and any available means of appealing such ruling is unsuccessful, the lawyer must continue with the representation while taking whatever steps are feasible to ensure that she will be able to competently and diligently represent the defendant.” ABA Formal Op. 06-441, *supra* note 2, at 1.

<sup>58</sup> “A lawyer should pursue a matter on behalf of a client...and take whatever lawful and ethical measures are required to vindicate a client’s cause or endeavor. A lawyer must also act with zeal in advocacy upon the client’s behalf.” ABA MODEL RULES, *supra* note 3, R. 1.3, cmt. 1.

<sup>59</sup> “When ordered to do so, by a tribunal, a lawyer shall continue representation notwithstanding good cause for terminating the representation.” *Id.*, R. 1.16 (C). *See also supra* note 32.

Provider will likely have to continue to provide representation.<sup>60</sup> This places the Provider in an extremely awkward situation since on the one hand those in charge of the defense program have made it clear that, in their professional judgment, caseloads are excessive and the lawyers providing direct client services are being forced to violate their ethical responsibilities, yet relief is unavailable. Accordingly, the Provider should continue to explore non-litigation alternatives (*see* Guideline 5) while requiring the Provider's lawyers to make a record in their cases, if appropriate, about the lawyers' inability, due to excessive caseloads, to furnish "competent" and "diligent" representation as required by professional conduct rules. The Public Defense Provider should also continue to seek public support from bar associations, community groups, and the media.<sup>61</sup>

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<sup>60</sup>However, the Provider or lawyer also will likely want to proceed expeditiously in the appellate court to strike the stay or modify the order pending appeal.

<sup>61</sup>"Theoretically, when judges resolve court cases concerning indigent defense reform, it should be irrelevant whether the litigation is covered by print and other news media. Nor should it matter whether prominent persons in the state or community speak publicly in favor of necessary changes in the delivery of indigent defense services. However, the reality is that news reports about problems in indigent defense and strong public support for improvements may make a difference not only when legislatures consider new laws, but also when courts decide difficult cases." JUSTICE DENIED, *supra* note 1, at 146.

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Criminal Justice Section Standards

## **Defense Function**

### **DEFENSE FUNCTION**

#### **PART I.**

#### **GENERAL STANDARDS**

#### **Standard 4- 1.1 The Function of the Standards**

These standards are intended to be used as a guide to professional conduct and performance. They are not intended to be used as criteria for the judicial evaluation of alleged misconduct of defense counsel to determine the validity of a conviction. They may or may not be relevant in such judicial evaluation, depending upon all the circumstances.

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#### **Standard 4- 1.2 The Function of Defense Counsel**

(a) Counsel for the accused is an essential component of the administration of criminal justice. A court properly constituted to hear a criminal case must be viewed as a tripartite entity consisting of the judge (and jury, where appropriate), counsel for the prosecution, and counsel for the accused.

(b) The basic duty defense counsel owes to the administration of justice and as an officer of the court is to serve as the accused's counselor and advocate with courage and devotion and to render effective, quality representation.

(c) Since the death penalty differs from other criminal penalties in its finality, defense counsel in a capital case should respond to



this difference by making extraordinary efforts on behalf of the accused. Defense counsel should comply with the ABA Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases.

(d) Defense counsel should seek to reform and improve the administration of criminal justice. When inadequacies or injustices in the substantive or procedural law come to defense counsel's attention, he or she should stimulate efforts for remedial action.

(e) Defense counsel, in common with all members of the bar, is subject to standards of conduct stated in statutes, rules, decisions of courts, and codes, canons, or other standards of professional conduct. Defense counsel has no duty to execute any directive of the accused which does not comport with law or such standards. Defense counsel is the professional representative of the accused, not the accused's alter ego.

(f) Defense counsel should not intentionally misrepresent matters of fact or law to the court.

(g) Defense counsel should disclose to the tribunal legal authority in the controlling jurisdiction known to defense counsel to be directly adverse to the position of the accused and not disclosed by the prosecutor.

(h) It is the duty of defense counsel to know and be guided by the standards of professional conduct as defined in codes and canons of the legal profession applicable in defense counsel's jurisdiction. Once representation has been undertaken, the functions and duties of defense counsel are the same whether defense counsel is assigned, privately retained, or serving in a legal aid or defender program.

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#### **Standard 4- 1.3   Delays; Punctuality; Workload**

(a) Defense counsel should act with reasonable diligence and promptness in representing a client.

(b) Defense counsel should avoid unnecessary delay in the disposition of cases. Defense counsel should be punctual in attendance upon court and in the submission of all motions, briefs, and other papers. Defense counsel should emphasize to the client and all witnesses the importance of punctuality in attendance in court.

(c) Defense counsel should not intentionally misrepresent facts or otherwise mislead the court in order to obtain a continuance.

(d) Defense counsel should not intentionally use procedural devices for delay for which there is no legitimate basis.

(e) Defense counsel should not carry a workload that, by reason of its excessive size, interferes with the rendering of quality representation, endangers the client's interest in the speedy disposition of charges, or may lead to the breach of professional obligations. Defense counsel should not accept employment for the purpose of delaying trial.

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#### **Standard 4- 1.4   Public Statements**

Defense counsel should not make or authorize the making of an extrajudicial statement that a reasonable person would expect to be disseminated by means of public communication if defense counsel knows or reasonably should know that it will have a substantial likelihood of prejudicing a criminal proceeding.

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#### **Standard 4- 1.5   Advisory Councils on Professional Conduct**

(a) In every jurisdiction, an advisory body of lawyers selected for their experience, integrity, and standing at the trial bar should be established as an advisory council on problems of professional conduct in criminal cases. This council should provide prompt and confidential guidance and advice to lawyers seeking assistance in the application of standards of professional conduct in criminal cases.

(b) Communications between an inquiring lawyer and an advisory council member have the same attorney-client privilege for protection of the client's confidences as ordinarily exists between any other lawyer and client. The council member should be bound by statute or rule of court in the same manner as a lawyer is ordinarily bound in that jurisdiction not to reveal any disclosure of the client. Confidences may also be revealed, however, to the extent necessary:

(i) if the inquiring lawyer's client challenges the effectiveness of the lawyer's conduct of the case and the lawyer relies on the guidance received from the council member, or

(ii) if the inquiring lawyer's conduct is called into question in an authoritative disciplinary inquiry or proceeding.

## **Standard 4- 1.6   Trial Lawyer's Duty to Administration of Justice**

(a) The bar should encourage through every available means the widest possible participation in the defense of criminal cases by lawyers. Lawyers should be encouraged to qualify themselves for participation in criminal cases both by formal training and through experience as associate counsel.

(b) All such qualified lawyers should stand ready to undertake the defense of an accused regardless of public hostility toward the accused or personal distaste for the offense charged or the person of the defendant.

(c) Such qualified lawyers should not assert or announce a general unwillingness to appear in criminal cases. Law firms should encourage partners and associates to become qualified and to appear in criminal cases.

(d) Such qualified lawyers should not seek to avoid appointment by a tribunal to represent an accused except for good cause, such as: representing the accused is likely to result in violation of applicable ethical codes or other law, representing the accused is likely to result in an unreasonable financial burden on the lawyer, or the client or crime is so repugnant to the lawyer as to be likely to impair the client-lawyer relationship or the lawyer's ability to represent the client.

## **PART II.**

### **ACCESS TO COUNSEL**

#### **Standard 4- Standard 4-2.1 Communication**

Every jurisdiction should guarantee by statute or rule of court the right of an accused person to prompt and effective communication with a lawyer and should require that reasonable access to a telephone or other facilities be provided for that purpose.

#### **Standard 4- 2.2 Referral Service for Criminal Cases**

(a) To assist persons who wish to retain defense counsel privately and who do not know a lawyer or how to engage one, every jurisdiction should have a referral service for criminal cases. The referral service should maintain a list of defense counsel willing and qualified to undertake the defense of a criminal case; it should be so organized that it can provide prompt service at all times.

(b) The availability of the referral service should be publicized. In addition, notices containing the essential information about the referral service and how to contact it should be posted conspicuously in police stations, jails, and wherever else it is likely to give effective notice.

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#### **Standard 4- 2.3 Prohibited Referrals**

(a) Defense counsel should not give anything of value to a person for recommending the lawyer's services.

(b) Defense counsel should not accept a referral from any source, including prosecutors, law enforcement personnel, victims, bondsmen, or court personnel where the acceptance of such a referral is likely to create a conflict of interest.

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### **PART III.**

#### **LAWYER-CLIENT RELATIONSHIP**

##### **Standard 4- 3.1 Establishment of Relationship**

(a) Defense counsel should seek to establish a relationship of trust and confidence with the accused and should discuss the objectives of the representation and whether defense counsel will continue to represent the accused if there is an appeal. Defense counsel should explain the necessity of full disclosure of all facts known to the client for an effective defense, and defense counsel should explain the extent to which counsel's obligation of confidentiality makes privileged the accused's disclosures.

(b) To ensure the privacy essential for confidential communication between defense counsel and client, adequate facilities should be available for private discussions between counsel and accused in jails, prisons, courthouses, and other places where accused persons must confer with counsel.

(c) Personnel of jails, prisons, and custodial institutions should be prohibited by law or administrative regulations from examining or otherwise interfering with any communication or correspondence between client and defense counsel relating to legal action arising out of charges or incarceration.

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#### **Standard 4- 3.2 Interviewing the Client**

(a) As soon as practicable, defense counsel should seek to determine all relevant facts known to the accused. In so doing, defense counsel should probe for all legally relevant information without seeking to influence the direction of the client's responses.

(b) Defense counsel should not instruct the client or intimate to the client in any way that the client should not be candid in revealing facts so as to afford defense counsel free rein to take action which would be precluded by counsel's knowing of such facts.

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#### **Standard 4- 3.3 Fees**

(a) Defense counsel should not enter into an agreement for, charge, or collect an illegal or unreasonable fee.

(b) In determining the amount of the fee in a criminal case, it is proper to consider the time and effort required, the responsibility assumed by counsel, the novelty and difficulty of the questions involved, the skill requisite to proper representation, the likelihood that other employment will be precluded, the fee customarily charged in the locality for similar services, the gravity of the charge, the experience, reputation, and ability of defense counsel, and the capacity of the client to pay the fee.

(c) Defense counsel should not imply that his or her compensation is for anything other than professional services rendered by defense counsel or by others for defense counsel.

(d) Defense counsel should not divide a fee with a nonlawyer, except as permitted by applicable ethical codes of conflict.

(e) Defense counsel not in the same firm should not divide fees unless the division is in proportion to the services performed by each counsel or, by written agreement with the client, each counsel assumes joint responsibility for the representation, the client is advised of and does not object to the participation of all counsel involved, and the total fee is reasonable.

(f) Defense counsel should not enter into an arrangement for, charge, or collect a contingent fee for representing a defendant in a criminal case.

(g) When defense counsel has not regularly represented the client, defense counsel should communicate the basis or rate of the fee to the client, preferably in writing, before or within a reasonable time after commencing the representation.

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#### **Standard 4- 3.4 Obtaining Literary or Media Rights from the Accused**

Defense counsel, prior to conclusion of all aspects of the matter giving rise to his or her employment, should not enter into any agreement or understanding with a client or a prospective client by which defense counsel acquires an interest in literary or media rights to a portrayal or account based in substantial part on information relating to the employment or proposed employment.

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#### **Standard 4- 3.5 Conflicts of Interest**

(a) Defense counsel should not permit his or her professional judgment or obligations to be affected by his or her own political, financial, business, property, or personal interests.

(b) Defense counsel should disclose to the defendant at the earliest feasible opportunity any interest in or connection with the case or any other matter that might be relevant to the defendant's selection of counsel to represent him or her or counsel's continuing representation. Such disclosure should include communication of information reasonably sufficient to permit the client to appreciate the significance of any conflict or potential conflict of interest.

(c) Except for preliminary matters such as initial hearings or applications for bail, defense counsel who are associated in practice should not undertake to defend more than one defendant in the same criminal case if the duty to one of the defendants may conflict with the duty to another. The potential for conflict of interest in representing multiple defendants is so grave that ordinarily defense counsel should decline to act for more than one of several codefendants except in unusual situations when, after careful investigation, it is clear either that no conflict is likely to develop at trial, sentencing, or at any other time in the proceeding

or that common representation will be advantageous to each of the codefendants represented and, in either case, that:

(i) the several defendants give an informed consent to such multiple representation; and

(ii) the consent of the defendants is made a matter of judicial record. In determining the presence of consent by the defendants, the trial judge should make appropriate inquiries respecting actual or potential conflicts of interest of counsel and whether the defendants fully comprehend the difficulties that defense counsel sometimes encounters in defending multiple clients.

(d) Defense counsel who has formerly represented a defendant should not thereafter use information related to the former representation to the disadvantage of the former client unless the information has become generally known or the ethical obligation of confidentiality otherwise does not apply.

(e) In accepting payment of fees by one person for the defense of another, defense counsel should be careful to determine that he or she will not be confronted with a conflict of loyalty since defense counsel's entire loyalty is due the accused. Defense counsel should not accept such compensation unless:

(i) the accused consents after disclosure;

(ii) there is no interference with defense counsel's independence of professional judgment or with the client-lawyer relationship; and

(iii) information relating to the representation of the accused is protected from disclosure as required by defense counsel's ethical obligation of confidentiality.

Defense counsel should not permit a person who recommends, employs, or pays defense counsel to render legal services for another to direct or regulate counsel's professional judgment in rendering such legal services.

(f) Defense counsel should not defend a criminal case in which counsel's partner or other professional associate is or has been the prosecutor in the same case.

(g) Defense counsel should not represent a criminal defendant in a jurisdiction in which he or she is also a prosecutor.

(h) Defense counsel who formerly participated personally and substantially in the prosecution of a defendant should not thereafter represent any person in the same or a substantially related matter. Defense counsel who was formerly a prosecutor should not use confidential information about a person acquired when defense counsel was a prosecutor in the representation of a client whose interests are adverse to that person in a matter.

(i) Defense counsel who is related to a prosecutor as parent, child, sibling or spouse should not represent a client in a criminal

matter where defense counsel knows the government is represented in the matter by such a prosecutor. Nor should defense counsel who has a significant personal or financial relationship with a prosecutor represent a client in a criminal matter where defense counsel knows the government is represented in the matter by such prosecutor, except upon consent by the client after consultation regarding the relationship.

(j) Defense counsel should not act as surety on a bond either for the accused represented by counsel or for any other accused in the same or a related case.

(k) Except as law may otherwise expressly permit, defense counsel should not negotiate to employ any person who is significantly involved as an attorney or employee of the government in a matter in which defense counsel is participating personally and substantially.

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#### **Standard 4- 3.6 Prompt Action to Protect the Accused**

Many important rights of the accused can be protected and preserved only by prompt legal action. Defense counsel should inform the accused of his or her rights at the earliest opportunity and take all necessary action to vindicate such rights. Defense counsel should consider all procedural steps which in good faith may be taken, including, for example, motions seeking pretrial release of the accused, obtaining psychiatric examination of the accused when a need appears, moving for change of venue or continuance, moving to suppress illegally obtained evidence, moving for severance from jointly charged defendants, and seeking dismissal of the charges.

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#### **Standard 4- 3.7 Advice and Service on Anticipated Unlawful Conduct**

(a) It is defense counsel's duty to advise a client to comply with the law, but counsel may advise concerning the meaning, scope, and validity of a law.

(b) Defense counsel should not counsel a client in or knowingly assist a client to engage in conduct which defense counsel knows to be illegal or fraudulent but defense counsel may discuss the legal consequences of any proposed course of conduct with a client.



(c) Defense counsel should not agree in advance of the commission of a crime that he or she will serve as counsel for the defendant, except as part of a bona fide effort to determine the validity, scope, meaning, or application of the law, or where the defense is incident to a general retainer for legal services to a person or enterprise engaged in legitimate activity.

(d) Defense counsel should not reveal information relating to representation of a client unless the client consents after consultation, except for disclosures that are impliedly authorized in order to carry out the representation and except that defense counsel may reveal such information to the extent he or she reasonably believes necessary to prevent the client from committing a criminal act that defense counsel believes is likely to result in imminent death or substantial bodily harm.

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#### **Standard 4- 3.8 Duty to Keep Client Informed**

(a) Defense counsel should keep the client informed of the developments in the case and the progress of preparing the defense and should promptly comply with reasonable requests for information.

(b) Defense counsel should explain developments in the case to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

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#### **Standard 4- 3.9 Obligations of Hybrid and Standby Counsel**

(a) Defense counsel whose duty is to actively assist a pro se accused should permit the accused to make the final decisions on all matters, including strategic and tactical matters relating to the conduct of the case.

(b) Defense counsel whose duty is to assist a pro se accused only when the accused requests assistance may bring to the attention of the accused matters beneficial to him or her, but should not actively participate in the conduct of the defense unless requested by the accused or insofar as directed to do so by the court.

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## **PART IV.**

### **INVESTIGATION AND PREPARATION**

#### **Standard 4- 4.1 Duty to Investigate**

(a) Defense counsel should conduct a prompt investigation of the circumstances of the case and explore all avenues leading to facts relevant to the merits of the case and the penalty in the event of conviction. The investigation should include efforts to secure information in the possession of the prosecution and law enforcement authorities. The duty to investigate exists regardless of the accused's admissions or statements to defense counsel of facts constituting guilt or the accused's stated desire to plead guilty.

(b) Defense counsel should not seek to acquire possession of physical evidence personally or through use of an investigator where defense counsel's sole purpose is to obstruct access to such evidence.

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#### **Standard 4- 4.2 Illegal Investigation**

Defense counsel should not knowingly use illegal means to obtain evidence or information or to employ, instruct, or encourage others to do so.

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#### **Standard 4- 4.3 Relations With Prospective Witnesses**

(a) Defense counsel, in representing an accused, should not use means that have no substantial purpose other than to embarrass, delay, or burden a third person, or use methods of obtaining evidence that violate the legal rights of such a person.

(b) Defense counsel should not compensate a witness, other than an expert, for giving testimony, but it is not improper to reimburse a witness for the reasonable expenses of attendance upon court, including transportation and loss of income, attendance for depositions pursuant to statute or court rule, or attendance for pretrial interviews, provided there is no attempt to conceal the fact of reimbursement.

(c) It is not necessary for defense counsel or defense counsel's investigator, in interviewing a prospective witness, to caution the witness concerning possible self-incrimination and the need for counsel.

(d) Defense counsel should not discourage or obstruct communication between prospective witnesses and the prosecutor. It is unprofessional conduct to advise any person other than a client, or cause such person to be advised, to decline to give to the prosecutor or defense counsel for codefendants information which such person has a right to give.

(e) Unless defense counsel is prepared to forgo impeachment of a witness by counsel's own testimony as to what the witness stated in an interview or to seek leave to withdraw from the case in order to present such impeaching testimony, defense counsel should avoid interviewing a prospective witness except in the presence of a third person.

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#### **Standard 4- 4.4 Relations With Expert Witnesses**

(a) Defense counsel who engages an expert for an opinion should respect the independence of the expert and should not seek to dictate the formation of the expert's opinion on the subject. To the extent necessary, defense counsel should explain to the expert his or her role in the trial as an impartial witness called to aid the fact finders and the manner in which the examination of witnesses is conducted.

(b) Defense counsel should not pay an excessive fee for the purpose of influencing an expert's testimony or fix the amount of the fee contingent upon the testimony an expert will give or the result in the case.

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#### **Standard 4- 4.5 Compliance With Discovery Procedure**

Defense counsel should make a reasonably diligent effort to comply with a legally proper discovery request.

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#### **Standard 4- 4.6 Physical Evidence**

(a) Defense counsel who receives a physical item under circumstances implicating a client in criminal conduct should disclose the location of or should deliver that item to law enforcement authorities only: (1) if required by law or court order, or (2) as provided in paragraph (d).

(b) Unless required to disclose, defense counsel should return the item to the source from whom defense counsel received it, except as provided in paragraph (c) and (d). In returning the item to the source, defense counsel should advise the source of the legal consequences pertaining to possession or destruction of the item. Defense counsel should also prepare a written record of these events for his or her file, but should not give the source a copy of such record.

(c) Defense counsel may receive the item for a reasonable period of time during which defense counsel: (1) intends to return it to the owner; (2) reasonably fears that return of the item to the source will result in destruction of the item; (3) reasonably fears that return of the item to the source will result in physical harm to anyone; (4) intends to test, examine, inspect, or use the item in any way as part of defense counsel's representation of the client; or (5) cannot return it to the source. If defense counsel tests or examines the item, he or she should thereafter return it to the source unless there is reason to believe that the evidence might be altered or destroyed or used to harm another or return is otherwise impossible. If defense counsel retains the item, he or she should retain it in his or her law office in a manner that does not impede the lawful ability of law enforcement authorities to obtain the item.

(d) If the item received is contraband, i.e., an item possession of which is in and of itself a crime such as narcotics, defense counsel may suggest that the client destroy it where there is no pending case or investigation relating to this evidence and where such destruction is clearly not in violation of any criminal statute. If such destruction is not permitted by law or if in defense counsel's judgment he or she cannot retain the item, whether or not it is contraband, in a way that does not pose an unreasonable risk of physical harm to anyone, defense counsel should disclose the location of or should deliver the item to law enforcement authorities.

(e) If defense counsel discloses the location of or delivers the item to law enforcement authorities under paragraphs (a) or (d), or to a third party under paragraph (c)(1), he or she should do so in the way best designed to protect the client's interests.

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## **PART V.**

### **CONTROL AND DIRECTION OF LITIGATION**

#### **Standard 4- 5.1 Advising the Accused**

(a) After informing himself or herself fully on the facts and the law, defense counsel should advise the accused with complete candor concerning all aspects of the case, including a candid estimate of the probable outcome.

(b) Defense counsel should not intentionally understate or overstate the risks, hazards, or prospects of the case to exert undue influence on the accused's decision as to his or her plea.

(c) Defense counsel should caution the client to avoid communication about the case with witnesses, except with the approval of counsel, to avoid any contact with jurors or prospective jurors, and to avoid either the reality or the appearance of any other improper activity.

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#### **Standard 4- 5.2 Control and Direction of the Case**

(a) Certain decisions relating to the conduct of the case are ultimately for the accused and others are ultimately for defense counsel. The decisions which are to be made by the accused after full consultation with counsel include:

- (i) what pleas to enter;
- (ii) whether to accept a plea agreement;
- (iii) whether to waive jury trial;
- (iv) whether to testify in his or her own behalf; and
- (v) whether to appeal.

(b) Strategic and tactical decisions should be made by defense counsel after consultation with the client where feasible and appropriate. Such decisions include what witnesses to call, whether and how to conduct cross-examination, what jurors to accept or strike, what trial motions should be made, and what evidence should be introduced.

(c) If a disagreement on significant matters of tactics or strategy arises between defense counsel and the client, defense counsel should make a record of the circumstances, counsel's advice and reasons, and the conclusion reached. The record should be made in a manner which protects the confidentiality of the lawyer-client relationship.

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### **PART VI.**

## **DISPOSITION WITHOUT TRIAL**

### **Standard 4- 6.1 Duty to Explore Disposition Without Trial**

(a) Whenever the law, nature, and circumstances of the case permit, defense counsel should explore the possibility of an early diversion of the case from the criminal process through the use of other community agencies.

(b) Defense counsel may engage in plea discussions with the prosecutor. Under no circumstances should defense counsel recommend to a defendant acceptance of a plea unless appropriate investigation and study of the case has been completed, including an analysis of controlling law and the evidence likely to be introduced at trial.

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### **Standard 4- 6.2 Plea Discussions**

(a) Defense counsel should keep the accused advised of developments arising out of plea discussions conducted with the prosecutor.

(b) Defense counsel should promptly communicate and explain to the accused all significant plea proposals made by the prosecutor.

(c) Defense counsel should not knowingly make false statements concerning the evidence in the course of plea discussions with the prosecutor.

(d) Defense counsel should not seek concessions favorable to one client by any agreement which is detrimental to the legitimate interests of a client in another case.

(e) Defense counsel representing two or more clients in the same or related cases should not participate in making an aggregated agreement as to guilty or nolo contendere pleas, unless each client consents after consultation, including disclosure of the existence and nature of all the claims or pleas involved.

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## **PART VII.**

### **TRIAL**

### **Standard 4- 7.1 Courtroom Professionalism**

(a) As an officer of the court, defense counsel should support the authority of the court and the dignity of the trial courtroom by

strict adherence to codes of professionalism and by manifesting a professional attitude toward the judge, opposing counsel, witnesses, jurors, and others in the courtroom.

(b) Defense counsel should not engage in unauthorized ex parte discussions with or submission of material to a judge relating to a particular case which is or may come before the judge.

(c) When court is in session, defense counsel should address the court and should not address the prosecutor directly on all matters relating to the case.

(d) Defense counsel should comply promptly with all orders and directives of the court, but defense counsel has a duty to have the record reflect adverse rulings or judicial conduct which counsel considers prejudicial to his or her client's legitimate interests. Defense counsel has a right to make respectful requests for reconsiderations of adverse rulings.

(e) Defense counsel should cooperate with courts and the organized bar in developing codes of professionalism for each jurisdiction.

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#### **Standard 4- -7.2 Selection of Jurors**

(a) Defense counsel should prepare himself or herself prior to trial to discharge effectively his or her function in the selection of the jury, including the raising of any appropriate issues concerning the method by which the jury panel was selected and the exercise of both challenges for cause and peremptory challenges.

(b) In those cases where it appears necessary to conduct a pretrial investigation of the background of jurors, investigatory methods of defense counsel should neither harass nor unduly embarrass potential jurors or invade their privacy and, whenever possible, should be restricted to an investigation of records and sources of information already in existence.

(c) The opportunity to question jurors personally should be used solely to obtain information for the intelligent exercise of challenges. Defense counsel should not intentionally use the voir dire to present factual matter which defense counsel knows will not be admissible at trial or to argue counsel's case to the jury.

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#### **Standard 4- 7.3 Relations With Jury**

(a) Defense counsel should not intentionally communicate privately with persons summoned for jury duty or impaneled as jurors prior to or during the trial. Defense counsel should avoid the reality or appearance of any such communications.

(b) Defense counsel should treat jurors with deference and respect, avoiding the reality or appearance of currying favor by a show of undue solicitude for their comfort or convenience.

(c) After discharge of the jury from further consideration of a case, defense counsel should not intentionally make comments to or ask questions of a juror for the purpose of harassing or embarrassing the juror in any way which will tend to influence judgment in future jury service. If defense counsel believes that the verdict may be subject to legal challenge, he or she may properly, if no statute or rule prohibits such course, communicate with jurors to determine whether such challenge may be available.

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#### **Standard 4- 7.4 Opening Statement**

Defense counsel's opening statement should be confined to a statement of the issues in the case and the evidence defense counsel believes in good faith will be available and admissible. Defense counsel should not allude to any evidence unless there is a good faith and reasonable basis for believing such evidence will be tendered and admitted in evidence.

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#### **Standard 4- 7.5 Presentation of Evidence**

(a) Defense counsel should not knowingly offer false evidence, whether by documents, tangible evidence, or the testimony of witnesses, or fail to take reasonable remedial measures upon discovery of its falsity.

(b) Defense counsel should not knowingly and for the purpose of bringing inadmissible matter to the attention of the judge or jury offer inadmissible evidence, ask legally objectionable questions, or make other impermissible comments or arguments in the presence of the judge or jury.

(c) Defense counsel should not permit any tangible evidence to be displayed in the view of the judge or jury which would tend to prejudice fair consideration of the case by the judge or jury until such time as a good faith tender of such evidence is made.



(d) Defense counsel should not tender tangible evidence in the presence of the judge or jury if it would tend to prejudice fair consideration of the case, unless there is a reasonable basis for its admission in evidence. When there is any substantial doubt about the admissibility of such evidence, it should be tendered by an offer of proof and a ruling obtained.

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#### **Standard 4- 7.6 Examination of Witnesses**

(a) The interrogation of all witnesses should be conducted fairly, objectively, and with due regard for the dignity and legitimate privacy of the witness, and without seeking to intimidate or humiliate the witness unnecessarily.

(b) Defense counsel's belief or knowledge that the witness is telling the truth does not preclude cross-examination.

(c) Defense counsel should not call a witness in the presence of the jury who the lawyer knows will claim a valid privilege not to testify.

(d) Defense counsel should not ask a question which implies the existence of a factual predicate for which a good faith belief is lacking.

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#### **Standard 4- 7.7 Argument to the Jury**

(a) In closing argument to the jury, defense counsel may argue all reasonable inferences from the evidence in the record. Defense counsel should not intentionally misstate the evidence or mislead the jury as to the inferences it may draw.

(b) Defense counsel should not express a personal belief or opinion in his or her client's innocence or personal belief or opinion in the truth or falsity of any testimony or evidence.

(c) Defense counsel should not make arguments calculated to appeal to the prejudices of the jury.

(d) Defense counsel should refrain from argument which would divert the jury from its duty to decide the case on the evidence.

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#### **Standard 4- 7.8 Facts Outside the Record**

Defense counsel should not intentionally refer to or argue on the basis of facts outside the record whether at trial or on appeal, unless such facts are matters of common public knowledge based on ordinary human experience or matters of which the court can take judicial notice.

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#### **Standard 4- 7.9 Post-trial Motions**

Defense counsel's responsibility includes presenting appropriate posttrial motions to protect the defendant's rights.

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### **PART VIII.**

#### **AFTER CONVICTION**

#### **Standard 4- 8.1 Sentencing**

(a) Defense counsel should, at the earliest possible time, be or become familiar with all of the sentencing alternatives available to the court and with community and other facilities which may be of assistance in a plan for meeting the accused's needs. Defense counsel's preparation should also include familiarization with the court's practices in exercising sentencing discretion, the practical consequences of different sentences, and the normal pattern of sentences for the offense involved, including any guidelines applicable at either the sentencing or parole stages. The consequences of the various dispositions available should be explained fully by defense counsel to the accused.

(b) Defense counsel should present to the court any ground which will assist in reaching a proper disposition favorable to the accused. If a presentence report or summary is made available to defense counsel, he or she should seek to verify the information contained in it and should be prepared to supplement or challenge it if necessary. If there is no presentence report or if it is not disclosed, defense counsel should submit to the court and the prosecutor all favorable information relevant to sentencing and in an appropriate case, with the consent of the accused, be prepared to suggest a program of rehabilitation based on defense counsel's exploration of employment, educational, and other opportunities made available by community services.

(c) Defense counsel should also insure that the accused understands the nature of the presentence investigation process, and in particular the significance of statements made by the

accused to probation officers and related personnel. Where appropriate, defense counsel should attend the probation officer's interview with the accused.

(d) Defense counsel should alert the accused to the right of allocution, if any, and to the possible dangers of making a statement that might tend to prejudice an appeal.

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### **Standard 4- 8.2 Appeal**

(a) After conviction, defense counsel should explain to the defendant the meaning and consequences of the court's judgment and defendant's right of appeal. Defense counsel should give the defendant his or her professional judgment as to whether there are meritorious grounds for appeal and as to the probable results of an appeal. Defense counsel should also explain to the defendant the advantages and disadvantages of an appeal. The decision whether to appeal must be the defendant's own choice.

(b) Defense counsel should take whatever steps are necessary to protect the defendant's rights of appeal.

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### **Standard 4- 8.3 Counsel on Appeal**

(a) Appellate counsel should not seek to withdraw from a case solely on the basis of his or her own determination that the appeal lacks merit.

(b) Appellate counsel should give a client his or her best professional evaluation of the questions that might be presented on appeal. Counsel, when inquiring into the case, should consider all issues that might affect the validity of the judgment of conviction and sentence, including any that might require initial presentation in a postconviction proceeding. Counsel should advise on the probable outcome of a challenge to the conviction or sentence. Counsel should endeavor to persuade the client to abandon a wholly frivolous appeal or to eliminate contentions lacking in substance.

(c) If the client chooses to proceed with an appeal against the advice of counsel, counsel should present the case, so long as such advocacy does not involve deception of the court. When counsel cannot continue without misleading the court, counsel may request permission to withdraw.

(d) Appellate counsel has the ultimate authority to decide which arguments to make on appeal. When appellate counsel decides not to argue all of the issues that his or her client desires to be argued, appellate counsel should inform the client of his or her pro se briefing rights.

(e) In a jurisdiction with an intermediate appellate court, counsel for a defendant-appellant or a defendant-appellee should continue to represent the client if the prosecution seeks review in the highest court, unless new counsel is substituted or unless the court permits counsel to withdraw. Similarly, in any jurisdiction, such appellate counsel should continue to represent the client if the prosecution seeks review in the Supreme Court of the United States.

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#### **Standard 4- 8.4 Conduct of Appeal**

(a) Appellate counsel should be diligent in perfecting appeals and expediting their prompt submission to appellate courts.

(b) Appellate counsel should be accurate in referring to the record and the authorities upon which counsel relies in the presentation to the court of briefs and oral argument.

(c) Appellate counsel should not intentionally refer to or argue on the basis of facts outside the record on appeal, unless such facts are matters of common public knowledge based on ordinary human experience or matters of which the court may take judicial notice.

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#### **Standard 4- 8.5 Post-conviction Remedies**

After a conviction is affirmed on appeal, appellate counsel should determine whether there is any ground for relief under other post-conviction remedies. If there is a reasonable prospect of a favorable result, counsel should explain to the defendant the advantages and disadvantages of taking such action. Appellate counsel is not obligated to represent the defendant in a post-conviction proceeding unless counsel has agreed to do so. In other respects, the responsibility of a lawyer in a post-conviction proceeding should be guided generally by the standards governing the conduct of lawyers in criminal cases.

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## **Standard 4- 8.6 Challenges to the Effectiveness of Counsel**

(a) If defense counsel, after investigation, is satisfied that another defense counsel who served in an earlier phase of the case did not provide effective assistance, he or she should not hesitate to seek relief for the defendant on that ground.

(b) If defense counsel, after investigation, is satisfied that another defense counsel who served in an earlier phase of the case provided effective assistance, he or she should so advise the client and may decline to proceed further.

(c) If defense counsel concludes that he or she did not provide effective assistance in an earlier phase of the case, defense counsel should explain this conclusion to the defendant and seek to withdraw from representation with an explanation to the court of the reason therefor.

(d) Defense counsel whose conduct of a criminal case is drawn into question is entitled to testify concerning the matters charged and is not precluded from disclosing the truth concerning the accusation to the extent defense counsel reasonably believes necessary, even though this involves revealing matters which were given in confidence.

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## **Guidelines for Legal Defense Systems in the United States**

*From 1974 to 1976, following consultations with the Attorney General and the Administrator of the Law Enforcement Assistance Administration, the National Legal Aid and Defender Association convened a 35-member National Study Commission on Defense Services, with LEAA grant support. The Commission's charter was to utilize the standards developed by the National Advisory Commission on Criminal Justice Standards and goals in 1973 as a "basic underpinning for an extensive study of defense services aimed at preparing a blueprint of guidelines and procedures which would meet the nation's indigent defense needs." The National Study Commission was divided into six topical Task Forces: 1) Scope of Services, Eligibility and Recoupment; 2) Workload, Manpower and Budget Projections; 3) Defender System Structure; 4) Internal Defender Office Structure; 5) Assigned Counsel System Structure; and 6) The Defense Attorney's Role in Diversion and Plea Bargaining. Following extensive study and the preparation of a Draft Report, a three-day National Colloquium on the Future of Defender Services was convened in 1976 in Washington, DC, to which were invited all state chief justices, state bar presidents, LEAA state planning agency executive directors, and defender program heads from around the country. The Colloquium produced some 60 commentaries upon the Draft Report, which was then further reviewed by the Commission and Colloquium participants. The black letter "Summary of Recommendations" printed here constitutes 20 pages of the Commission's 560-page Final Report, omitting extensive commentary and discussion.*

### **I. AVAILABILITY OF REPRESENTATION**

#### **1.1 Nature of Cases and Proceedings for Which Counsel Should be Provided**

Effective representation should be provided to all eligible persons:

- (a) In any governmental fact-finding proceeding, the purpose of which is to establish the culpability or status of such persons, which might result in the loss of liberty or in a legal disability of a criminal or punitive nature; and
- (b) In any proceeding to take affirmative remedial action relative to the scope of services set forth in part (a) of this section.

#### **1.2 Time of Entry**

Effective representation should be available for every eligible person as soon as:

- (a) The person is arrested or detained, or
- (b) The person reasonably believes that a process will commence which might result in a loss of liberty or the imposition of a legal disability of a criminal or punitive nature, whichever occurs earliest.

#### **1.3 Procedures for Providing Early Representation: Program Responsibilities**

In order to ensure early representation for all eligible persons, the defender office or assigned counsel program should:

- (a) Respond to all inquiries made by, or on behalf of, any eligible person whether or not that individual is in the custody of law enforcement officials;
- (b) Establish the capability to provide emergency representation on a 24-hour basis;
- (c) Implement systematic procedures, including daily checks of detention facilities, to ensure that prompt representation is available to all persons eligible for services;
- (d) Provide adequate facilities for interviewing prospective clients who have not been arrested or who are free on pre-trial release;
- (e) Prepare, distribute and make available by posting in a conspicuous place in all police stations, courthouses and detention facilities a brochure that describes in simple, cogent language or languages the rights of any person who may require the services of the defender or assigned counsel

and the nature and availability of such services, including the telephone number and address of the local defender office or assigned counsel program; and

(f) Publicize its services in the media.

Upon initial contact with a prospective client, the defender or assigned counsel should offer specific advice as to all relevant constitutional or statutory rights, elicit matters of defense, and direct investigators to commence fact investigations, collect information relative to pre-trial release, and make a preliminary determination of eligibility for publicly provided defense services.

Where the defender or assigned counsel interviews a prospective client and it is determined that said person is ineligible for publicly provided representation, the attorney should decline the case and, in accordance with appropriate procedure, assist the person in obtaining private counsel. However, should immediate service be necessary to protect that person's interest, such service should be rendered until the person has had the opportunity to retain private counsel.

### **1.4 Procedures for Providing Early Representation: Law Enforcement Responsibilities**

In order for defenders and assigned counsel to meet their responsibilities in providing early representation, it is also essential that it be the initial responsibility of the law enforcement authority having custody of any person to:

- (a) Determine whether such person is represented by counsel and if said person is so represented to immediately contact his attorney; or
- (b) If said person is not represented by counsel, to immediately contact the local defender office or assigned counsel program.

All employees of government who come into contact with any person who is without counsel should inquire into whether the initial responsibility of the custodial authority has been properly discharged. If it has not, this responsibility should extend, but should not be limited to, courts, prosecutors, parole and probation officers, personnel of pre-trial release programs, and their agents.

### **1.5 Financial Eligibility Criteria**

Effective representation should be provided to anyone who is unable, without substantial financial hardship to himself or to his dependents, to obtain such representation. This determination should be made by ascertaining the liquid assets of the person which exceed the amount needed for the support of the person or his dependents and for the payment of current obligations. If the person's liquid assets are not sufficient to cover the anticipated costs of representation as indicated by the prevailing fees charged by competent counsel in the area, the person should be considered eligible for publicly provided representation. The accused's assessment of his own financial ability to obtain competent representation should be given substantial weight.

- (a) Liquid assets include cash in hand, stocks and bonds, bank accounts and any other property which can be readily converted to cash. The person's home, car, household furnishings, clothing and any property declared exempt from attachment or execution by law, should not be considered in determining eligibility. Nor should the fact of whether or not the person has been released on bond or the resources of a spouse, parent or other person be considered.
- (b) The cost of representation includes investigation, expert testimony, and any other costs which may be related to providing effective representation.

### **1.6 Method of Determining Financial Eligibility**

The financial eligibility of a person for publicly provided representation should be made initially by the defender office or assigned counsel program subject to review by a court upon a finding of ineligibility at the request of such person. Any information or statements used for the determination should be considered privileged under the attorney-client relationship.

A decision of ineligibility which is affirmed by a judge should be reviewable by an expedited interlocutory appeal. The person should be informed of this right to appeal and if he desires to exercise it, the clerk of the court should perfect the appeal. The record on appeal should include all evidence

presented to the court on the issue of eligibility and the judge's findings of fact and conclusions of law denying eligibility.

### **1. 7 Partial Eligibility**

If the accused is determined to be eligible for defense services in accordance with approved financial eligibility criteria and procedures, and if, at the time that the determination is made, he is able to provide a limited cash contribution to the cost of his defense without imposing a substantial financial hardship upon himself or his dependents, such contribution should be required as a condition of continued representation at public expense.

- (a) The defender office or assigned counsel program should determine the amount to be contributed under this section, but such contribution should be paid directly into the general fund of the state, county, or other appropriate funding agency. The contribution should be made in a single lump sum payment immediately upon, or shortly after, the eligibility determination.
- (b) The amount of contribution to be made under this section should be determined in accordance with predetermined standards and administered in an objective manner; provided, however, that the amount of the contribution should not exceed the lesser of (1) ten (10) percent of the total maximum amount which would be payable for the representation in question under the assigned counsel fee schedule, where such a schedule is used in the particular jurisdiction, or (2) a sum equal to the fee generally paid to an assigned counsel for one trial day in a comparable case.

## **II. STRUCTURE OF SYSTEMS FOR DEFENSE OF ELIGIBLE PERSONS**

### **2.1 Administrative Structures for Mixed Systems**

Where a jurisdiction is served by both a defender office and an assigned counsel program, there are two acceptable methods of coordinating these components:

- (a) The Defender Director may also serve as the assigned counsel administrator and bear the responsibility, in cooperation with the private bar, and with the guidance of an advisory board, for the establishment, maintenance and training of the panel and for all other administrative and support functions for the assigned counsel component; or
- (b) The defender office and the assigned counsel program may exist as two independent entities, but coordinate their efforts in such matters as training and support services to the extent that it is feasible and in the allocation of caseload. Where necessary to facilitate coordination, an advisory board should be utilized.

### **2.2 Allocation of Cases**

In a mixed defender and assigned counsel system, the percentage of cases handled by each component of the system should depend upon the relative sizes, expertise and availability of the defender staff and of the panel of private lawyers.

Cases should be allocated in accordance with a fair and well-promulgated plan. The administrator should be responsible for developing, promulgating and implementing this plan.

The plan should allocate a substantial share of cases to each component of the system and should not *a priori* preclude allocation of any specific type or types of cases from assignment to either component. Provision should be made for cases involving multiple defendants, conflicts of interest, and matters requiring special expertise.

### **2.3 Ad Hoc Appointment of Counsel**

Appointment of counsel on a random or *ad hoc* basis is explicitly rejected as an appropriate means of furnishing legal representation in criminal cases.

### **2.4 State Level Organization with Centralized Administration**



Defender services should be organized at the state level in order to ensure uniformity and equality of legal representation and supporting services, and to guarantee professional independence for individual defenders. The defender system should provide services by means of city, county, or multi-county programs to every jurisdiction in the state.

- (a) Except in the case of pre-existing agencies, the planning and creation of local or regional defender offices should be undertaken by a state defender office which is responsible for providing all defender services.
- (b) The role of the State Defender Director with respect to offices throughout the state should be as follows:
  - (1) The State Defender Director should appoint Deputy Defenders to head the local and regional offices and should set general policy and guidelines regarding the operation of such offices and the handling of cases; however, the daily administration of the local and regional offices and the handling of individual cases should be the responsibility of the Deputy Defenders.
  - (2) The State Defender Director should ensure that on-site evaluations of each defender office or assigned counsel program in the state, whether organized as part of the state defender system or as a preexisting entity, are conducted not less than once a year. The State Defender Director should be authorized to contract with outside agencies where necessary for this purpose.
  - (3) The State Defender Director should visit all offices and programs around the state on a frequent basis.
  - (4) The Office of State Defender should provide initial training for all new defender staff attorneys and conduct seminars for the continuing education of the staff of all defender offices and coordinated assigned counsel programs in the state.

## **2.5 Preexisting Agencies in a State Defender System**

The State Defender Director should be permitted to contract with preexisting qualified entities to provide defense services.

The State Defender Director should be responsible for ensuring compliance by contracted programs with national standards.

Where the on-going program has been determined to be in full compliance with national standards, it should be eligible to receive state funding for its program and the Office of the State Defender should provide any necessary back-up services.

Where the on-going defender or coordinated assigned counsel program fails to comply with national standards, that program should have 120 days in which to comply. If, upon reevaluation after that time, the program continues to fall short of national standards, the Office of State Defender should itself replace the prior program.

## **2.6 Private Defender Organizations**

Where a defender organization provides services pursuant to contract, in order to maintain continuity and attract qualified personnel to the position of Defender Director, provision should be made, either by law or by contract, for the continuation of the defender service beyond the contract period.

The scope of the services to be provided should be stated explicitly in the contract.

Contracts for defender services should not be let on the basis of competitive bidding.

The contract should specify the workload anticipated as it relates to the amount of funds being provided in order to provide a formula in the event that the anticipated workload is exceeded.

## **2.7 Location of Defender Offices**

In a state level defender system, the principal office should ordinarily be located in the state capital, and other offices should be located with reference to population and caseload factors and access to trial and appellate courts and penal institutions.

Local defender offices should be located near the appropriate courthouses, but never in such proximity that the defender offices become identified with the judicial and law enforcement components

of the criminal justice system. Defender offices should maintain interview and waiting rooms in the courthouse.

Regional, metropolitan and single county defenders should establish branch offices whenever operational efficiency, defender access to courts, or clients' access to defenders would be significantly enhanced thereby.

## **2.8 Regionalization of Defender Services**

In states which have not yet established the Office of State Defender, local political subdivisions having a sufficient number of cases to occupy two or more attorneys on a full-time basis should be required to establish an organized defender system. If a local political subdivision lacks a sufficient number of cases to occupy the full-time services of at least two attorneys, it should be required to combine with other political subdivisions to establish a regional, organized defender system.

Statewide regulations should be established in conformity with national standards governing the staffing and budgetary requirements of local and regional defender offices to ensure provision of uniformly high quality defender services and to protect the independence of the office from political and judicial influence. Staffing requirements for regional offices should be related to travel time for attending court and jail facilities as well as to approved caseload standards.

In the absence of full state funding, participating local governments should allocate costs among themselves. Alternative bases for allocation should include, but not be limited to, population, caseload, and equal sharing.

## **2.9 Full-time Defenders and Minimum Staff Size**

Defender Directors and staff attorneys should be full-time employees, prohibited from engaging in the private practice of law. No defender office should be staffed by less than two full-time defenders. Where this cannot be accomplished by regionalization, it should be accomplished by merging the criminal and civil legal aid functions.

## **2.10 The Defender Commission**

A special Defender Commission should be established for every defender system, whether public or private.

The Commission should consist of from nine to thirteen members, depending upon the size of the community, the number of identifiable factions or components of the client population, and judgments as to which non-client groups should be represented.

Commission members should be selected under the following criteria:

- (a) The primary consideration in establishing the composition of the Commission should be ensuring the independence of the Defender Director.
- (b) The members of the Commission should represent a diversity of factions in order to ensure insulation from partisan politics.
- (c) No single branch of government should have a majority of votes on the Commission.
- (d) Organizations concerned with the problems of the client community should be represented on the Commission.
- (e) A majority of the Commission should consist of practicing attorneys.
- (f) The Commission should not include judges, prosecutors, or law enforcement officials.

Members of the Commission should serve staggered terms in order to ensure continuity and avoid upheaval.

## **2.11 Functions of the Defender Commission**

The primary function of the Defender Commission should be to select the State Defender Director. The Commission should also:

- (a) Assist the State Defender Director in drawing up procedures for the selection of Assistants or Deputies;

- (b) Receive possible client complaints, initiate statistical studies of case disposition, and monitor the performance of the Defender Director;
- (c) Maintain a continuing dialogue with the State Defender Director in order to provide input and advice;
- (d) Assist in ensuring the independence of the defender system by serving as a buffer and educating the public regarding constitutional requirements and the functions of the defenders;
- (e) Serve as liaison between the legislature and the defender system upon request of the Defender Director; and
- (f) Remove the Defender Director from office in the event that good cause is shown.

The Commission should not interfere with the discretion, judgment and zealous advocacy of defender attorneys in specific cases.

The Commission should meet on a regular basis and should be presided over by a chairperson elected by its members.

The Commission should serve without pay, and should be reimbursed for travel and other reasonable expenditures incurred as a result of membership.

A majority of commission members should constitute a quorum, and any resolution, policy adoption, or motion should require a vote of a majority of those present. However, selection of the Defender Director should require the vote of each member due to the importance of that decision. Voting by proxy should be prohibited.

## **2.12 Qualifications of the Defender Director and Conditions of Employment**

The Defender Director should be a member of the bar of the state in which he is to serve. He should be selected on the basis of a non-partisan, merit procedure which ensures the selection of a person with the best available administrative and legal talent, regardless of political party affiliation, contributions, or other irrelevant criteria.

The Defender Director's term of office should be from four to six years in duration and should be subject to renewal. The director should not be removed from office in the course of a term without a hearing procedure at which good cause is shown.

## **2.13 The Governing Body for Assigned Counsel Programs**

An assigned counsel program should be operated under the auspices of a general governing body. The majority of the members of the governing body should be attorneys but should not be judges or prosecuting attorneys. Its composition should conform to the criteria established for the Defender Commission.

The functions of the governing body should include the following: designing the general scheme of the system; specifying the qualifications for the position of administrator of the system; defining the function of the administrator and authorizing sufficient staff to support that function; prescribing salaries and terms of employment; adopting appropriate rules or procedures for the operation of the governing body itself, as well as general guidelines for the operation of the system; acting as a selection committee for the appointment of an administrator, or in the alternative, providing for a special selection committee; exercising general fiscal and organizational control of the system; seeking and maintaining proper funding of the system; ensuring the independence of the administrator and assigned counsel; and encouraging the public, the courts, and the funding source to recognize the significance of the defense function as a vital and independent component of the justice system.

## **2.14 Qualifications, Conditions of Employment, and Role of the Administrator**

An assigned counsel program should be administered by a qualified attorney licensed to practice in the jurisdiction where the system operates. In addition, the qualifications of the administrator should include, but not be limited to, the following: extensive experience in the field of criminal defense; experience in administration; ability to work cooperatively with other elements of the criminal justice system while retaining an independence of attitude to promote and protect the proper rendering of defense services; ability to maintain proper relations with the private bar; and, where the assigned counsel program co-exists with a defender system which has a separate administrator, the ability to maintain a cooperative working relationship with the defender system.

The functions of the administrator should include, but not be limited to, the following: developing and executing operational policy and control of the system; assisting the governing body in discharging its responsibilities; further assisting the governing body in the development of the budget, and in planning and establishing fee schedules and fiscal controls; acquiring such staff as is necessary to carry out the mission of the system; designing the internal operational and administrative controls necessary for the orderly disposition of cases; designing and implementing orientation and training programs for assigned counsel; and developing access to supporting services.

The administrator should have the authority to select the attorneys who will comprise the assigned counsel panel; to suspend or dismiss panel members for cause, subject to the review of the governing body; to hire and discharge such staff as is necessary to operate the system; to monitor the quality of the services being rendered and to take appropriate measures to maintain a competent level of services; to approve expenditures for the acquisition of supporting services; and to approve the payment of attorney fee vouchers. However, requests for fees exceeding the recommended maximum, or appeals from the administrator's action, should be received by a panel of attorneys appointed by the governing board.

The following terms of employment should apply to the assigned counsel administrator. The administrator's salary should be sufficient to attract a capable person and should be at least as high as that of the chief prosecutor in the area served. The administrator and staff should be allowed reasonable expenses to participate in continuing education programs and bar association and defender association functions. The administrator should serve for a definite term of years which should be no less than three nor greater than six years and should be eligible for reappointment for successive terms. The administrator should not be subject to removal from office in the course of a term without good cause being shown and should be afforded a hearing before the governing body.

### **2.15 Establishing the Assigned Counsel Panel**

In establishing the assigned counsel panel, the administrator should solicit all members of the practicing bar in the area to be served by the system. The administrator should appoint all of those attorneys who display a willingness to participate in the program and manifest the ability to perform criminal defense work at a competent level. Provision should also be made for attorneys who are willing to learn criminal defense work, or to become more proficient in such work, to be inducted into the program upon completion of an appropriate training regime.

Standards of performance and conduct should be developed and disseminated among all panel members and potential panel members. In the event that those standards are disregarded or breached, it should be cause for either admonishment, suspension or removal from the panel.

### **2. 16 Assignment of Cases to Panel Members**

Although methods of assigning cases may vary with local procedures and conditions, the administrator, in designing the system and making assignments, should adhere to the following goals:

- (a) The cases should be distributed in an equitable way among the panel members to ensure balanced workloads through a rotating system with allowances for variance when necessary;
- (b) The more serious and complex cases should be assigned to attorneys with a sufficient level of experience and competence to afford proper representation; and
- (c) Apprentice members of the panel should only be assigned cases which are within their capabilities; however, they should be given the opportunity to expand their experience gradually under supervision.

### **2.17 Sources of Funding for Defense Systems**

The primary responsibility for funding of defense services should be borne at the state level. Each state should provide adequate funding for all defense services within its jurisdiction regardless of the level of government at which those services are administered.

The federal government should provide financial aid to the states for the purposes of establishing organized defense services where none exist and of ensuring uniformity in the quality of the services being provided in existing programs. This aid should take the form of long-term direct matching grants.

Defense systems should be empowered to seek and receive private funds. However, private funding is not a stable source of funds and should not be relied upon except for capital expenditures such as library acquisitions and equipment.

The private bar should not be required to provide defense services on a *pro bono* basis either as the primary delivery agent or for cases involving a conflict of interest with or overflow from the defender office.

## **2.18 Administration of Defense System Funds**

### **(a) Defender Systems**

The defender system should be an independent agency and, as such, should prepare its own budget and submit its budget directly to the appropriating authority. Its budget should not be presented as part of the judicial or executive branch budgets, nor should it be subject to diminution or alteration by any branch of government other than the appropriating authority. The Defender Commission should review and advise the Defender Director on the budget before its submission and provide support for the budget request.

The defender system should operate under an annual or biennial lump sum appropriation which would enable the Defender Director to reallocate funds without prior approval of the appropriating authority. The payment of the defender on a case-by-case reimbursement basis, the direct provision of in-kind services or facilities to the defender system by the government, and other substitutes for providing a complete and sufficient budget are explicitly rejected as means of funding defender systems.

### **(b) Assigned Counsel Programs**

The financial administration of assigned counsel program funds should be in the form of an open-ended budget whereby compensation would be paid in accordance with caseload and the nature and extent of the services rendered.

## **III. THE COST OF PROVIDING COUNSEL**

### **3.1 Assigned Counsel Fees and Supporting Services**

Assigned counsel should be adequately compensated for services rendered. Fees should be related to the prevailing rates among the private bar for similar services. These rates should be reviewed periodically and adjusted accordingly.

Funds should be available in a budgetary allocation for the services of investigators, expert witnesses and other necessary services and facilities.

In developing a fee schedule, the effect of the fee schedule upon the quality of representation should be considered. Fee structures should be designed to compensate attorneys for effort, skill and time actually, properly and necessarily expended in assigned cases.

Fee schedules, whether provided by statute or policy, should be designed to allow hourly in-court and out-of-court rates up to a stated maximum for various classes of cases, with provision for compensation in excess of the scheduled maxima in extraordinary cases.

### **3.2 Defender System Salaries**

The Defender Director's compensation should be set at a level which is commensurate with his qualifications and experience, and which recognizes the responsibility of the position. The Director's compensation should be comparable with that paid to presiding judges, is professionally appropriate when compared with the private bar, and is in no event less than that of the chief prosecutor.

The starting levels of compensation for staff attorneys should be adequate to attract qualified personnel. Salary levels thereafter should be set to promote the Defender Director's policy on retention of legal staff and should in no event be less than that paid in the prosecutor's office. Compensation should be professionally appropriate when analyzed or compared with the compensation of the private bar.

In order to attract and retain qualified supporting personnel, compensation should be comparable to that paid by the private bar and related positions in the private sector and should in no event be less than that paid for similar positions in the court system and prosecution offices.

### **3.3 Projecting Defense System Personnel Needs**

Defense system personnel needs should be projected by means of detailed resource planning. Such planning requires, at a minimum, detailed records on the flow of cases through the criminal justice process and on the resources expended on each case at each step in the process.

### **3.4 Nonpersonnel Needs in Defender Offices**

Defender offices should have a budget for operating expenses that provides for a professional quality office, library and equipment comparable to a private law firm of similar size. Facilities and resources should be at least comparable to, and in no event less than, that provided for other components of the justice system with whom the defender must interact, such as the courts, prosecution, and the police.

Defender office facilities should include separate offices for management, legal and social work staff, shared space for investigators, paraprofessionals and other support staff, secure space for confidential records, equipment and petty cash, and reasonable allocations of ancillary space related to staff size for reception and client waiting areas, conference rooms and library, mailroom and reproduction, supplies and storage. Separate toilet facilities should be provided for staff. Parking should be provided for staff who require the use of an automobile for field tasks.

Defender office budgets should include funds for procurement of experts and consultants, ordering of minutes and transcripts on an expedited basis and for the procurement of other necessary services. Defender offices should not be required to seek prior approval or post-expenditure ratification of payments for such services except in those limited cases where the expenditure is extraordinary.

Defender offices should be equipped with quality communications and reproduction equipment. Where data requirements so warrant, defender offices should have data processing facilities and services on lease or contract which are designed for defender requirements. If the defender office is included in a criminal justice information system, the system should be required to meet defender specifications regarding reporting frequency, data definition and format.

Defender offices should be exempt from governmental public bidding requirements for purchasing where the public bidding process cannot be completed for timely acquisition of services or equipment.

## **IV. TAILORING SPECIFICATIONS TO DIVERSE DEFENDER PROGRAMS**

### **4.1 Task Allocation in the Trial Function: Specialists and Supporting Services**

Defender organizations should analyze their operations for opportunities to achieve more effective representation, increased cost effectiveness and improved client and staff satisfaction through specialization. The decision to specialize legal and supporting staff functions should be made whenever the use of specialization would result in substantial improvements in the quality of defender services and cost savings in light of the program's management and coordination requirements; provided that, attorney tasks should never be specialized where the result would be to impair the attorney's ability to represent a client from the beginning of a case through sentencing.

Proper attorney supervision in a defender office requires one full-time supervisor for every ten staff lawyers, or one part-time supervisor for every five lawyers.

Social workers, investigators, paralegal and paraprofessional staff as well as clerical/secretarial staff should be employed to assist attorneys in performing tasks not requiring attorney credentials or experience and for tasks where supporting staff possess specialized skills.

Defender offices should employ investigators with criminal investigation training and experience. A minimum of one investigator should be employed for every three staff attorneys in an office. Every defender office should employ at least one investigator.

Professional business management staff should be employed by defender offices to provide expertise in budget development and financial management, personnel administration, purchasing, data processing, statistics, record-keeping and information systems, facilities management and other administrative services if senior legal management are expending at least one person-year of effort for these functions or where administrative and business management functions are not being performed effectively and on a timely basis.

The primary responsibility for managing, evaluating and coordinating all services provided to a client should be borne by the attorney. The attorney should conduct the initial interview with the client and make an evaluation of the case prior to entry by specialists and supporting staff into the case with the exception of specific ministerial duties necessary to start the attorney's file.

Except where an assigned counsel plan provides such services, defender organizations should provide appointed counsel with specialist and supporting services in cases not involving a present or potential conflict of interest.

Defender offices should employ staff to gather and maintain information on all aspects of the available pre-trial diversion options and to assist defense counsel and defendants both in determining the suitability of any given program and in expediting the client's entry into a program when the client so desires.

## **4.2 Task Allocation and Supporting Services in Rural Programs**

Defender programs in rural areas which are staffed by only two or three attorneys should meet standards prescribed for larger programs except that specialization should be avoided and case assignments and routine administrative and public relations duties should be rotated to ensure that each staff attorney is fully familiar with the operation of the program and with all components of the criminal justice system.

## **4.3 Relationship of Appellate and Trial Functions; Task Allocation**

The appellate and post-conviction functions should be independent of the trial function in order to accomplish free and unrestricted review of trial court proceedings.

Where the appellate office is part of a defender system which includes both trials and appeals, the appellate function should be as organizationally independent of the trial function as is feasible.

- (a) Counsel on appeal should be different from trial counsel and capable of exercising independent review of the competence and performance of trial counsel.
- (b) An appellate defender should not have responsibility for any trial work while in an appellate capacity and should remain in appellate work for a substantial period of time in order to provide continuous representation to a client throughout the appellate process.
- (c) While the appellate function should be separate from the trial function, under certain circumstances the trial attorney should be permitted to handle the appeal provided that there is an independent review of the record by appellate personnel.

Where the appellate defender office is separate from the trial office, it is essential to ensure the following coordination:

- (a) Appellate counsel should contact and fully discuss the appeal with trial counsel; and
- (b) The trial defender office should have the capacity to process interlocutory and emergency appeals.

Where paraprofessionals and law students are utilized in the appellate process, the defender assigned to a client should establish a personal relationship with the client through personal interviews and continued contact.

A copy of all pleadings affecting the merits of the case filed for a client by the defender should be automatically forwarded to the client. Because the client is not present at most appellate proceedings, the

client should be informed of the occurrence of all substantial hearings, rulings and decisions affecting the case.

The responsibility for handling a case on appeal should be borne by the attorney. The attorney should supervise all supporting staff who work on a case.

The following services and facilities should be available to appellate defender offices:

- (a) Adequate resources for the hiring of expert witnesses and investigative services;
- (b) Administrative personnel to maintain docket control cards, open files, accumulate all court records before the case is assigned to a defender, and set up initial appointments with and explain the appellate process to clients;
- (c) Word processing systems and equipment; and
- (d) An adequate library and brief-bank with access to a complete resource library.
  - (1) Adequate personnel should be available to operate the library and maintain and index the brief-bank.
  - (2) Individual staff attorneys should be provided with a functional working library for their own offices.
  - (3) All slip sheet opinions released by the jurisdiction's appellate courts should be obtained by the office upon release, indexed and immediately distributed to the appellate attorneys.

#### **4.4 Use of Law Students**

Although law schools throughout the nation should be encouraged to establish closely supervised clinical criminal law, courses in cooperation with local defender offices, it is deplorable that law students are now filling gaps that should be filled by the practicing bar. Law student programs should not be viewed as a long-term answer to the problem of adequately meeting the needs of defendants in the criminal justice system.

Law students utilized as supporting personnel in defender agencies should be carefully supervised, given a broad range of experience and, where appropriate, adequately compensated for their work.

Law students functioning as subcounsel in criminal matters should be thoroughly prepared in criminal law and procedure, ethics, and court practice before being permitted to handle actual courtroom appearances.

A law student should be permitted to handle as lead counsel motions, hearings, and trials only after the student has been certified under a student practice rule and provided that the supervising lawyer has determined that, to the best of his knowledge and belief, the student will not bias either the court or the jury against the defendant. The student should not be permitted to handle the case unless the client has consented in writing to student representation; however, the consent of the trial judge should not be required. The client's consent should be indicated on the court record prior to any courtroom proceeding.

Law students should not conduct initial substantive client interviews without the presence of a supervising lawyer.

Law students should not handle as lead counsel criminal cases in which the charges against the accused involve complex legal, evidentiary, or tactical decisions, or where there is a likelihood of a substantial deprivation of liberty upon conviction.

The requirement of close supervision necessitates that the supervising lawyer have a complete understanding of the case, be available to the student prior to any court appearance for consultation and be physically present and immediately available for consultation during the time the student is presenting a matter in court.

#### **4. 5 Prisoner Legal Assistance Programs**

Every defender system should make an assessment of the availability of post-conviction representation of the criminally confined in its jurisdiction and, if indicated, establish a separate division to deliver that representation in a comprehensive fashion.

The defender system should seek to utilize and incorporate existing community resources including, but not limited to, law students, paraprofessionals, jailhouse lawyers and volunteers to assist in delivering



the services. These individuals, however, should be carefully selected, properly trained and supervised, and their duties precisely defined.

Since the legal claims of prisoners may require of defender staff attorneys many skills and/or substantive law knowledge not necessarily possessed by criminal law practitioners, this fact should be reflected in the program's hiring policies, training programs, law library content and internal office structure.

In the event that the defender system opts, due to lack of available resources, lack of expertise, or for others reasons to limit its inmate representation to certain specified types of cases, the Defender Director should identify and coordinate with alternative prison legal services programs and initiate an effective referral system for inmate requests.

## **V. CORE QUESTIONS RELATING TO INTERNAL OPERATIONS**

### **5.1 Establishing Maximum Pending Workload Levels for Individual Attorneys**

In order to achieve the prime objective of effective assistance of counsel to all defender clients, which cannot be accomplished by even the ablest, most industrious attorneys in the face of excessive workloads, every defender system should establish maximum caseloads for individual attorneys in the system.

Caseloads should reflect national standards and guidelines. The determination by the defender office as to whether or not the workloads of the defenders in the office are excessive should take into consideration the following factors:

- (a) objective statistical data;
- (b) factors related to local practice; and
- (c) an evaluation and comparison of the workloads of experienced, competent private defense practitioners.

### **5.2 Statistics and Record-keeping**

Every defender office should maintain a central filing and record system with daily retrieval of information concerning all open cases. The system should include, at a minimum, an alphabetical card index system with a card containing detailed and current information on every open case, and a docket book or calendar which contains future court appearance activities.

Every Defender Director should receive, on a weekly or monthly basis, detailed caseload and dispositional data, broken down by type of case, type of function, disposition, and by individual attorney workload.

### **5.3 Elimination of Excessive Caseloads**

Defender office caseloads and individual defender attorney workloads should be continuously monitored, assessed and predicted so that, wherever possible, caseload problems can be anticipated in time for preventive action.

Whenever the Defender Director, in light of the system's established workload standards, determines that the assumption of additional cases by the system might reasonably result in inadequate representation for some or all of the system's clients, the defender system should decline any additional cases until the situation is altered.

When faced with an excessive caseload, the defender system should diligently pursue all reasonable means of alleviating the problem, including:

- (a) Declining additional cases and, as appropriate, seeking leave of court to withdraw from cases already assigned;
- (b) Actively seeking the support of the judiciary, the Defender Commission, the private bar, and the community in the resolution of the caseload problem;
- (c) Seeking evaluative measures from the appropriate national organization as a means of independent documentation of the problem;

- (d) Hiring assigned counsel to handle the additional cases; and
- (e) Initiating legal causes of action.

An individual staff attorney has the duty not to accept more clients than he can effectively handle and should keep the Defender Director advised of his workload in order to prevent an excessive workload situation. If such a situation arises, the staff attorney should inform the court and his client of his resulting inability to render effective assistance of counsel.

#### **5.4 Supervision and Evaluation of Defender System Personnel**

The professional performance of defender staff attorneys should be subject to systematic supervision and evaluation based upon publicized criteria. Supervision and evaluation efforts should be individualized, and should include monitoring of time and caseload records, review and inspection of case files and transcripts, in-court observation and periodic conferences.

#### **5.5 Monitoring and Evaluation of Assigned Counsel Program Personnel**

All evaluations of panel attorneys should be conducted by the administrator of the program. The results of evaluations should be reported to the attorney upon request of the attorney or in the discretion of the administrator.

A system of performance evaluations based upon personal monitoring by the administrator, augmented by regular inputs from judges, prosecutors, other defense lawyers and clients should be developed. Periodic review of selected cases should be made by the administrator.

The criteria of performance utilized in evaluations should be those of a skilled and knowledgeable criminal lawyer.

#### **5.6 Accreditation and Specialization**

An accreditation program for defender offices and assigned counsel programs should be developed within the appropriate national professional organization to encourage compliance with national standards and to promote the general improvement of defense services.

A certification program for criminal law specialists should be considered.

#### **5.7 Training Staff Attorneys in a Defender System**

The training of defenders should be systematic, comprehensive and at least equal in scope to that received by prosecutors. Every defender office should provide an orientation program for new staff attorneys. Intensive entry-level training should be provided at the state or local level and, to the extent possible, defender hiring practices should be coordinated to facilitate an entry-level training program during which newly hired attorneys are not assigned to regular office duties.

In-service training programs for defender attorneys should be provided at the state and local level so that all attorneys are kept abreast of developments in criminal law, criminal procedure and the forensic sciences. As a part of in-service training, defender attorneys should be required to read appellate slip opinions, loose-leaf services and legal periodicals.

Every defender office should seek to enroll staff attorneys in national and statewide training programs and courses that have relevance to the development of trial advocacy skills.

Defender offices should provide training for investigative staff.

#### **5.8 Training Assigned Counsel**

A single person or organization should assume the responsibility for training of assigned counsel panel members. Where there is an administrator, that individual should bear the responsibility.

Training programs should take into consideration the prior experience and skills of the attorneys. Special programs should be established for those less experienced attorneys who wish to qualify for the assigned counsel panel.

Formal training programs stressing lectures, demonstrations, and supervised participant involvement should be regularly scheduled. Joint sponsorship of such programs by defender organizations, local bar groups, and/or national organizations should be encouraged.

Reasonable attendance at training programs should be required of attorneys in order to remain on the panel.

If the operating budget is not sufficient, funds should be requested from outside sources to initiate formal training or to further develop formal training programs.

Assigned counsel should be encouraged to periodically attend other criminal law-related seminars in addition to the regular formal training programs.

Facilities for training programs should include audio and video tapes. Further, a national organization should consider providing, as a service, such tapes to defender offices and bar associations concerned with training attorneys who regularly accept appointments in criminal cases.

In addition to formal training programs, those responsible for the adequacy of assigned counsel performance should make the following resources available: an apprenticeship program, an initial hand-out or package of materials, an evaluation procedure, a motion and brief bank, a complete law library, information on experts, a newsletter, access to other attorneys for consultation, and law student assistance.

## **5.9 Recruitment, Hiring, Promotion and Removal of Defender Office Personnel**

Defender offices should actively recruit the best qualified attorneys available for staff positions by advertising on the local, state and national levels, and by formulating and promulgating hiring criteria and policies. Recruiting should include special efforts to employ attorney candidates from minority groups which are substantially represented in the defender office's client populations.

A national referral and placement service should be instituted in order to facilitate nationwide defender recruitment and placement.

Defender staff attorney appointments should be made by the Defender Director, based upon merit, entirely free of political and other irrelevant factors. Upon appointment, staff attorneys should be required to make a time commitment of from two to five years to defender work.

Defender office investigative staff should be systematically recruited, selected and supervised to ensure that the investigative function is properly discharged.

Defender promotion policies should be tied to merit and performance criteria, and removal of staff attorneys should be only for cause, except during a fixed probationary period which an office may employ for newly hired attorneys.

## **5.10 Attorney, Client Relationships in a Defense System**

Defenders and assigned counsel should be mindful that their primary loyalty is to their clients. They should seek to instill an attitude of trust and confidence in clients, and should scrupulously adhere to ethical dictates regarding confidentiality.

The defense attorney should frequently consult with his client so that the client fully understands the nature and scope of the legal representation which will be provided to him. Particular emphasis should be placed upon informing the client of the following:

- (a) The nature and frequency of court appearances;
- (b) The possibility of delays in the legal process; and
- (c) The factual and legal bases for recommendations made by counsel to the client concerning pleas or trials.

Defense systems should devise means of obtaining feedback from clients in a systematic way. Information thus developed should be used for tenure and promotion purposes and to enhance the system's sensitivity to client needs and improve the general quality of representation.

## **5.11 Continuity of Representation**

Defender offices should provide for continuous and uninterrupted representation of eligible clients from initial appearance through sentencing up to, but not including, the appellate and post-conviction stages by the same individual attorney. Defender offices should urge changes in court structure and administration to reduce fragmentation and to facilitate continuous representation.

If necessary, the procedures for early representation, including initial contact, should permit a limited exception to continuous representation. However, the defender office should implement procedures for early case assignment and for informing the client of the name of the attorney who will represent him after the initial period covered by the exception.

### **5.12 Choice of Counsel in Defense Systems**

In a mixed system where both defender and assigned counsel programs exist, the client should be given the option of selecting either system.

The initial assignment of attorneys in defender and assigned counsel programs should be an internal administrative function. However, to the extent administratively feasible and consistent with the overall effectiveness of the system, the client should be afforded an opportunity to choose a particular attorney.

Whenever an attorney-client relationship has been established between an eligible accused and his attorney, the defense system should not terminate or interfere with that relationship without great justification, and the attorney should resist efforts by the court to terminate or interfere with that relationship.

Whenever it reasonably appears to counsel for an eligible accused that he is unable, for any reason, to furnish effective representation to a particular client, he should withdraw from the case with the consent of the client and the approval of the court, and should assist the client in securing new counsel. The defense system should not seek to prevent the individual attorney's withdrawal under these circumstances.

Whenever an eligible accused requests that different counsel be assigned to his case, the defense system should investigate the grounds for the request and should assign new counsel if (1) this constitutes the client's first such request, or (2) the investigation discloses that the attorney, for any reason, is unable to provide effective representation to the client. In all other cases the defense system should refuse to reassign the case, and should inform the client of his right to petition the court for reassignment of counsel.

### **5.13 Role in the Community and the Criminal Justice System**

Every defense system should strive to instill in its members a high standard of professionalism and excellence.

The relationship between defense system attorneys and prosecuting attorneys should be characterized by the same high level of professionalism that is expected between other responsible members of the litigating bar.

Defense system attorneys should be especially sensitive to the image that they project to clients, and should accordingly refrain from demonstrations of camaraderie in and around the courthouse, the police station and the detention facility with prosecuting attorneys and other law enforcement personnel.

Defense systems attorneys should consult regularly with members of the judiciary in order to promote understanding and resolution of problems. However, they should be subject to judicial influence and supervision only in the same manner and to the same extent as are lawyers in private practice.

The defense system should strive to eliminate areas of conflict and to develop areas of mutual cooperation with fellow members of the legal community and organized bar, recognizing that bar support can assist the defense system in securing an appropriate budget, resisting political pressures, instituting criminal justice reforms, and gaining the support of the legal community. Defense system attorneys should involve themselves in programs and committees of the bar.

Subject to procedures for early representation, defense systems should scrupulously decline to represent defendants who are ineligible for defender services as determined by prevailing standards. Adherence to this policy is designed to minimize the economic impact of the defense system upon the private bar and to avoid thereby unnecessary conflict with this important source of potential support. Where the accused has been determined eligible for defender services, the attorney should withdraw from the case in deference to private counsel only upon request of the accused.

The defense system's Director should educate the community about the purpose and function of the defense system. He should develop and maintain relations with community organizations to promote understanding of program operations and to assist in improving defense services. He should include

police, judges, prosecutors and corrections-personnel in training programs. The defense system should make speakers available for school and community organizations and should encourage media coverage and issue regular press statements. Every defense system should have an official among whose responsibilities is press liaison and should have a procedure by which media requests for information are channeled to the appropriate official.

# NLADA

## National Legal Aid & Defender Association

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## Performance Guidelines for Criminal Defense Representation

NLADA's [Performance Guidelines](#) offer an excellent, comprehensive and worthwhile definition of what constitutes good solid trial lawyering. They give realistic meaning to the Sixth Amendment's right to counsel and to the ultimate goal for all trial counsel: "zealous and quality representation."

The *Guidelines* are comprehensive but not exhaustive. The language allows for flexibility. While some actions are absolutely essential, others are left to counsel's considered judgment and to the peculiarities of practice and law in each jurisdiction. In other words, rather than being a checklist of required actions, the *Guidelines* are a series of steps each attorney must consider performing on behalf of each client, applying professional discretion to determine whether each individual step is necessary in the client's case.

The guidelines are divided into nine sections:

1. Role, Duties and Training and Experience of Counsel
2. Pre-Trial Release Proceedings
3. Initial Appearance, Preliminary Hearing, and Prosecution Requests for Non-Testimonial Evidence
4. Investigation, Discovery, Theory of the Case
5. Pre-Trial Motions
6. Plea Negotiations
7. Duties at Trial
8. Sentencing
9. Post-Sentencing Duties

Each section contains multiple guidelines, which, taken together, define the role and duties of defense counsel. After each guideline there are references to "Related Standards" that include nationally recognized standards and codes (e.g., the ABA, the National Advisory Commission on Criminal Justice Standards and Goals, the National Study Commission on Defense Services, and various NLADA standards), statutes, regulations, and policy manuals developed by state and local public defender and assigned counsel programs. The commentary, supported by footnotes citing to primary legal and secondary materials, provides an explanation and rationale for each guideline.

Although the guidelines do not specifically address the duties of death penalty, post-conviction or appellate counsel, they may be helpful in defining effective assistance of counsel in briefs and at post-conviction hearings.

**Author/Organization:**

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National Legal Aid & Defender Association

**Performance Guidelines for Criminal Defense Representation**

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## **BLACKLETTER**

### **Guideline 1.1 Role of Defense Counsel**

(a) The paramount obligation of criminal defense counsel is to provide zealous and quality representation to their clients at all stages of the criminal process. Attorneys also have an obligation to abide by ethical norms and act in accordance with the rules of the court.

### **Guideline 1.2 Education, Training and Experience of Defense Counsel**

(a) To provide quality representation, counsel must be familiar with the substantive criminal law and the law of criminal procedure and its application in the particular jurisdiction. Counsel has a continuing obligation to stay abreast of changes and developments in the law. Where appropriate, counsel should also be informed of the practices of the specific judge before whom a case is pending.

(b) Prior to handling a criminal matter, counsel should have sufficient experience or training to provide quality representation.

### **Guideline 1.3 General Duties of Defense Counsel**

(a) Before agreeing to act as counsel or accepting appointment by a court, counsel has an obligation to make sure that counsel has available sufficient time, resources, knowledge and experience to offer quality representation to a defendant in a particular matter. If it later appears that counsel is unable to offer quality representation in the case, counsel should move to withdraw.

(b) Counsel must be alert to all potential and actual conflicts of interest that would impair counsel's ability to represent a client. Where appropriate, counsel may be obliged to seek an advisory opinion on any potential conflicts.

(c) Counsel has the obligation to keep the client informed of the progress of the case, where it is possible to do so.

### **Guideline 2.1 General Obligations of Counsel Regarding Pretrial Release**

The attorney has an obligation to attempt to secure the pretrial release of the client under the conditions most favorable and acceptable to the client.

### **Guideline 2.2 Initial Interview**

#### **(a) Preparation:**

Prior to conducting the initial interview the attorney, should, where possible:

(1) be familiar with the elements of the offense and the potential punishment, where the charges against the client are already known;

(2) obtain copies of any relevant documents which are available, including copies of any charging documents, recommendations and reports made by bail agencies concerning pretrial release, and law enforcement reports that might be available;

(3) be familiar with the legal criteria for determining pretrial release and the procedures that will be followed in setting those conditions;

(4) be familiar with the different types of pretrial release conditions the court may set and whether private or public agencies are available to act as a custodian for the client's release;

(5) be familiar with any procedures available for reviewing the trial judge's setting of bail.

(b) *The Interview:*

(1) The purpose of the initial interview is both to acquire information from the client concerning pretrial release and also to provide the client with information concerning the case. Counsel should ensure at this and all successive interviews and proceedings that barriers to communication, such as differences in language or literacy, be overcome.

(2) Information that should be acquired includes, but is not limited to:

(A) the client's ties to the community, including the length of time he or she has lived at the current and former addresses, family relationships, immigration status (if applicable), employment record and history;

(B) the client's physical and mental health, educational and armed services records;

(C) the client's immediate medical needs;

(D) the client's past criminal record, if any, including arrests and convictions for adult and juvenile offenses and prior record of court appearances or failure to appear in court; counsel should also determine whether the client has any pending charges and also whether he or she is on probation or parole and the client's past or present performance under supervision;

(E) the ability of the client to meet any financial conditions of release;

(F) the names of individuals or other sources that counsel can contact to verify the information provided by the client; counsel should obtain the permission of the client before contacting these individuals;

(3) Information to be provided the client includes, but is not limited to:

(A) an explanation of the procedures that will be followed in setting the conditions of pretrial release;

(B) an explanation of the type of information that will be requested in any interview that may be conducted by a pretrial release agency and also an explanation that the client should not make statements concerning the offense;

(C) an explanation of the attorney-client privilege and instructions not to talk to anyone about the facts of the case without first consulting with the attorney;

(D) the charges and the potential penalties;

(E) a general procedural overview of the progression of the case, where possible;

(c) *Supplemental Information:*

Whenever possible, counsel should use the initial interview to gather additional information relevant to preparation of the defense. Such information may include, but is not limited to:

(1) the facts surrounding the charges against the client;

(2) any evidence of improper police investigative practices or prosecutorial conduct which affects the client's rights;

(3) any possible witnesses who should be located;

(4) any evidence that should be preserved;

(5) where appropriate, evidence of the client's competence to stand trial and/or mental state at the time of the offense.

### **Guideline 2.3 Pretrial Release Proceedings**

(a) Counsel should be prepared to present to the appropriate judicial officer a statement of the factual circumstances and the legal criteria supporting release and, where appropriate, to make a proposal concerning conditions of release.

(b) Where the client is not able to obtain release under the conditions set by the court, counsel should consider pursuing modification of the conditions of release under the procedures available.

(c) If the court sets conditions of release which require the posting of a monetary bond or the posting of real property as collateral for release, counsel should make sure the client understands the available options and the procedures that must be followed in posting such assets. Where appropriate, counsel should advise the client and others acting in his or her behalf how to properly post such assets.

(d) Where the client is incarcerated and unable to obtain pretrial release, counsel should alert the court to any special medical or psychiatric and security needs of the client and request that the court direct the appropriate officials to take steps to meet such special needs.

### **Guideline 3.1 Presentment and Arraignment**

The attorney should preserve the client's rights at the initial appearance on the charges by:

(1) entering a plea of not guilty in all but the most extraordinary circumstances where a sound tactical reason exists for not doing so;

(2) requesting a trial by jury, if failure to do so may result in the client being precluded from later obtaining a trial by jury;

(3) seeking a determination of whether there is probable cause to support the charges alleged and, if there is not probable cause, or other grounds exist for dismissal, requesting that the court dismiss the charge or charges;

(4) requesting a timely preliminary hearing if it is provided for under the rules of the court unless there is a sound tactical reason for not to do so.

### **Guideline 3.2 Preliminary Hearing**

(a) Where the client is entitled to a preliminary hearing, the attorney should take steps to see that the hearing is conducted timely unless there are strategic reasons for not doing so.

(b) In preparing for the preliminary hearing, the attorney should become familiar with:

(1) the elements of each of the offenses alleged;

(2) the law of the jurisdiction for establishing probable cause;

(3) factual information which is available concerning probable cause.

### **Guideline 3.3 Prosecution Requests for Non-Testimonial Evidence**

The attorney should be familiar with the law governing the prosecution's power to require a defendant to provide non-testimonial evidence (such as handwriting exemplars

and physical specimens), the circumstances in which a defendant may refuse to do so, the extent to which counsel may participate in the proceedings, and the record of the proceedings required to be maintained.

#### **Guideline 4.1 Investigation**

(a) Counsel has a duty to conduct an independent investigation regardless of the accused's admissions or statements to the lawyer of facts constituting guilt. The investigation should be conducted as promptly as possible.

(b) Sources of investigative information may include the following:

(1) *Charging documents*

Copies of all charging documents in the case should be obtained and examined to determine the specific charges that have been brought against the accused. The relevant statutes and precedents should be examined to identify:

(A) the elements of the offense(s) with which the accused is charged;

(B) the defenses, ordinary and affirmative, that may be available;

(C) any defects in the charging documents, constitutional or otherwise, such as statute of limitations or double jeopardy.

(2) *the accused*

If not previously conducted, an in-depth interview of the client should be conducted as soon as possible and appropriate after appointment or retention of counsel. The interview with the client should be used to:

(A) seek information concerning the incident or events giving rise to the charge(s) or improper police investigative practices or prosecutorial conduct which affects the client's rights; (B) explore the existence of other potential sources of information relating to the offense;

(C) collect information relevant to sentencing.

(3) *potential witnesses*

Counsel should consider whether to interview the potential witnesses, including any complaining witnesses and others adverse to the accused. If the attorney conducts such interviews of potential witnesses, he or she should attempt to do so in the presence of a third person who will be available, if necessary, to testify as a defense witness at trial. Alternatively, counsel should have an investigator conduct such interviews.

(4) *the police and prosecution*

Counsel should make efforts to secure information in the possession of the prosecution or law enforcement authorities, including police reports. Where necessary, counsel should pursue such efforts through formal and informal discovery unless a sound tactical reason exists for not doing so.

(5) *physical evidence*

Where appropriate, counsel should make a prompt request to the police or investigative agency for any physical evidence or expert reports relevant to the offense or sentencing.

(6) *the scene*

Where appropriate, counsel should attempt to view the scene of the alleged offense. This should be done under circumstances as similar as possible to those existing at the time of the alleged incident (e.g., weather, time of day, and lighting conditions).

(7) *expert assistance*

Counsel should secure the assistance of experts where it is necessary or appropriate to:

- (A) the preparation of the defense;
- (B) adequate understanding of the prosecution's case;
- (C) rebut the prosecution's case.

**Guideline 4.2 Formal and Informal Discovery**

(a) Counsel has a duty to pursue as soon as practicable discovery procedures provided by the rules of the jurisdiction and to pursue such informal discovery methods as may be available to supplement the factual investigation of the case. In considering discovery requests, counsel should take into account that such requests may trigger reciprocal discovery obligations.

(b) Counsel should consider seeking discovery of the following items:

- (1) potential exculpatory information;
- (2) the names and addresses of all prosecution witnesses, their prior statements, and criminal record, if any;
- (3) all oral and/ or written statements by the accused, and the details of the circumstances under which the statements were made;
- (4) the prior criminal record of the accused and any evidence of other misconduct that the government may intend to use against the accused;
- (5) all books, papers, documents, photographs, tangible objects, buildings or places, or copies, descriptions, or other representations, or portions thereof, relevant to the case;
- (6) all results or reports of relevant physical or mental examinations, and of scientific tests or experiments, or copies thereof;
- (7) statements of co-defendants;

**Guideline 4.3 Theory of the Case**

During investigation and trial preparation, counsel should develop and continually reassess a theory of the case.

**Guideline 5.1 The Decision to File Pretrial Motions**

(a) Counsel should consider filing an appropriate motion whenever there exists a good-faith reason to believe that the applicable law may entitle the defendant to relief which the court has discretion to grant.

(b) The decision to file pretrial motions should be made after thorough investigation, and after considering the applicable law in light of the circumstances of each case.

Among the issues that counsel should consider addressing in a pretrial motion are:

- (1) the pretrial custody of the accused;
- (2) the constitutionality of the implicated statute or statutes;
- (3) the potential defects in the charging process;
- (4) the sufficiency of the charging document;
- (5) the propriety and prejudice of any joinder of charges or defendants in the charging document;
- (6) the discovery obligations of the prosec

ution and the reciprocal discovery obligations of the defense;

(7) the suppression of evidence gathered as the result of violations of the Fourth, Fifth or Sixth Amendments to the United States Constitution, or corresponding or additional state constitutional provisions, including;

(A) the fruits of illegal searches or seizures;

(B) involuntary statements or confessions;

(C) statements or confessions obtained in violation of the accused's right to counsel, or privilege against self-incrimination;

(D) unreliable identification evidence which would give rise to a substantial likelihood of irreparable misidentification.

(8) suppression of evidence gathered in violation of any right, duty or privilege arising out of state or local law;

(9) access to resources which or experts who may be denied to an accused because of his or her indigence;

(10) the defendant's right to a speedy trial;

(11) the defendant's right to a continuance in order to adequately prepare his or her case;

(12) matters of trial evidence which may be appropriately litigated by means of a pretrial motion *in limine*;

(13) matters of trial or courtroom procedure.

(c) Counsel should withdraw or decide not to file a motion only after careful consideration, and only after determining whether the filing of a motion may be necessary to protect the defendant's rights against later claims of waiver or procedural default. In making this decision, counsel should remember that a motion may have many objectives in addition to the ultimate relief requested by the motion. Counsel thus should consider whether:

(1) the time deadline for filing pretrial motions warrants filing a motion to preserve the client's rights, pending the results of further investigation;

(2) changes in the governing law might occur after the filing deadline which could enhance the likelihood that relief ought to be granted;

(3) later changes in the strategic and tactical posture of the defense case may occur which affect the significance of potential pretrial motions.

### **Guideline 5.2 Filing and Arguing Pretrial Motions**

(a) Motions should be filed in a timely manner, should comport with the formal requirements of the court rules and should succinctly inform the court of the authority relied upon. In filing a pretrial motion, counsel should be aware of the effect it might have upon the defendant's speedy trial rights.

(b) When a hearing on a motion requires the taking of evidence, counsel's preparation for the evidentiary hearing should include:

(1) investigation, discovery and research relevant to the claim advanced;

(2) the subpoenaing of all helpful evidence and the subpoenaing and preparation of all helpful witnesses;

(3) full understanding of the burdens of proof, evidentiary principles and trial

court procedures applying to the hearing, including the benefits and costs of having the client testify.

### **Guideline 5.3 Subsequent Filing of Pretrial Motions**

Counsel should be prepared to raise during the subsequent proceedings any issue which is appropriately raised pretrial, but could not have been so raised because the facts supporting the motion were unknown or not reasonably available. Further, counsel should be prepared to renew a pretrial motion if new supporting information is disclosed in later proceedings.

### **Guideline 6.1 The Plea Negotiation Process and the Duties of Counsel**

(a) Counsel should explore with the client the possibility and desirability of reaching a negotiated disposition of the charges rather than proceeding to a trial and in doing so should fully explain the rights that would be waived by a decision to enter a plea and not to proceed to trial.

(b) Counsel should ordinarily obtain the consent of the client before entering into any plea negotiation.

(c) Counsel should keep the client fully informed of any continued plea discussion and negotiations and convey to the accused any offers made by the prosecution for a negotiated settlement.

(d) Counsel should not accept any plea agreement without the client's express authorization.

(e) The existence of ongoing tentative plea negotiations with the prosecution should not prevent counsel from taking steps necessary to preserve a defense.

### **Guideline 6.2 The Contents of the Negotiations**

(a) In order to develop an overall negotiation plan, counsel should be fully aware of, and make sure the client is fully aware of: (1) the maximum term of imprisonment and fine or restitution that may be ordered, and any mandatory punishment or sentencing guideline system;

(2) the possibility of forfeiture of assets;

(3) other consequences of conviction such as deportation, and civil disabilities;

(4) any possible and likely sentence enhancements or parole consequences;

(5) the possible and likely place and manner of confinement;

(6) the effect of good-time credits on the sentence of the client and the general range of sentences for similar offenses committed by defendants with similar backgrounds.

(b) In developing a negotiation strategy, counsel should be completely familiar with:

(1) concessions that the client might offer the prosecution as part of a negotiated settlement, including, but not limited to:

(A) not to proceed to trial on the merits of the charges;

(B) to decline from asserting or litigating any particular pretrial motions;

(C) an agreement to fulfill specified restitution conditions and/or participation in community work or service programs, or in rehabilitation or other programs.

(D) providing the prosecution with assistance in prosecuting or investigating the present case or other alleged criminal activity.

(2) benefits the client might obtain from a negotiated settlement, including, but not limited to an agreement:

(A) that the prosecution will not oppose the client's release on bail pending sentencing or appeal;

(B) that the defendant may enter a conditional plea to preserve the right to litigate and contest certain issues affecting the validity of a conviction;

(C) to dismiss or reduce one or more of the charged offenses either immediately, or upon completion of a deferred prosecution agreement;

(D) that the defendant will not be subject to further investigation or prosecution for uncharged alleged criminal conduct;

(E) that the defendant will receive, with the agreement of the court, a specified sentence or sanction or a sentence or sanction within a specified range;

(F) that the prosecution will take, or refrain from taking, at the time of sentencing and/or in communications with the preparer of the official presentence report, a specified position with respect to the sanction to be imposed on the client by the court.

(G) that the prosecution will not present, at the time of sentencing and/or in communications with the preparer of the official presentence report, certain information.

(H) that the defendant will receive, or the prosecution will recommend, specific benefits concerning the accused's place and/or manner of confinement and/or release on parole and the information concerning the accused's offense and alleged behavior that may be considered in determining the accused's date of release from incarceration.

(c) In conducting plea negotiations, counsel should be familiar with:

(1) the various types of pleas that may be agreed to, including a plea of guilty, a plea of nolo contendere, a conditional plea of guilty and a plea in which the defendant is not required to personally acknowledge his or her guilt (Alford plea);

(2) the advantages and disadvantages of each available plea according to the circumstances of the case;

(3) whether the plea agreement is binding on the court and prison and parole authorities.

(d) In conducting plea negotiations, counsel should attempt to become familiar with the practices and policies of the particular jurisdiction, judge and prosecuting authority which may affect the content and likely results of negotiated plea bargains.

### **Guideline 6.3 The Decision to Enter a Plea of Guilty**

(a) Counsel should inform the client of any tentative negotiated agreement reached with the prosecution, and explain to the client the full content of the agreement, and the advantages and disadvantages and the potential consequences of the agreement.

(b) The decision to enter a plea of guilty rests solely with the client, and counsel should not attempt to unduly influence that decision.

### **Guideline 6.4 Entry of the Plea before the Court**

(a) Prior to the entry of the plea, counsel should:

(1) make certain that the client understands the rights he or she will waive by entering the plea and that the client's decision to waive those rights is knowing, voluntary and intelligent;



(2) make certain that the client fully and completely understands the conditions and limits of the plea agreement and the maximum punishment, sanctions and other consequences the accused will be exposed to by entering a plea;

(3) explain to the client the nature of the plea hearing and prepare the client for the role he or she will play in the hearing, including answering questions of the judge and providing a statement concerning the offense.

(b) When entering the plea, counsel should make sure that the full content and conditions of the plea agreement are placed on the record before the court.

(c) After entry of the plea, counsel should be prepared to address the issue of release pending sentencing. Where the client has been released pretrial, counsel should be prepared to argue and persuade the court that the client's continued release is warranted and appropriate. Where the client is in custody prior to the entry of the plea, counsel should, where practicable, advocate for and present to the court all reasons warranting the client's release on bail pending sentencing.

### **Guideline 7.1 General Trial Preparation**

(a) The decision to proceed to trial with or without a jury rests solely with the client. Counsel should discuss the relevant strategic considerations of this decision with the client.

(b) Where appropriate, counsel should have the following materials available at the time of trial:

- (1) copies of all relevant documents filed in the case;
- (2) relevant documents prepared by investigators;
- (3) voir dire questions;
- (4) outline or draft of opening statement;
- (5) cross-examination plans for all possible prosecution witnesses;
- (6) direct examination plans for all prospective defense witnesses;
- (7) copies of defense subpoenas;
- (8) prior statements of all prosecution witnesses (e.g., transcripts, police reports);
- (9) prior statements of all defense witnesses;
- (10) reports from defense experts;
- (11) a list of all defense exhibits, and the witnesses through whom they will be introduced;
- (12) originals and copies of all documentary exhibits;
- (13) proposed jury instructions with supporting case citations;
- (14) copies of all relevant statutes and cases;
- (15) outline or draft of closing argument.

(c) Counsel should be fully informed as to the rules of evidence, and the law relating to all stages of the trial process, and should be familiar with legal and evidentiary issues that can reasonably be anticipated to arise in the trial.

(d) Counsel should decide if it is beneficial to secure an advance ruling on issues likely to arise at trial (e.g., use of prior convictions to impeach the defendant) and, where appropriate, counsel should prepare motions and memoranda for such advance rulings.

(e) Throughout the trial process counsel should endeavor to establish a proper record for appellate review. As part of this effort, counsel should request, whenever necessary, that all trial proceedings be recorded.

(f) Where appropriate, counsel should advise the client as to suitable courtroom dress and demeanor. If the client is incarcerated, counsel should be alert to the possible prejudicial effects of the client appearing before the jury in jail or other inappropriate clothing.

(g) Counsel should plan with the client the most convenient system for conferring throughout the trial. Where necessary, counsel should seek a court order to have the client available for conferences.

(h) Throughout preparation and trial, counsel should consider the potential effects that particular actions may have upon sentencing if there is a finding of guilt.

## **Guideline 7.2 Voir Dire and Jury Selection**

### **(a) *Preparation***

(1) Counsel should be familiar with the procedures by which a jury venire is selected in the particular jurisdiction and should be alert to any potential legal challenges to the composition or selection of the venire.

(2) Counsel should be familiar with the local practices and the individual trial judge's procedures for selecting a jury from a panel of the venire, and should be alert to any potential legal challenges to these procedures.

(3) Prior to jury selection, counsel should seek to obtain a prospective juror list.

(4) Where appropriate, counsel should develop voir dire questions in advance of trial. Counsel should tailor voir dire questions to the specific case. Among the purposes voir dire questions should be designed to serve are the following:

(A) to elicit information about the attitudes of individual jurors, which will inform about peremptory strikes and challenges for cause;

(B) to convey to the panel certain legal principles which are critical to the defense case;

(C) to preview the case for the jurors so as to lessen the impact of damaging information which is likely to come to their attention during the trial;

(D) to present the client and the defense case in a favorable light, without prematurely disclosing information about the defense case to the prosecutor.

(E) to establish a relationship with the jury, when the voir dire is conducted by an attorney.

(5) Counsel should be familiar with the law concerning mandatory and discretionary voir dire inquiries so as to be able to defend any request to ask particular questions of prospective jurors.

(6) Counsel should be familiar with the law concerning challenges for cause and peremptory strikes. Counsel should also be aware of any local rules concerning whether peremptory challenges need to be exhausted in order to preserve for appeal any challenges for cause which have been denied.

(7) Where appropriate, counsel should consider whether to seek expert assistance in the jury selection process.

### **(b) *Examining the Prospective Jurors***

(1) Counsel should consider seeking permission to personally voir dire the panel. If the court conducts voir dire, counsel should consider submitting proposed questions to be incorporated into the court's voir dire.

(2) Counsel should take all steps necessary to protect the voir dire record for

appeal, including, where appropriate, filing a copy of the proposed voir dire questions or reading proposed questions into the record.

(3) If the voir dire questions may elicit sensitive answers, counsel should consider requesting that questioning be conducted outside the presence of the remaining jurors and that the court, rather than counsel, conduct the voir dire as to those sensitive questions.

(4) In a group voir dire, counsel should avoid asking questions which may elicit responses which are likely to prejudice other prospective jurors.

*(c) Challenges*

(1) Counsel should consider challenging for cause all persons about whom a legitimate argument can be made for actual prejudice or bias relevant to the case when it is likely to benefit the client.

### **Guideline 7.3 Opening Statement**

(a) Prior to delivering an opening statement, counsel should ask for sequestration of witnesses, unless a strategic reason exists for not doing so.

(b) Counsel should be familiar with the law of the jurisdiction and the individual trial judge's rules regarding the permissible content of an opening statement.

(c) Counsel should consider the strategic advantages and disadvantages of disclosure of particular information during opening statement and of deferring the opening statement until the beginning of the defense case.

(d) Counsel's objective in making an opening statement may include the following:

(1) to provide an overview of the defense case;

(2) to identify the weaknesses of the prosecution's case;

(3) to emphasize the prosecution's burden of proof;

(4) to summarize the testimony of witnesses, and the role of each in relationship to the entire case;

(5) to describe the exhibits which will be introduced and the role of each in relationship to the entire case;

(6) to clarify the jurors' responsibilities;

(7) to state the ultimate inferences which counsel wishes the jury to draw.

(e) Counsel should consider incorporating the promises of proof the prosecutor makes to the jury during opening statement in the defense summation.

(f) Whenever the prosecutor oversteps the bounds of a proper opening statement, counsel should consider objecting, requesting a mistrial, or seeking cautionary instructions, unless tactical considerations weigh against any such objections or requests. Such tactical considerations may include, but are not limited to:

(1) the significance of the prosecutor's error;

(2) the possibility that an objection might enhance the significance of the information in the jury's mind;

(3) whether there are any rules made by the judge against objecting during the other attorney's opening argument.

### **Guideline 7.4 Confronting the Prosecution's Case**

(a) Counsel should attempt to anticipate weaknesses in the prosecution's proof and consider researching and preparing corresponding motions for judgment of acquittal.

(b) Counsel should consider the advantages and disadvantages of entering into stipulations concerning the prosecution's case.

(c) In preparing for cross-examination, counsel should be familiar with the applicable law and procedures concerning cross-examinations and impeachment of witnesses. In order to develop material for impeachment or to discover documents subject to disclosure, counsel should be prepared to question witnesses as to the existence of prior statements which they may have made or adopted.

(d) In preparing for cross-examination, counsel should:

(1) consider the need to integrate cross-examination, the theory of the defense and closing argument;

(2) consider whether cross-examination of each individual witness is likely to generate helpful information;

(3) anticipate those witnesses the prosecutor might call in its case-in-chief or in rebuttal;

(4) consider a cross-examination plan for each of the anticipated witnesses;

(5) be alert to inconsistencies in a witness' testimony;

(6) be alert to possible variations in witnesses' testimony;

(7) review all prior statements of the witnesses and any prior relevant testimony of the prospective witnesses;

(8) where appropriate, review relevant statutes and local police regulations for possible use in cross-examining police witnesses;

(9) be alert to issues relating to witness credibility, including bias and motive for testifying.

(e) Counsel should consider conducting a voir dire examination of potential prosecution witnesses who may not be competent to give particular testimony, including expert witnesses whom the prosecutor may call. Counsel should be aware of the applicable law of the jurisdiction concerning competency of witnesses in general and admission of expert testimony in particular in order to be able to raise appropriate objections.

(f) Before beginning cross-examination, counsel should ascertain whether the prosecutor has provided copies of all prior statements of the witnesses as required by applicable law. If counsel does not receive prior statements of prosecution witnesses until they have completed direct examination, counsel should request adequate time to review these documents before commencing cross-examination.

(g) Where appropriate, at the close of the prosecution's case and out of the presence of the jury, counsel should move for a judgment of acquittal on each count charged. Counsel should request, when necessary, that the court immediately rule on the motion, in order that counsel may make an informed decision about whether to present a defense case.

### **Guideline 7.5 Presenting the Defense Case**

(a) Counsel should develop, in consultation with the client, an overall defense strategy. In deciding on defense strategy, counsel should consider whether the client's interests are best served by not putting on a defense case, and instead relying on the prosecution's failure to meet its constitutional burden of proving each element beyond a reasonable doubt.

(b) Counsel should discuss with the client all of the considerations relevant to the client's decision to testify.

(c) Counsel should be aware of the elements of any affirmative defense and know whether, under the applicable law of the jurisdiction, the client bears a burden of persuasion or a burden of production.

(d) In preparing for presentation of a defense case, counsel should, where appropriate:

(1) develop a plan for direct examination of each potential defense witness;

(2) determine the implications that the order of witnesses may have on the defense case;

(3) consider the possible use of character witnesses;

(4) consider the need for expert witnesses.

(e) In developing and presenting the defense case, counsel should consider the implications it may have for a rebuttal by the prosecutor.

(f) Counsel should prepare all witnesses for direct and possible cross-examination. Where appropriate, counsel should also advise witnesses of suitable courtroom dress and demeanor.

(g) Counsel should conduct redirect examination as appropriate.

(h) At the close of the defense case, counsel should renew the motion for judgment of acquittal on each charged count.

### **Guideline 7.6 Closing Argument**

(a) Counsel should be familiar with the substantive limits on both prosecution and defense summation.

(b) Counsel should be familiar with the local rules and the individual judge's practice concerning time limits and objections during closing argument, and provisions for rebuttal argument by the prosecution.

(c) In developing closing argument, counsel should review the proceedings to determine what aspects can be used in support of defense summation and, where appropriate, should consider:

(1) highlighting weaknesses in the prosecution's case;

(2) describing favorable inferences to be drawn from the evidence;

(3) incorporating into the argument:

(A) helpful testimony from direct and cross-examinations;

(B) verbatim instructions drawn from the jury charge;

(C) responses to anticipated prosecution arguments;

(4) the effects of the defense argument on the prosecutor's rebuttal argument.

(d) Whenever the prosecutor exceeds the scope of permissible argument, counsel should consider objecting, requesting a mistrial, or seeking cautionary instructions unless tactical considerations suggest otherwise. Such tactical considerations may include, but are not limited to:

(1) whether counsel believes that the case will result in a favorable verdict for the client;

(2) the need to preserve the objection for a double jeopardy motion;

(3) the possibility that an objection might enhance the significance of the information in the jury's mind.

### **Guideline 7.7 Jury Instructions**

(a) Counsel should be familiar with the local rules and the individual judges' practices concerning ruling on proposed instructions, charging the jury, use of standard charges and preserving objections to the instructions.

(b) Where appropriate, counsel should submit modifications of the standard jury instructions in light of the particular circumstances of the case, including the desirability of seeking a verdict on a lesser included offense. Where possible, counsel should provide caselaw in support of the proposed instructions.

(c) Where appropriate, counsel should object to and argue against improper instructions proposed by the prosecution.

(d) If the court refuses to adopt instructions requested by counsel, or gives instructions over counsel's objection, counsel should take all steps necessary to preserve the record, including, where appropriate, filing a copy of proposed instructions or reading proposed instructions into the record.

(e) During delivery of the charge, counsel should be alert to any deviations from the judge's planned instructions, object to deviations unfavorable to the client, and, if necessary, request additional or curative instructions.

(f) If the court proposes giving supplemental instructions to the jury, either upon request of the jurors or upon their failure to reach a verdict, counsel should request that the judge state the proposed charge to counsel before it is delivered to the jury.

### **Guideline 8.1 Obligations of Counsel in Sentencing**

(a) Among counsel's obligations in the sentencing process are:

(1) where a defendant chooses not to proceed to trial, to ensure that a plea agreement is negotiated with consideration of the sentencing, correctional, and financial implications;

(2) to ensure the client is not harmed by inaccurate information or information that is not properly before the court in determining the sentence to be imposed;

(3) to ensure all reasonably available mitigating and favorable information, which is likely to benefit the client, is presented to the court;

(4) to develop a plan which seeks to achieve the least restrictive and burdensome sentencing alternative that is most acceptable to the client, and which can reasonably be obtained based on the facts and circumstances of the offense, the defendant's background, the applicable sentencing provisions, and other information pertinent to the sentencing decision;

(5) to ensure all information presented to the court which may harm the client and which is not shown to be accurate and truthful or is otherwise improper is stricken from the text of the presentence investigation report before distribution of the report.

(6) to consider the need for and availability of sentencing specialists, and to seek the assistance of such specialists whenever possible and warranted.

### **Guideline 8.2 Sentencing Options, Consequences and Procedures**

(a) Counsel should be familiar with the sentencing provisions and options applicable

to the case, including:

- (1) any sentencing guideline structure;
- (2) deferred sentence, judgment without a finding, and diversionary programs;
- (3) expungement and sealing of records;
- (4) probation or suspension of sentence and permissible conditions of probation;
- (5) restitution;
- (6) fines;
- (7) court costs;
- (8) imprisonment including any mandatory minimum requirements;
- (9) confinement in mental institution;
- (10) forfeiture.

(b) Counsel should be familiar with direct and collateral consequences of the sentence and judgment, including:

- (1) credit for pre-trial detention;
- (2) parole eligibility and applicable parole release ranges;
- (3) effect of good-time credits on the client's release date and how those credits are earned and calculated;
- (4) place of confinement and level of security and classification;
- (5) self-surrender to place of custody;
- (6) eligibility for correctional programs and furloughs;
- (7) available drug rehabilitation programs, psychiatric treatment, and health care;
- (8) deportation;
- (9) use of the conviction for sentence enhancement in future proceedings;
- (10) loss of civil rights;
- (11) impact of a fine or restitution and any resulting civil liability;
- (12) restrictions on or loss of license.

(c) Counsel should be familiar with the sentencing procedures, including:

- (1) the effect that plea negotiations may have upon the sentencing discretion of the court;
- (2) the procedural operation of any sentencing guideline system;
- (3) the effect of a judicial recommendation against deportation;
- (4) the practices of the officials who prepare the presentence report and the defendant's rights in that process;
- (5) the access to the presentence report by counsel and the defendant;
- (6) the prosecution's practice in preparing a memorandum on punishment;
- (7) the use of a sentencing memorandum by the defense;
- (8) the opportunity to challenge information presented to the court for sentencing purposes;
- (9) the availability of an evidentiary hearing to challenge information and the applicable rules of evidence and burdens of proof at such a hearing;
- (10) the participation that victims and prosecution or defense witnesses may have in the sentencing proceedings.

### **Guideline 8.3 Preparation for Sentencing**

(a) In preparing for sentencing, counsel should consider the need to:

- (1) inform the client of the applicable sentencing requirements, options, and

alternatives, and the likely and possible consequences of the sentencing alternatives;

(2) maintain regular contact with the client prior to the sentencing hearing, and inform the client of the steps being taken in preparation for sentencing;

(3) obtain from the client relevant information concerning such subjects as his or her background and personal history, prior criminal record, employment history and skills, education, medical history and condition, and financial status, and obtain from the client sources through which the information provided can be corroborated;

(4) ensure the client has adequate time to examine the presentence report;

(5) inform the client of his or her right to speak at the sentencing proceeding and assist the client in preparing the statement, if any, to be made to the court, considering the possible consequences that any admission of guilt may have upon an appeal, subsequent retrial or trial on other offenses;

(6) prepare the client to be interviewed by the official preparing the presentence report;

(7) inform the client of the effects that admissions and other statements may have upon an appeal, retrial, parole proceedings, or other judicial proceedings, such as forfeiture or restitution proceedings;

(8) inform the client of the sentence or range of sentences counsel will ask the court to consider; if the client and counsel disagree as to the sentence or sentences to be urged upon the court, counsel shall inform the client of his or her right to speak personally for a particular sentence or sentences;

(9) collect documents and affidavits to support the defense position and, where relevant, prepare witnesses to testify at the sentencing hearing; where necessary, counsel should specifically request the opportunity to present tangible and testimonial evidence.

#### **Guideline 8.4 The Official Presentence Report**

(a) Counsel should be familiar with the procedures concerning the preparation, submission, and verification of the presentence investigation report or similar document. In addition, counsel should:

(1) determine whether a presentence report will be prepared and submitted to the court prior to sentencing; where preparation of the report is optional, counsel should consider the strategic implications of requesting that a report be prepared;

(2) provide to the official preparing the report relevant information favorable to the client, including, where appropriate, the defendant's version of the offense;

(3) review the completed report;

(4) take appropriate steps to ensure that erroneous or misleading information which may harm the client is deleted from the report;

(5) take appropriate steps to preserve and protect the client's interests where the defense challenges information in the presentence report as being erroneous or misleading and:

(A) the court refuses to hold a hearing on a disputed allegation adverse to the defendant;

(B) the prosecution fails to prove an allegation;

(C) the court finds an allegation not proved.

Such steps include requesting that a new report be prepared with the challenged or unproved information deleted before the report or memorandum is distributed to



correctional and/or parole officials.

(6) Where appropriate counsel should request permission to see copies of the report to be distributed to be sure that the information challenged has actually been removed from the report or memorandum.

#### **Guideline 8.5 The Prosecution's Sentencing Position**

(a) Counsel should attempt to determine, unless there is a sound tactical reason for not doing so, whether the prosecution will advocate that a particular type or length of sentence be imposed.

(b) If a written sentencing memorandum is submitted by the prosecution, counsel should request to see the memorandum and verify that the information presented is accurate; if the memorandum contains erroneous or misleading information, counsel should take appropriate steps to correct the information unless there is a sound strategic reason for not doing so.

(c) If the defense request to see the prosecution memorandum is denied, an application to examine the document should be made to the court or a motion made to exclude consideration of the report by the court and to prevent distribution of the memorandum to parole and correctional officials.

#### **Guideline 8.6 The Defense Sentencing Memorandum**

(a) Counsel should prepare and present to the court a defense sentencing memorandum where there is a strategic reason for doing so. Among the topics counsel may wish to include in the memorandum are:

(1) challenges to incorrect or incomplete information in the official presentence report and any prosecution sentencing memorandum;

(2) challenges to improperly drawn inferences and inappropriate characterizations in the official presentence report and any prosecution sentencing memorandum;

(3) information contrary to that before the court which is supported by affidavits, letters, and public records;

(4) information favorable to the defendant concerning such matters as the offense, mitigating factors and relative culpability, prior offenses, personal background, employment record and opportunities, education background, and family and financial status;

(5) information which would support a sentencing disposition other than incarceration, such as the potential for rehabilitation or the nonviolent nature of the crime;

(6) information concerning the availability of treatment programs, community treatment facilities, and community service work opportunities;

(7) presentation of a sentencing proposal.

#### **Guideline 8.7 The Sentencing Process**

(a) Counsel should be prepared at the sentencing proceeding to take the steps necessary to advocate fully for the requested sentence and to protect the client's interest.

(b) Counsel should be familiar with the procedures available for obtaining an evidentiary hearing before the court in connection with the imposition of sentence.

(c) In the event there will be disputed facts before the court at sentencing, counsel

should consider requesting an evidentiary hearing. Where a sentencing hearing will be held, counsel should ascertain who has the burden of proving a fact unfavorable to the defendant, be prepared to object if the burden is placed on the defense, and be prepared to present evidence, including testimony of witnesses, to contradict erroneous or misleading information unfavorable to the defendant.

(d) Where information favorable to the defendant will be disputed or challenged, counsel should be prepared to present supporting evidence, including testimony of witnesses, to establish the facts favorable to the defendant.

(e) Where the court has the authority to do so, counsel should request specific orders or recommendations from the court concerning the place of confinement, parole eligibility, psychiatric treatment or drug rehabilitation, permission for the client to surrender directly to the place of confinement and against deportation of the defendant.

(f) Where appropriate, counsel should prepare the client to personally address the court.

### **Guideline 9.1 Motion for a New Trial**

(a) Counsel should be familiar with the procedures available to request a new trial including the time period for filing such a motion, the effect it has upon the time to file a notice of appeal, and the grounds that can be raised.

(b) When a judgment of guilty has been entered against the defendant after trial, counsel should consider whether it is appropriate to file a motion for a new trial with the trial court. In deciding whether to file such a motion, the factors counsel should consider include:

(1) The likelihood of success of the motion, given the nature of the error or errors that can be raised;

(2) the effect that such a motion might have upon the defendant's appellate rights, including whether the filing of such a motion is necessary to, or will assist in, preserving the defendant's right to raise on appeal the issues that might be raised in the new trial motion.

### **Guideline 9.2 Right to Appeal**

(a) Counsel should inform the defendant of his or her right to appeal the judgment of the court and the action that must be taken to perfect an appeal. In circumstances where the defendant wants to file an appeal but is unable to do so without the assistance of counsel, the attorney should file the notice in accordance with the rules of the court and take such other steps as are necessary to preserve the defendant's right to appeal, such as ordering transcripts of the trial proceedings.

(b) Counsel's advice to the defendant should include an explanation of the right to appeal the judgment of guilty and, in those jurisdictions where it is permitted, the right to appeal the sentence imposed by the court.

(c) Where the defendant takes an appeal, trial counsel should cooperate in providing information to appellate counsel concerning the proceedings in the trial court.

### **Guideline 9.3 Bail Pending Appeal**

(a) Where a client indicates a desire to appeal the judgment and/or sentence of the court, counsel should inform the client of any right that may exist to be released on bail

pending the disposition of the appeal.

(b) Where an appeal is taken and the client requests bail pending appeal, trial counsel should cooperate with appellate counsel in providing information to pursue the request for bail.

#### **Guideline 9.4 Self-Surrender**

Where a custodial sentence has been imposed, counsel should consider requesting a stay of execution of the judgment to permit the client to report directly to the place of confinement.

#### **Guideline 9.5 Sentence Reduction**

Counsel should inform the client of procedures available for requesting a discretionary review of, or reduction in, the sentence imposed by the trial court, including any time limitations that apply to such a request.

#### **Guideline 9.6 Expungement or Sealing of Record**

Counsel should inform the client of any procedures available for requesting that the record of conviction be expunged or sealed.

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National Legal Aid & Defender Association, 1140 Connecticut Ave. NW, Suite 900,  
Washington, DC 20036

(Phone) 202.452.0620 | (Fax) 202.872.1031 | [info@nlada.org](mailto:info@nlada.org)