

**JUDICIAL BRANCH:
Office of the State Public Defender; and Office of the Alternate Defense Counsel
FY 2012-13 JOINT BUDGET COMMITTEE HEARING AGENDA**

**Wednesday, December 14, 2011
11:00 am – Noon**

OFFICE OF THE STATE PUBLIC DEFENDER (OSPD)

11:00-11:40

INTRODUCTIONS AND OPENING COMMENTS

QUESTIONS COMMON TO ALL DEPARTMENTS

1. *[Rep. Gerou]* Please describe the process the OSPD used to develop its strategic plan.
2. *[Sen. Steadman]* How does the OSPD define FTE? Is the OSPD using more FTE than are appropriated to the OSPD in the Long Bill and separate legislation? How many vacant FTE did the OSPD have in FY 2009-10 and FY 2010-11?

QUESTIONS SPECIFIC TO THE OSPD

3. *[Rep. Levy]* Please provide an overview of the processes or measures the OSPD uses to determine whether OSPD attorneys are providing effective legal representation.

Decision Item #1 – Attorney Salary Parity

4. *[Sen. Steadman/ Rep. Gerou]* Please provide several years of data related to staff attrition rates, by category (i.e., attorneys, investigators, and administrative staff). With respect to attorneys, please break out the data based on level of experience.
 - a. What types of candidates are attracted to work as an attorney for the OSPD?
 - b. What types of positions do attorneys who leave the OSPD take?
 - c. Are employees more or less likely to leave the OSPD during an economic downturn?
5. *[Rep. Gerou]* Has the OSPD considered actions other than increasing attorney salaries to reduce attrition rates?
6. *[Rep. Levy]* Please describe the basis for your goal of having 70 percent of OSPD attorneys at the “journey” or “career” experience levels, and 30 percent at the “beginning” level.
7. *[Sen. Lambert]* How much supervision is required for an attorney at the “beginning” level of experience?

8. *[Rep. Ryden]* How much does the OSPD spend for recruitment and training activities?
9. *[Sen. Lambert]* Do law schools adequately prepare students for the duties of a staff attorney employed by the OSPD?

Decision Item #3 – Refinance for Denver Sobriety Court

10. *[Sen. Steadman/ Rep. Ryden]* Please provide any available data concerning the efficacy of the Denver Sobriety Court (or sobriety courts in general), and the types and amount of resulting savings.

Miscellaneous

11. *[Rep. Levy]* Please provide data indicating the OSPD workload and cost of various types of cases.
12. *[Sen. Lambert]* Please describe the financial criteria for an individual to be eligible for state-funded legal representation.
 - a. Are eligible offenders required to pay fees or any share of the costs of legal representation?
 - b. Have these policies changed over time?
 - c. Please provide trend data concerning the number and percent of cases in which a defendant is eligible for state-funded legal representation.

ADDENDUM: OTHER QUESTIONS FOR WHICH SOLELY WRITTEN RESPONSES ARE REQUESTED

13. *[Rep. Gerou]* Please list and briefly describe any programs that the OSPD administers or services that the OSPD provides that directly benefit public schools (e.g., school based health clinics, educator preparation programs, interest-free cash flow loan program, etc.).
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OFFICE OF THE ALTERNATE DEFENSE COUNSEL (OADC)

11:40-12:00

INTRODUCTIONS AND OPENING COMMENTS

1. *[Rep. Gerou]* Please describe the process the OADC used to develop its strategic plan.
2. *[Rep. Levy]* Please provide an overview of the processes or measures the OADC uses to determine whether attorneys are providing competent legal representation.
3. *[Rep. Levy]* Please describe how the targets for the number of attorney hours billed per case were determined.
4. *[Sen. Steadman]* How does the OADC define FTE? Is the OADC using more FTE than are appropriated to the OADC in the Long Bill and separate legislation? How many vacant FTE did the OADC have in FY 2009-10 and FY 2010-11?

ADDENDUM: OTHER QUESTIONS FOR WHICH SOLELY WRITTEN RESPONSES ARE REQUESTED

5. *[Rep. Gerou]* Please list and briefly describe any programs that the OADC administers or services that the OADC provides that directly benefit public schools (e.g., school based health clinics, educator preparation programs, interest-free cash flow loan program, etc.).
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