

# OFFICE OF THE STATE PUBLIC DEFENDER



## **FY 2022-2023 Budget Presentation**

March 1, 2022



To ensure... indigent lowans are provided *high-quality* legal representation in the *most efficient* manner...

## Hybrid System

Office of the  
State Public Defender

### SPD Operations

234 Employees

- 162 Attorneys
- 25 Investigators
- 44 Secretaries
- 3 Administrative Staff

### Indigent Defense Fund

- 618 contract attorneys

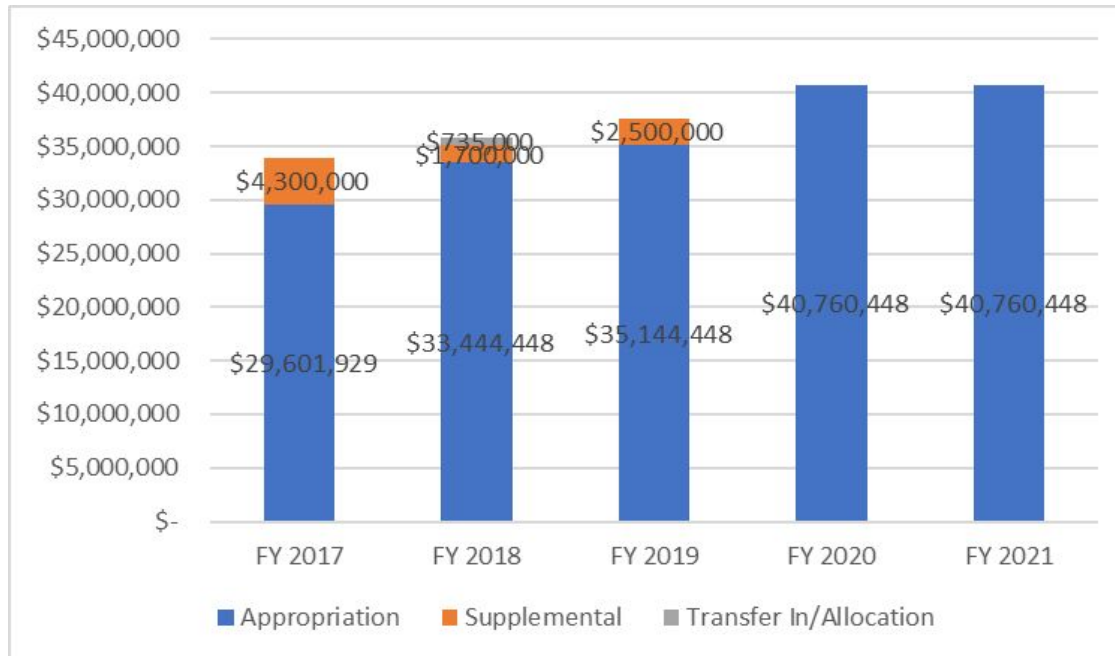
## Total Appropriations

	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Estimate	FY 2023 Request
SPD Operations	\$26,505,299	\$27,144,382	\$27,144,382	\$29,483,120	\$29,483,120
Indigent Defense Fund	\$37,644,448	\$40,760,448	\$40,760,448	\$41,160,374	\$41,160,374
<b>Total</b>	<b>\$64,149,747</b>	<b>\$67,904,830</b>	<b>\$67,904,830</b>	<b>\$70,643,494</b>	<b>\$70,643,494</b>

\*FY2023 request equal to FY2022



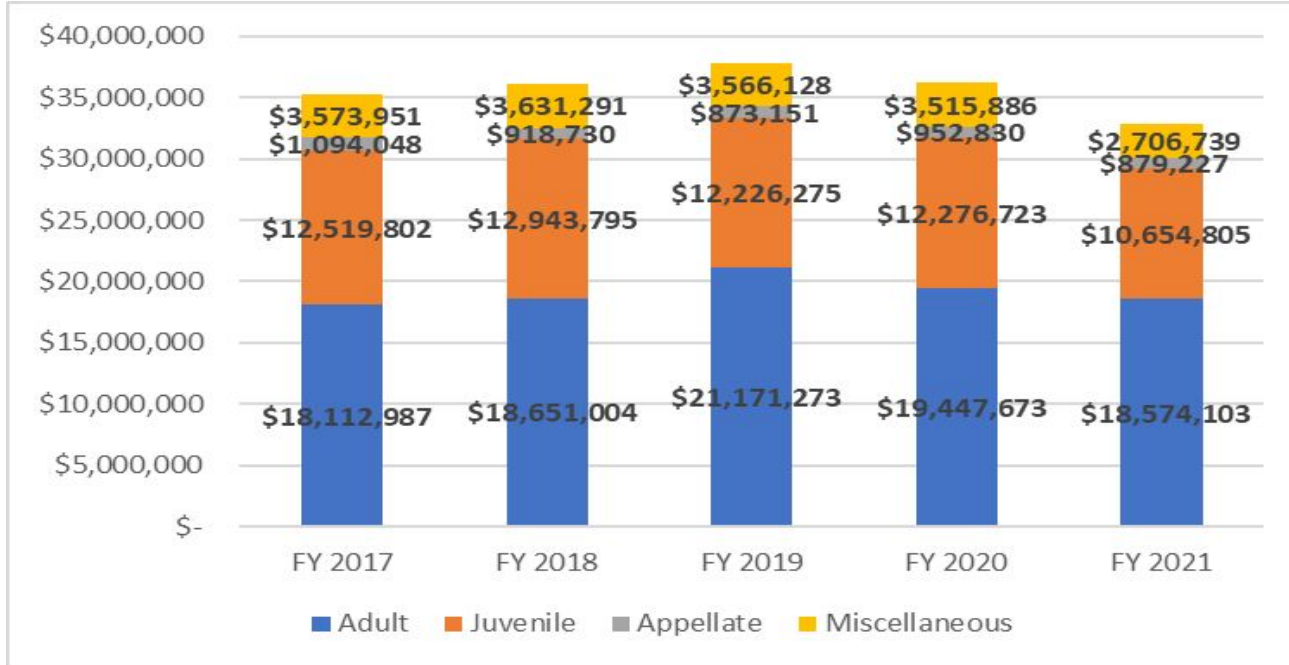
# Indigent Defense Appropriation History



	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Appropriation	\$29,601,929	\$33,444,448	\$35,144,448	\$40,760,448	\$40,760,448
Supplemental	4,300,000	1,700,000	2,500,000		
Transfer In/Allocation		735,000			
<b>Total</b>	<b>\$33,901,929</b>	<b>\$35,879,448</b>	<b>\$37,644,448</b>	<b>\$40,760,448</b>	<b>\$40,760,448</b>



# Indigent Defense Expenditures

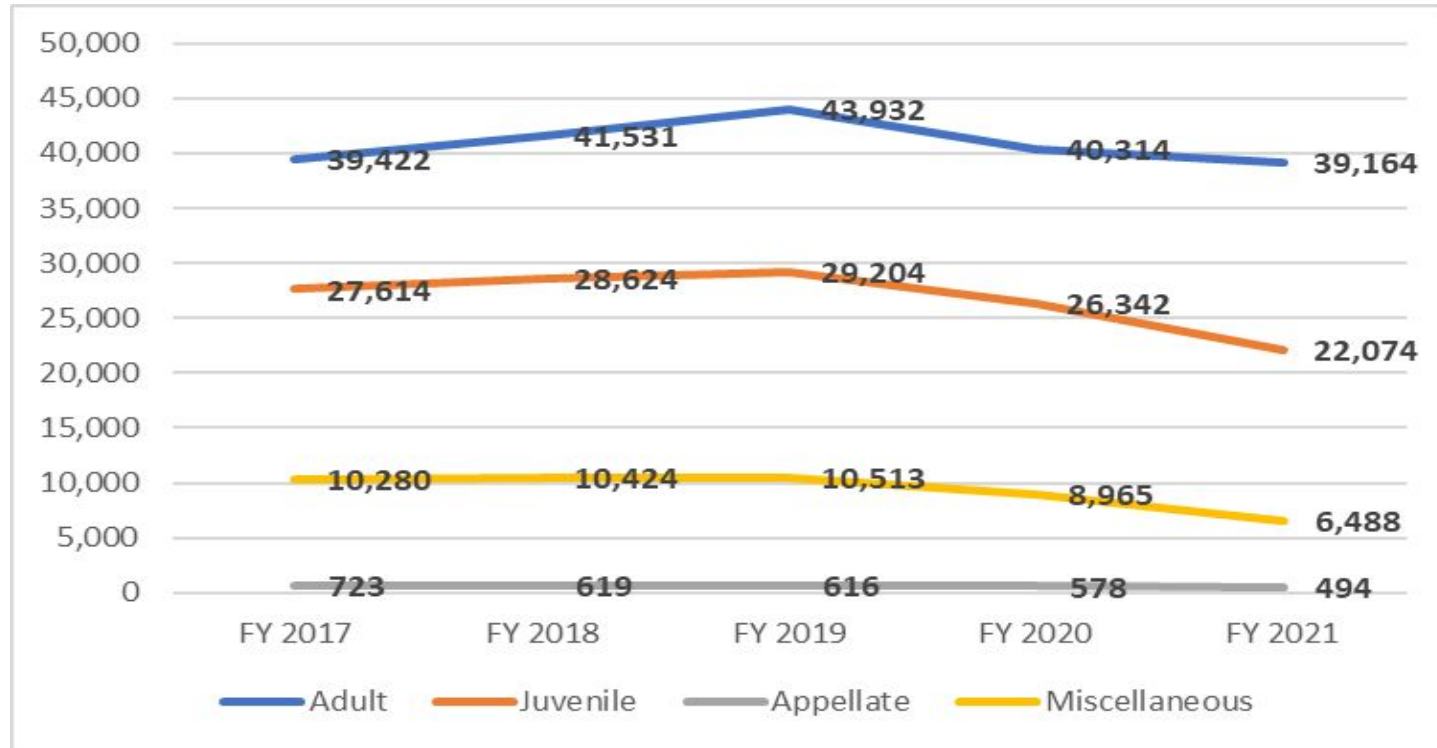


Annual Percentage Change in Indigent Defense Expenditures					
	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
<b>Adult</b>	3.5%	3.0%	13.5%	-8.1%	-4.5%
<b>Juvenile</b>	0.9%	3.4%	-5.5%	0.4%	-13.2%
<b>Appellate</b>	23.1%	-16.0%	-5.0%	9.1%	-7.7%
<b>Miscellaneous</b>	4.7%	1.6%	-1.8%	-1.4%	-23.0%

- Expenditures are actual Indigent Defense claims paid (excludes drug court contracts, indirect costs, reversions, etc.)
- FY2017 adjusted for date of service



# Indigent Defense Claims



**Notes:**

FY2016: Shift of SPD miscellaneous claims to Indigent Defense and State vs. Young decision on right of counsel for misdemeanors with jail time

FY2017: Reflects date of service adjustment



# Caseload of SPD/Indigent Defense

## State Public Defender System

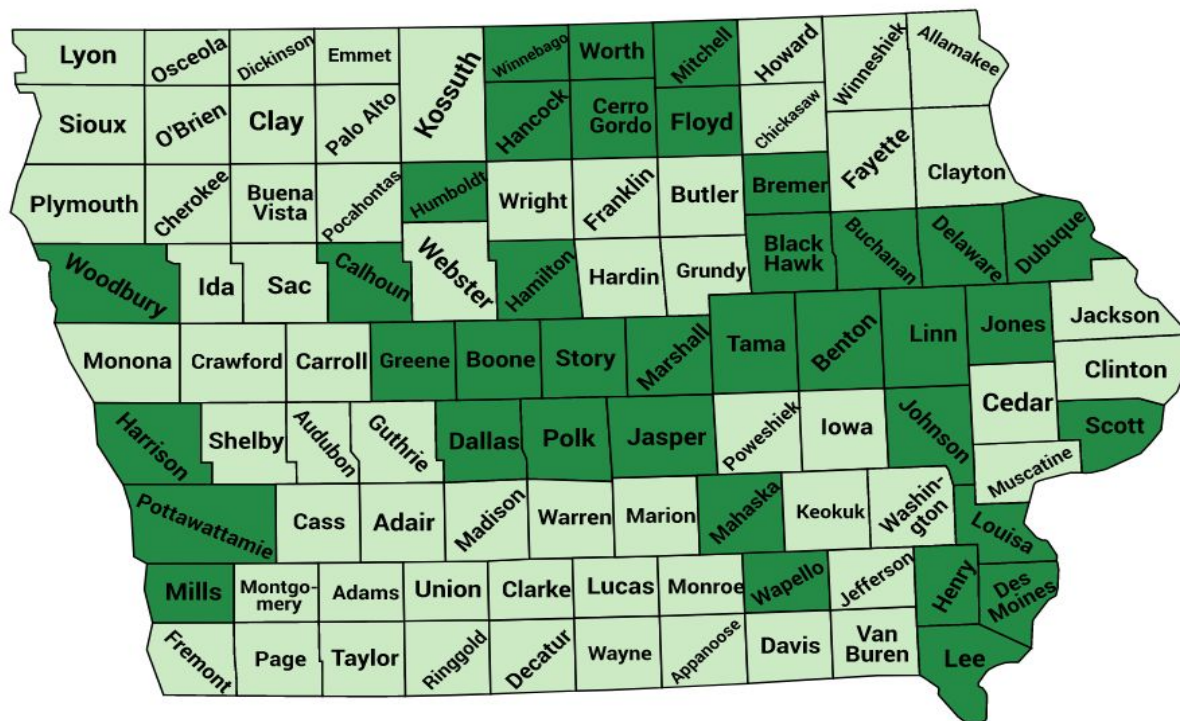
- 2021: 88,878 charges
- 2020: 91,758 charges
- 2019: 88,173 charges
- 2018: 82,117 charges
- 2017: 83,398 charges
- 2016: 81,916 charges
- 2015: 84,062 charges

## Indigent Defense Fund

- 2021: 68,220 claims
- 2020: 76,199 claims
- 2019: 84,265 claims
- 2018: 82,496 claims
- 2017: 76,734 claims \*
- 2016: 76,043 claims (*Young*)
- 2015: 66,079 claims

\*11 month – Date of Service change

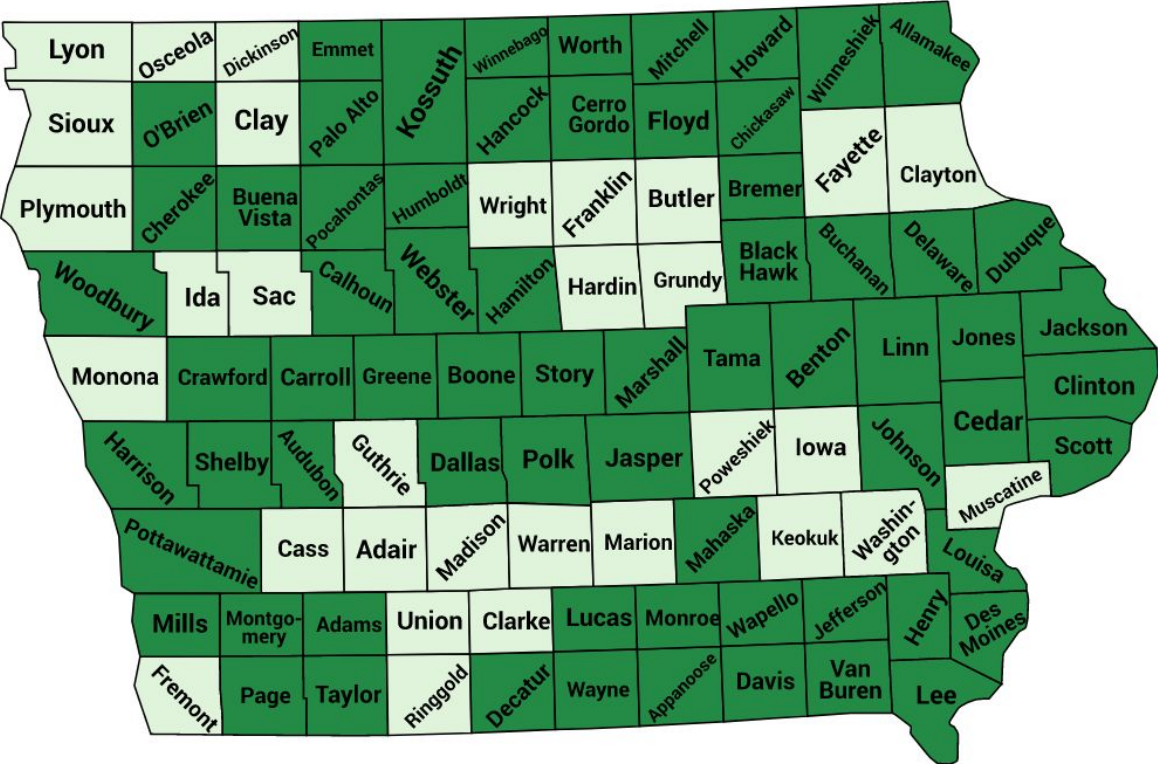
# State Public Defender Field Office Coverage



## State Public Defender Field Office Coverage

- SPD Field Offices - All Case Types
- SPD Field Office - Specified Designations Only

# Rural County Attorney Project – Enhanced Coverage Across Iowa



**State Public Defender  
Enhanced Coverage**

- SPD Field Offices and Rural County Attorney Coverage
- SPD Field Office Coverage - Specified Designations Only





# Decline of Contract Attorneys

## At a Critical Stage:

- 618 Contract Attorneys
- Several counties having a difficult time finding attorneys to handle cases of all types

## Contract Attorney Density:

- Only 4 out of 32 counties with state public defenders taking limited cases (per designation list) have a relatively adequate density of contract attorneys (defined as 6 or more contract attorneys for every 1,000 residents):  
Warren, Poweshiek, Marion, and Madison

# Contract Attorneys

## **Multifaceted Approach to Solve Problem:**

- Movement toward more virtual hearings
- Outreach and support to contract attorneys
- Financial incentives for their dedication to public service

# 2022 Legislation

Virtual Hearings - HF 2281

Appointments in Wrongful Conviction Cases -  
HF 2162



# Improving the System



## Projects/Advancements

- Technology Improvement has allowed field offices to handle more cases
- Juvenile Text Messaging Project
- Text Messaging reduces failures to appear
- New Phone Technology
- Redesigning/Rethinking Office Space
- Video Conference Capabilities
- Wrongful Convictions Collaboration
- Cellebrite Data Collection
- Monthly CLE and Trainings Offered Statewide via webcast

## Funding Sources

- Over \$530,000 in grants have been approved
- Status quo budget
- Title IV-E funding (more information to follow)
- Projects completed within our standard appropriation have saved the system money

# IV-E Dollars

Estimated IV-E Amount for FY 2022: \$3,701,000

## **How IV-E Dollars Are Used**

- Funding source for the Project to Preserve Families.
- Used for training and development of juvenile based programs designed to keep families together and save costs long term.
- Must be used to supplement and not to supplant existing funding.

# IV-E Dollars Reversion

Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.



# Leading the Way

## **Project to Preserve Families and IV-E Funds**

- Project to Preserve Families - Referrals are being made; families are staying together
- Various multi-disciplinary models are being used
- Iowa is leading the nation in recovery of legal representation based IV-E funds as a result of a well-structured approach ensuring funds recovered efficiently and used in accordance with federal guidelines

## **Efficient Offices**

- Technology Improvements have provided us with the opportunity to take on more cases
- Phone conversions have led to additional savings (approximately half the cost of regular phone service)
- Text Messaging Project will prevent unnecessary warrants and will make the entire system run better and more efficiently

## **Better Services Statewide**

- Working with the courts to utilize video hearings in the future
- Working with the courts and counties to provide the greatest possible impact with the Rural County Attorney project
- Actively reaching out to contract attorneys

# Questions

