



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Board Report

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Receive a Benchmark Caseload/Workload Analysis of the Public Defender.

### RECOMMENDATION:

It is recommended that the Board of Supervisors' Budget Committee receive a Benchmark Caseload/Workload Analysis submitted by the Monterey County Office of the Public Defender.

### SUMMARY:

The Board of Supervisors requested that a study be completed comparing the Caseload/Workload of the Monterey County Public Defender's Office with that of other similarly situated California Benchmark County Public Defender Offices. This required the use of a number of official and verifiable sources. It also called for the integration of these sources to provide accurate annual comparisons.

For professional standards, the sources included:

- The Federal and State Constitutions,
- The California Rules of Professional Conduct
- The State Bar of California
- The California Commission on the Fair Administration of Justice
- The National Center for State Courts
- The American Bar Association
- The American Council of Chief Defenders
- The National Legal Aid and Defenders Association
- The National Advisory Commission on Criminal Justice

For caseload data, the sources included:

- The Judicial Council of California Statewide Caseload Trends
- The Published Annual Budgets for the counties of Marin, Monterey, Napa, Placer, San Benito, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Tulare, and Ventura.

All original source materials are included for verification. Comparative charts were prepared and included to present a wide range of data. Source materials are identified. Findings and Recommendations are provided for consideration. A non-exhaustive list of multiple alternative solutions for resource allocation is also provided.

### DISCUSSION:

Each County is constitutionally obligated to provide legal counsel for adult persons accused of felony or misdemeanor violations of law, juveniles accused of criminal or status offenses, mentally ill or disabled persons whose liberty is involuntarily restricted and a number of other specific types of cases ( i.e., family law contempt and/or parental termination proceedings). The overwhelming majority of California Counties have established Public Defender Offices to meet this mandate.

In part, the data shows that:

- The caseload of Monterey County Public Defender (PD) attorneys exceeds those of any other benchmark county's institutional Public Defender Office.
- The Monterey County PD presently has the same number of attorney staff as it had in FY 2010/2011.
- The Monterey County PD presently has the same number of investigator staff as it had in FY 2010/2011.
- Monterey County PD attorney staffing growth is below the average of all benchmark PD Offices since FY 2010/2011.
- The Monterey County PD's budget change is one half that of other benchmark counties since FY 2010/2011.
- The Monterey County PD has nine fewer attorneys than that of the most similar benchmark county.
- Monterey County has the highest ratio of line attorney and investigator staff to managers and supervisors among benchmark counties.
- Monterey County disposed of fewer felony cases than the State average in both 30- and 45-day measures in large part due to PD staffing limitations.

**OTHER AGENCY INVOLVEMENT:**

The Board of Supervisors requested that a study be completed comparing the Caseload/Workload of the Monterey County Public Defender's Office with that of other similarly situated California Benchmark County Public Defender Offices. The Public Defender has provided copies of the Analysis to the offices of the County Administrative Officer and County Counsel.

**FINANCING:**

This is an informational report and as such, there is no fiscal impact that would result from the receipt of this report.

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**Attachments:**

Monterey County Office of the Public Defender Caseload/Workload Analysis:

- 1) EXECUTIVE SUMMARY
- 2) SUMMARY CHARTS
- 3) FTE POSITION DATA
- 4) CRIMINAL FILINGS
- 5) CRIMINAL DISPOSITIONS
- 6) CRIMINAL CASE PROCESSING TIME
- 7) COUNTY FUNDING