

PUBLIC DEFENDER

PUBLIC DEFENDER2080

WESLEY S. HAMILTON, Public Defender

PUBLIC DEFENDER'S BUDGET UNITS

Public Defender	2080
Alternate Defender	2085

PROGRAM DISCUSSION

Programs: The duties of the Public Defender are defined in Government Code Section 27706. Generally, the Public Defender is responsible for representing any person financially unable to employ counsel and who is charged with the commission of any contempt or criminal offense triable in the Superior Courts of the County at all stages of the proceedings in every criminal court at every calendar in Mendocino County. The Public Defender also represents minors in wardship proceedings, petitioners for the restoration of rights, applications for pardons, persons alleged to be sexually violent predators (SVP's) or mentally disordered sex offenders (MDSO's), and mentally ill persons at hearings to determine mental condition, and in conservatorship proceedings.

Public Trust: The Public Defender provides mandated legal representation to indigent clients when appointed by the courts. The Public Defender protects the confidences and constitutional and statutory rights of every individual appointed by the courts in this County.

Practices: The employees of the Public Defender's Office take the office's motto seriously: "The Noblest Motive is the Public Good," and "That Justice Escapes None." It is an honor to serve clients. The Public Defender's personal motto is that "All employees, clients, and members of the public shall be treated with loyalty, integrity, confidentiality, and respect."

People: The Public Defender attempts to hire the most capable attorneys and encourages continuing education and training to maintain the highest level of competent representation.

The attorney staffing level has remained relatively constant despite dramatic increases in both caseloads and complexity of cases. Statistics show the number of felony cases approximately doubled this past year. The ability to effectively handle the volume of cases is directly attributable to the dedication and flexibility of the staff. The Public Defender continued to attempt to hire local attorneys with ties to this community as an effort to reduce the turnover that has plagued the office the last several years.

Encouraged training of attorneys beyond the minimum continuing education required by the State Bar of California. Some attorneys continue to receive National Drug Court Training. Public Defender's attorneys continue to receive valuable training for the most minimal investment. The office continued to have access to the statewide Public Defender case law computer research system, resulting in increased efficiency and cost savings for the office.

Public Trust: The Public Defender continued to strive to provide excellence in the representation of its clients. In addition, members have continued, as in many years past, to volunteer time to the community by participating in programs such as the High School "Mock Trial" competition.

People: The addition of the two attorney positions and the salary increases this past fiscal year has done a great deal to stabilize the turnover that has plagued this office the past ten years. This has resulted in increased morale and more efficient and competent representation of our clients.

MAJOR ACCOMPLISHMENTS IN F/Y 2008-09

Programs: The salary adjustments during the past two years have done a great deal to stabilize the attorney turnover in the Public Defender's Office. The office has only lost one attorney to other employment in the past 22 months. Staff continued to represent clients in over 8,600 cases this past year (2008): these cases included felony cases (serious felonies such as homicides, three strikes cases, and other crimes of violence), misdemeanor cases, juvenile delinquency cases, conservatorship cases, mental health cases, and sexually violent predator cases. Services were provided to courts in Ukiah, Willits, Fort Bragg, Covelo, and Point Arena.

GOALS/OBJECTIVES FOR F/Y 2009-10

Programs:

- Improve attorney productivity and efficiency by:
 - ~ Re-evaluating attorney caseloads and assignments to assure an equal division of the workload.
 - ~ Continue increased training to add to each attorney's legal knowledge and skill.
 - ~ Continuing to expand the office's already expansive brief bank, so that attorney time can be utilized more efficiently, as well as continuing computerization of the research

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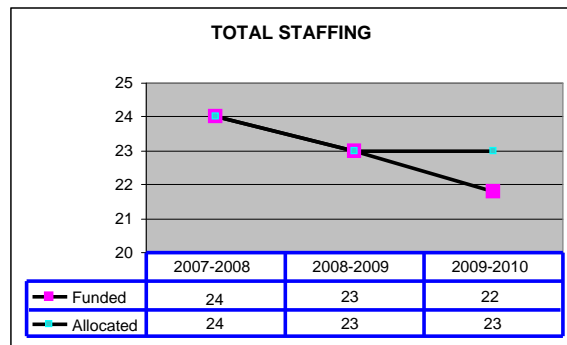
WESLEY S. HAMILTON, Public Defender

library. This includes more full use of our network server, after the launching of our successful internal web site, which has given all staff access to Los Angeles County’s “Week’s Cases”, with hyper-links to all the new cases cited, as well as to pertinent office policy information.

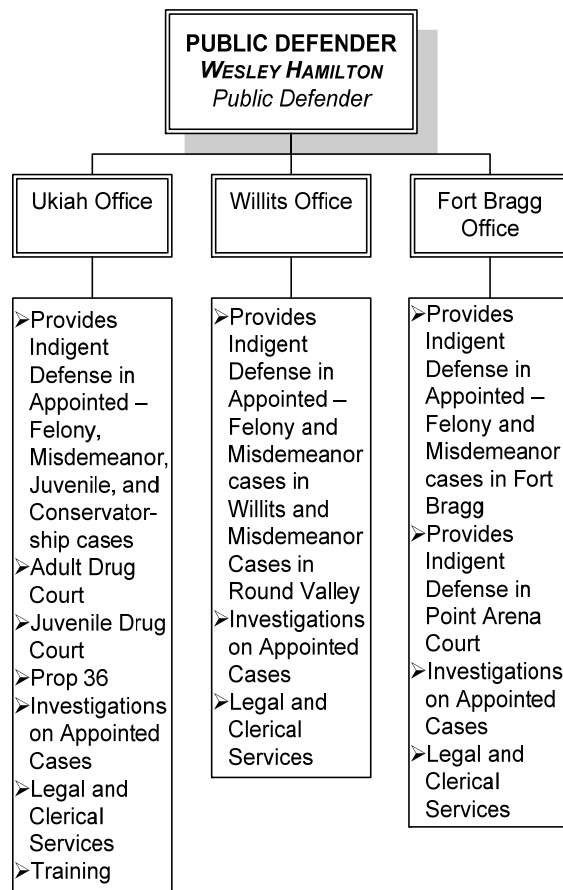
- ~ Work vigorously with all other interested departments and agencies to ensure continued successful implementation of Proposition 36, which mandates treatment rather than custody for specified drug possession and “under the influence” cases.
 - ~ Staffing attorney positions consistent with the present “master calendar” system along with the other courts covered by this office.
 - ~ Continue working with the Sheriff’s Department with the jointly created video conferencing system which allows greater access between clients in custody and their attorneys.
- Improve staff morale and decrease caseload pressures by:
- ~ Continuing to work with the courts in perfecting the system allowing for court entry of cases into JALAN, which allows clerical staff to devote more time to more crucial functions.
 - ~ Continue to attempt to hire local attorneys when vacancies occur in order to promote stability of the office.
 - ~ Continue to encourage staff to participate in community projects directed towards public awareness of the criminal justice system, including the local schools’ “Mock Trial” program, as well as giving informational presentations in public forums.
 - ~ Continue to work with the other criminal justice departments to develop a new case management system.
- Continue working closely with the courts and other agencies in expanding the successful Drug Court and Proposition 36 programs aimed at rehabilitation of repeat substance abuse offenders.
- Public Trust:** Continue to represent clients with the utmost degree of competence, confidentiality, and professionalism while promoting a full understanding and trust in the employees of this office.
- Practices:** Continue to promote the continued education and training of its employees in order to provide the best legal representation possible with the resources provided.

People: Continue to promote stability (lack of turnover of attorneys) within the office in order to provide the most competent, efficient, and professional services possible.

STAFFING CHART



PROGRAM CHART



PUBLIC DEFENDER

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WESLEY S. HAMILTON, Public Defender

SUMMARY OF MAJOR BUDGET ACCOUNTS

Salaries & Employee Benefits

- ◇ Acct. 1011 Provides funding for 22 full time positions. Decrease of \$(111,607) over prior year for salaries and benefits.

Services & Supplies

- ◇ Acct. 2189 Provides for costs associated with experts, interpreters and lab testing.

Revenues

- ◇ Acct. 5463 Estimated revenue from homicide trials. No funding this year.
- ◇ Acct. 6163 Revenue from clients and the Courts for dependency cases.

CEO RECOMMENDED BUDGET COMMENTS

The CEO recommends funding as submitted by the Department. This budget anticipates leaving the Assistant Public Defender position vacant all year due to Board approved internal promotion for the Public Defender Director position which will be vacant in August 2009 due to attrition. The total reduction in the Net County Cost is \$(111,190).

PUBLIC DEFENDER

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WESLEY S. HAMILTON, Public Defender

State Controller
County Budget Act
(1985)

County of Mendocino
State of California
Budget Unit Financing Uses Detail
Recommended Budget for Fiscal Year 2009-10

County Budget Form
Schedule 9

Classification:

Function: 2 Public Protection

Budget Unit: 2080 Public Defender

Activity: 201 Public Protection - Judicial

Fund: 1100 County General

Financing Uses Classification	2007-08 Budget	2007-08 Actuals	2008-09 Budget	2008-09 Actuals	2009-10 Request	2009-10 Recommend	2009-10 Adopted
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

as of 5/31/09

Salaries & Employee Benefits

861011 Regular Employees	1,368,777	1,450,919	1,637,531	1,398,299	1,633,113	1,519,909	
861012 Extra Help	0	0	0	0	0	0	
861013 Overtime Reg Emp	0	5,032	0	1,557	0	0	
861021 Co Cont Retirement	216,403	196,764	222,068	199,821	215,427	201,321	
861022 Co Cont OASDI	83,436	84,700	91,501	82,066	95,397	89,879	
861023 Co Cont Medicare	19,847	20,601	21,879	19,616	22,782	21,159	
861024 Co Cont Retire Incr	90,750	79,396	94,329	84,879	79,118	73,942	
861030 Co Cont Health Ins	140,650	164,645	182,096	171,327	203,603	197,898	
861031 Co Cont Unemp Ins	3,864	3,864	2,972	2,972	2,972	5,303	
861035 Co Cont Workers Comp	15,642	15,642	15,246	15,246	15,246	46,604	
Total Salaries & Employee Benefits	1,939,369	2,021,564	2,267,622	1,975,783	2,267,658	2,156,015	0

Services & Supplies

862060 Communications	10,000	8,234	10,000	6,789	10,000	10,000	
862061 Comm Lease	6,800	6,913	7,115	7,224	7,115	7,115	
862101 Insurance - General	3,650	3,650	3,455	3,455	3,455	3,908	
862110 Jury/Witness Expense	500	0	500	0	500	500	
862120 Maint - Equip	0	0	0	0	0	0	
862150 Memberships	7,000	6,905	7,310	6,830	7,310	7,310	
862170 Office Expense	44,000	40,981	44,000	34,310	44,000	44,000	
862187 Education & Training	5,000	2,484	5,000	0	5,000	5,000	
862189 Prof/Spec Svcs - Other	58,013	32,088	58,013	31,658	57,977	57,977	
862210 Rent/Lease - Bldg Grnds	49,200	51,264	53,550	42,720	53,550	53,550	
862239 Spec Dept Expense	0	0	0	0	0	0	
862250 Trans/Travel	9,000	6,030	3,970	6,432	3,970	3,970	
862253 Travel Out of County	4,000	6,794	9,000	1,603	9,000	9,000	
862260 Utilities	10,000	10,022	10,000	6,951	10,000	10,000	
Total Services & Supplies	207,163	175,364	211,913	147,971	211,877	212,330	0

Fixed Assets

864370 Equipment	0	0	0	0	0	0	
Total Fixed Assets	0	0	0	0	0	0	0

Expend Transfer & Reimb

865380 Intrafund Transfer	0	0	0	(205)	0	0	
Total Expend Transfer & Reimb	0	0	0	(205)	0	0	0

Total Net Appropriations

Total Net Appropriations	2,146,532	2,196,928	2,479,535	2,123,549	2,479,535	2,368,345	0
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WESLEY S. HAMILTON, Public Defender

Financing Uses Classification	2007-08 Budget	2007-08 Actuals	2008-09 Budget	2008-09 Actuals	2009-10 Request	2009-10 Recommend	2009-10 Adopted
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
				as of 5/31/09			
Less: Revenues							
826163 Legal Svcs Reimb	30,993	77,156	30,000	23,862	30,000	30,000	
Total Revenues	<u>30,993</u>	<u>77,156</u>	<u>30,000</u>	<u>23,862</u>	<u>30,000</u>	<u>30,000</u>	<u>0</u>
 Total Net County Cost	 <u>2,115,539</u>	 <u>2,119,772</u>	 <u>2,449,535</u>	 <u>2,099,688</u>	 <u>2,449,535</u>	 <u>2,338,345</u>	 <u>0</u>

PUBLIC DEFENDER

ALTERNATE DEFENDER.....2085

WESLEY S. HAMILTON, *Public Defender*

PROGRAM DISCUSSION

Programs: The Alternate Defender acts as a second Public Defender's department. Pursuant to Government Codes §27706, the Alternate Defender is appointed by the court in cases when the Public Defender declares a conflict of interest. The department handles every aspect of the representation of indigent persons accused of crime or those who are mentally ill and who are subject to conservatorship proceedings or petitions under Welfare and Institution Code §6500; as well as every aspect of the representation of juveniles accused of crime in delinquency proceedings under Welfare and Institutions Code §602 et. seq. The Alternate Defender is also appointed by the court in civil cases (usually in family law or child support matters) where litigants are facing jail sentences for contempt of court, that is, disobeying a court order or failing to make child support payments. Additionally, the Alternate Defender represents persons who petition for the restoration of rights, applications for pardons, persons alleged to be sexually violent predators (SVPs), or mentally disordered sex offenders (MDSOs). Responsibility in these matters applies to all cases in the Ukiah, Willits and Round Valley (Covelo) branches of the court. Staff does not handle cases from/on the Coast unless prosecuted in Ukiah.

Public Trust: The Alternate Defender's staff takes pride in maintaining a strong working relationship with all other agencies within the criminal justice system, while ensuring that the criminal justice system and the general public are treated with honesty and integrity, and clients are provided with the best possible representation.

Practices: The job of the Alternate Defender's staff is to guide clients through the court process, and to provide this service with honesty, integrity and compassion, while maintaining a good rapport with judges, fellow attorneys, court staff, other members of the criminal justice system and the general public.

People: Staff consists of some of the most experienced and dedicated trial attorneys and support personnel of any law office in the County. The Alternate Defender staff is experienced, highly organized, and well trained to provide the best defense available to clients within the structure of the County government.

some of the most experienced criminal trial lawyers. The Alternate Defender continues to better serve clients and the general public, and continue to offer the best possible legal representation in a more professional atmosphere.

Public Trust: The Alternate Defender's staff took pride in maintaining a strong working relationship with all other agencies within the criminal justice system.

Practices: Provided the best defense available to clients within the structure of the County government with honesty, integrity and compassion, while maintaining a good rapport with judges, fellow attorneys, court staff, other members of the criminal justice system and the general public.

People: Current level of staffing allows the Alternate Defender's Office to better serve clients and to be more receptive to the needs of the Ukiah, Willits and Round Valley courts.

GOALS/OBJECTIVES FOR F/Y 2009-10

Programs: The primary goal and objective of the Alternate Defender's staff is to continue to meet the expectations of the County and clients by providing maximum court coverage by being available to service every department of the Court as needed, while maintaining the highest quality of representation, all within the County budget structure.

Public Trust: To ensure that the criminal justice system and the general public are treated with honesty and integrity, while working to provide clients with the best possible representation.

Practices: Continue to provide service to clients with honesty, integrity and compassion, while maintaining a good rapport with judges, fellow attorneys, court staff, other members of the criminal justice system and the general public.

People: Maintain this excellence through mandatory continuing education and training.

MAJOR ACCOMPLISHMENTS IN F/Y 2008-09

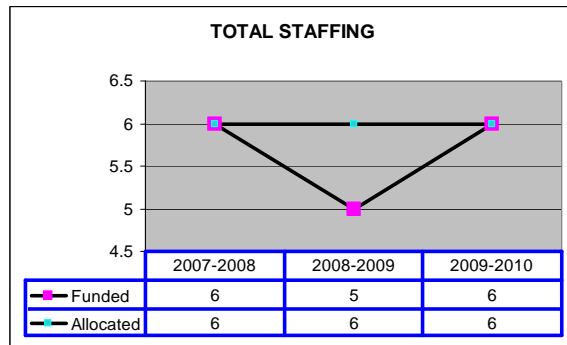
Programs: As more and more of the County's criminal cases are being prosecuted in the Ukiah Branch of the Superior Court, 2008 saw a record caseload handled by

PUBLIC DEFENDER

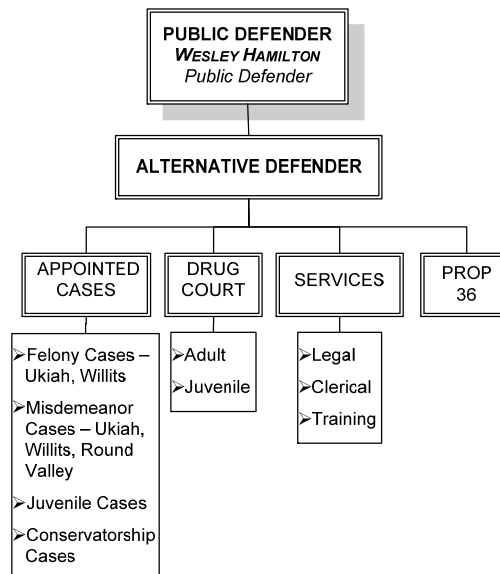
ALTERNATE DEFENDER.....2085

WESLEY S. HAMILTON, Public Defender

STAFFING CHART



PROGRAM CHART



SUMMARY OF MAJOR BUDGET ACCOUNTS

Salaries & Employee Benefits

- ◇ Acct. 1011 Provides funding for 6 full time positions. Increase of \$17,793 over prior year for salaries and benefits.

Revenues

- ◇ Acct. 5463 Provides for revenue from homicide trials
- ◇ Acct. 6163 Provides for revenue from dependency cases.

CEO RECOMMENDED BUDGET COMMENTS

The CEO recommends funding as submitted by the Department. The CEO recommended funding for a .5 FTE Attorney position in the amount of \$43,450 in order to avoid increased costs to the Conflict Defender BU 2086 for private attorneys.

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ALTERNATE DEFENDER.....2085

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State Controller
County Budget Act
(1985)

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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

as of 5/31/09

Salaries & Employee Benefits

861011 Regular Employees	368,246	386,057	437,160	373,839	417,576	454,953	
861012 Extra Help	0	965	0	0	13,742	13,742	
861021 Co Cont Retirement	58,220	51,733	56,826	49,446	54,489	54,489	
861022 Co Cont OASDI	22,788	22,167	26,182	20,407	24,820	24,820	
861023 Co Cont Medicare	5,340	5,354	6,181	5,147	5,816	6,331	
861024 Co Cont Retire Incr	24,415	20,875	24,138	21,003	19,990	19,990	
861030 Co Cont Health Ins	39,412	40,696	43,430	39,913	50,407	55,964	
861031 Co Cont Unemp Ins	350	350	231	231	231	330	
861035 Co Cont Workers Comp	9,847	9,847	1,526	1,526	1,526	1,588	
Total Salaries & Employee Benefits	528,618	538,045	595,674	511,512	588,597	632,207	0

Services & Supplies

862060 Communications	4,000	4,581	4,000	2,569	4,000	4,000	
862090 Household Expense	1,000	0	1,000	0	1,000	1,000	
862101 Insurance - General	1,148	1,148	1,185	1,185	1,185	1,049	
862110 Jury/Witness Expense	650	0	650	0	650	650	
862120 Maint - Equip	0	0	0	0	0	0	
862150 Memberships	1,700	2,050	1,700	2,210	1,700	1,700	
862170 Office Expense	12,300	14,458	12,768	10,591	15,751	15,751	
862187 Education & Training	500	135	500	500	1,000	1,000	
862189 Prof/Spec Svcs - Other	20,000	11,209	20,000	12,169	22,000	22,000	
862210 Rent/Lease - Bldg Grnds	15,648	16,595	15,648	13,897	17,241	17,241	
862230 Info Tech Equip	0	495	0	0	0	0	
862239 Spec Dept Expense	0	178	0	0	0	0	
862250 Trans/Travel	1,700	1,568	1,700	782	1,700	1,700	
862253 Travel Out of County	1,619	957	1,619	657	1,620	1,620	
862260 Utilities	0	0	0	0	0	0	
Total Services & Supplies	60,265	53,373	60,770	44,561	67,847	67,711	0

Expend Transfer & Reimb

865802 Oper Transfer Out	0	0	0	0	0	0	
Total Expend Transfer & Reimb	0	0	0	0	0	0	0

Total Net Appropriations

	588,883	591,418	656,444	556,073	656,444	699,918	0
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PUBLIC DEFENDER

ALTERNATE DEFENDER.....2085

WESLEY S. HAMILTON, Public Defender

Financing Uses Classification	2007-08 Budget	2007-08 Actuals	2008-09 Budget	2008-09 Actuals	2009-10 Request	2009-10 Recommend	2009-10 Adopted
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

as of 5/31/09

Less: Revenues							
826163 Legal Services Reimb	0	0	0	0	0	0	0
Total Revenues	0	0	0	0	0	0	0
Total Net County Cost	588,883	591,418	656,444	556,073	656,444	699,918	0

County of Mendocino

2009-10

RECOMMENDED BUDGET

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