

The Agency

Office of the Public Defender

Agency Operations

The Office of the Public Defender is statutorily mandated to represent indigent adults and juveniles who are charged with criminal offenses or who are in jeopardy of losing custody of their children to the State. Referrals come from the Supreme, Superior, District, and Family Courts. All who are financially eligible are assigned to a staff attorney to provide representation in the appropriate court.

The office carries out a single program, representation of indigents. Within this program are activities associated with adult and juvenile criminal matters and with termination of parental rights and dependency and neglect petitions filed by the Department of Children, Youth and Families. The office offers appellate representation in the Rhode Island Supreme Court in those areas in which it offers trial level representation. Assisting the attorneys who deliver the primary service of the office is a support staff of social workers, investigators, interpretive and information technology staff, and clericals.

The Public Defender is appointed by the Governor with the advice and consent of the Senate for a six-year term.

Agency Objectives

To provide high quality representation to all indigents in criminal and parental rights litigation, fulfilling the governmental obligation to provide effective assistance of counsel and to endeavor to secure fundamental fairness and due process to the indigent citizens of Rhode Island.

Statutory History

The Office of the Public Defender was created in 1941 by Chapter 1007 of the Rhode Island Public Laws. It was one of the earliest, and perhaps even the first, statewide Public Defender agencies in the nation. Title 12 Chapter 15 of the Rhode Island General Laws defines the organization and functions of the agency and mandates it to represent those who are without financial resources to retain private counsel. Title 14 Chapter 1 describes the referral process by the Family Court, and Title 40 Chapter 11 authorizes referral of dependency, neglect and termination of parental rights cases to the office by the Family Court.

The Budget

Office of the Public Defender

	FY 2003 Actual	FY 2004 Actual	FY 2005 Revised	FY 2006 Recommended
Expenditures By Object				
Personnel	5,805,426	6,175,115	6,788,017	7,400,776
Other State Operations	506,278	500,071	578,496	514,196
Aid To Local Units Of Government	-	-	-	-
Assistance, Grants and Benefits	-	-	-	-
Subtotal: Operating Expenditures	\$6,311,704	\$6,675,186	\$7,366,513	\$7,914,972
Capital Improvements	-	-	-	-
Capital Debt Service	-	-	-	-
Total Expenditures	\$6,311,704	\$6,675,186	\$7,366,513	\$7,914,972
Expenditures By Funds				
General Revenue	5,935,302	6,290,944	6,915,154	7,677,125
Federal Funds	376,402	384,242	451,359	237,847
Total Expenditures	\$6,311,704	\$6,675,186	\$7,366,513	\$7,914,972
FTE Authorization	83.2	86.2	87.5	92.5
Agency Measures				
Minorities as a Percentage of the Workforce	12.0%	14.0%	17.0%	17.0%
Females as a Percentage of the Workforce	60.0%	58.0%	60.0%	60.0%
Persons with Disabilities as a Percentage of the Workforce	12.0%	10.0%	10.0%	10.0%
Program Measures				
Percentage by which Attorney Caseload Exceeds National Standards - Felonies	71.5%	57.0%	56.0%	56.0%
Percentage by which Attorney Caseload Exceeds National Standards - Misdemeanors	167.0%	167.0%	167.0%	167.0%
Average Percentage of the Continuing Legal Education Requirement Fulfilled with Public Defender Sponsored Courses (All Attorneys)	45.0%	53.3%	65.0%	80.0%