

# The Agency

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## Office of the Public Defender

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### 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 for 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 DCYF. 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, interpreters, information technology staff, intake 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, juvenile and parental rights litigation, fulfilling the governmental obligation to provide effective assistance of counsel and 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 2008 Actual	FY 2009 Actual	FY 2010 Enacted	FY 2010 Revised	FY 2011 Recommended
<b>Expenditures By Object</b>					
Personnel	8,508,737	8,490,174	8,964,730	8,772,532	9,186,844
Operating Supplies and Expenses	758,034	756,835	818,957	789,816	821,250
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	-	-	-	-	-
<b>Subtotal: Operating Expenditures</b>	<b>\$9,266,771</b>	<b>\$9,247,009</b>	<b>\$9,783,687</b>	<b>\$9,562,348</b>	<b>\$10,008,094</b>
Capital Purchases and Equipment	36,028	25,205	25,400	23,400	32,400
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
<b>Total Expenditures</b>	<b>\$9,302,799</b>	<b>\$9,272,214</b>	<b>\$9,809,087</b>	<b>\$9,585,748</b>	<b>\$10,040,494</b>
<b>Expenditures By Funds</b>					
General Revenue	9,030,938	8,986,912	9,583,189	9,204,425	9,610,354
Federal Funds	271,861	285,302	225,898	381,323	430,140
<b>Total Expenditures</b>	<b>\$9,302,799</b>	<b>\$9,272,214</b>	<b>\$9,809,087</b>	<b>\$9,585,748</b>	<b>\$10,040,494</b>
<b>FTE Authorization</b>	<b>93.5</b>	<b>91.0</b>	<b>91.0</b>	<b>93.0</b>	<b>93.0</b>
<b>Agency Measures</b>					
Minorities as a Percentage of the Workforce	14.6%	14.6%	12.7%	12.7%	13.2%
Females as a Percentage of the Workforce	62.5%	62.5%	63.8%	63.8%	65.0%
Persons with Disabilities as a Percentage of the Workforce	10.4%	10.4%	9.5%	9.5%	9.5%
<b>Program Measures</b>					
Percentage by which Attorney Caseload Exceeds National Standards - Misdemeanors	279.0%	295.0%	300.0%	300.0%	300.0%
Percentage by which Attorney Caseload Exceeds National Standards - Felonies	59.0%	33.0%	35.0%	35.0%	35.0%
Average Percentage of the Continuing Legal Education Requirement Fulfilled with Public Defender Sponsored Courses (All Attorneys)	65.2%	55.3%	65.0%	65.0%	70.0%