

Public Defender FY 2013 - 14 Performance Plan

I. Mission Statement

The mission of the Office of the Public Defender is to provide effective and innovative legal services for clients by protecting their constitutional rights, treating them with respect and encouraging them to lead productive and positive lives.

II. Department Overview

The Office of the Public Defender is the County law office that provides legal representation for those whose indigent status restricts their ability to afford counsel. Public Defender staff represents clients in felony, misdemeanor, juvenile, and family support cases, as well as in cases involving mental health or probate code conservatorship actions. The office is committed to ensuring representation that meets the constitutional, statutory, and decisional requirements of law that guarantee every indigent person effective assistance of counsel before the courts.

The Public Defender includes the following programs:

- Collaborative Justice
- Defense Services

IV. Accomplishments for FY 2012-13

- Continued to provide outstanding legal services for clients
- Completed trial on a high profile life without possibility of parole case through the fine work of Deputy Public Defenders Brian Morris and Camille Bosworth
- Featured in Marin Independent Journal for our internship opportunities for youths from alternative high schools
- Assisted our college interns with letter recommendations that helped them get accepted into top law schools in the country; one was accepted into Harvard Law School and another was accepted to the U.C. Berkeley School of Law
- Participated in Human Resources Thrive and other wellness programs
- Continued office training initiatives that save training dollars
- Presented as speaker trainers in statewide California Public Defender Association training seminars
- Engaged in County leadership activities including one employee graduating from the County/ Dominican University Leadership program and other members of the office involved in county bar and county mock trial coaching activities
- Worked with Human Resources to create a more horizontal organization that sends responsibility and authority down through the department
- Continued our fine record of completing employee evaluations on time
- Initiated Employee recognition efforts in response to employee survey concern
- Worked with internal stakeholders to plan and implement new court reorganization coverage
- Collaborated with community stakeholders in domestic violence and chronic alcohol user prevention programs

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V. Key Challenges and Outstanding Issues

- The Marin Superior Court is changing its court operational structure and Public Defender managers and staff are reassigning workload and court assignments to meet the demands of this restructuring.
- With the passage of Proposition 36, staff members are reviewing all cases of clients who are entitled to be resentenced under the new Three Strike legislation. This review process is assisting clients in having their life sentences reduced and most are going to be released from custody.
- Starting in July of 2013, public defender staff will be handling parole revocation hearings in the Marin County Superior Court. This is a dramatic change in parole revocation procedures and it is yet unclear the impact that these new procedures will have on public defender caseloads.

VI. Performance Plan

Department Goal	Countywide Goal
Goal I: Work with County staff to create a flatter, responsive, and collaborative organization	IX. Managing for Results

Initiative Description	Program(s)
Create court teams to address the new combined felony and misdemeanor caseloads	Defense Services


Department Goal	Countywide Goal
Goal II: Promote legal excellence through professional development, effective use of resources and incorporation of technological innovation	VI. Excellent Customer Service

Initiative Description	Program(s)
Continue to support professional development at all levels of the organization through internal and external training opportunities	Defense Services
Utilize lighter more accessible computer tables to continue incorporating technological innovation into our legal practices	Defense Services

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Program: Defense Services

Objective: Create baseline numbers for pretrial release under new court reorganization plan.


Workload Measures		2009/10	2010/11	2011/12	2012/13	2013/14
		Actual	Actual	Actual	Target	Target
	Number of requests for public defender assistance at arraignments	N/A	N/A	N/A	N/A	5,000
Efficiency Measures		2009/10	2010/11	2011/12	2012/13	2013/14
		Actual	Actual	Actual	Target	Target
	Number of cases where clients was released on their own recognizance after arraignment or within three days of arraignment	N/A	N/A	N/A	N/A	350
	Number of cases released on electronic monitoring at arraignment or within two weeks of arraignment	N/A	N/A	N/A	N/A	250
Effectiveness Measures		2009/10	2010/11	2011/12	2012/13	2013/14
		Actual	Actual	Actual	Target	Target
	Number of clients whose bail was reduced through public defender advocacy	19	121	21	100	100
	Number of clients released from custody on own recognizance through public defender advocacy	354	231	337	350	350

Story Behind Performance:


The new court reorganization to five hybrid departments handling both felony and misdemeanors must be analyzed to ensure that clients are not penalized by the new system. The hope is that the new system will not result in reduction in pretrial release efforts. Such pretrial release efforts save money and allow clients to better reintegrate into the community.

Program: Defense Services

Objective: See incarcerated juveniles prior to their first court appearance and any subsequent court appearance

Effectiveness Measures		2009/10	2010/11	2011/12	2012/13	2013/14
		Actual	Actual	Actual	Target	Target
	Percentage of incarcerated juvenile	N/A	90%	100%	100%	100%

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Effectiveness Measures	2009/10	2010/11	2011/12	2012/13	2013/14
	Actual	Actual	Actual	Target	Target
clients seen prior to first court appearance					
 Percentage of incarcerated juvenile clients seen prior to any subsequent court appearance	N/A	90%	100%	100%	100%

Story Behind Performance:

We wish to continue our outstanding efforts in this area and thus wish to continue to monitor this measure

Program: Defense Services

Objective: Have 100 percent Officer of the Day coverage during the fiscal year


Workload Measures	2009/10	2010/11	2011/12	2012/13	2013/14
	Actual	Actual	Actual	Target	Target
 Percent of Officer of the Day calls returned the same day as issue received	N/A	N/A	90%	100%	75%
 Number of clients spoken to by the Officer of the Day on any given day	N/A	7.5	7	7.5	5

Department Goal	Countywide Goal
Goal III: Utilize holistic, therapeutic, and restorative justice solutions in the handling of all cases	II. Safe Communities


Initiative Description	Program(s)
Treatment and Restorative Justice referrals will be monitored to ensure that all such alternative to jail are explored in appropriate cases.	Collaborative Justice

Program: Defense Services

Objective: Encourage all public defender clients to address substance abuse, mental health and criminal history issues, allowing for a greater chance to avoid future criminal court liability

Workload Measures	2009/10	2010/11	2011/12	2012/13	2013/14
	Actual	Actual	Actual	Target	Target
 Number of staff trainings to educate staff on how to best work with and	N/A	4	4	4	4

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Workload Measures	2009/10	2010/11	2011/12	2012/13	2013/14
	Actual	Actual	Actual	Target	Target
motivate clients with substance abuse, mental health and criminal history issues					
 Number of individuals counseled by staff to address substance abuse, mental health and criminal history issues	N/A	800	1,000	800	1,000

Program: Defense Services

Objective: Effectively collaborate with criminal justice partners to enhance the utilization of jail alternatives such as out of jail sentencing options, electronic monitoring, and holistic, therapeutic, and restorative justice solutions

Workload Measures	2009/10	2010/11	2011/12	2012/13	2013/14
	Actual	Actual	Actual	Target	Target
Number of cases where out-of-jail solutions are possible	N/A	N/A	N/A	50%	50%

Efficiency Measures	2009/10	2010/11	2011/12	2012/13	2013/14
	Actual	Actual	Actual	Target	Target
Number of cases where pre-trial or post-trial resolution involved non jail alternative	N/A	N/A	N/A	600	700

Effectiveness Measures	2009/10	2010/11	2011/12	2012/13	2013/14
	Actual	Actual	Actual	Target	Target
Number of cases where a holistic, therapeutic, or restorative justice solution is reached	N/A	N/A	N/A	600	200

Department Goal	Countywide Goal
Goal IV: Promote staff improvement and professional enhancement through career development, technology training, appreciation of diversity, and appropriate work life balance	VII. Employer of Choice

Initiative Description	Program(s)
Address key employee issues essential to a well ran department such as employee recognition, employee professional enhancement, employee appreciation of diversity, and employee work life balance	Defense Services

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Department Goal	Countywide Goal
Goal V: Support countywide sustainability and healthy alternatives initiatives as a way of promoting a healthy work environment	III. Sustainable Communities

Initiative Description	Program(s)
Continue to support Green and health wellness initiatives	Defense Services