

Cuyahoga County Public Defender

2022-2023 BUDGET

Public Defender Mission

The Cuyahoga County Public Defender Office provides consistently excellent representation and vigorous advocacy to protect the rights of low income people in **criminal, juvenile delinquency, and parental rights** matters. We treat each client with dignity and respect and tailor our representation to meet their unique needs. We ensure that our clients receive an ardent defense and equal justice throughout their involvement with the legal system.

Public Defender Commission

5 Member Commission appointed by County Executive (approved by Council) and appointed by the Administrative Judge:

- Erika Anthony
- Gordon Friedman
- Fernando Mack
- James J. McDonnell
- Thomas E. Shaughnessy

R.C. 120.14

- Determines “qualifications and size of the supporting staff and facilities and other requirements” to operate the office of the county public defender
- Recommends an “annual operating budget”

Divisions

Felony

- New felony cases
- Specialized Dockets (MHDD, Drug, Veteran's, HRDV)
- Post-conviction motions

Municipal

- All Cleveland misdemeanors; initial felony appearances
- Specialized Dockets (MH, Drug, Veteran's, Human Trafficking, Community)
- Post-conviction motions

Juvenile

- Delinquency cases (Bindovers)
- Parent Representation
- Specialized Dockets

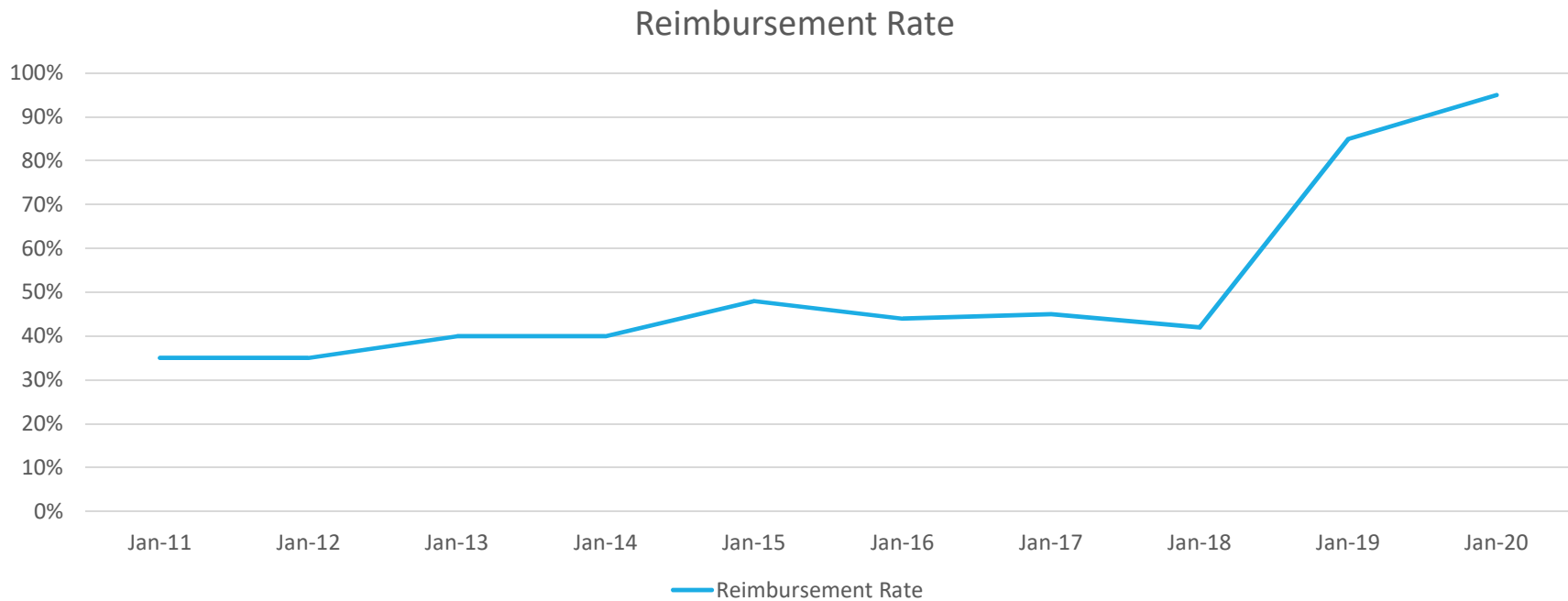
Appeals/Post-Conviction

- 8th District and OSC appeals
- Post-conviction motions (e.g. new trial)
- Felony expungements

Holistic Defense Model



State Reimbursement Rate for Indigent Defense



DATE: October 19, 2021
TO: County Commissioners, County Public Defenders, Court
Appointed Counsel, Judges, Auditors
FROM: State Public Defender Tim Young
RE: Indigent Defense Reimbursement Rate Periodic Update

I write today with a periodic update on the indigent defense reimbursement rate. As shared in our [July 1, 2021 memorandum](#), Governor DeWine and the Ohio General Assembly allocated approximately \$336 million dollars in the Biennial State Budget to reimburse counties for indigent defense costs for Fiscal Year 2022 and 2023 (July 1, 2021 – June 30, 2023). This level of funding for indigent defense is unprecedented in Ohio. In July, the OPD estimated that the allocated funding would permit the state to reimburse counties at a reimbursement rate approaching 100%, based on projected reimbursement submissions of \$13mil/per month in FY22 and \$13.5mil/per month in FY23.

FY22: Project reimbursement approaching 100%

FY23: Project 95% reimbursement rate

Executive Recommended Budget

Source of Funding and How it is Spent

	2019 Actuals	2020 Actuals	2021 Approved Budget	2022 Executive Recommended Budget	2023 Executive Recommended Budget
All Funds (Expenditures)	\$15,317,741	\$14,658,389	\$15,970,432	\$17,672,715	\$18,093,948
HHS Levy Fund	\$0	\$0	\$0	\$0	\$0
General Fund	\$13,268,094	\$12,551,029	\$13,778,779	\$15,199,346	\$15,558,603
Special Revenue Fund	\$2,049,647	\$2,107,361	\$2,191,653	\$2,473,369	\$2,535,345

2022-2023 Budget Overview

- The Public Defender provides indigent defense funded through the General Fund. The State of Ohio through the Ohio Public Defender reimburses the County for indigent expenses at a variable rate based on the funding available in the State's budget. This rate was approximately 85% during 2020, and the rate increased to 100% in July of 2021 and is expected to remain at the elevated rate through the biennium.
- The County Public Defender also provides indigent defense on behalf of the City of Cleveland, for which the City reimburses the County's expenses pursuant to an Agreement between the City and County. The County forwards the City of Cleveland its share of the state reimbursement less a three percent administrative fee.

PD General Fund Budget (2017 – 2021)

Chart Title

