

Cuyahoga County Public Defender

Budget Presentation

County Council

October 24, 2017

“Substantially equivalent resources?”

Staffing Levels

STAFFING	PROSECUTOR	PUBLIC DEFENDER
Felony Attorney	83	29 (5 of which are assigned to a specialized docket)
Juvenile Attorney	34 Delinquency/Felony (16) Custody (18)	17 (Delinquency and Custody)
Appellate Attorney	12	6 (No additional hires since 2007 with greatly increased obligations)
Felony Investigators	38	3 (Felony only) (None in Juvenile and/or Appeals)
Legal Secretaries	48	8
Paralegals	15	2 (0 in Felony)
Law Clerks	30	6

Technology

TECHNOLOGY	PROSECUTOR	PUBLIC DEFENDER
Mondo Pads	12-14 (Every Courtroom Floor in Common Pleas and Juvenile Court, including one in their office)	0
Computers	Every prosecutor has a laptop, docking station, and dual-monitor with up-to-date versions of software	<ul style="list-style-type: none"> -39 laptops ordered in 2017 -more than 50% of the 85 attorneys do not have updated models -No case management system in Juvenile Division -Hodge-podge of outdated desktops and/or laptops with a single screen -Older versions of software
Copiers/ Printers	Prosecutor always presents professionally detailed exhibits/photographs	<ul style="list-style-type: none"> -2 color printers for 4 Divisions -0 in Juvenile -0 in Appellate Division -Copiers regularly malfunction -No copier prints in color

Training – Staff Development

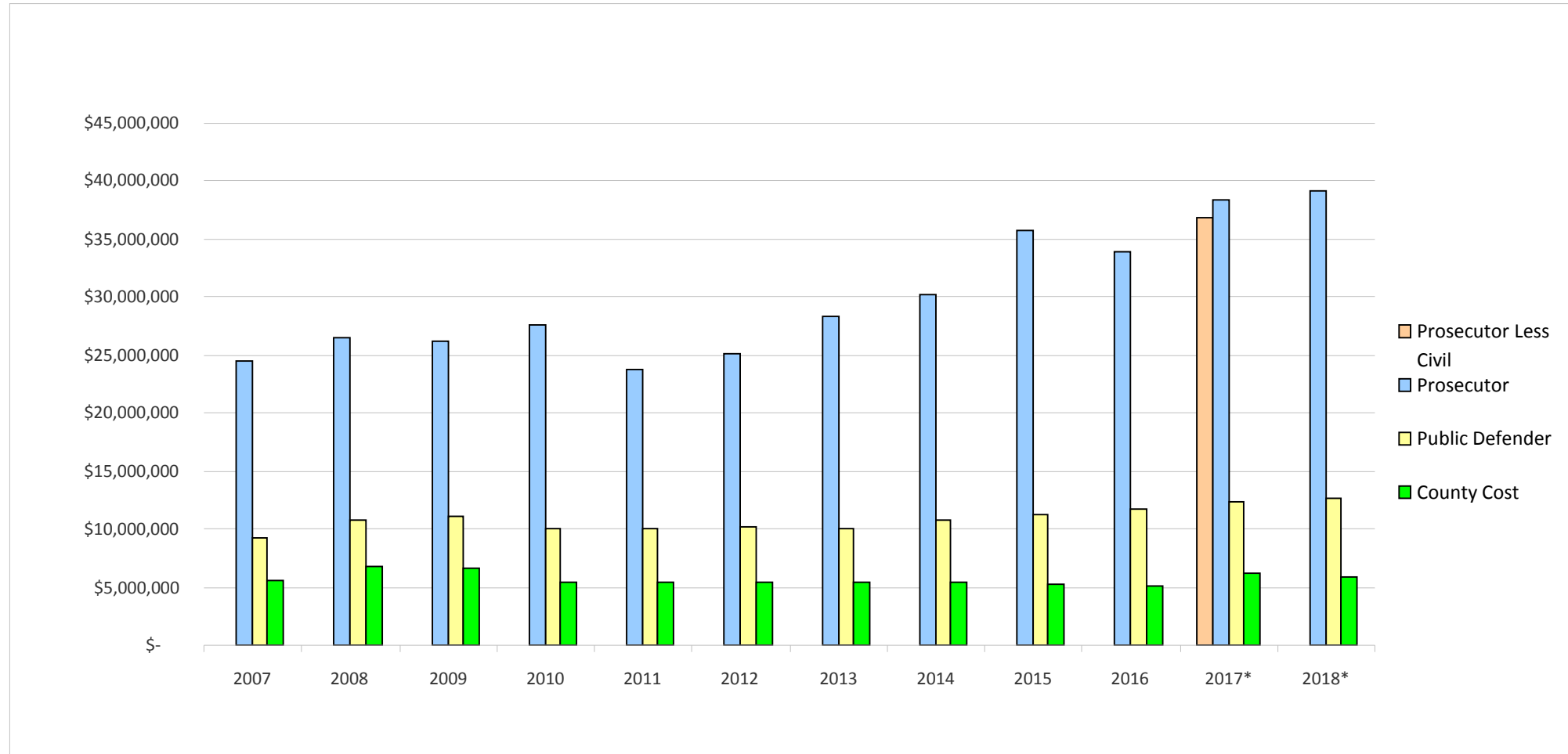
YEAR	PROSECUTOR	PUBLIC DEFENDER
2014	\$173,852	\$5,320
2015	\$239,212	\$11,266
2016	\$41,714	\$4,870
Totals	\$454,778	\$21,456

Ratio of 22:1

Legal Resources/Publications (2016)

Legal Publications	PROSECUTOR	PUBLIC DEFENDER
Ohio Criminal Law Handbook	180	0
Ohio Evidence Handbook	90	0
Ohio Search and Seizure Handbook	90	0
Ohio Juvenile Law Handbook	20	0
Ohio Appellate Practice	10	0

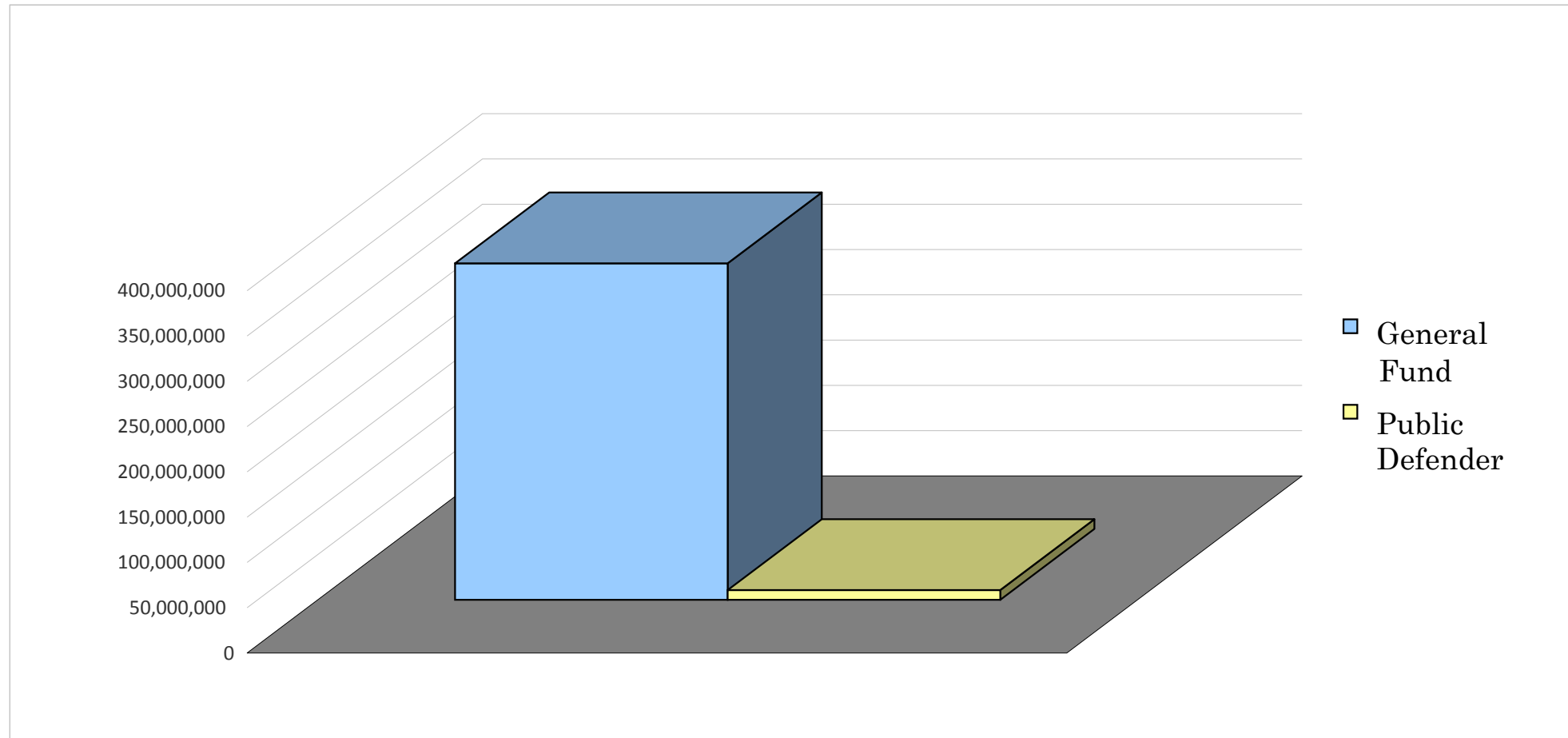
Historical Budget Comparison



Historical Budget Comparison

Year	Prosecutor	Prosecutor Less Civil	Public Defender	State Reimburse.	Municipal Court	County Cost
2007	\$ 24,557,162		\$ 9,312,120	27%	\$ 1,804,656	\$ 5,480,449
2008	\$ 26,429,959		\$ 10,845,012	25%	\$ 1,804,656	\$ 6,780,267
2009	\$ 26,145,712		\$ 11,172,925	30%	\$ 1,804,656	\$ 6,557,788
2010	\$ 27,625,114		\$ 9,993,656	35%	\$ 1,804,656	\$ 5,322,850
2011	\$ 23,770,039		\$ 10,068,910	35%	\$ 1,804,656	\$ 5,371,765
2012	\$ 25,156,117		\$ 10,188,972	35%	\$ 1,804,656	\$ 5,449,805
2013	\$ 28,404,357		\$ 10,092,591	35%	\$ 1,804,656	\$ 5,387,158
2014	\$ 30,137,961		\$ 10,847,841	40%	\$ 1,804,656	\$ 5,425,911
2015	\$ 35,780,793		\$ 11,266,566	44%	\$ 1,922,185	\$ 5,232,853
2016	\$ 33,875,689		\$ 11,730,525	48%	\$ 1,922,185	\$ 5,100,337
2017*	\$ 38,378,447	\$ 36,893,535	\$ 12,299,530	40%	\$ 1,922,185	\$ 6,226,407
2018*	\$ 39,112,356		\$ 12,565,635	45%	\$ 1,922,185	\$ 5,853,898

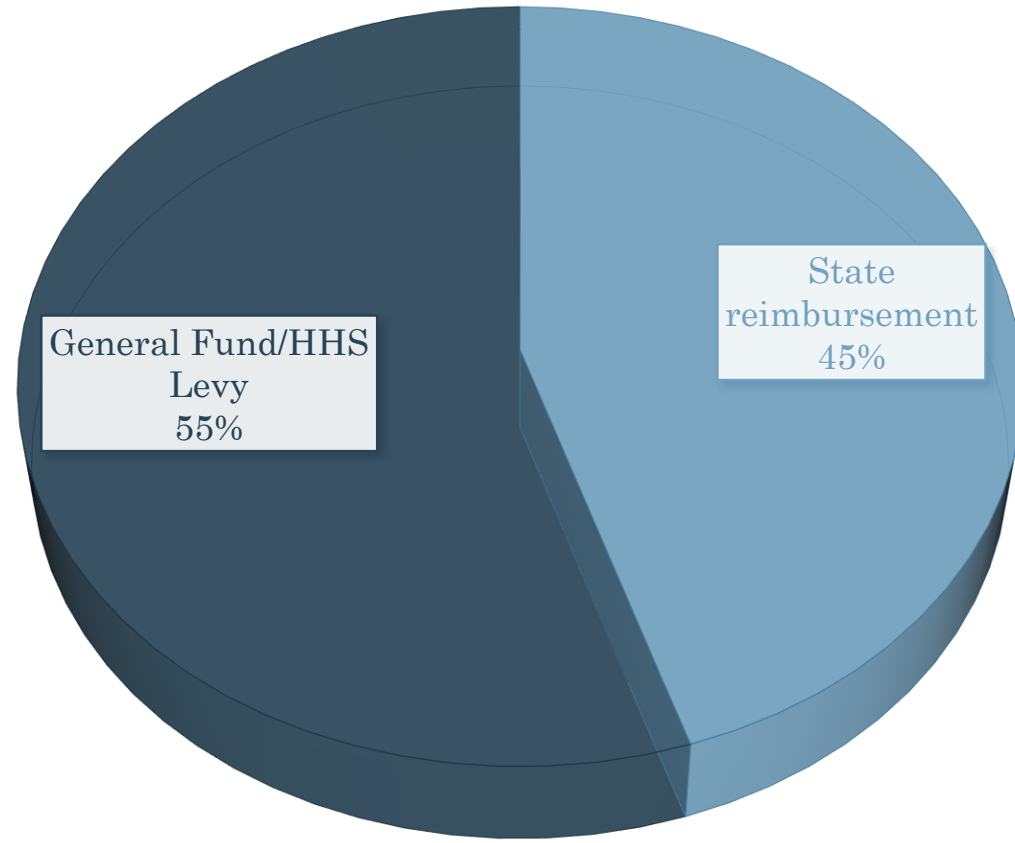
General Fund Budget



The Public Defender Budget is **3%** of the County's General Fund.

2018 Revenue By Funding Source

(Appeals, Felony, and Juvenile Divisions)



State of Ohio reimburses 45% of any County expenditure on public defense

New Challenges – Specialized Dockets

“Before Recovery Court existed, Mr. Kelly was full-time busy with his hundreds of Drug Court clients. Frankly, I just do not know how he handles ALL of the Drug Court and Recovery Court clients. As we continue to grow in addressing our community nightmare of the overdose epidemic, **it is untenable that one Public Defender can properly and effectively handle the caseload.**

Utilizing the Public Defender rather than assigned counsel is a tremendous savings. Drug Court and Recovery Court are solutions; life-saving and long term resource-saving.

Please consider that Mr. Kelly has a grossly bloated docket. Excellence in representation cannot be sustained in light of current funding. **Current funding is clearly insufficient to support our treatment and mental health programs, and ensure the continued participation of the Public Defender.** I believe Mr. Kelly should have been provided assistance with the formation of Recovery Court. **This is a matter of absolute necessity.**

Our team is high performing because of their willingness to devote personal time to the requisite work with Drug Court and Recovery Court participants. That being said, **it is unfathomable that Mr. Kelly can assume additional responsibilities.**”

Judge Joan Synenberg, Cuyahoga County Court of Common Pleas

New Challenges – Specialized Dockets

“This letter is in support of the efforts of the Cuyahoga County Public Defender’s Office to obtain additional funding to assist that office in fulfilling its obligations to individuals who do not have the means to hire a private attorney. As a Judge on the Cuyahoga County Court of Common Pleas, General Division, I recognize that the resources of the Public Defender’s Office have been strained for a number of understandable reasons.

I am also a Judge of the Veterans Treatment Court (VTC), one of our four specialty courts. **I see on a day-to-day basis how inadequate funding affects the Public Defender attorney assigned to our VTC, when compared to the Assistant County Prosecutors of the Cuyahoga County Prosecuting Attorney’s Office assigned to our VTC.**

Finally, the stark contrast in funding is not limited to having funds available for training Public Defenders and participating in educational activities. On a daily basis, **I see the Prosecutor’s Office using modern technology in trials and processing criminal cases. The Public Defender’s Office is WOEFULLY behind in modern legal technology and the difference harms those hard-working, dedicated Public Defenders. It is a roadblock in representing their clients.** I strongly encourage you to find a way to ‘do the right thing.’”

Judge Michael E. Jackson, Cuyahoga County Court of Common Pleas