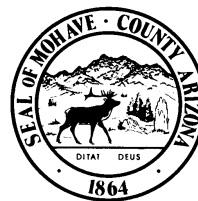


# Law Offices of the Mohave County Public Defender

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DANA P. HLAVAC  
Public Defender

## Internal Memorandum

Date: October 25, 2004

To: Ron Walker

From: Dana Hlavac

cc: Hon. Robert Moon, Presiding Superior Court Judge  
Hon. Randy Bartlett, Incoming Presiding Judge 2005  
Rod Marquardt, Chief Probation Officer  
Pete Byers, Chairman, Board of Supervisors  
Tom Sockwell, Supervisor  
Buster Johnson, Supervisor

Re: Annual Report per A.R.S. § 11-584(A)(3)

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I am pleased to present this report prior to its' December 1 due date.

I am providing the attached annual report on the per weighted case cost of the three current alternative providers of indigent defense in Mohave County for fiscal year 2004. I have also provided a comparison to fiscal year 2003.

The attached report was compiled using actual caseloads in each of the three alternative providers adjusted for a common weighting factor. This weighting factor is the same weighting factor utilized in establishing staffing requirements and is predicated on American Bar Association and National Legal Aid and Defender Association standards.

I must make two major observations about this report. The first is that the cost of

both Public and legal Defender services does NOT include non-department budgeted items. This means that intangible costs such as finance, human resources, and facilities expenses are NOT included. Private Contractor figures are all inclusive of all amounts paid to private contractors under both 100-1-2550 and 100-1-2552 for legal services.

The second observation is that the original projection for caseloads for the Law Offices of the Mohave County Public Defender for Fiscal year 2004 was three thousand five hundred (3,500) cases. Actual caseload assigned was four thousand Eight hundred and fifty seven (4,857). Actual cases exceeded original projections by roughly thirty nine percent (39%). Over the last two years case filings have exceeded projections by an average of almost twenty seven percent (27%). If current trends of growth continue and result in comparative increases in criminal filings, it is anticipated that the county will need to invest in more personnel on both sides of the criminal justice system. A rough ratio of a one to one increase in prosecutors versus defenders is a fair estimate to be anticipated. By FY 2007 there is a very serious probability that the county will need to add approximately 12-15 personnel between prosecution and defense offices.

Of importance in considering this year's numbers was the fact that for this fiscal year we were the third highest homicide rate in the State, behind only Maricopa and Pima counties. Frankly we were significantly closer to Maricopa's murder rate than we were to any of our comparably sized counties. This resulted in higher costs for all indigent defense providers.

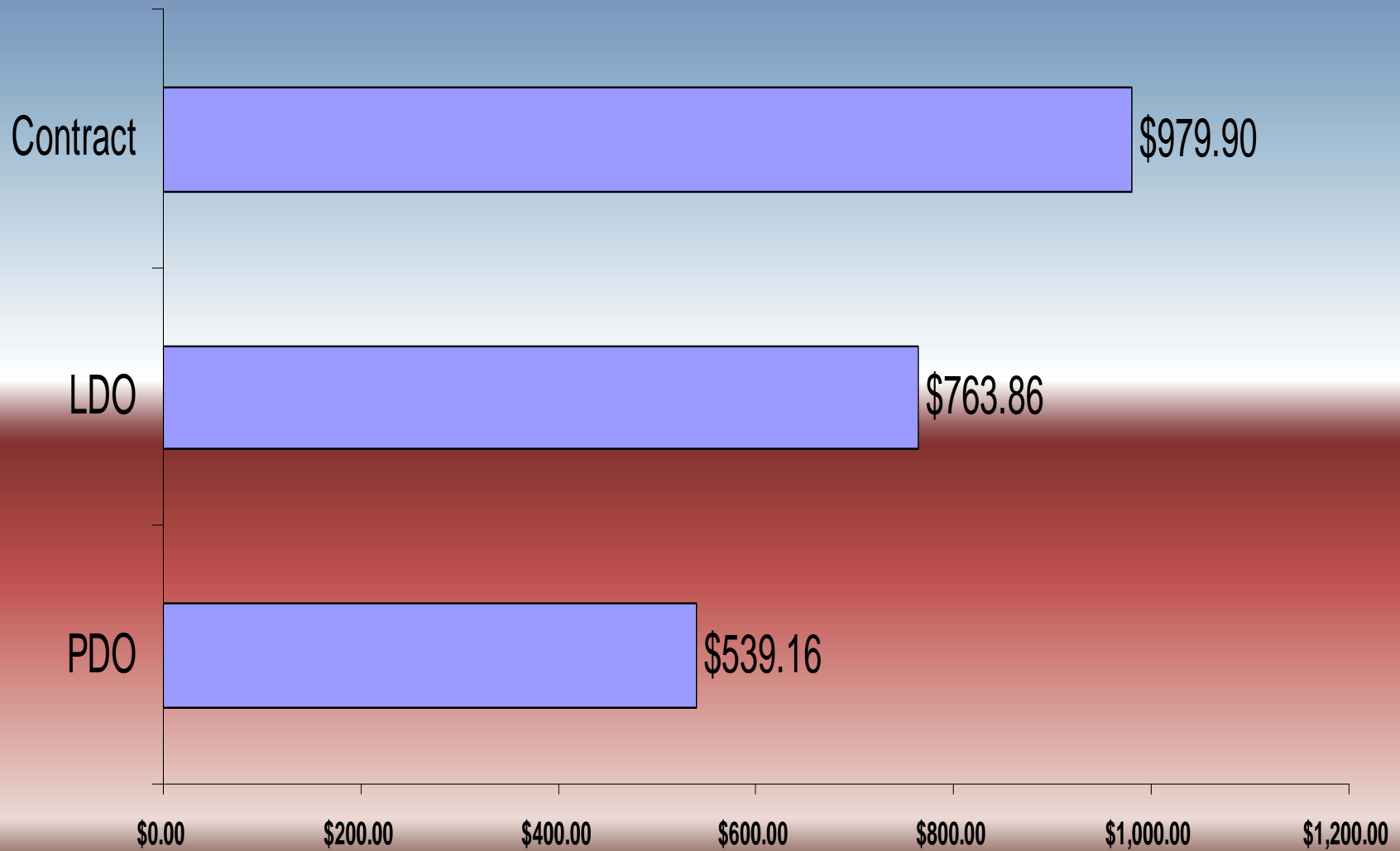
If you should have any questions regarding the attached report, or require copies of any prior memorandum, please contact me at your earliest convenience.

Caseload Counts FY 2004

	<u>Raw Number</u>	<u>Conversion Factor</u>	<u>Weighted Cases</u>	<u>FY '03 Budget</u> (Actual Expenditures)	<u>Per case Weighted</u> <u>Cost</u>
PDO					
Misdemeanor *	1769	0.375	663.375		
Felony *	2135	1	2135		
Juvenile *	478	0.75	358.5		
PCR *	90	1	90		
Appeals	25	1	25		
Probation					
Violations	360	0.375	135		
Subtotal	4857		3406.875	\$1,836,843.79	\$539.16
LDO					
Misdemeanor	385	0.375	144.375		
Felony	486	1	486		
Juvenile	108	0.75	81		
PCR	41	1	41		
Appeals	9	1	9		
Probation					
Violations	161	0.375	60.375		
Rejected	120				
Subtotal	1190		821.75	\$627,704.00	\$763.86
Private Contract					
Misdemeanor	52	0.375	19.5		
Felony	209	1	209		
Juvenile	120	0.75	90		
PCR	20	1	20		
Appeals	2	1	2		
Probation					
Violations	53	0.375	19.875		
Subtotal	456		360.375	\$353,131.21	\$979.90

\* When a case was handled by more than one agency (Conflict discovered part way through)  
Case was subtracted from PDO and credited to secondary counsel

# Indigent Defense Provider Cost Per Weighted Case FY '04



# Indigent Defense Provider Cost per Weighted Case FY 03 and FY 04

