

LAW OFFICE OF THE PUBLIC DEFENDER



Delivering America's Promise of Justice for All

# 2006-2007

ANNUAL REPORT



MARICOPA COUNTY

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The mission of the Office of the Public Defender is to provide quality legal representation to indigent individuals assigned to us by the court, thus safeguarding the fundamental legal rights of each member of the community.

# GOALS

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The Maricopa County Public Defender's Office provides tremendous value to the community by serving an important public safety function. By seeking effective dispositions and addressing the underlying problems that contribute to their criminal behavior, MCPD gives clients their best chance to become productive and law-abiding individuals. Our goals are:

To protect the rights of our clients, to guarantee that clients receive equal protection under the law, regardless of race, creed, national origin or socioeconomic status, and to ensure that all ethical and constitutional responsibilities and mandates are fulfilled.

To obtain and promote dispositions that are effective in reducing recidivism, improving clients' well-being, and enhancing quality of life for all.

To work in partnership with other agencies to improve access to justice, develop rational justice system policies, and maintain appropriate caseload and performance standards.

To enhance the professionalism and productivity of all staff.

To perform our obligations in a fiscally responsible manner including maintaining cost effectiveness by limiting the percentage of increase in the annual cost per case to no more than the percentage of increase in the overall annual funding of the County's criminal justice group.



defend

protect

enhance

promote

improve

ensure

partner

respond

produce

resolve

achieve

represent

lead

# DEPARTMENT INITIATIVES

The Maricopa County Public Defender's Office initiated or participated in several efforts to enhance services and processes this year. The Office was presented with several opportunities to advocate for system-wide and internal process improvements through a variety of initiatives. The following reports summarize our efforts this year.

## ADMINISTRATION/INFORMATION TECHNOLOGY

This fiscal year marked the two-year anniversary of implementation of the Indigent Representation Information System (IRIS). Accomplishments achieved during the past twelve months included conversion of the Office's Juvenile database, implementation of five data exchanges, and development of new functionality in the application.

Staff completed the Juvenile database conversion in September and moved over 700,000 records from the old CRMS case management system into IRIS. The most significant outcome of this conversion is the ability for staff to search for conflicts and case information on both adult and juvenile cases with one simple search. Previously any checks for information between databases required a phone call from one division to the other. This blending of case records will

continue as we move into FY07-08 with the conversion of our Mental Health and Appeals databases.

The year marked significant strides in the receipt and processing of electronic messages from the Maricopa County Superior Court. Staff implemented five separate data exchanges. *Scheduled Court Event* provides immediate notification to IRIS whenever a hearing or event is scheduled in iCIS (the Maricopa County Superior Court case information system). We took the feed one step further by adding a calendar function. Now we receive notice of an event, IRIS checks for the assigned attorney and sends the attorney an Outlook calendar appointment for the event. When the

attorney checks his/her e-mail each day, he/she merely has to accept the appointment and the event is added to the calendar.

The *File a Case* data exchange provides updated charge information and detailed defendant identification data from iCIS when a direct complaint is filed by the Maricopa County Attorney's Office (MCAO) with the Superior Court. Future plans will provide for a similar electronic notification on other charging instruments as well.





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Through the *Assigned Attorney* data exchange, the Office receives information on prosecutor assignments and, in turn, IRIS sends defender assignment information to iCIS. This data is subsequently passed along to MCAO. The result is quicker notification of the involved parties on a case which can facilitate timely case resolution by providing accurate assignment information at the earliest possible point in the process.

### The *Electronic Document*

*Management System* (EDMS) data exchange sends electronic data to IRIS whenever a document is filed and indexed within the Clerk of the Superior Court. Upon receipt of these notices, IRIS links the document to the appropriate case and locates the name of the assigned attorney. IRIS then generates a notification message to that assigned attorney advising him/her by e-mail that the document has been filed with the Clerk of the Court. Embedded in the body of the message is a URL link. When the recipient selects the link, he/she is taken directly to the document in the Clerk's Office via the Internet. This data exchange has all but eliminated the need to route paper copies of motions and minute entries to attorneys in the Office. In addition to no longer routing this paper, staff no longer have to locate case folders to file the paper document, thus cutting down on time spent on

such clerical tasks and reducing the amount of file storage space required for each file.

The *Initial Appearance* data exchange provides information from the Initial Appearance Court at the Fourth Avenue Jail to our Office in an electronic format.



The data exchange was designed in such a way that when we receive the Initial Appearance Court calendar, staff simply type the assigned client's name into IRIS, select the appropriate record and import the case. Staff is no longer required to type in data such as defendant aliases, co-defendant names, charges, next court events, defendant identification numbers, etc. Implementation of this exchange reduced duplicate efforts across the County and enabled us to create case assignments much more quickly and accurately. Plans are in place for next fiscal year to expand upon this capability so that summons bookings and case assignments made later in the process can be imported in a similar manner.

Along with implementation of data exchanges, this fiscal year's accomplishments included numerous changes to add or improve functionality to the IRIS application.

# DEPARTMENT INITIATIVES

Following are highlights of the improvements made:

- Time tracking - attorneys and staff can now track time to specific cases and activities directly in IRIS.
- Data exchange processing screens were added – these screens provide statistics on the number and type of transactions processed, list errors on failed transactions, and offer a user-friendly mechanism to make corrections and reprocess case data.
- Person merge – this function examines all new persons entered into the IRIS system daily to determine if that person already exists in the database. If a match is identified, the system is programmed to notify records personnel so they can make the final determination on whether or not the two records should be merged. This feature provides more information on our clients and notice of any previous contacts they may have had with the Office.
- E-mail notification – electronic notification of documents filed and scheduled court events were expanded so that non-attorney staff may opt to receive such notices. This option can be set for the user for all cases to which they are assigned or can be requested on specific cases.

- Direct access to Clerk of the Court filed documents – IRIS users can review documents filed with the Clerk of the Court directly from within the case in IRIS. A simple click on a document link in IRIS takes the user to the actual filed document in the Clerk’s Office. This reduces the number of hard-copy documents that are stored in files and reduces the need for support staff to sort and distribute these documents.

While extensive progress has been made this year, much remains to be done as we move into next year with implementation of IRIS in other Indigent Representation Offices. We conclude this fiscal year, however, with the



satisfaction of knowing that automation enhancements have significantly improved the quantity, quality, and timeliness of case information into

the Public Defender’s Office. All of these accomplishments impact the quality of representation provided to our clients.



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## TRIAL

This fiscal year the Trial Division intensified their emphasis on being ready to proceed to trial at the first trial setting. This required significant focus on proactive approaches to representation. The results have been very positive as cases are being resolved effectively in a shorter time frame without sacrificing the quality of our representation.

We expanded our Capital Unit from six to eight teams to meet a crisis in capital case representation caused by an unexpected surge in capital case filings by the County Attorney. A team consists of 2 attorneys, 1 mitigation specialist, 1 paralegal, and 1 investigator. The team approach provides the most effective method of handling our most complex cases by funneling the team's specialized expertise into a coordinated effort on behalf of clients facing death sentences.

Expanding on the team approach to case representation, mention should be made of an innovative pilot project that was launched in one of our trial groups

in January 2007. This project involved implementing a "team concept" as a group structural model and basis for assignment of resources, case assignment, and court coverage. In this model, attorneys within a trial group are divided into specific teams and are each primarily dedicated to, and responsible for, one specific division of the Superior Court. Ideally, all public defender cases which have been assigned to a particular judge are then, in turn, assigned only to members of that particular team assigned to that court. Each team is comprised of a secretary, investigator, paralegal, and mitigation specialist, each of whom is dedicated to, and are thus, part of that individual team. The benefit of this structure is that it improves the efficiency and effectiveness in the way representation is assigned, conducted, and monitored



throughout the life of a given criminal case. With sufficient resources, the idea is to have a fully staffed, self-contained team fully dedicated to one court per team. Though the resources available at the start of our project have been less than ideal,

# DEPARTMENT INITIATIVES

and thus, its full implementation limited, its results have not fallen shy of its ideal: They have been very positive.

Though a bit skeptical at first, the attorneys have voiced a very positive acceptance of the concept as a way of making their work more efficient and productive in terms of obtaining case services from support staff and of becoming more familiar with individual courts and their practices. Members of support staff have voiced their approval of the concept in that it allows them to better understand the needs of the individual attorneys, thus allowing them to better serve them and the needs of the case and client. From a managerial standpoint, it has proven to be an improved way to monitor case progress and fix individual accountability for assigned tasks. It also should be noted that one positive side benefit has been that it has increased a feeling of collegiality within the teams and between the teams and their assigned courts.

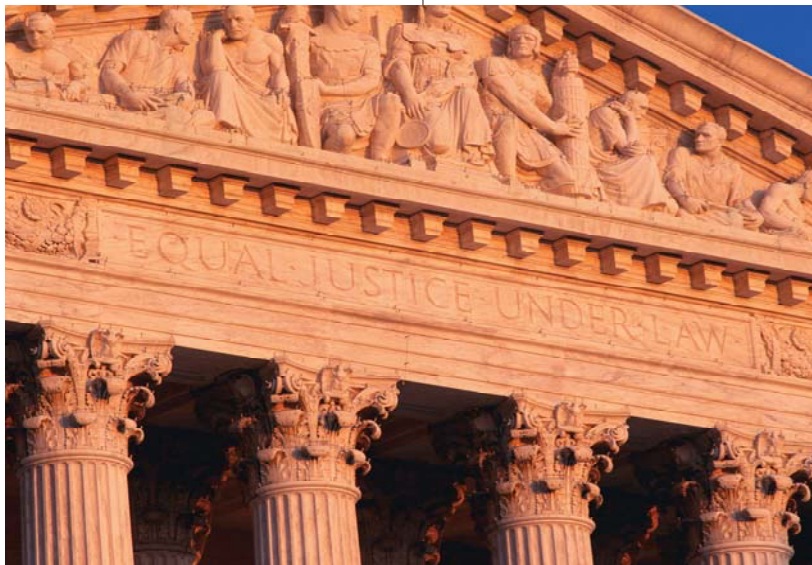
Our Criminal Mental Health Unit created a community outreach opportunity between the Public Defender's Office and the

Division of Developmental Disabilities (DDD). They brought a DDD liaison to the weekly Comprehensive Mental Health Court meetings so issues of the developmentally disabled could be addressed.

In addition, the liaison contacts the attorneys when a DDD client is arrested. The liaison is instrumental in helping our attorneys that specialize in these matters to get records and services. The coordination with DDD allowed attorneys to successfully advocate for clients to be released back to the community where they would receive services earlier than they otherwise would.

Attorneys specializing in criminal mental health matters created a two-hour presentation to educate DDD employees about the criminal justice system and the

specifics of criminal cases in Maricopa County. This presentation proved a turning point for those DDD consumers who were facing felony charges. Now the DDD providers are aware of what really happens to the DDD consumers in the criminal justice system and will appear in court to assist







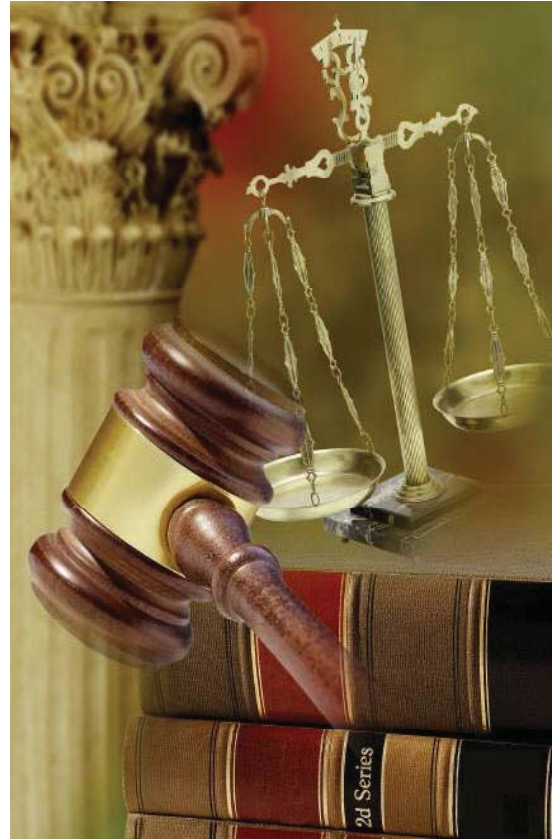
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the client. In addition, specialized attorneys assist other attorneys with clients that may benefit from DDD services. They do so by reaching out to service providers, including DDD and guardians, by attending court dates, and by explaining services to the court and prosecutors.

This year also saw the resurrection of the Vehicular Unit as a specialty unit. A pilot project, which involved assigning DUI specialists to trial groups, proved inefficient and less effective. Therefore, it was eliminated and we reverted to our previous practice of having DUI cases handled within a specialized unit.

Although we observed a decline in workload withdrawals, the high level of case filings last year required that we continue to withdraw from cases based on excessive workload. In FY06, we withdrew from 2,486 cases. This fiscal period we withdrew from 2,414 cases, a 3% decline.

The Office welcomed an opportunity to participate in the Fugitive Safe Surrender Program, a program sponsored by the U.S. Marshals Service, which works with local law enforcement, the courts, and religious leaders to take the desperation away from the process of catching criminals. The U.S. Marshals Service, in cooperation with the Office, Maricopa County Superior Court, County Attorney's Office, the Sheriff's Office, Clerk of the Superior Court, the Adult Probation Department, and the Arizona Attorney General's Office offered the safe surrender program to fugitives from



November 15 to November 18, 2006. The program encouraged defendants with outstanding warrants to self surrender at the administrative building of a local church to speed the resolution of their case. The operation was an overwhelming success with over 1,300 individuals participating in the event. According to the Marshals Service, in all, 386 felony warrants and 114 misdemeanor warrants were cleared. Most of the other individuals who surrendered were wanted on warrants outside the local jurisdiction. Some presented themselves in the mistaken belief that they were wanted on charges that had been

# DEPARTMENT INITIATIVES

dismissed or otherwise adjudicated. Several individuals surrendered who were never wanted at all.

Participating agencies committed to resolving as many cases as permissible during the four day program and to giving favorable consideration to keeping first time, nonviolent offenders out of custody. The clients who benefited from



this program were those who failed to show up to court previously on low level offenses; probationers who failed to appear years ago, but have since stayed out of trouble; and

probationers with low level offenses who stopped meeting with their probation officers because they could not pay their fines.

The event progressed at a fast pace. Three Superior Court judicial officers were present in the church activity hall and held court throughout the program. Program staff conducted background and warrant checks on defendants who appeared to determine the types of warrants pending.

The program was so successful that on the last day of the program, over 600 defendants showed up to get a second chance at life. Instead of closing at 5:00 PM, the operations stayed open until the last case was resolved at 11:00 o'clock at night. The attorneys and staff demonstrated their commitment to indigent representation by representing over 1,300 defendants and assisting them in having their cases resolved. For many clients, their matters concluded on the same day that they turned themselves in to the authorities.

## JUVENILE

Our Juvenile Division staff mentored, educated and assisted the youth of Maricopa County and others through active participation in several community outreach services this year. Participation included programs for youth, adults and attorneys. Attorneys staffed numerous teen courts throughout Maricopa County, mentoring the youth in their



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roles as counsel. Attorneys provided classroom lectures for elementary, junior high and high school students about constitutional rights and the law. "Know Your Rights Forums" were held in the community to reach those youth whose schools do not offer information on constitutional rights in the classroom. Attorneys furthered the education process by hosting tours of the juvenile court house and facilitating dialogs with the judges. Finally, several attorneys and investigators participated in career day at local high schools

to provide information on pursuing a career in the legal community.

The Public Defender's Office's effort to aid young people continued with our providing assistance with sealing juvenile records and providing legal assistance to children offered diversion through the Probation Department. Former clients were sent instructions and forms describing the process for sealing their juvenile record upon reaching their eighteenth birthday. Juveniles that had questions were directed to contact the Office and attorneys assisted them in completing the forms. Also, attorneys assisted youth who were offered diversion through the Probation Department but had questions concerning their legal rights. Probation officers contacted the Public Defender's Office to have children speak with attorneys; thus enabling them to make an informed decision regarding whether or not to participate in the diversion program.

The Juvenile Division continued to provide assistance to legislatures, school boards and civic groups during the year. The Office was invited to serve on the Joint Legislative Committee on Youthful Sex Offenders. As a member of the Committee, we were instrumental in discussions regarding appropriate services and protections for youthful offenders. Senators and Representatives consulted with our attorneys for information and advice when considering the

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implementation of key legislation. One Public Defender served as a consultant for the Kyrene School Board by creating the legal ramifications segment of their sex education curriculum. Another participated in the taping of a public service announcement on programs available for troubled youth.

Juvenile Public Defenders also conducted presentations to numerous civic and community groups on constitutional rights and laws that affect youth. Finally, over the past year, members of the Juvenile Division served the legal community by participating in Continuing Education Programs including giving presentations at conferences sponsored by the State Bar, Arizona Public Defender Association, Arizona Attorneys for Criminal Justice, and the Southwest Juvenile Defender Summit.

## APPEALS

The Office's Appellate Division remained the primary provider of legal services in Maricopa County for indigent individuals who are seeking direct appellate review of their case pursuant to Rule 31, or post-conviction relief review of

their case pursuant to Rule 32. The Appellate Division also represented indigent individuals who were appealing Title 36, mental health court, inpatient treatment orders.

Each appellate attorney maintained a broad mix of cases ranging in difficulty from Proposition 200 drug possession cases, for which probation is a mandatory sentence, to first

degree capital murder cases, for which the death penalty has been imposed. In addition to maintaining a full caseload, the attorneys in the Appellate Division regularly contribute to the continuing legal education of attorneys and paraprofessionals in

the criminal defense community and judges throughout the state by writing articles for the Office newsletter, other legal publications, and by presenting at training programs sponsored by the Maricopa County Public Defender, the Arizona Public Defender Association, the Arizona Attorneys for Criminal Justice, the State Bar of Arizona, and the Supreme Court of Arizona.

During FY07, the Appellate Division experienced a noticeable increase in appeal cases and a decrease in





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attorneys assigned to the Division. This decrease in staff was occasioned by the transfer of attorney resources from the Appellate Division to the Capital Division to absorb the increase in capital cases being filed by the Maricopa County Attorney. To compensate for the imbalance created by this shift, a procedure was established to provide for the transfer of appeal cases that could not be ethically absorbed by attorneys in the Appellate Division to the Office of Contract Counsel (now the Office of Public Defender Services) for assignment to contract appellate attorneys. This procedure worked extremely well to evenly distribute appeal cases between the offices that provide appellate services to indigent individuals and to assure that these individuals received superior appellate and post-conviction relief representation.

## MENTAL HEALTH

The Public Defender's Mental Health Division was involved in many activities that concern citizens with mental health issues. Division members participated in meetings and provided training to new doctors to benefit the mentally ill. A member from the Division attended meetings of the Commission of Justice System Intervention for the Seriously Mentally Ill, Arizona State Hospital's Committee on Guilty Except Insane, and Maricopa County Superior Court Comprehensive Mental Health Court to provide these groups with insightful information regarding the effect their

proposed decisions could have on the mental health community. The Division's participation had the additional benefit of ensuring that the Office remained current issues involving the treatment of the mentally ill in the criminal system.

Further, Mental Health Division attorneys served to educate the community and legislators regarding the effects of proposed legislation. During the last legislative session, a proposed house bill would have allowed the state access to a mental health patient's medical file. Attorneys invested their time to address this issue with members of the public, mental health providers and legislative participants. The information attorneys provided illustrated the potential effect the proposed legislation would have on law abiding citizens.

Lastly, our Mental Health Division attorneys continued to provide training to students in the medical science program on court-ordered evaluations and treatment processes. Mental Health is a very specialized area. The rules that govern mental health evaluations and treatment are very specific. Attorneys provided students with a detailed overview of the process and explained the legal theory behind pertinent laws. Doing so afforded students the opportunity to view court-ordered evaluations from a legal perspective and to gain an appreciation of the need to protect all citizen's right to liberty.

# TRAINING ACTIVITIES

The Office's mission is the same -- to protect the fundamental rights of all individuals, by providing effective legal representation for indigent people facing criminal charges, juvenile adjudications, and mental health commitments, when appointed by Maricopa County Superior and Justice Courts. To do so, the Office remained committed to providing training in FY07 for attorneys and support staff, giving them the necessary resources and tools to provide quality representation. Therefore, as we have in the past, the Office continued to function as the leader and primary sponsor for a variety of statewide programs focusing on indigent defense and as the preeminent provider of public defender staff training.

Our "New Attorney Training" program was a top priority. The Office has consistently received statewide recognition for this program. Approximately fifty defender attorneys from throughout the State completed the two-week program over the last twelve months.

In October, the Office, in conjunction with the Federal Public Defender and the Legal Defender, sponsored "Objections: Standing Up and Speaking Up for the Defendant." The seminar centered on making objections using lecture and small group learning environments to increase attorney skills. This full-day seminar was very successful with over 140 attorneys in attendance.

In December, the Office sponsored the annual "Death Penalty Conference." The Office teamed with the Federal Public Defender's Habeas Division, the Legal Defender, and the Legal Advocate to engage nationally known speakers for training needed in the ever-changing death penalty field. The Arizona Supreme Court and the Arizona Rules of Criminal Procedure require that all lawyers involved in death penalty litigation receive a minimum of six credit hours of continuing legal education in the area. Without this seminar, many capital case litigators in Arizona could not meet minimum qualifications to represent clients facing the death penalty. Our role in this area is particularly critical due to shortages of qualified capital defense attorneys in Maricopa County.

In February, the Office sponsored "Living with Schizophrenia and Hearing Voices," presented by Denise Beagley-Imhoff, MSC, ValueOptions Clinical Training Specialist. This half-day seminar provided attorneys, mitigation specialists, and other support staff with very useful information focused on the day-to-day challenges of this psychiatric condition, including an especially instructive discussion on techniques for working with defendants in and out of custody.

In March, the 11th Annual "MCPD Trials Skills College" was held at the ASU Sandra Day O'Connor School of Law. The college stressed cross-examination, impeachment, jury



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communication techniques, and voir dire. Because the costs of the college facilities are minimal, the Office is able to engage renowned instructors from throughout the country. Terrence McCarthy, the Executive Director of the Federal Public Defender's Office of the Northern District of Illinois and nationally recognized expert on cross examination, taught impeachment and cross examination. Mr. McCarthy also teaches at the National Criminal Defense College and the Western Trial Advocacy Institute. Additionally, Joshua Karton, a nationally recognized speaker, presented on Communication Techniques with an interactive lecture and small group exercises. Mr. Karton pioneered applying theatre/film/television's personal communication tools to the art of trial advocacy. Diane Wyzga, a Trial Consultant, complimented the communication lecture with a lecture on voir dire, using small group exercises to develop better jury communication skills. Ms. Wyzga teaches lawyers the use of storytelling techniques and principles for transforming compelling case images into desired verdict action.

In May, the Office co-sponsored the "Mitigation Investigation, Integration, and Presentation" with the Legal

Defender and Arizona Capital Representation Project. This captivating one-day seminar brought in nearly 100 attorneys, mitigation specialists, and other support staff. Russell Stetler, a Federal mitigation trainer, and Sean O'Brien, an attorney and professor with University of Missouri, were the keynote speakers.

For the fifth consecutive year, the Office co-sponsored the "Arizona Public Defender Association Conference" along with other members of the Arizona Public Defender Association. The June conference was an outstanding



success with nearly 900 attendees, over 200 faculty and 131 sessions. Changes implemented this year enabled many attorneys to obtain all of the required continuing legal education credits at this three-day seminar.

In addition to our larger events, the Office conducted an average of two "brown bag" sessions each month for attorneys and support staff. Several sessions focused on mental health issues that adversely affect our clients, including Borderline Personality Disorders I & II and

# TRAINING ACTIVITIES

Psychiatric Evaluations. Other lunchtime session topics included: Miranda, Trial Techniques, Computer Forensics, Special Actions, Prior Felony Convictions, DNA Evidence, Autopsies, and Internet Investigations among others. The Office also held training sessions for attorneys and support staff on Conversational Spanish and Advanced Spanish Legal Terminology to facilitate effective communications with our growing Spanish-speaking community.

In addition, technological advances including the Superior Court's case management system (iCIS) and eFiling, required additional focus on computer related training. We conducted many related classes to enhance user skills. They

included iCIS, IRIS (Indigent Representation Information System), eFiling, New Employee Computer Training, and PowerPoint classes. The Office offered over 100 technology classes this fiscal year.

Finally, working under the premise that training is an investment, the Office sent a significant number of lawyers and staff to quality out-of-state seminars. This practice is beneficial for sharing knowledge and to bring new ideas and concepts to Maricopa County. The out-of-state seminars improved our day-to-day representation of clients and our overall professionalism within the entire Office.

<b>Title of Conference/Training</b>	<b>Date(s)</b>	<b>Topic</b>	<b># of attendees</b>
Organizational Values: Valuing Diversity	7/06 – 6/07	Open to all staff/part of the new employee training	136
Perfect Storm: Jury Summoning in Maricopa County	8/4/2006	Overview of how Maricopa County summons prospective jurors	33
E-Filing Overview	8/15/07 and 9/27/07	Overview of the e-Filing process with Clerk of Superior Court	65
IRIS—Overview/Records Mgmt/Opening/Closing and Updating	7/1/06 – 6/30/07	Overview of the Indigent Representation Information System (IRIS) electronic case management system	107
Borderline Personality Disorder	9/28/2006	Strategies for attorneys and support staff (working with clients) including diagnosis of borderline personality disorder and who is affected	31
Basic Photography Overview	9/12/2006	Take it off auto—learning basic photography	19
Objections One-Day Workshop	10/20/2006	Useful exercises in using objections as a sword and shield - reviewing the evidentiary rules	143
IRIS ---Adding Investigators and Viewing Caseloads	7/1/06-6/30/07	Adding case management information and viewing caseloads using IRIS	23
The Nuts & Bolts of Mental Health Evaluations	9/29/2006	What is neuropsychology? Difference between psychiatrist and psychologist - testing & interpretation.	29
Support Services Supervisor Retreat/Training	10/4/2006	Training and planning session for support staff managers and supervisors	27

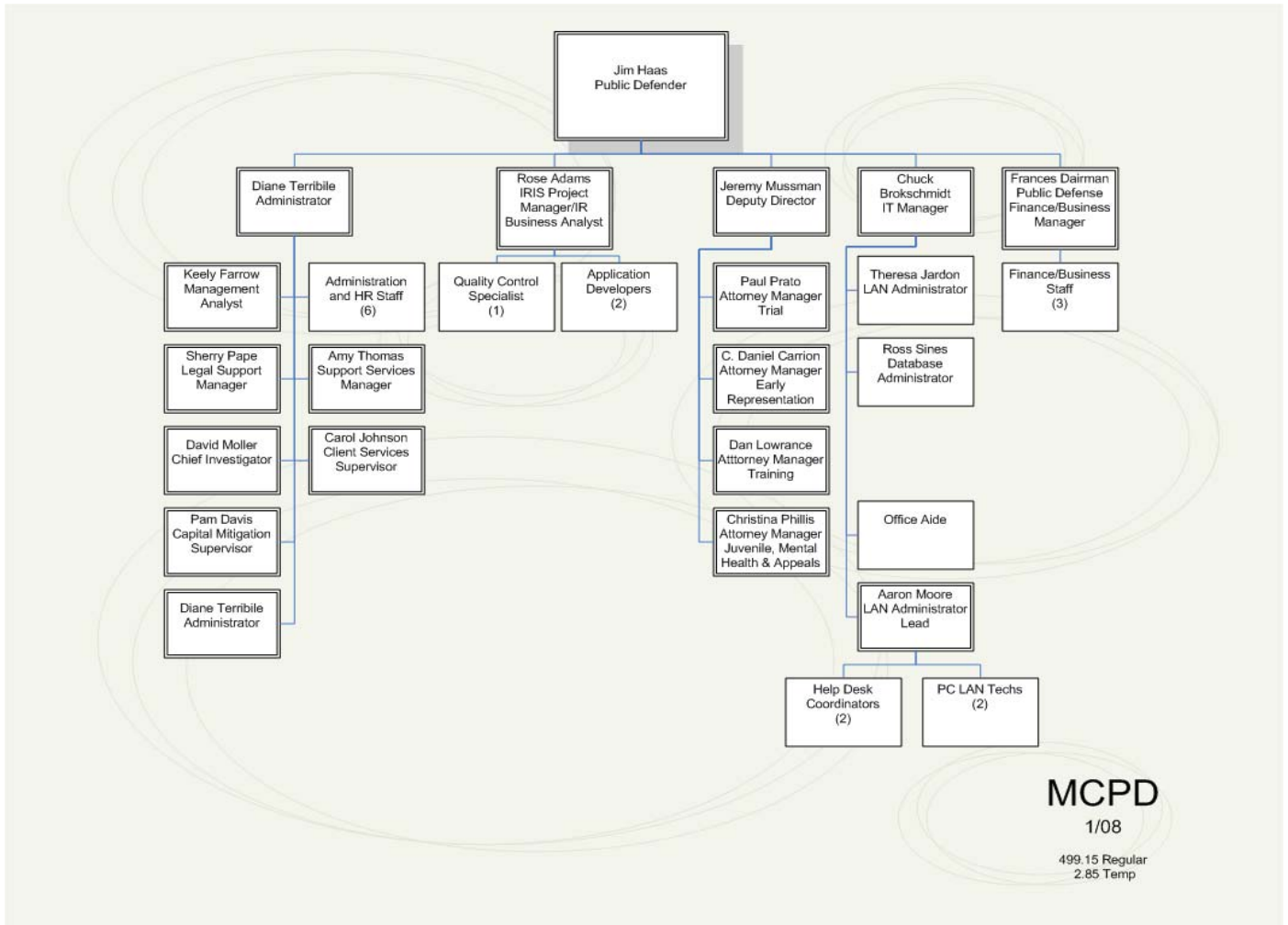




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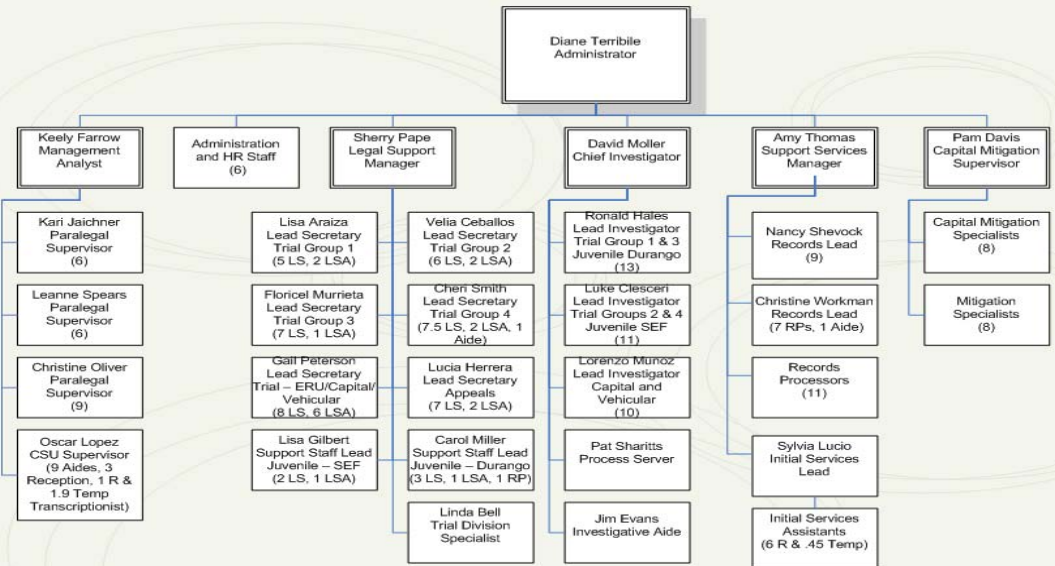
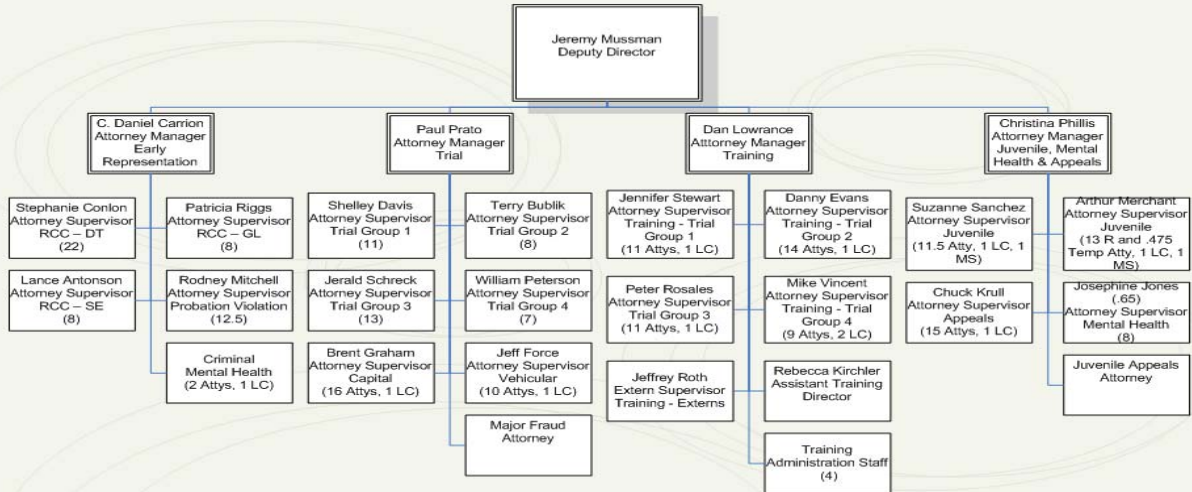
<b>Title of Conference/Training</b>	<b>Date(s)</b>	<b>Topic</b>	<b># of attendees</b>
Attorney Manager Retreat/Training	10/13/2006	Training and planning session for attorney managers and supervisors	25
Death Penalty Seminar	12/7-8/06	Annual death penalty (includes criminal specialization requirements)	202
How Police Circumvent Miranda	12/15/2006	The state of Miranda in light of Missouri v Seibert and US v Williams	31
Risk Assessment/Components of Psych Evals	1/12/2007	Components of a psychological evaluation—forensic v. therapeutic, commonly used assessments	30
Living w/ Schizophrenia	2/2/2007	Understanding the day-to-day challenges of this psychiatric condition	34
Advanced Spanish Terminology	1/25/2007	Advanced Spanish terminology with Q&A session	28
What We Learned in Wyoming	10/27/2006	New trial techniques - different trial techniques	8
Viewing an Autopsy	1/1/07-6/30/07	Tour of the Maricopa County Medical Examiner's Office including autopsy procedures	30
Trial Skills College 11 <sup>th</sup> Annual	3/14-16/07	Hands-on practice to improve trial skills	48
An Overview of Computer Forensics	2/16/2007	Recovery of computer evidence including Q&A session	29
De-Mystifying Special Actions	2/6/2007	Page formatting/court locations/contact information/legal authority in order to file	23
Advanced Spanish Legal Terminology	2/23/07	Advanced Spanish terminology for attorneys	6
Juryinstructions.com	3/2/2007	A hands on tutorial on navigating the juryinstruction.com website	10
DNA-Human ID Tech	3/23/2007	Understanding the statistics associated with DNA testing/sources of error in DNA testing	41
Spring Grammar Class	2/28/07-4/18/07	Basic-intermediate-refresher grammar	9
IRIS: Time Sheets	6/13-14/07	Inputting time tracking instruction	25
Trial on Priors	4/20/2007	Detailed description of trial on the priors for attorneys	32
Basics of ADA and FMLA	3/21/2007	What do I need to know as a supervisor about...FMLA, FML and ADA	32
Demonstrative Evidence	4/6/2007	Practice instruction on how to make a trial excitable and winnable	44
Internet Investigation	5/11/2007	Overview of recent internet investigations	15
Conversational Spanish for Attorneys	2/23/2007	Conversational Spanish and working with an interpreter	8
Juryinstructions.com	3/9/2007	A hands on tutorial on navigating the juryinstruction.com website	7
Mitigation Seminar	5/25/2007	Mitigation, investigation and presentation—new and experienced mitigation staff/attorneys	95
Litigating the Issues: PROP 100	4/27/2007	Proposition 100: How to challenge entered or remained Illegal	58
IRIS: V 2.0 Overview	8/1/2006	Overview of additions/updates to the IRIS system	74
Borderline Personality Disorder Part II	5/18/2007	Part two of strategies for attorneys and support staff (working with clients) including diagnosis of borderline personality disorder and who is affected	15
APDA 5 <sup>th</sup> Annual Conference	6/20-22/07	Various criminal and management related topics.	736
Criminal E-Filing	7/2006-6/2007	Electronic filing with the Maricopa County Clerk of the Court.	269
E-Performance	7/1/06-6/30/07	Hands-on sessions – learning how to use the ePerformance module in PeopleSoft	45
PowerPoint Basics	5/1/07-6/30/07	Overview of MS PowerPoint program	8

# ORGANIZATIONAL CHART





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# BUDGET ABSTRACT

MARICOPA COUNTY PUBLIC DEFENDER'S OFFICE  
BUDGET  
7/1/06 THROUGH 6/30/07

<b>ACCOUNT</b>	<b>EXPENDITURES</b>
SALARIES & BENEFITS	\$35,908,841.33
GENERAL SUPPLIES	\$441,640.35
FUEL	\$17,870.35
NON-CAPITAL EQUIPMENT	\$4,535.86
LEGAL SERVICES	\$1,503,021.26
OTHER SERVICES	\$491,992.70
RENT & OPERATING LEASES	\$652,982.86
REPAIRS AND MAINTENANCE	\$26,593.60
INTERNAL SERVICE CHARGES	\$228,896.92
TRAVEL AND EDUCATION	\$344,139.20
POSTAGE/FREIGHT/SHIPPING	\$50,735.82
CAPITAL EQUIPMENT	\$0.00
VEHICLES	\$0.00
DEBT SERVICES (Technology Financing)	\$206,240.57
<b>TOTAL EXPENDITURES</b>	<b>\$39,877,490.82</b>

<b>APPROPRIATIONS</b>	<b>AMOUNT</b>
GENERAL FUNDS	\$37,661,400.00
TRAINING SPECIAL REVENUE FUND	\$571,480.00
FILL THE GAP SPECIAL REVENUE FUND	\$1,732,065.00
DEA GRANT	\$373,288.00
<b>TOTAL APPROPRIATIONS</b>	<b>\$40,338,233.00</b>



## Budgeting and Managing for Results

Managing for Results (MfR) was established in 2000 and is a comprehensive and integrated management system that is intended to improve the effectiveness and efficiency of services. It integrates planning, budgeting, reporting, evaluating, and decision-making.

The Public Defender's strategic plan receives regular review and revision by the Office of Management and Budget. Performance measurement data, along with commentary, is reported on a quarterly basis. Reported data includes case assignment, case resolution, expenses, and attorney workload figures (% over caseload standard). Both projections and historical actuals are included for each of the aforementioned calculations. Such detailed reporting has enabled the Office to develop budgets for the various activities performed. Statistical and financial data is regularly combined in Budgeting for Results analyses that are utilized by the County Office of Management and Budget (OMB) to allocate/develop budgets for the Indigent Representation offices, including the Public Defender's Office.

After publication of FY06's annual report, the department received a "Managing for Results Achievement Award" for FY06 efforts. The award was presented by OMB to departments that met both Fiscal Fitness and Strategic Fitness Award criteria. From the newsletter announcing the awards, they included the following descriptions of the criteria used.

FY05-06 Fiscal Fitness Awards Criteria used for the FY05-06 Fiscal Fitness Awards include departmental budgets are correctly budgeted by activity; general contingency funds are not requested; budget variances are favorable; budget projections are accurate and timely; grant and indirect cost budgeting is done properly; and budget submissions are timely and complete.

In addition to the Fiscal Fitness Awards, OMB presents Strategic Fitness Awards to those departments that best adhere to Managing for Results requirements. Award winners are selected based on criteria related to departments not exceeding revised budget expenditures, completing/updating issue statements and goals that are valid for the current fiscal year, developing and reporting performance measure data, and reporting progress on strategic goals within reporting timeframes.

Efforts toward enhancing and maintaining strategic fitness continue to be a top priority for the Office.

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# ABSTRACTS

# Statistics

## ALL DIVISIONS

Case Assignments and Staffing Model			
July 1, 2006 - June 30, 2007			
Case Type	FY07 Assigned Cases <sup>1</sup>	Standard <sup>2</sup>	Attorneys to Meet Standard <sup>3</sup>
Capital	12	2.0	6.0
All other Homicide	159	11.4	14.0
Class 2-3 Felony	6,469		71.4
<i>Class 2 &amp; 3 in RCC/EDC</i>	2,783	184.3	15.1
<i>Class 2 &amp; 3 not RCC/EDC</i>	3,686	65.5	56.3
DUI	2,190		8.2
<i>DUI in RCC/EDC</i>	1,619	432.0	3.8
<i>DUI not RCC/EDC</i>	571	129.0	4.4
Class 4-6 Felony	18,272		53.8
<i>Class 4-6 Felony in RCC/EDC</i>	14,108	532.4	26.5
<i>Class 4-6 Felony not RCC/EDC</i>	4,164	152.6	27.3
Violation of Probation	18,646	1004.0	18.6
Misdemeanor	3,235	407.6	7.9
Trial - Excluding Capital	48,971	N/A	173.8
Juvenile Felony	2,777	144.9	19.2
Juvenile Misdemeanor and Incurability	4,969	278.6	17.8
Juvenile Violation of Probation	1,865	360.1	5.2
Juvenile Division Total	9,611	N/A	42.2
Mental Health	2,546	278.6	9.1
Non-Capital Appeals	434	24.0	18.1
Capital Appeals	2	2.0	1.0
All Criminal Appeals	436		19.1
Plea PCR (Appeal PCR)	626	240.0	2.6
Trial PCR (PCR)	169	18.0	9.4
Juvenile Appeal	34	36.0	0.9
Appeals Division Total	1,265	294.0	32.0
<b>Total of Above</b>	<b>62,405</b>	<b>N/A</b>	<b>263.1</b>

<sup>1</sup> Assigned Cases are calculated as total cases opened during the time period, minus cases closed during the time period with the following dispositions: no complaint, administrative transfer, and workload withdrawal cases.

<sup>2</sup> Standard column represents the established caseload standard. The majority of the standards were developed during the Spangenberg Case Weighting Study conducted in 2003.

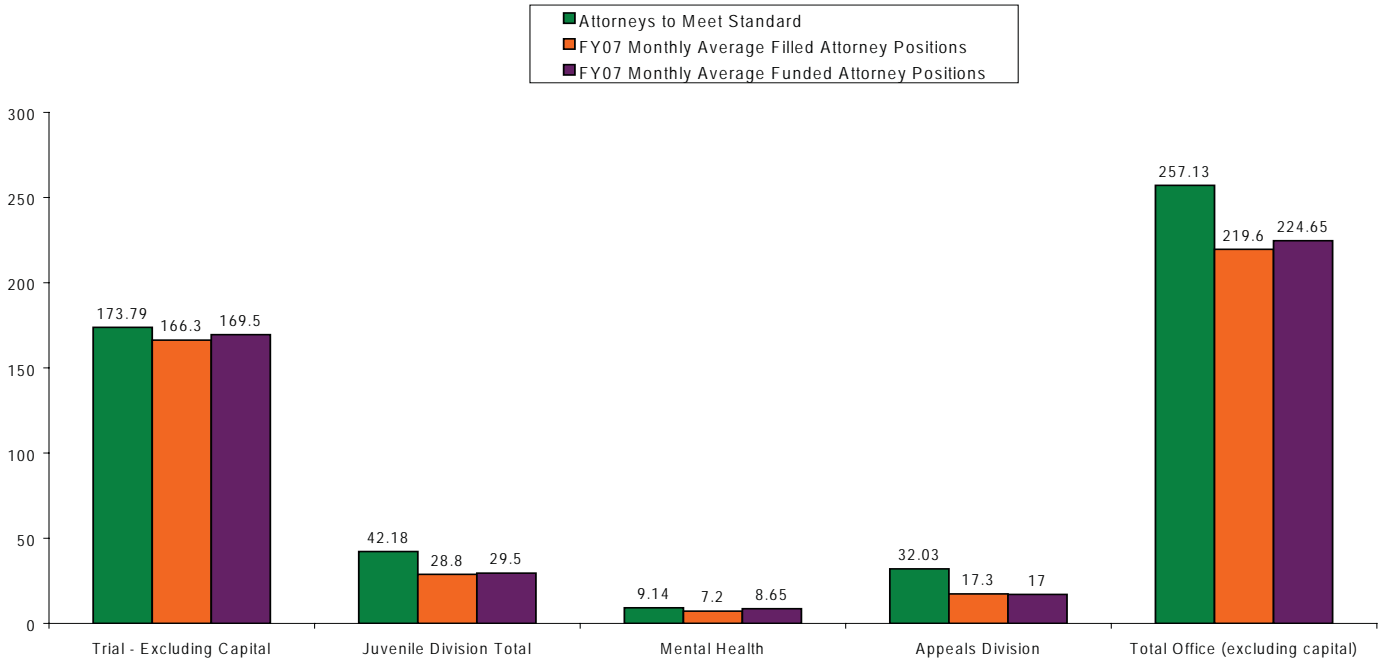
<sup>3</sup> Attorneys to Meet Standard is calculated by dividing cases assigned, by the established standard. This represents the annual average caseload for one full time staff attorney in Maricopa County, assuming the attorney handled only that type of case.





## ALL DIVISIONS

### Division Totals Needed Vs. Filled and Funded Attorney Positions



Capital cases and capital attorneys have been excluded from the trial division data to allow us to depict the remaining case types without skewed data. Beginning in FY08, the Public Defender's Office began having capital attorneys track their time in the Indigent Representation Information System timesheets. The intent is to obtain sufficient data needed to develop a reliable standard. Because of the long duration of capital cases, it may take until the end of FY09 to yield a valid standard. Until then, trial division case data will be represented without capital cases or capital attorneys.

# ABSTRACTS

# Statistics

## Case Assignment

History of Cases Assigned by Case Categories FY01-FY07 Cases Assigned <sup>1,2</sup>							
Case Type	FY01	FY02	FY03	FY04	FY05	FY06	FY07
Capital <sup>3</sup>	0	0	3	12	11	12	12
All other Homicide	127	147	148	149	126	119	159
Class 2-3 Felony	5,695	5,875	5,730	5,999	5,526	6,684	6,469
<i>Class 2-3 Felony - RCC/EDC</i>	<i>Unkn</i>	<i>Unkn</i>	<i>Unkn</i>	293	277	2,430	2,783
<i>Class 2-3 Felony - Non RCC/EDC</i>	<i>Unkn</i>	<i>Unkn</i>	<i>Unkn</i>	5,706	5,249	4,254	3,686
DUI	2,238	2,513	2,395	2,677	2,334	2,286	2,190
<i>DUI - RCC/EDC</i>	<i>Unkn</i>	<i>Unkn</i>	<i>Unkn</i>	612	757	1,579	1,619
<i>DUI - Non RCC/EDC</i>	<i>Unkn</i>	<i>Unkn</i>	<i>Unkn</i>	2,065	1,577	707	571
Class 4-6 Felony	11,118	11,965	16,302	18,006	17,562	18,708	18,272
<i>Class 4, 5, &amp; 6 Felony - RCC/EDC</i>	<i>Unkn</i>	<i>Unkn</i>	<i>Unkn</i>	9,076	9,532	13,422	14,108
<i>Class 4, 5, &amp; 6 Felony - Non RCC/EDC</i>	<i>Unkn</i>	<i>Unkn</i>	<i>Unkn</i>	8,930	8,030	5,286	4,164
Violation of Probation	13,294	14,934	14,674	15,941	17,811	19,603	18,646
Misdemeanor	4,170	5,177	4,738	4,974	4,871	3,724	3,235
<b>Trial Division Total</b>	<b>36,642</b>	<b>40,611</b>	<b>43,990</b>	<b>47,758</b>	<b>48,241</b>	<b>51,136</b>	<b>48,983</b>
Juvenile Felony Level Delinquency	3,013	2,754	2,522	2,741	2,831	3,114	2,777
Juvenile Misd Level Delinquency & Incurribility	4,435	3,844	3,506	4,348	4,130	4,244	4,969
Juvenile Violation of Probation <sup>4</sup>	2,773	2,351	2,658	2,316	2,091	1,667	1,865
<b>Juvenile Division Total</b>	<b>10,221</b>	<b>8,949</b>	<b>8,686</b>	<b>9,405</b>	<b>9,052</b>	<b>9,025</b>	<b>9,611</b>
<b>Mental Health Division Total</b>	<b>1,690</b>	<b>1,772</b>	<b>2,164</b>	<b>2,203</b>	<b>2,054</b>	<b>2,410</b>	<b>2,546</b>
Appeals (includes Capital)	489	448	450	316	350	371	436
Plea PCR (Appeal PCR)	770	1,251	1,269	958	844	729	626
Trial PCR (PCR)	266	256	269	185	145	116	169
Juvenile Appeal	127	86	67	82	70	50	34
<b>Appeals Division Total</b>	<b>1,652</b>	<b>2,041</b>	<b>2,055</b>	<b>1,541</b>	<b>1,409</b>	<b>1,266</b>	<b>1,265</b>
<b>Total of All Above</b>	<b>50,205</b>	<b>53,373</b>	<b>56,895</b>	<b>60,907</b>	<b>60,756</b>	<b>63,837</b>	<b>62,405</b>

1 A substantial review of historical data was made in June and July 2007. The data here has been updated to reflect any corrections processed at that time for FY03 through FY07.

2 Total cases opened minus cases closed during the time period with the following dispositions: no complaint, administrative transfer, and workload withdrawal cases.

3 Until FY03, Capital cases were not tracked separately from other Murder 1 Cases.

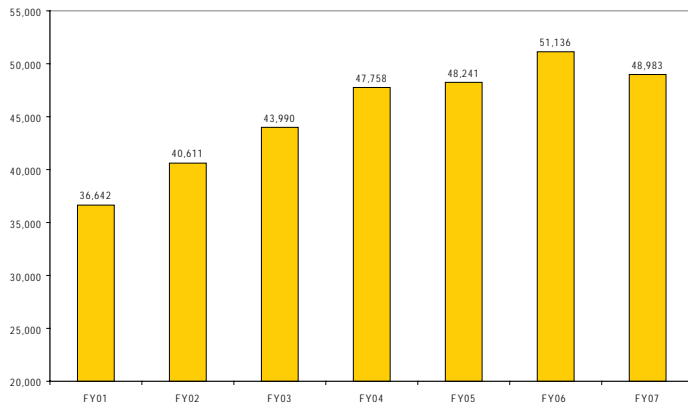
4 Juvenile violation of probation information is not available for dispositions of conflict withdrawal or retention of private counsel for FY01. It is estimated that the missing data would result in approximately 83 cases (3% of total opened). That number has been used to "normalize" the data for comparative purposes.

*Unkn* denotes that data is not available.

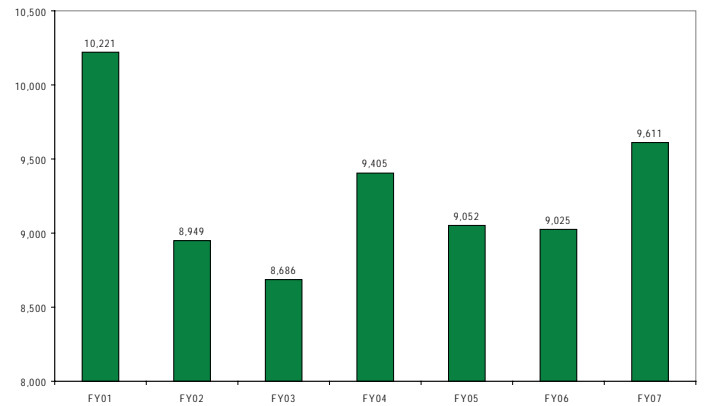


## Case Assignments by Division

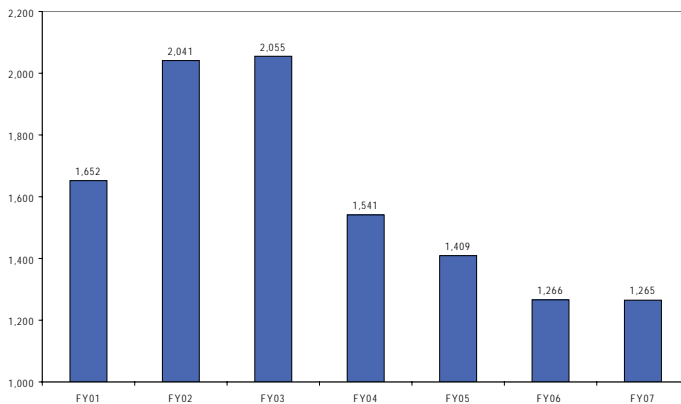
Trial Division Total



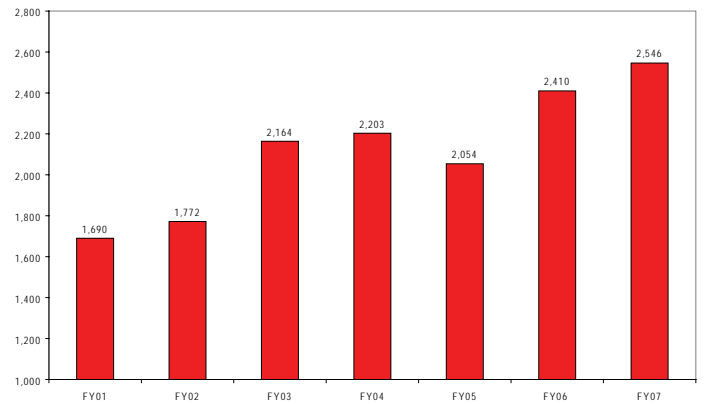
Juvenile Division Total



Appeals Division Total



Mental Health Total



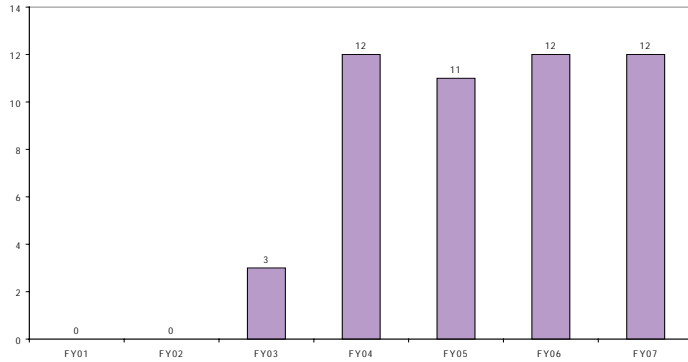
Case assignments are calculated as total cases opened during the time period, minus cases closed during the time period with the following dispositions: no complaint, administrative transfer, and workload withdrawal cases.

# ABSTRACTS

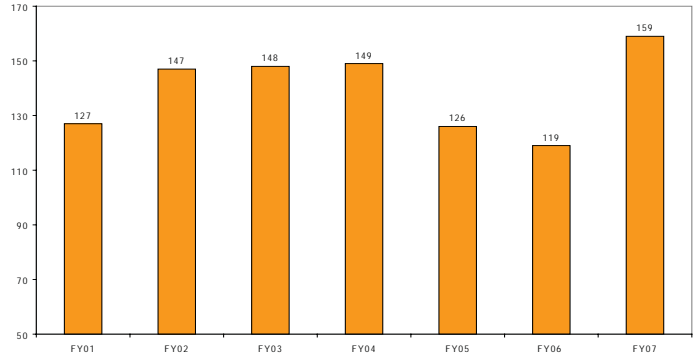
# Statistics

## Case Assignments by Type

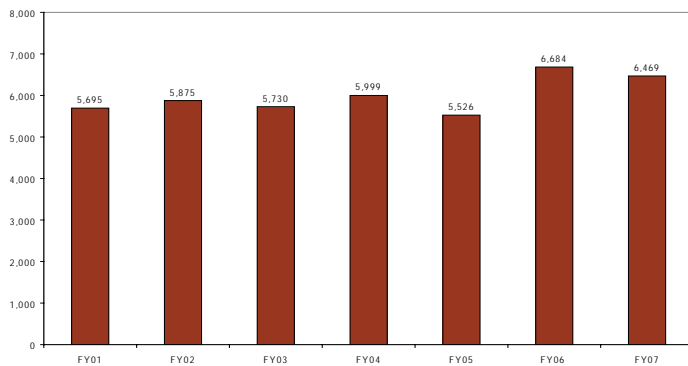
### Capital



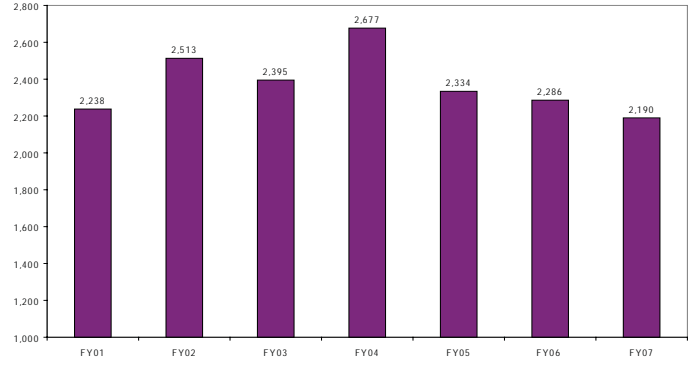
### All Other Homicide



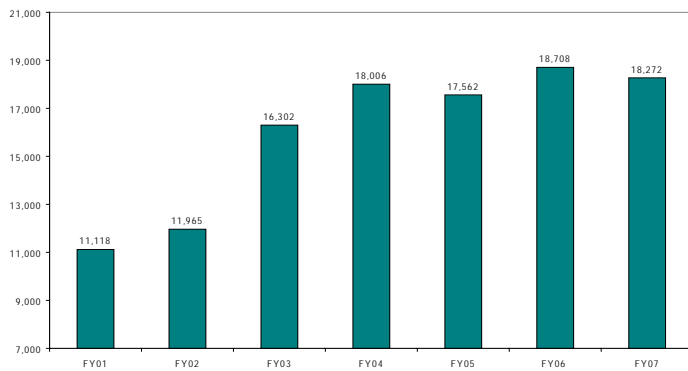
### Class 2-3 Felony



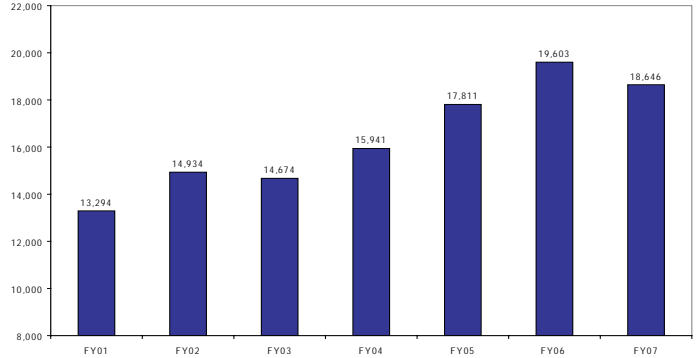
### DUI

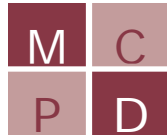


### Class 4-6 Felony



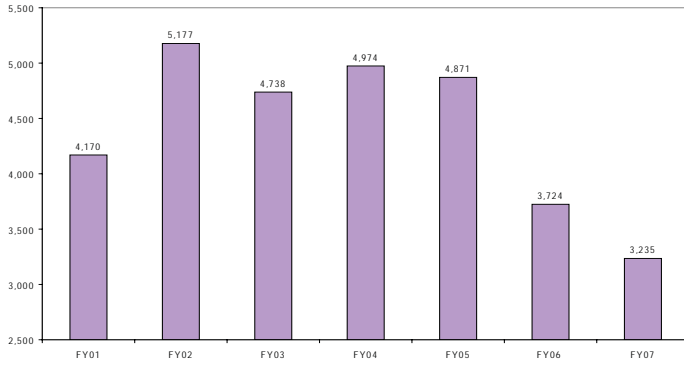
### Violation of Probation



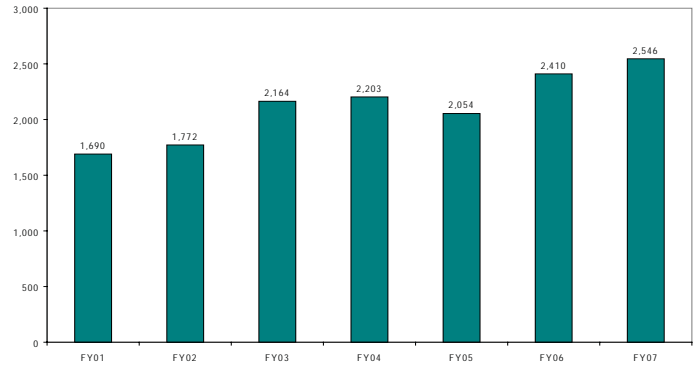


## Case Assignments by Type

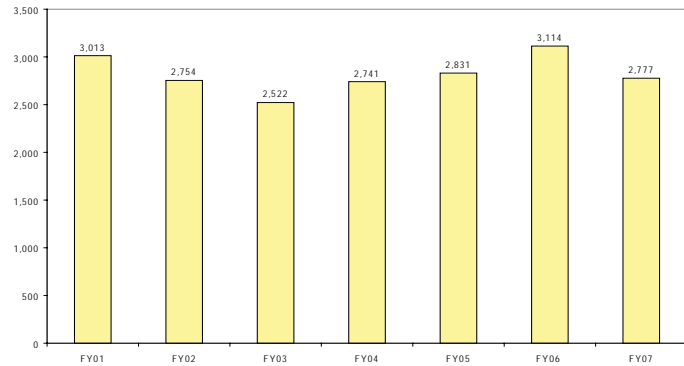
### Misdemeanor



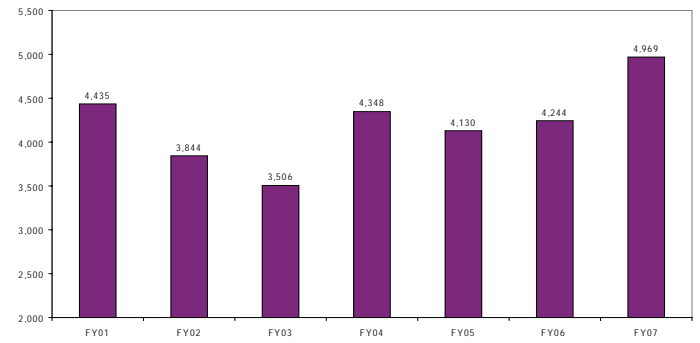
### Mental Health Total



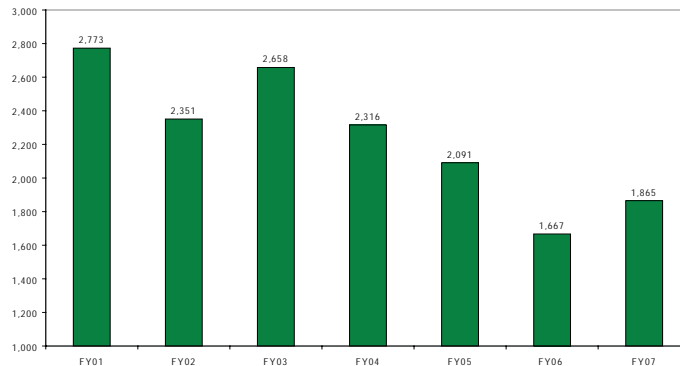
### Juvenile Felony Level Delinquency



### Juvenile Misdemeanor Level Delinquency & Incurriability



### Juvenile Violation of Probation

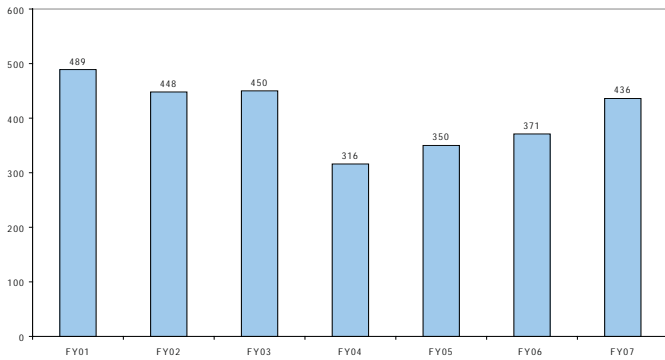


# ABSTRACTS

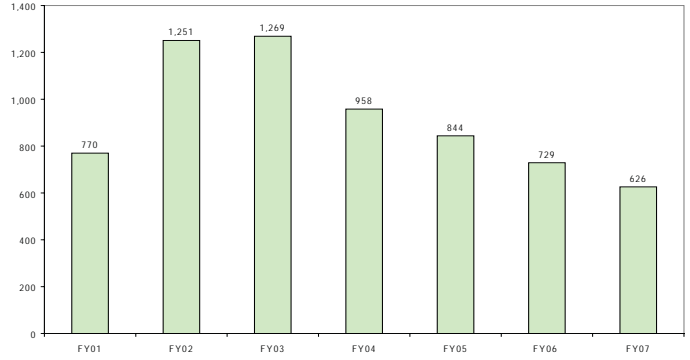
# Statistics

## Case Assignments by Type

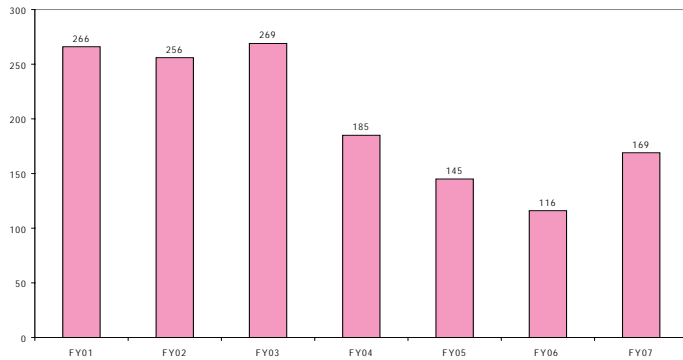
Appeals (includes Capital)



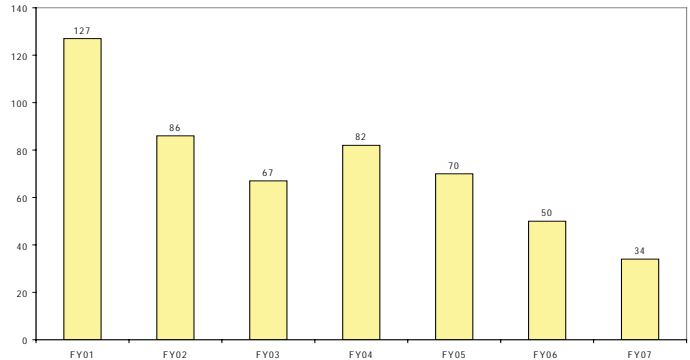
Plea PCR (Appeal PCR)



Trial PCR (PCR)



Juvenile Appeal





## Case Resolutions

History of Cases Resolved by Case Categories FY01-FY07 Cases Resolved <sup>1,2</sup>							
Case Type	FY01	FY02	FY03	FY04	FY05	FY06	FY07
Capital <sup>3</sup>	0	1	2	0	3	9	4
All other Homicide	76	100	83	75	85	60	75
Class 2-3 Felony	4,686	4,735	4,752	4,524	4,377	4,587	4,497
<i>Class 2-3 Felony - RCC/EDC</i>	<i>Unkn</i>	<i>Unkn</i>	<i>Unkn</i>	296	224	1,417	1,488
<i>Class 2-3 Felony - Non RCC/EDC</i>	<i>Unkn</i>	<i>Unkn</i>	<i>Unkn</i>	4,228	4,153	3,170	3,009
DUI	1,887	2,091	2,002	2,093	1,832	1,869	1,522
<i>DUI - RCC/EDC</i>	<i>Unkn</i>	<i>Unkn</i>	<i>Unkn</i>	262	226	987	1,056
<i>DUI - Non RCC/EDC</i>	<i>Unkn</i>	<i>Unkn</i>	<i>Unkn</i>	1,831	1,606	882	466
Class 4-6 Felony	10,085	10,610	13,723	14,891	14,703	15,148	14,331
<i>Class 4, 5, &amp; 6 Felony - RCC/EDC</i>	<i>Unkn</i>	<i>Unkn</i>	<i>Unkn</i>	7,197	7,076	10,123	10,327
<i>Class 4, 5, &amp; 6 Felony - Non RCC/EDC</i>	<i>Unkn</i>	<i>Unkn</i>	<i>Unkn</i>	7,694	7,627	5,025	4,004
Violation of Probation	12,308	13,455	13,612	14,729	16,243	17,452	17,153
Misdemeanor	3,085	3,373	4,025	4,321	4,100	3,359	2,904
<b>Trial Division Total</b>	<b>32,127</b>	<b>34,365</b>	<b>38,199</b>	<b>40,633</b>	<b>41,343</b>	<b>42,484</b>	<b>40,486</b>
Juvenile Felony Level Delinquency	2,844	2,868	2,497	2,550	2,451	2,949	2,569
Juvenile Misd Level Delinquency & Incurrigibility	3,430	4,302	3,527	4,151	3,776	4,226	4,403
Juvenile Violation of Probation <sup>4</sup>	2,680	2,065	2,630	2,326	1,935	1,706	1,721
<b>Juvenile Division Total</b>	<b>8,954</b>	<b>9,235</b>	<b>8,654</b>	<b>9,027</b>	<b>8,162</b>	<b>8,881</b>	<b>8,693</b>
<b>Mental Health Divison Total</b>	<b>1,663</b>	<b>1,753</b>	<b>2,158</b>	<b>2,161</b>	<b>2,023</b>	<b>2,369</b>	<b>2,452</b>
Appeals (includes Capital)	419	420	422	405	295	313	328
Plea PCR (Appeal PCR)	513	852	956	1,154	632	620	501
Trial PCR (PCR)	109	153	126	148	111	84	69
Juvenile Appeals	146	91	60	65	71	39	32
<b>Appeals Division Total</b>	<b>1,187</b>	<b>1,516</b>	<b>1,564</b>	<b>1,772</b>	<b>1,109</b>	<b>1,056</b>	<b>930</b>
<b>Total of All Above</b>	<b>43,931</b>	<b>46,869</b>	<b>50,575</b>	<b>53,593</b>	<b>52,637</b>	<b>54,790</b>	<b>52,561</b>

1 A substantial review of historical data was made in June and July 2007. The data here has been updated to reflect any corrections processed at that time for FY03 through FY07.

2 Total cases closed during the fiscal year, minus cases closed during the fiscal year that were not resolved by the office directly (i.e., reduced by cases in which no complaint is filed, private counsel is retained, conflict withdrawals, workload withdrawals, and transfers to another IR department).

3 Until FY03, capital cases were not tracked separately from other Murder 1 cases.

4 Juvenile violation of probation information is not available for dispositions of conflict withdrawal or retention of private counsel for FY01. It is estimated, the missing data would result in approximately 83 cases (3% of total opened). That number has been used to "normalize" the data for comparative purposes.

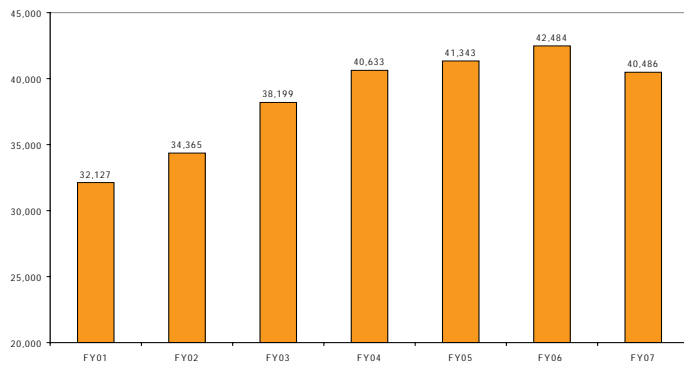
*Unkn* denotes data is not available.

# ABSTRACTS

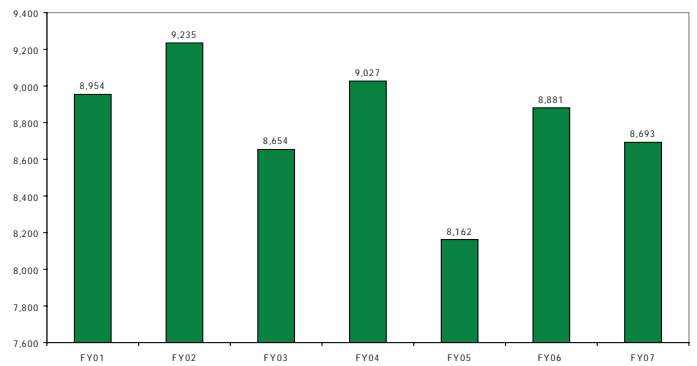
# Statistics

## Case Resolutions by Division

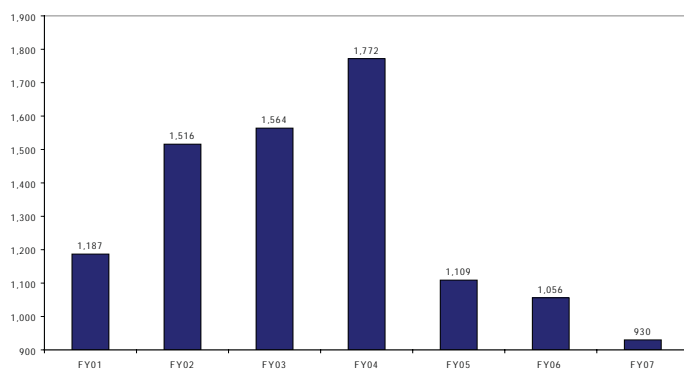
Trial Division Total



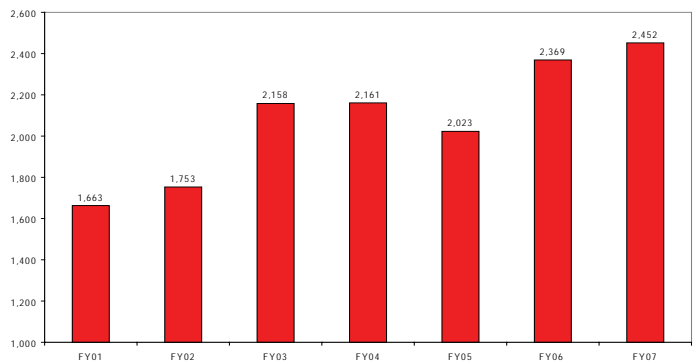
Juvenile Division Total



Appeals Division Total



Mental Health Division Total



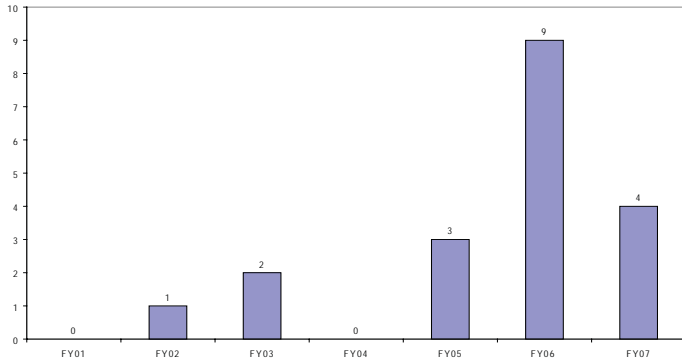




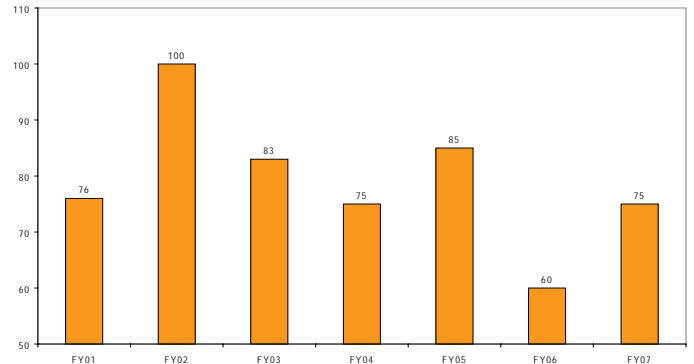
# FY07 Annual Report

## Case Resolutions by Type

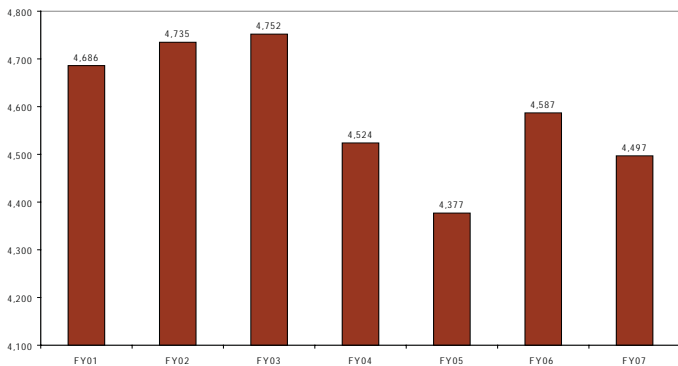
Capital



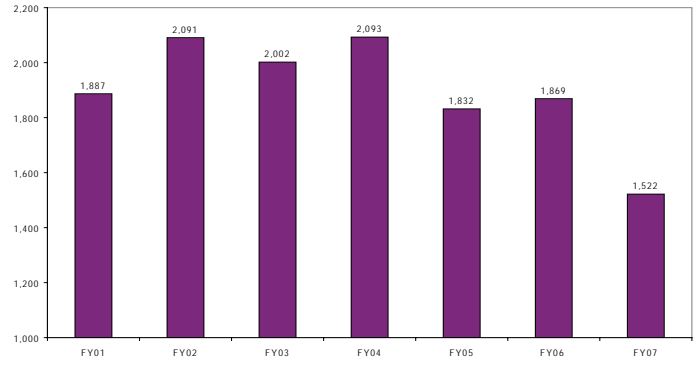
All Other Homicide



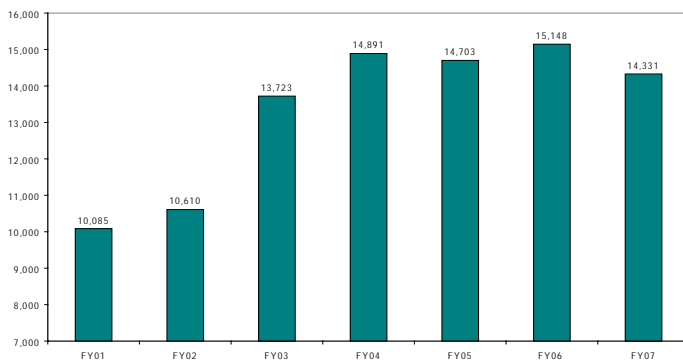
Class 2-3 Felony



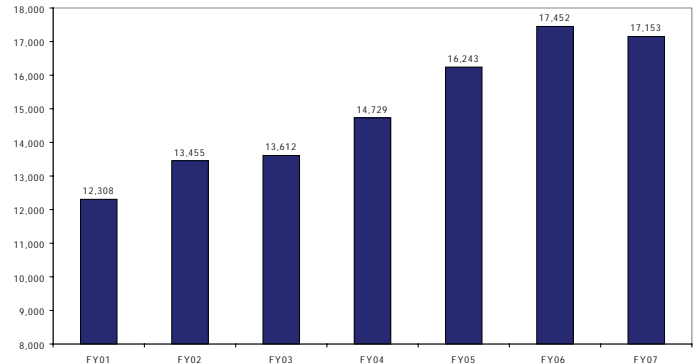
DUI



Class 4-6 Felony



Violation of Probation

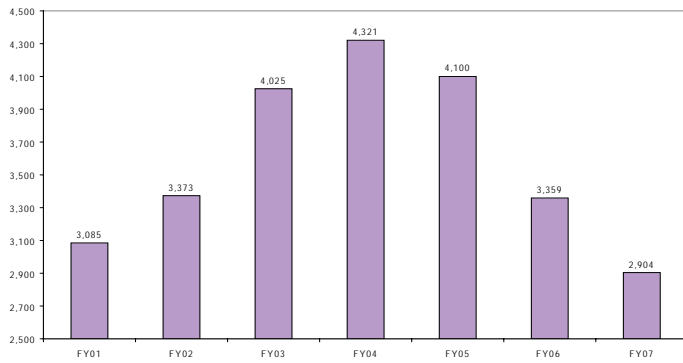


# ABSTRACTS

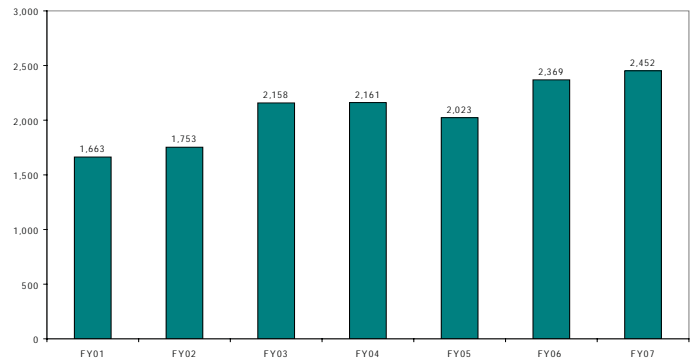
# Statistics

## Case Resolutions by Type

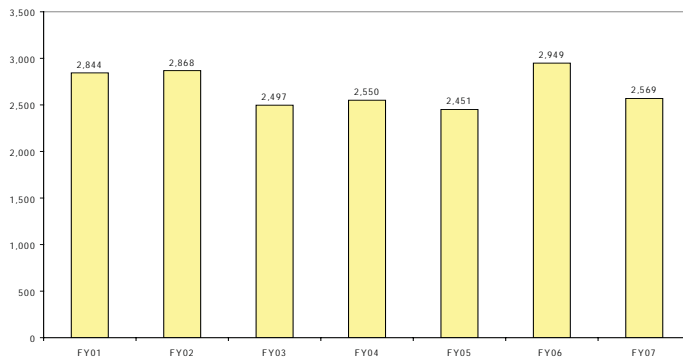
### Misdemeanor



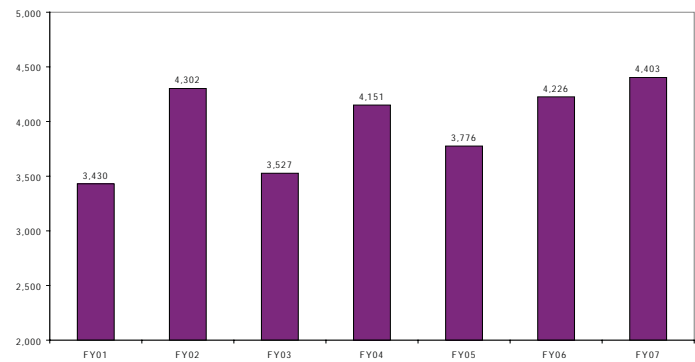
### Mental Health



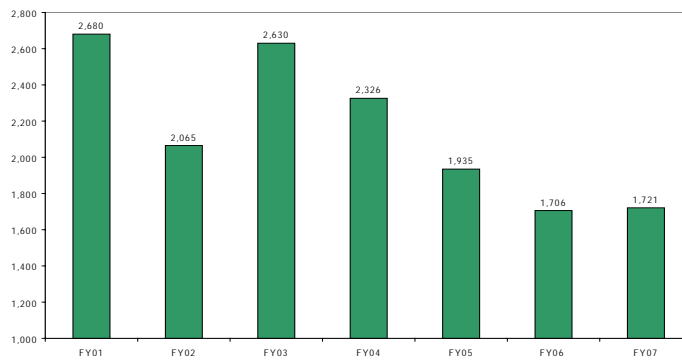
### Juvenile Felony Level Delinquency



### Juvenile Misd Level Delinquency & Incurability



### Juvenile Violation of Probation

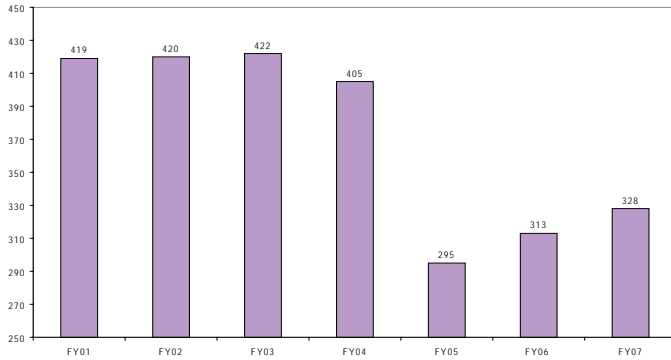




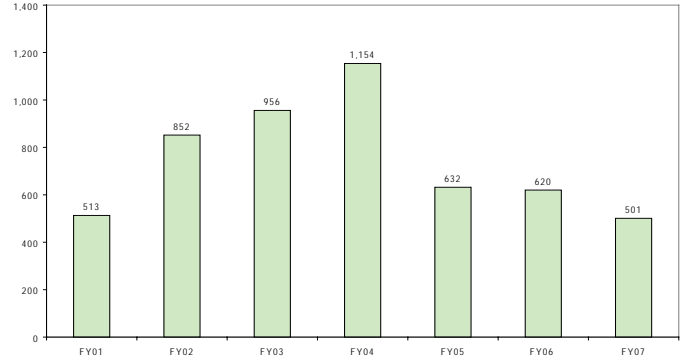
# FY07 Annual Report

## Case Resolutions by Type

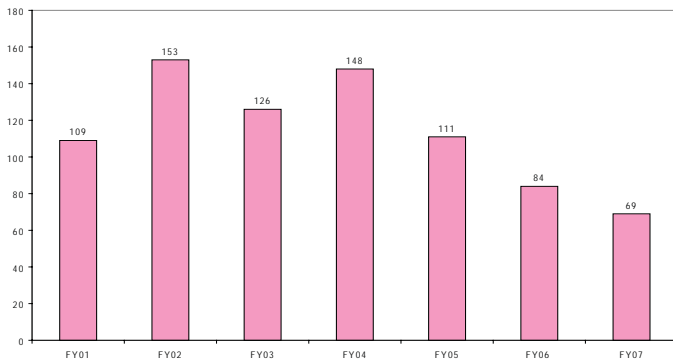
Appeals (includes Capital)



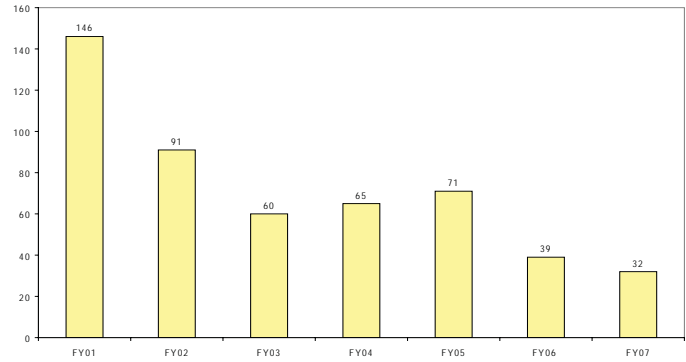
Plea PCR



Trial PCR



Juvenile Appeals



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