

1. Program Title: Conflict Criminal Defenders

Program Description: Sacramento County is constitutionally mandated to provide counsel for criminal defendants who are financially unable to retain private counsel. The Sacramento County Superior Court appoints the Public Defender to represent these clients. When the Public Defender is unable to accept the appointment because of a conflict of interest or in limited circumstances, case overload, Conflict Criminal Defenders is appointed. The department has no control over its caseload; it must accept all cases appointed by the Court.

The department provides the administrative structure and support, for the assignment and compensation of the attorneys who are assigned to provide representation to the appointed clients, as well as oversight and compensation of investigators and other ancillary service providers. The department is also responsible for the oversight, and training of the attorneys it assigns to its cases, all of whom are active members of the Sacramento County Bar Indigent Defense Panel.

The attorneys are paid an hourly rate for their representation, which rate varies with the level of the attorney on the indigent defense panel, and the complexity/seriousness of the case.

	Base	Unfunded	Funded Base	Percentage
Appropriations	11,708,786	3,573,338	8,135,448	30.1%
Reimbursements (-)	(112,893)		(112,893)	
Net Appropriations	11,595,893	3,573,338	8,022,555	30.8%
Revenues:				
Federal				
State	480,152	0	480,152	0.0%
Realignment				
Prop 172				
Fees				
Other				
Total Revenues	480,152	0	480,152	0.0%
Carryover	297,678	0	297,678	0.0%
Net Cost	10,818,063	3,573,338	7,244,725	33.0%
Fulltime Equivalent Positions	7	0	7	0.0%

Program Impact: The department continues to work internally and with the County Executive’s Office to seek cost saving measures that do not negatively impact counsel’s ability to provide effective representation. If the proposed budget reduction is implemented:

1. The department will run out of money in approximately February 2013;
2. Panel attorneys could refuse to take new cases without assurances they will be paid for their services on their current cases, or new cases;
3. The Court may make direct appointments to private attorneys and order the county to pay for the representation at rates determined by the Court;

Potential Impact on other Departments/Program Partners: If Conflict Criminal Defenders is not adequately funded, attorneys may refuse to accept new case assignments, the department will then be unable to accept new cases, and this could impact the Court, the District Attorneys Office, and the Public Defenders Office.
