



Annual Report to the Joint Judiciary Committee

Pursuant to

HB 13-1299 (SMART Act)

HB 14-1032 (Juvenile Defense)

SB19-223 (Competency Bill)

Lindy Frolich, Director

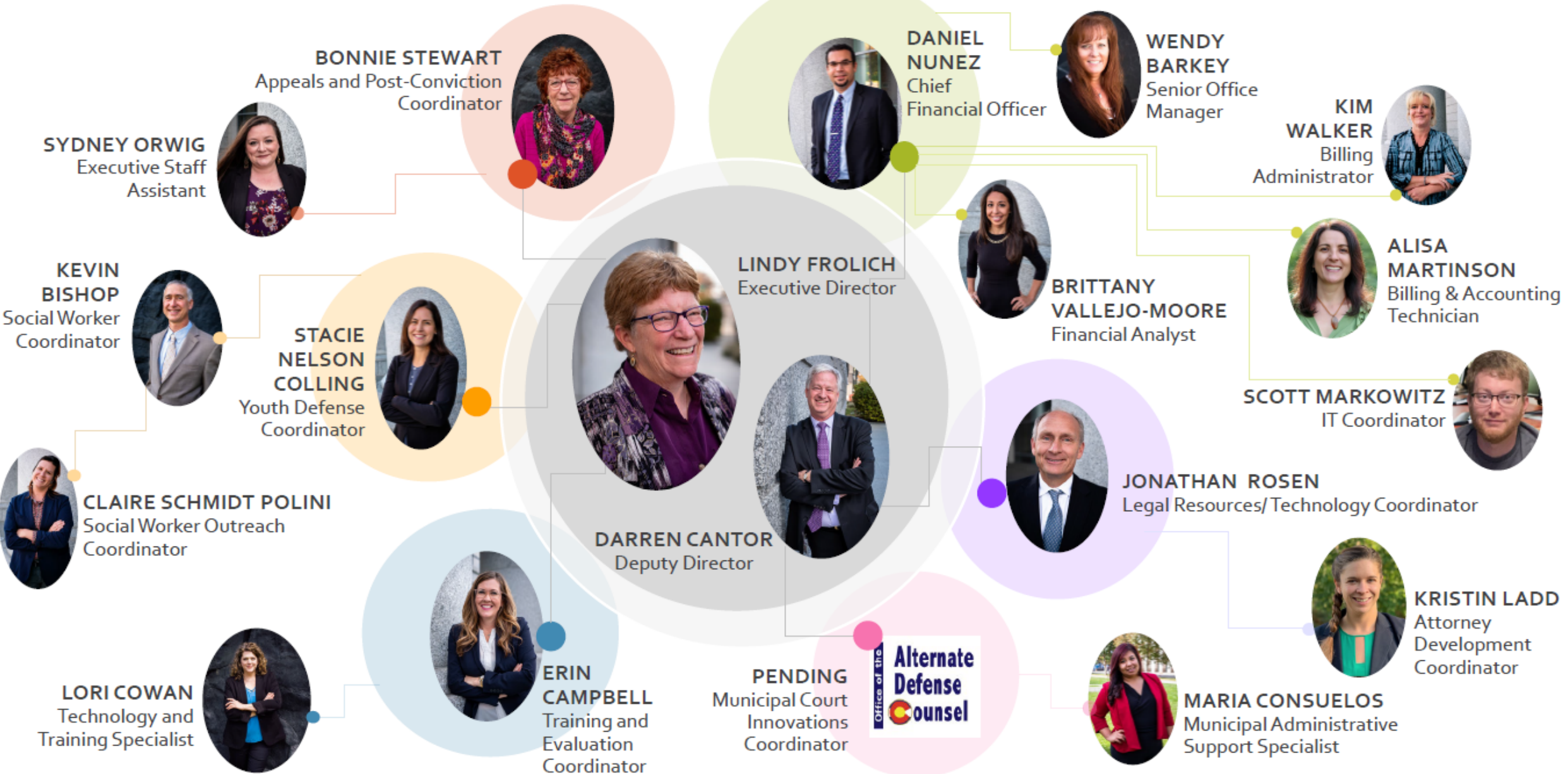
Darren Cantor – Deputy Director

Stacie Nelson Colling, Youth Defense Coordinator

January 25th, 2023

- The OADC was established pursuant to §21-2-101, C.R.S. (SB96-205)
- It began operating January 1, 1997. The OADC is responsible for providing legal representation in cases involving conflict-of-interest for the State Public Defender's office
- At that time, it had 2.3 FTE and an annual budget of \$4,065,101

THE OFFICE OF THE ALTERNATE DEFENSE COUNSEL





LAKWOOD, Colo. — A total of nine juveniles have been arrested in connection with two attacks on RTD's W line.

Seven teenagers are each charged with one count of second-degree assault in connection with an attack that happened on Oct. 14. They were taken into custody at Long View High School on West 2nd Place on Friday, according to a [Lakewood Police](#) spokesman.



CRIME

10 motorcycle club members arrested in 2020 Arvada shooting

The suspects were arrested in four states after a months-long investigation by the Arvada Police Department into the July 2020 incident.

ARVADA, Colo. — The [Arvada Police Department \(APD\)](#) and law-enforcement agencies in other states have arrested 10 suspects in an altercation between motorcycle clubs in July 2020 that left one person dead and three injured.

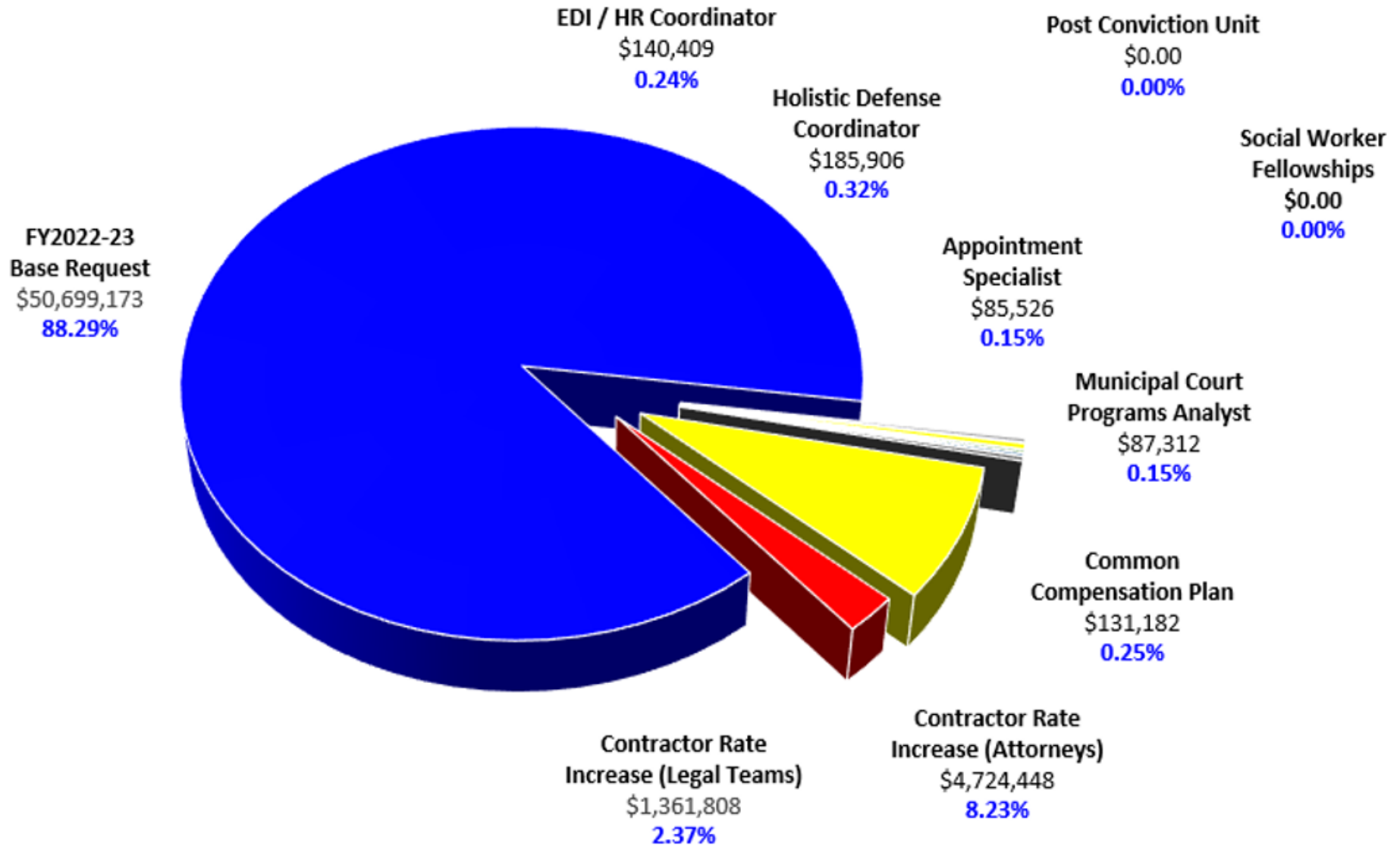
The months-long investigation into the July 11, 2020 incident found that an altercation between the Mongols and the Hells Angels resulted in the death of Hells Angels member William "Kelly" Henderson, 43, Arvada Police said in a news release.



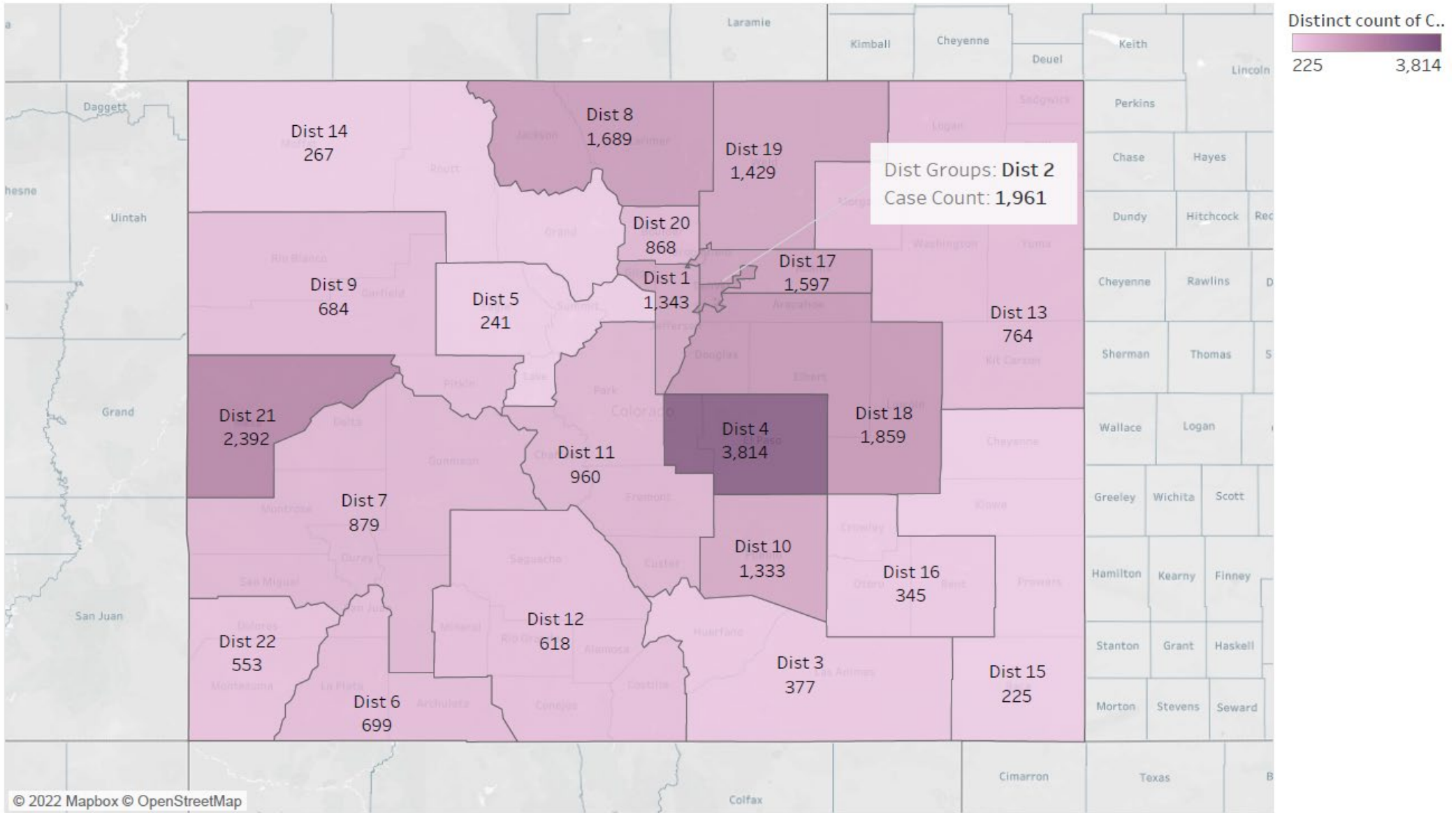
The suspects all together face 33 charges, but not every suspect faces every charge:

- First-degree murder after deliberation
- First-degree murder with extreme indifference
- Attempted first-degree murder after deliberation (3 counts)
- Attempted first-degree murder with extreme indifference (3 counts)
- Colorado Organized Crime Control Act, pattern of racketeering/participation in an enterprise
- Colorado Organized Crime Control Act, pattern of conspiracy/racketeering/participation in an enterprise
- First-degree assault (7 counts)
- Aggravated robbery (2 counts)
- Second-degree assault
- Accessory to a crime (first-degree murder)
- Vehicular assault (3 counts)
- Felony menacing
- Tampering with physical evidence
- Menacing (2 counts)
- Identity theft
- Reckless endangerment (2 counts)
- Third-degree assault
- Mandatory sentences for violent crimes

FY 2023-24 Budget Request of \$ 57,415,764

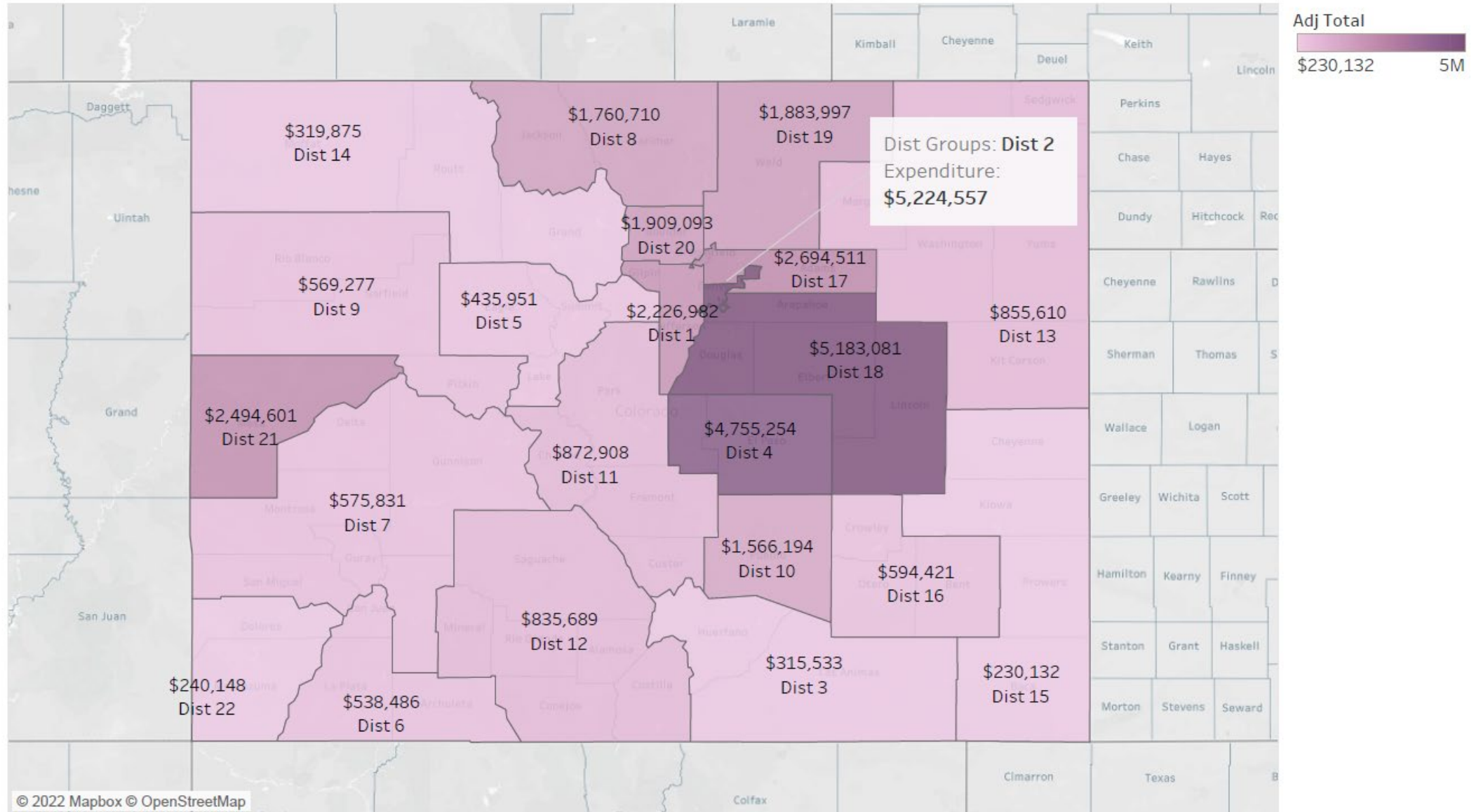


Case Count by District Map FY22



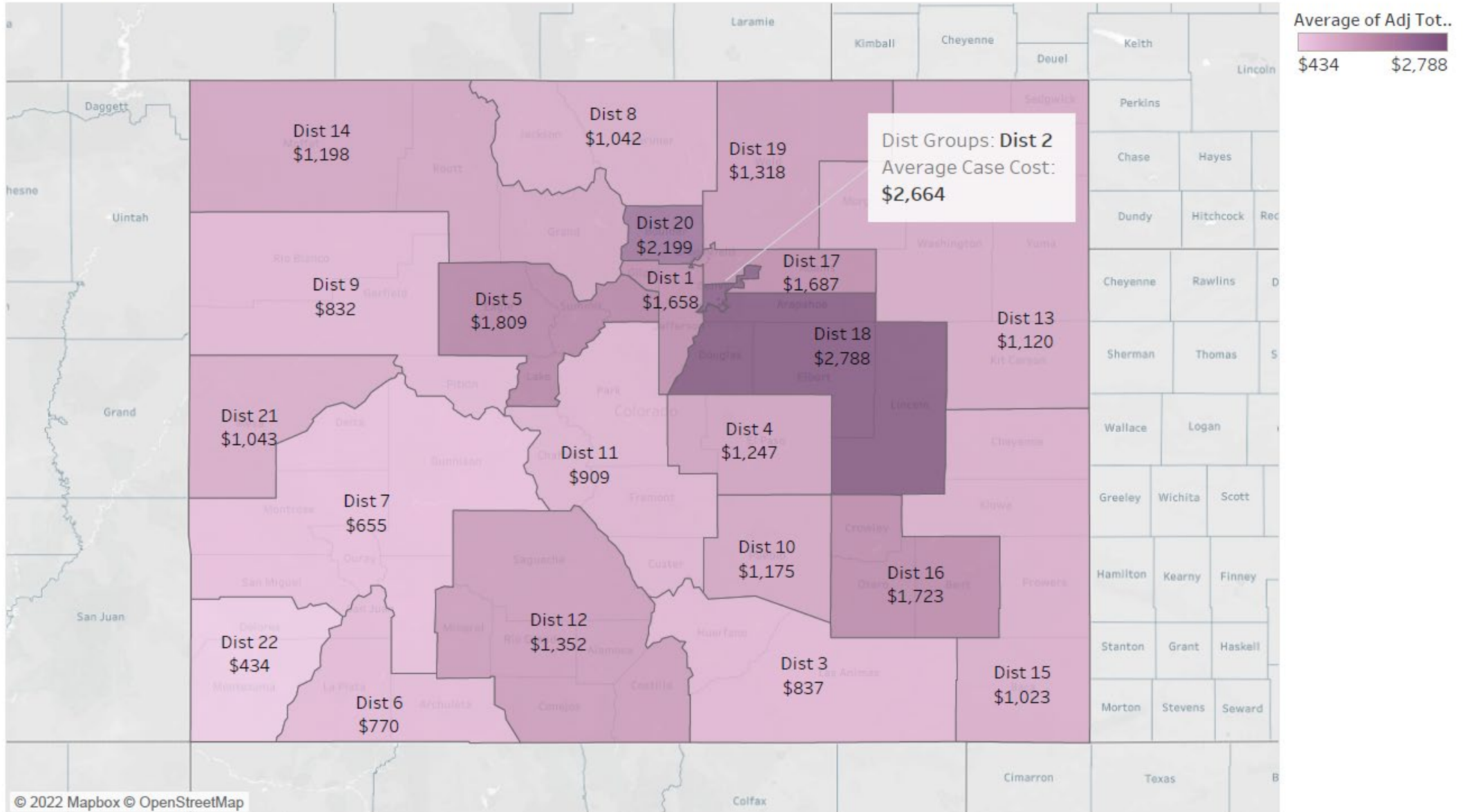
Map based on Longitude (generated) and Latitude (generated). Color shows distinct count of Case ID (t Appointment). The marks are labeled by Dist Groups and distinct count of Case ID (t Appointment). The data is filtered on Fiscal Year Total Year, which keeps 2022.

Expenditures by District Map FY22



Map based on Longitude (generated) and Latitude (generated). Color shows sum of Adj Total. The marks are labeled by sum of Adj Total and Dist Groups. The data is filtered on Fiscal Year Total Year, which keeps 2022.

Average Cost per case by District Map FY22



Map based on Longitude (generated) and Latitude (generated). Color shows Average of Adj Total/COUNTD Case ID. The marks are labeled by Dist Groups and Average of Adj Total/COUNTD Case ID. The data is filtered on Fiscal Year Total Year, which keeps 2022.

	FY16	FY17	FY18	FY19*	FY20	FY21	FY22
Overall Average Cost per Case	\$ 1,581	\$ 1,523	\$ 1,456	\$ 1,474	\$ 1,498	\$ 1,451	\$ 1,449
<i>change from prev FY</i>	-8.2%	-3.7%	-4.4%	1.2%	1.6%	-3.1%	-0.1%

$$(\$1,581 - \$1,449) = \$132 \times 24,897 = \$3,286,404$$

**In FY19, there was an 6.7% rate increase for attorney contractors, a 7% increase for Investigators, and a 10% increase for Paralegals, resulting in a disproportionate increase in expenditures for that year.*

FY 2023-24 Base Request of \$ 50,699,173

PLUS DI 1 – Change Request – EDI / HR Coordinator \$ 140,409

PLUS DI 2 – Change Request – Holistic Defense Coordinator \$ 185,906

PLUS DI 3 – Change Request – Post-Conviction Unit \$ 0

PLUS DI 4 – Change Request – Appointments Specialist \$ 85,526

PLUS DI 5 – Change Request – Municipal Court Programs Analyst \$ 87,312

PLUS DI 6 – Change Request – Social Worker Fellowships \$ 0

PLUS DI 7 – Change Request – Common Compensation Plan \$ 131,182

PLUS DI 8 – Change Request – Contractor Rate Increase (Attorney) \$ 4,724,448

PLUS DI 9 – Change Request – Contractor Rate Increase (Legal Team) \$ 1,361,808

FY 2023-24 Budget Request of \$ 57,415,764



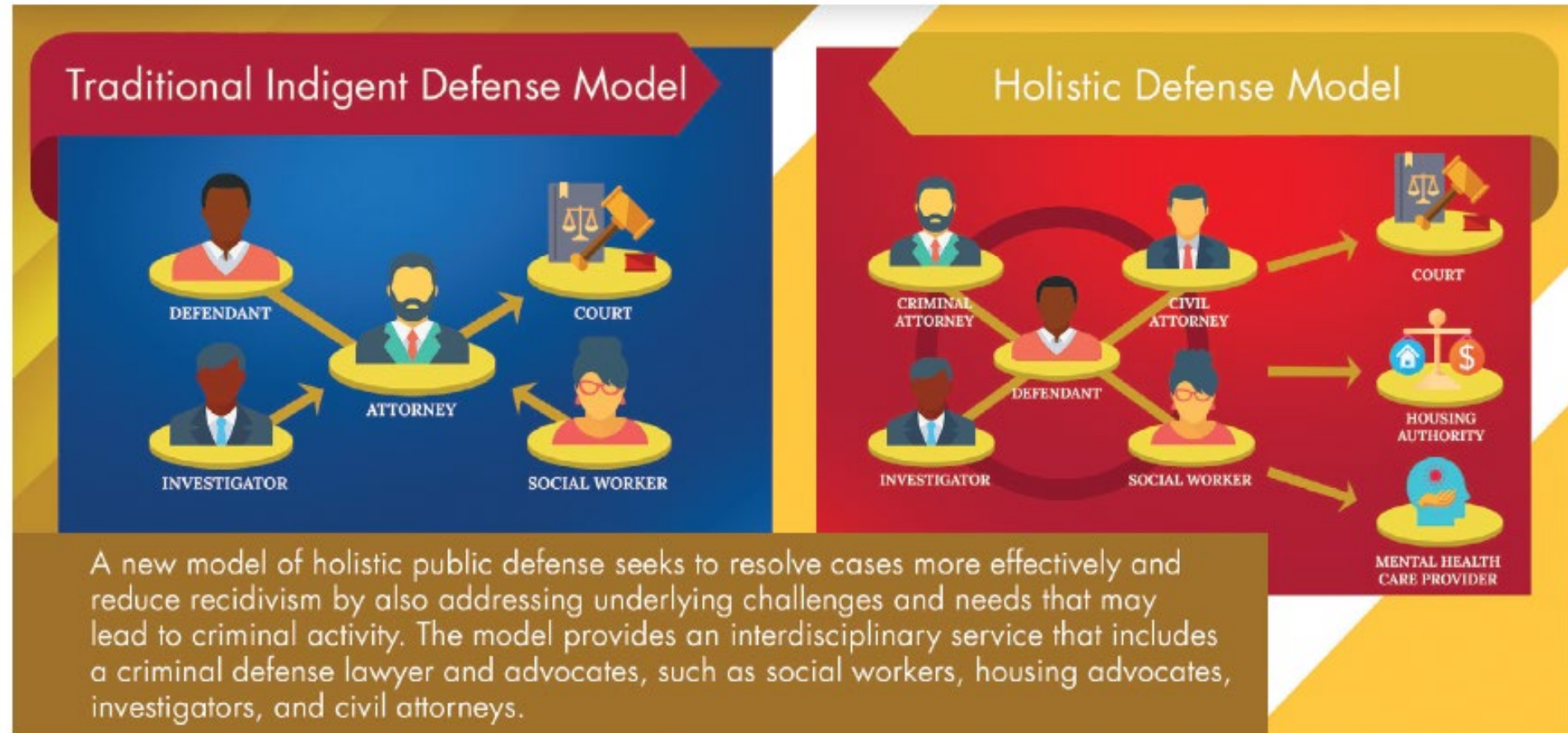
Mission Statement

The mission of the Office of the Alternate Defense Counsel (OADC), through the practice of holistic public defense, is to help adults and children who the government has charged with criminal and delinquent offenses. The OADC's holistic practice model fosters ethical, informed, and standard-driven best practices in public defense. The OADC allocates resources in a manner intentionally designed to rebalance the disparate power wielded by the government in the criminal legal system. We advocate for every client's inherent worth and dignity by centering the client's experiences and voice to achieve the best legal outcome.

The OADC is dedicated to zealous, client-centered advocacy rooted in social justice, integrity, and humility. We recognize that we are working within a broken and racist criminal legal system. Public defense advocates play an essential role in challenging bias and disparity within the courtroom, within our offices, and within ourselves. There is a disparate presence of violent policing, over-charging, and harsher sentencing outcomes for Colorado's people of color and other vulnerable populations. The OADC is unwavering in its support of decarceration, the decriminalization of youth, and equity within the criminal legal system.

R-2 Holistic Defense Coordinator

Figure 1. Comparing Defense Models



SOURCE: Quattrone Center for the Fair Administration of Justice at Penn Law. Used with permission.

R-2 Holistic Defense Coordinator

- 1.0 FTE. \$185,906 impact to the State's GF.
- Assist the Agency in achieving its mission of ensuring that a holistic public defense model is maintained within the Agency and is offered through practice with indigent adults and youth facing criminal prosecution.
- To help ensure high quality legal services while also reducing the cost of representation and over-incarceration.



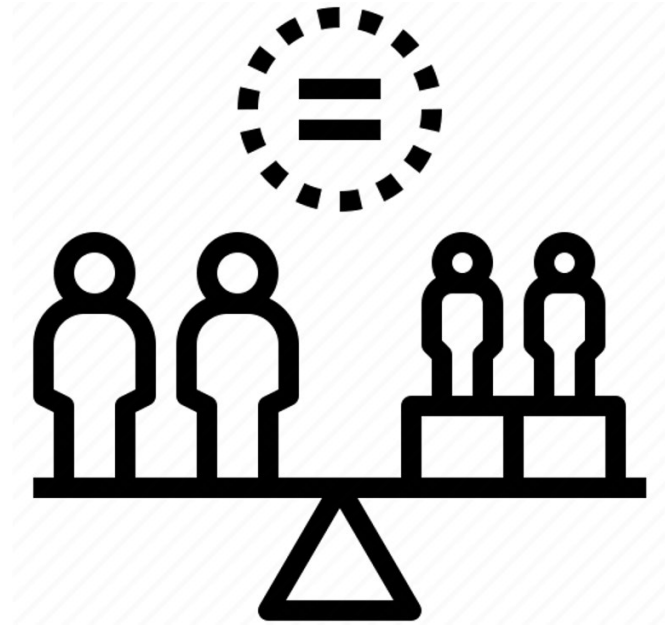
R-6 Social Worker Fellowships

- 2.0 FTE. \$0 impact to the State's GF. Funding transferred from Conflicts of Interest LBLI.
- Two-year fellowships.
- To increase the availability of social workers in the legal deserts in greater Colorado.
- To address the lack of BIPOC social workers in the agency's contractor pool.
- See Discussion Question #6



R-1 EDI / HR Coordinator

- 1.0 FTE. \$140,409 impact to the State's GF.
- To lead and increase equity, diversity, and inclusion (EDI) initiatives within the Agency's newly formed EDI model.
- Serve as the official Human Resources Coordinator for the Agency.
- Update to status of attorney fellowships - See Discussion Question #6

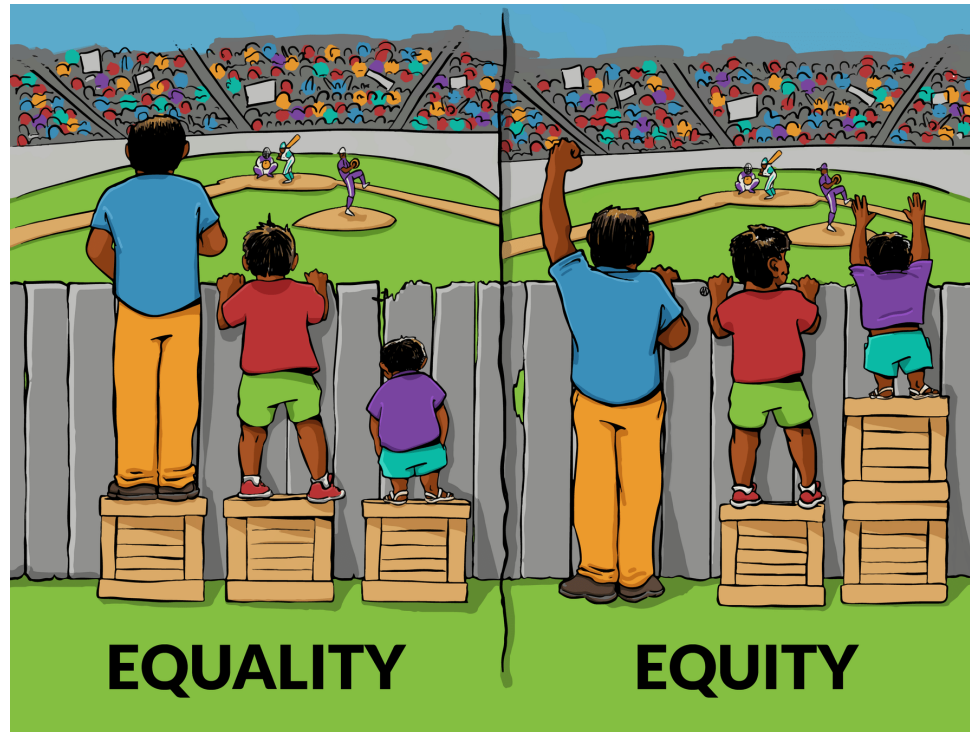


R-3 Post-Conviction Unit

- 10 FTE. \$0 impact to the State's GF. Funding transferred from Conflicts of Interest LBLI.
- Team will address statewide legal needs for OADC clients on post-conviction (Crim. P. 35(c)) cases.
- Increased difficulty finding contractors to accept these cases.
- See discussion question #8.

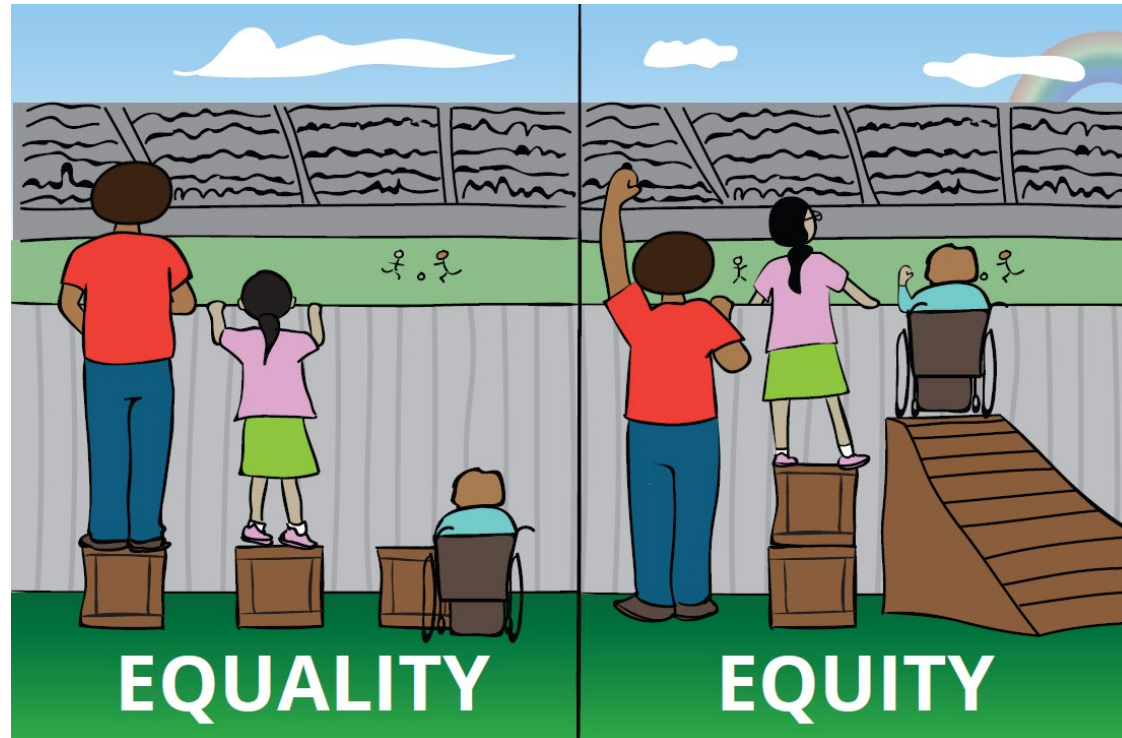


Equity In Picture Form



Equality: - Giving people the same thing
Equity: - Fairness in every situation

Equity In Picture Form



Equality: Giving people the same thing
Equity: Fairness in every situation

TOP 10 Benefits of EDI

10. Builds Inspired Teams
9. Provides Better and More Productive Communication
8. Strengthens Employee Recruitment and Retention
7. Serves our OADC community with More Representational Diversity
6. Improves Productivity
5. Develops Faster and More Effective Problem Solving
4. Advances OADC Community Loyalty and Impacts the Public Good
3. Enables the Building of a Safe and Inclusive Workplace
2. Frames Challenges and Obstacles Through a Lens of Positivity
1. Amplifies Cultural Humility and Respect within the Workplace

SMART Act (HB 13-1299)

Agency Objectives and Performance Measures

- A. Ensure Adequate Contractor Rates
- B. Contain Case Costs
- C. Provide High-Quality Annual Trainings
- D. Provide Cost-Effective Research Tools and Assistance
- E. Monitor and Evaluate Contractors
- F. Strengthen Social Worker Program
- G. Strengthen Juvenile Division
- H. Implement and manage the Municipal Court Program

For historical and projected data please see **Appendix A: Agency Objectives and Performance Measures.**

Questions ?

Lindy Frolich – Director

(303) 515-6925 – lindy@coloroadc.com

- Stacie Nelson Colling
Youth Defense Coordinator

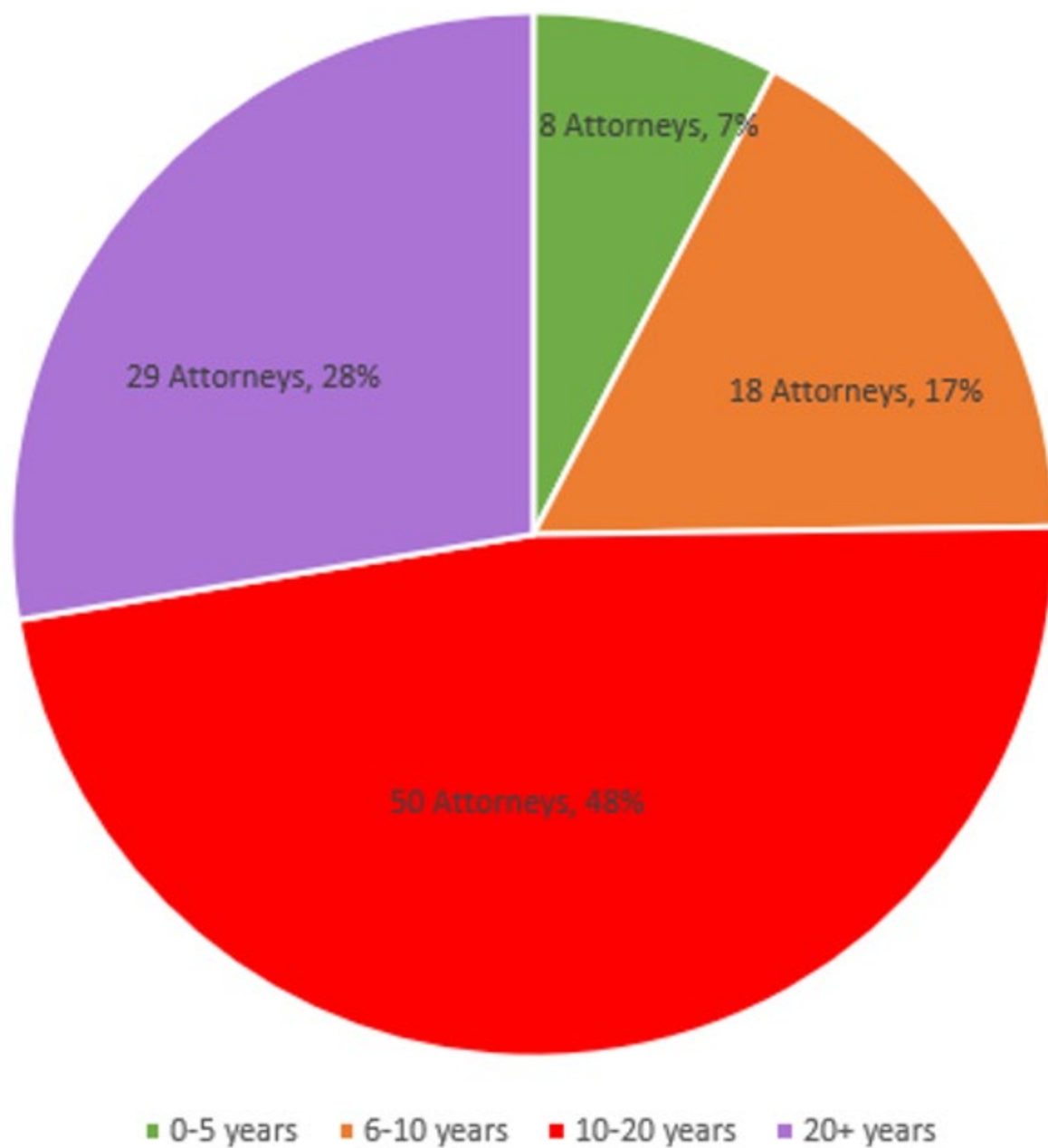
HB 14-1032 (Juvenile Defense)

§21-2-104 C.R.S. Duties of alternate defense counsel and contract attorneys.

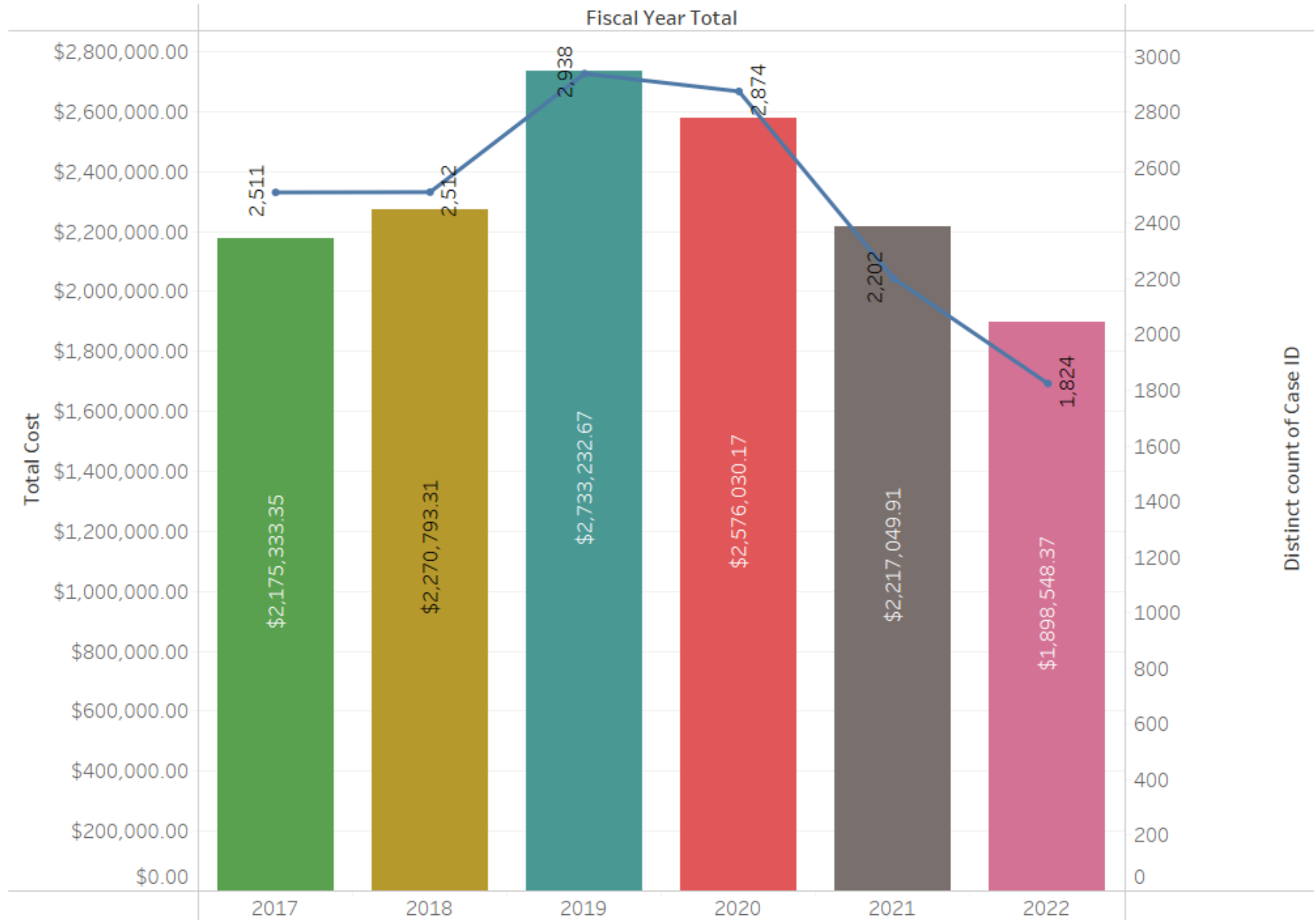
(3) Pursuant to [section 2-7-203, C.R.S.](#), the office of alternate defense counsel shall report annually to the judiciary committees of the house of representatives and senate, or to any successor committees, information concerning:

- (a) The number of juvenile delinquency cases for which counsel from the office is appointed;
- (b) The number of juvenile cases that involve a conflict of interest;
- (c) The process of selecting, training, and supporting attorneys who represent children in juvenile delinquency court;
- (d) The average length of time attorneys are assigned to juvenile court; and
- (e) The outcome of efforts to reduce juvenile court rotations and increase opportunities for promotional advancement in salaries for attorneys in juvenile court.

Juvenile Attorney Experience



Total Cost and Count of Juvenile Cases by Year



Questions ?

- **Stacie Nelson Colling** – Youth Defense Coordinator
(303) 515-6933 – stacie@coloroadc.com

- Lindy Frolich
Director

SB 19-223 (Competency Bill)

§21-2-104 C.R.S. Duties of alternate defense counsel and contract attorneys.

(3) Pursuant to [section 2-7-203, C.R.S.](#), “the office of alternate defense counsel shall report annually to the judiciary committees of the house of representatives and senate, or to any successor committees, information concerning:

(f) The process of training employees and contractors concerning determinations of competency to proceed for juveniles and adults, competency evaluation reports, services to restore competency, and certification proceedings governed by Article 65 of Title 27.

Fall/Winter 2019 Competency Trainings

1) Understanding the Complexities of Competency Cases and the Juvenile Perspective (4 CLEs)

2) Changes to Competency Services in CO & Updates in the Law (2 CLEs)

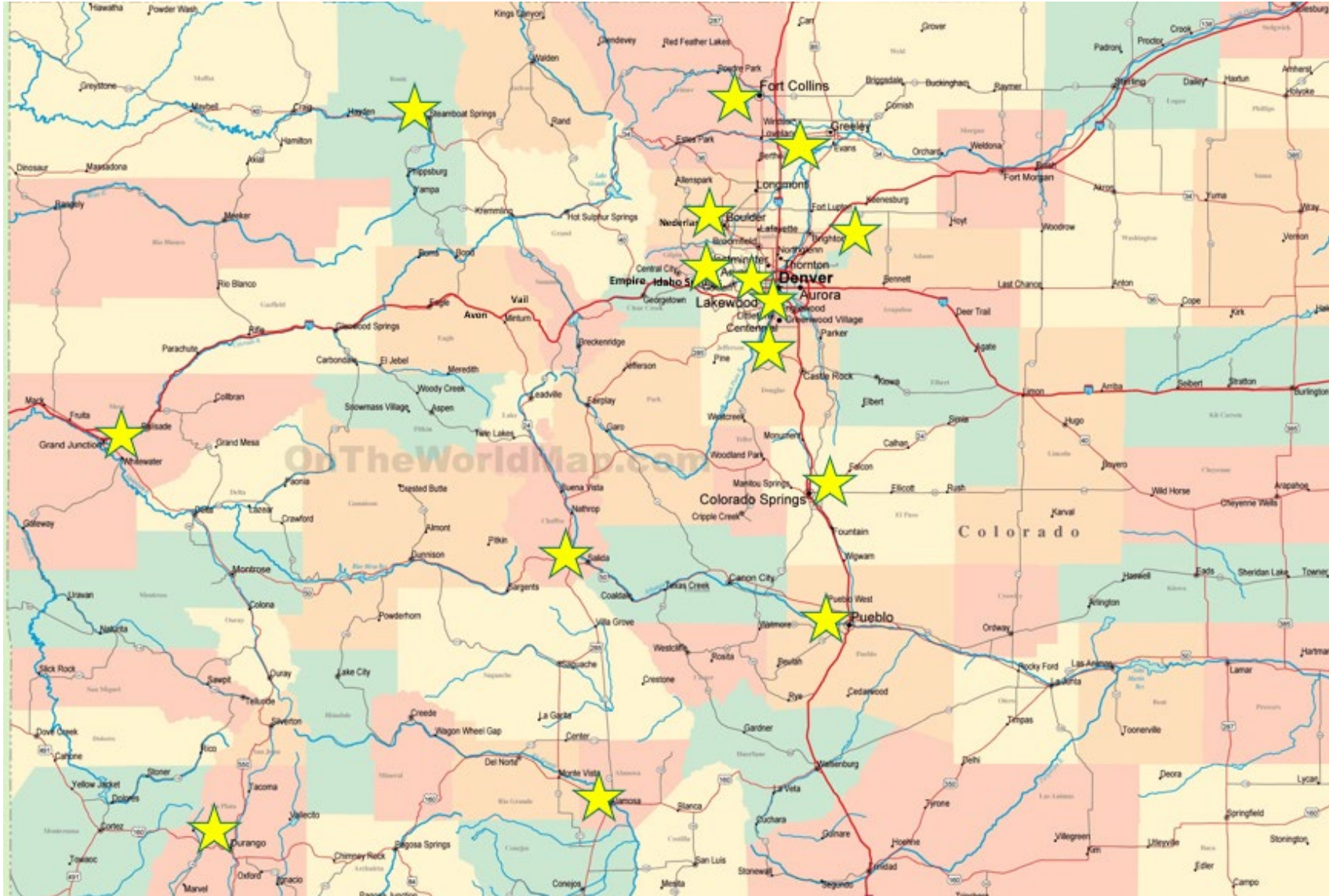
- Statutory changes and law updates
- Adults vs. Juveniles
- Competency and restoration services
- Defense teams working together – holistic approach

Spring of 2020

Statewide Comprehensive Competency Trainings

- Co-Sponsored with the CO Public Defender's Office
- In-person/Webinar/Recording/Home Study CLE
- Each training was 4 hours of instruction time (5 CLE credits each) and widely attended

Road Show Comprehensive Competency Trainings (15 Stops)



Advanced Level Competency Trainings (live in 2020)

- Two “Advanced Series” Competency Trainings

(determined by feedback from Competency Road Shows)

1) The Civil Mental Health System for Criminal Defense Teams (2 CLEs)

2) Navigating Ethical Issues When Representing Clients with Mental Illness (2 CLEs)

Goals of these trainings:

- educate on changes of competency statute and services
- practical, relevant, client-centered, promote holistic defense
- accessible to all
- access to resources

Feedback from evaluations:

“Great presentation of a very technical and complicated area of the law by an extremely knowledgeable presenter! A+”

“Very informative, engaging presentation – high impact, very beneficial to my practice.”

“This was one of the most interesting and helpful CLEs I have ever been to.”



- Using these trainings as on-boarding resource for new contractors
- Information still relevant and will be kept in training portal indefinitely
- Viewed online by 94 contractors for a total of 252 CLE/CPD hours
- Notify contractors about these trainings in our quarterly newsletter
- One-time funding and competency laws have not changed

Questions ?

- **Lindy Frolich** – Director
(303) 515-6925 – lindy@coloroadc.com
- **Erin Campbell** – Evaluation and Training
Coordinator
(303) 515-6923 – erin@coloroadc.com

Contact Information

- **Lindy Frolich** – Director
(303) 515-6925 – lindy@coloroadc.com
- **Darren Cantor** – Deputy Director
(303) 515-6935 – darren@coloroadc.com
- **Stacie Nelson Colling** – Youth Defense Coordinator
(303) 515-6933 – stacie@coloroadc.com
- **Erin Campbell** – Evaluation and Training Coordinator
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Office of the

Alternate Defense



Counsel

Annual Report to the Joint Judiciary Committee

Pursuant to
HB 13-1299 (SMART Act)
HB 14-1032 (Juvenile Defense)
SB19-223 (Competency Bill)

January 25, 2023

Lindy Frolich, Director
Darren Cantor, Deputy Director
Stacie Nelson Colling, Youth Defense Coordinator

The Office of the Alternate Defense Counsel

Background

The United States and Colorado Constitutions provide every accused person with the right to legal representation by counsel in criminal prosecutions. [U.S. Const., amend. VI](#); [Colo. Const., art. II, §16](#). This constitutional right means that counsel will be provided at state expense for indigent persons in all cases in which incarceration is a possible penalty.

The Office of the Alternate Defense Counsel (OADC) was established pursuant to [C.R.S. § 21-2-101, et seq.](#) as an independent governmental Agency of the State of Colorado Judicial Branch. The OADC is funded to provide legal representation for indigent persons in criminal and juvenile delinquency cases in which the Office of the State Public Defender (OSPD) has an ethical conflict of interest.

Statutory Mandate/Directive

The Office of the Alternate Defense Counsel is mandated by statute to “provide to indigent persons accused of crimes, *legal services that are commensurate with those available to non-indigents*, and conduct the office in accordance with the Colorado Rules of Professional Conduct and with the American Bar Association Standards relating to the administration of criminal justice, the defense function.” [C.R.S. § 21-2-101\(1\)](#) (emphasis added).

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The total FY 2023-24 budget request for the Office of the Alternate Defense Counsel is \$ 57,463,590 and 34.5 FTE.

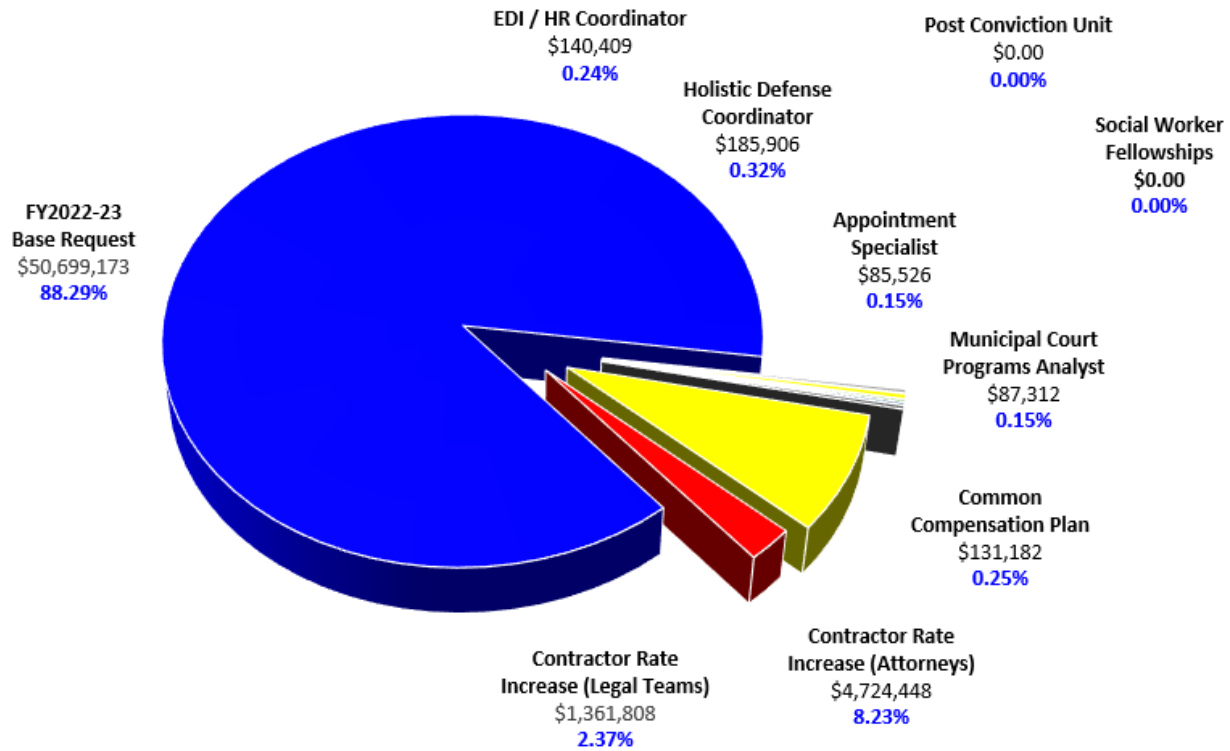
FY 2022-23 Appropriation \$ 50,570,572

- MINUS FY23 PFML Removal (\$4,919)
- MINUS Across the Board (ATB) Adjustments – PY Annualization (\$56,984)
- PLUS Salary Survey / Across the Board (ATB) Adjustments \$125,040
- PLUS PY FTE Annualizations \$17,381
- PLUS Common Policy Adjustments \$52,403
- MINUS Capital Outlay Adjustments (\$4,320)

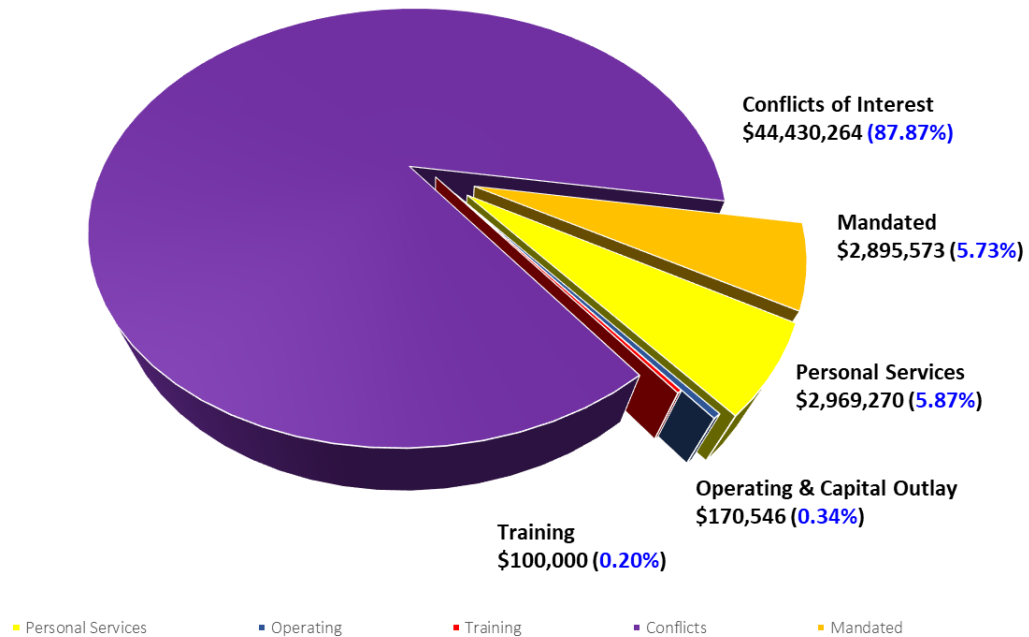
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SMART Act (HB 13-1299)

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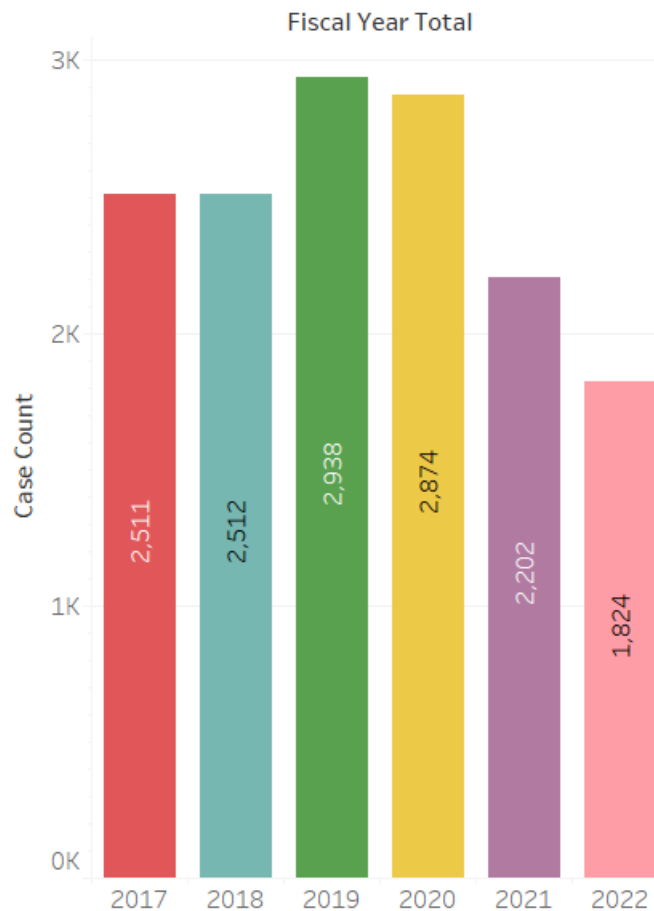
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§ 21-2-104 C.R.S. Duties of alternate defense counsel and contract attorneys.

(3) PURSUANT TO SECTION 2-7-203, C.R.S., **THE OFFICE OF ALTERNATE DEFENSE** COUNSEL SHALL REPORT ANNUALLY TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE, OR TO ANY SUCCESSOR COMMITTEES, INFORMATION CONCERNING:

- (a) THE NUMBER OF JUVENILE DELINQUENCY CASES FOR WHICH COUNSEL FROM THE OFFICE IS APPOINTED;

Total Juvenile Cases



- (b) THE NUMBER OF JUVENILE CASES THAT INVOLVE A CONFLICT OF INTEREST;

Each case involves a conflict of interest. An OADC contract attorney may only be appointed when the Office of the State Public Defender has declared a conflict of interest.

(c) THE PROCESS OF SELECTING, TRAINING, AND SUPPORTING ATTORNEYS WHO REPRESENT CHILDREN IN JUVENILE DELINQUENCY COURT;

Selection: In 2017, OADC established a Youth Defense Division of attorneys who specialize in defending youth, and the agency is committed to only allowing attorneys who have the requisite knowledge, experience, and training to represent children.

Screening for the Youth Defense Division assesses an applicant's interest in youth defense, experience, command of relevant case law, statutes, policies, and standards, and understanding of social science research related to adolescent behavior and development. Applicants must demonstrate the ability to provide holistic defense to youth through multi-disciplinary teams. Further, applicants must demonstrate a commitment to best practices in youth defense, such as effective communication strategies, family and community engagement, and the importance of frequent and regular visits.

Youth in adult court are only assigned defenders with the experience and specific skills needed for defending youth in adult court. Attorneys interested in developing such expertise are encouraged to assist more experienced attorneys in these cases.

Training: The OADC co-sponsors an annual youth defense specific conference with other youth-serving agencies and offers additional youth defense specific training throughout the year. The OADC also co-sponsors, updates and edits the Colorado Juvenile Defense Manual, which is a comprehensive practice manual in its 5th edition. The OADC identifies training needs through communication with OADC contractors and other juvenile legal system stakeholders, changes in law and policy, and observations of attorneys' oral and written practice.

The Youth Defense Coordinator participates in various statewide initiatives involving multiple stakeholders from across the juvenile legal system. Currently, the Youth Defense Coordinator sits on Colorado's Juvenile Justice & Delinquency Prevention Advisory Council, Juvenile Justice Reform Committee (sunset in 2022), Colorado Youth Detention Continuum/Interstate Compact Advisory Board, Bridges Program Statewide Steering Committee, and the Colorado Restorative Justice Council. In addition, the Coordinator attends other stakeholder meetings as available, such as the community-based Colorado Youth Justice Collaborative. This provides an opportunity for the OADC to be a conduit between policy level and community juvenile legal system participants and the attorneys on the front lines of youth defense.

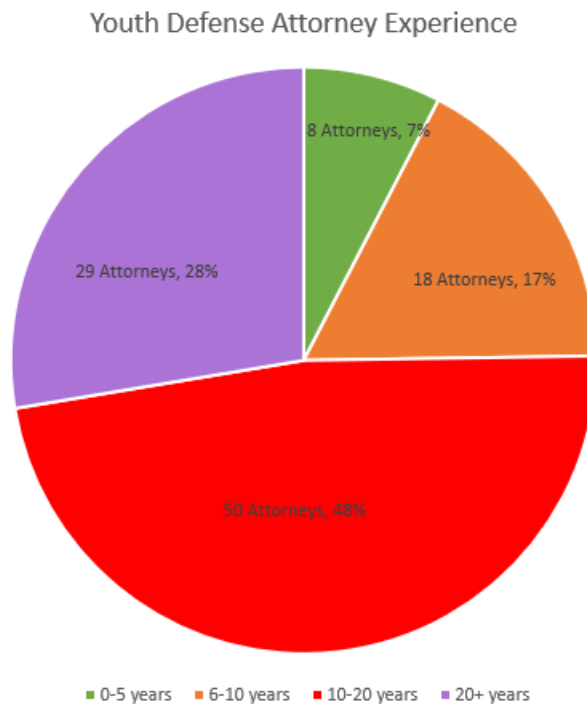
Support: The full-time Youth Defense Coordinator is available to answer questions, address concerns, and connect contractors to resources. The OADC supports youth defenders in forming holistic defense teams by making available social workers, paralegals, education advocates, investigators, specialty area consultants, experts, legal researchers, case assistants and student interns. Further, the OADC provides access to

Westlaw, as well as an e-library including youth defense specific legal memos, briefs, motions, social science research, and more.

(d) THE AVERAGE LENGTH OF TIME ATTORNEYS ARE ASSIGNED TO JUVENILE COURT;

The OADC recognizes that youth defense is a specialty practice distinct from adult defense. Therefore, there is no set length of time that one would stay in juvenile court. The OADC expects any attorney who commits to youth defense to do so long-term.

Currently, 93% of OADC’s juvenile defenders have been practicing law for at least 6 years, and 76% have been practicing for at least 10.



(e) THE OUTCOME OF EFFORTS TO REDUCE JUVENILE COURT ROTATIONS AND INCREASE OPPORTUNITIES FOR PROMOTIONAL ADVANCEMENT IN SALARIES FOR ATTORNEYS IN JUVENILE COURT

The OADC does not use rotations, but rather contracts with attorneys it expects to stay in juvenile court long term. The OADC is an independent contractor-based organization with a set hourly fee schedule and cannot increase the compensation of attorneys without legislative approval.

SB 19-223 (Competency Bill)

§21-2-104 C.R.S. Duties of alternate defense counsel and contract attorneys.

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(f) The process of training employees and contractors concerning determinations of competency to proceed for juveniles and adults, competency evaluation reports, services to restore competency, and certification proceedings governed by Article 65 of Title 27.

The Office of the Alternate Defense Counsel, in conjunction with the Colorado State Public Defender's office, developed a comprehensive competency training that was delivered, live, to fifteen locations throughout the state during the end of 2019, into 2020. To make this training accessible to all our contractors, it was also webcast from one location, and recorded so it would be available after the fact to those who were not able to attend in person or via webcast. The fifteenth training was delivered in March of 2020, just before the pandemic hit and this training has not been offered live since then. However, this training has been posted on our agency's online training portal and is readily available to all our contractors to view on-demand. This comprehensive competency training contained four hours of instruction and attorneys who attended received five Continuing Legal Education credits.

In addition to these fifteen statewide comprehensive competency trainings, our agency did two competency trainings in the fall of 2019 and two additional advanced level competency trainings in May and June of 2020. All of these competency trainings are also available for on-demand viewing and Home Study CLE credit on our agency's training website.

Appendix A

Agency Objectives and Performance Measures

Objectives

I. PROVIDE COMPETENT LEGAL REPRESENTATION STATE-WIDE FOR INDIGENT DEFENDANTS AND JUVENILES.

The Office of the Alternate Defense Counsel (OADC) contracts with approximately 460 private lawyers across Colorado to represent indigent defendants and juveniles where the OSPD has a conflict of interest. Each of these lawyers is an independent contractor. Investigators, paralegals, experts, social workers, and other ancillary services are available to these lawyers through the OADC. The Agency is committed to ensuring that the representation is of the highest quality and includes advancements in the field.

II. PROVIDE COST-EFFECTIVE LEGAL REPRESENTATION STATE-WIDE FOR INDIGENT DEFENDANTS AND JUVENILES.

The OADC has no control over the number of criminal and juvenile cases filed or prosecutors' charging decisions. However, the OADC is constantly seeking ways to contain the average cost per case.

Strategies

- A. Ensure Adequate Contractor Rates
- B. Contain Case Costs
- C. Provide High-Quality Annual Trainings
- D. Provide Cost-Effective Research Tools and Assistance
- E. Monitor and Evaluate Contractors
- F. Strengthen Social Worker Program
- G. Strengthen Juvenile Division
- H. Implement and manage the Municipal Court Program

I. Performance Measures & Goals

A. Ensure Adequate Contractor Rates

For the FY23–24 Budget Request, the OADC will be submitting a Decision Item requesting an 18% increase in contractor hourly rates.

Performance Measure A:		FY21 Actual	FY22 Actual	FY23 Budget	FY24 Request	FY25 Goal
The OADC average hourly Attorney Rates	Target	\$80	\$85	\$85	\$100	\$100
	Actual	\$80	\$85			

B. Contain Case Costs

The OADC analyzes the average cost per case monthly and strives to find innovative and effective strategies to contain the average cost per case. The Agency’s actual average cost per case was \$25.00 lower than the target in FY22. Ancillary costs were also lower than the target by \$3.00.

Performance Measure B:		FY21 Actual	FY22 Actual	FY23 Budget	FY24 Request	FY25 Goal
Average Cost per Case	Target	\$ 1,474	\$ 1,474	\$ 1,498	\$ 1,449	\$ 1,449
	Actual	\$ 1,451	\$ 1,449			
Keep ancillary costs per case to a minimum.	Target	\$ 91	\$ 67	\$ 70	\$ 66	\$ 66
	Actual	\$ 64	\$ 66			

C. Provide High-Quality Annual Trainings

As can be seen by the chart below, the agency provided 57 trainings, consisting of 276.5 hours, and reaching 2,399 attendees, a decrease from the projected 2,650. The OADC trained on a variety of subjects and most trainings were webcast and accessible to anyone with a high speed internet connection, and/or recorded and made available for Home Study.

Performance Measure C:		FY21 Actual	FY22 Actual	FY23 Budget	FY24 Request	FY25 Goal
Total Number of Trainings	Target	31	51	51	57	57
	Actual	66	57			
Total Number of Hours	Target	244	267	267	276.5	276.5
	Actual	210	276.5			
Total Number of Attendees	Target	1,351	2,650	2,650	2,399	2,399
	Actual	2,731	2,399			

D. Provide Cost-Effective Research Tools and Assistance

To advance quality and efficiency in OADC contractors, the Agency recognized the need for providing cost-effective research tools and resources. To accomplish this the Agency is:

- Improving and expanding its eLibrary.
- Providing legal research, motion drafting, and other assistance to contractors, using lawyers and non-lawyers.
- Providing weekly emailed case law summaries of new criminal legal opinions issued by the Colorado Court of Appeals, the Colorado Supreme Court, the 10th Circuit of the United States Court of Appeals, and the United States Supreme Court.
- Providing a weekly podcast discussing recent cases of interest, practice pointers and contractor wellness issues.
- Analyzing and introducing best practice applications to OADC contractors.
- Creating comprehensive manuals on complex but frequently used subject matter such as COCCA (Colorado Organized Crime Control Act), self-defense, character evidence, restitution claims, CRE 404(b) evidence, researching legislative history, sex offenders, out-of-state subpoenas, habitual criminal sentencing, proportionality review materials and post-conviction and ineffective assistance of counsel claims. The OADC also co-authored the 5th edition of the Juvenile Defense Manual, which was released in April 2022.
- Providing access to online subscription research services including Westlaw (legal research) and EBSCO (Psychology and Behavioral Sciences Collection and the Sociology Index).

Performance Measure D:		FY21 Actual	FY22 Actual	FY23 Budget	FY24 Request	FY25 Goal
On-Line Research Tools and Resources to the OADC Contractors <small>(including Juvenile, Social Sciences and Mental Health specific materials)</small>	Target docs	7,541	7,854	8,482	11,000	12,000
	Actual docs	8,936	10,134			
	Target hits	4,952	5,928	6,692	5,100	5,100
	Actual hits	6,757	5,306			

E. Monitor and Evaluate Contractors

As the numbers below indicate, the Agency met its goal and evaluated 100% of its renewing contractors. The OADC has a process to ensure that all OADC lawyers, investigators, and social workers are under a current contract. This process includes interviewing and evaluating potential contractors, and renewing current contract attorneys, investigators, and social workers.

Performance Measure E:		FY21 Actual	FY22 Actual	FY23 Budget	FY24 Request	FY25 Goal
Evaluate Renewing Attorney Applicants	Target	100%	100%	100%	100%	100%
	Actual	100%	100%			
Evaluate Renewing Investigator Applicants	Target	100%	100%	100%	100%	100%
	Actual	100%	100%			

F. Strengthen Social Worker Program

The Agency's Social Worker program has continued to expand as seen in the chart below. Since the hiring of a full-time Social Worker Coordinator in September 2016, the Agency expanded the number of Social Worker contractors, and therefore the number of cases with social workers. The JBC approved the OADC's request for a Social Worker Outreach Coordinator for FY19-20, and that position was filled on July 1, 2019. The OADC had social workers on 292 more cases than forecasted for FY22, and it is estimated that this number will continue to grow in FY23.

Performance Measure F:		FY21 Actual	FY22 Actual	FY23 Budget	FY24 Request	FY25 Goal
Number of Cases with Social Workers	Target	496	624	1,100	1,300	1,450
	Actual	1,172	959			
Number of Social Worker Contractors	Target	32	44	55	65	70
	Actual	49	55			
Number of Social Worker Interns	Target	5	6	6	6	7
	Actual	5	5			

G. Strengthen Juvenile Division

The Agency has changed the target numbers for the "Screen 100% of attorneys doing juvenile work and up for contract renewal, to ensure competency in juvenile representation" to a percentage from an actual number as that is a more accurate way of documenting this. The OADC did exceed its goals for incorporating social workers into juvenile defense teams by 61 and providing specialized education law assistance by 8.

Performance Measure G:		FY21 Actual	FY22 Actual	FY23 Budget	FY24 Request	FY25 Goal
Screen 100% of attorneys doing juvenile work and up for contract renewal, to ensure competency in juvenile representation.	Target	26	100%	100%	100%	100%
	Actual	18	100%			
Incorporate a social worker into juvenile defense teams where appropriate.	Target	112	114	125	175	175
	Actual	125	175			
Provide specialized education law assistance to juvenile defense teams where appropriate.	Target	40	42	52	50	50
	Actual	52	50			

H. Implement and manage the Municipal Court Program

Pursuant to SB18-203, the OADC is evaluating municipal court-appointed counsel through the Municipal Court Program. In a similar approach to the process already in place by the OADC to contract with effective counsel, this program will ensure that indigent defendants in municipal courts are represented free from any political considerations or private interest and that such representation is effective, high quality, ethical, conflict-free, and constitutionally sound.

As demonstrated in the chart below, the Agency exceeded its goal by two for Municipalities Requesting OADC Attorney Evaluations. In FY22 58 Municipalities received their evaluations. The Agency has changed the target numbers for the “Evaluation of Municipalities requesting services” to a percentage from an actual number as that is a more accurate way of documenting this.

Performance Measure H:		FY21 Actual	FY22 Actual	FY23 Budget	FY24 Request	FY25 Goal
Municipalities Requesting OADC Attorney Evaluations	Target	50	56	56	59	59
	Actual	56	58			
Municipalities visited that requested OADC services	Target	100%	100%	100%	100%	100%
	Actual	2% *	11% *			

*These numbers are low due to COVID-19 closures of municipal courts.