

**2017**

**THE ANNUAL REPORT  
OF THE CHIEF PUBLIC DEFENDER**

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**CONNECTICUT DIVISION OF PUBLIC DEFENDER SERVICES  
CHRISTINE RAPILLO, CHIEF PUBLIC DEFENDER  
FEBRUARY 1, 2018**

# TABLE OF CONTENTS

Chapter	Title	Page
	Dedications .....	1
1	Chief Public Defender’s Summary.....	3
2	Organization and Administration.....	4
	Commission Members.....	9
	Organizational Chart.....	10
3	Caseload.....	11
	Table of Staffing and Caseload Trends.....	15
4	Public Defender Offices and Special Units.....	16
	Assigned Counsel (Formerly Special Public Defenders).....	16
	CTIP/Habeas Corpus Unit.....	17
	Legal Services Unit.....	20
	Capital Defense and Trial Services Unit.....	22
	Psychiatric Defense Unit.....	23
	Training and Professional Education.....	25
	Social Work.....	29
	Investigative Division.....	31
	Information Technology (Systems).....	33
	Legal Technology Planning and Staff Development/Information Systems.....	35
	Information Services and Research.....	37
5	Juvenile and Family Matters.....	39
	Delinquency Matters.....	40
	Child Protection.....	40
	Family Matters.....	41
	Family Magistrate Matters.....	41
	Juvenile Post-Conviction Unit.....	43
6	Cost.....	47
7	Legislative Action in 2016/17 and Proposals for 2017/18.....	50
8	Conclusion.....	53
<b>Appendix</b>	<i>Notes</i>	
	<i>Committee, Task Force and Board Assignments</i>	
	<i>Tables FY 2016/17</i>	



*Manchester GA12 (from left to right): Arthur C. Forst, III, Audrey Bennett, Milton I. Walsh, Mark Holmes, Russell Williams, Charity Hemingway, Kathleen Belanger and Megan Hill.*

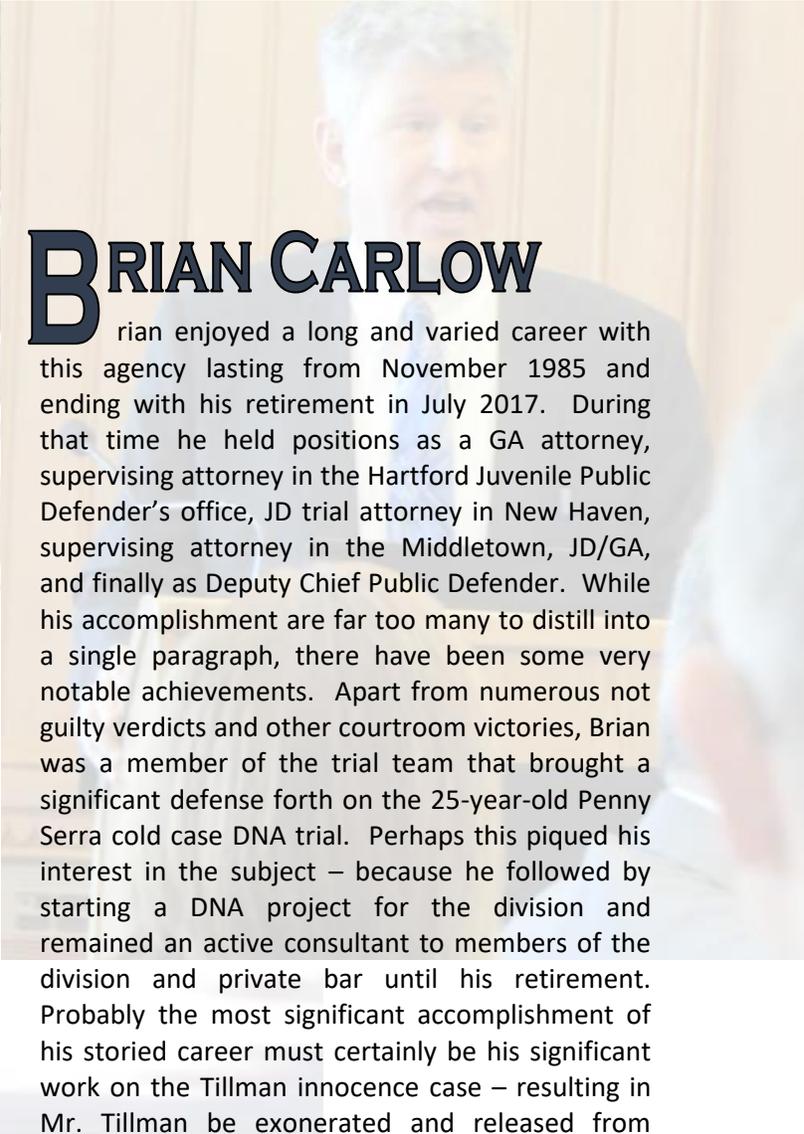
# DEDICATIONS

This FY 2017 Annual Report of the Division of Public Defender Services is dedicated to all of our valued colleagues who retired during the fiscal year, but especially to Chief Public Defender Susan O. Storey and Deputy Chief Public Defender Brian Carlow.



## SUSAN O. STOREY

Suzy dedicated her career to assisting the voiceless and the disadvantaged. She started at Greater Hartford Legal Aid representing parents in child protection matters. She was hired by the Division of Public Defender Services in 1984 and started at Hartford Juvenile Court, representing children accused of delinquency offenses. Suzy went from Hartford Juvenile to the Hartford JD and then the Middletown JD. Along the way, she was instrumental in establishing the Psychiatric Security Review Board. She showed her courage and commitment to justice by volunteering for the Capital Defense Unit. Suzy was a founding member of the PCSW and longtime president of the board of Families in Crisis. As Deputy Chief and then Chief she led DPDS on innovative projects such as the creation of a juvenile post conviction unit and a DNA project. She helped steer monumental change and reform in the criminal justice system, including Felony and Misdemeanor Classification reform, raising the age of juvenile jurisdiction and the end of the death penalty in Connecticut. Suzy had vision and understanding to push Connecticut towards a system that moves our clients to a better path in life.



## BRIAN CARLOW

Brian enjoyed a long and varied career with this agency lasting from November 1985 and ending with his retirement in July 2017. During that time he held positions as a GA attorney, supervising attorney in the Hartford Juvenile Public Defender's office, JD trial attorney in New Haven, supervising attorney in the Middletown, JD/GA, and finally as Deputy Chief Public Defender. While his accomplishments are far too many to distill into a single paragraph, there have been some very notable achievements. Apart from numerous not guilty verdicts and other courtroom victories, Brian was a member of the trial team that brought a significant defense forth on the 25-year-old Penny Serra cold case DNA trial. Perhaps this piqued his interest in the subject – because he followed by starting a DNA project for the division and remained an active consultant to members of the division and private bar until his retirement. Probably the most significant accomplishment of his storied career must certainly be his significant work on the Tillman innocence case – resulting in Mr. Tillman be exonerated and released from prison after 18 years. His dedication to the members of the division and the clients we serve can be described and nothing short of tireless and highly valuable. Right up until his retirement attorneys continued to reach out to Brian for consultation, advice and support.

# DEDICATIONS

## *Retirements July 1, 2016 – April 1, 2018*

Maria Holzberg	Middletown Juvenile	Arlindo F. Almeida	Danbury JD/GA#3
Deborah Pushkarewicz	Manchester GA#12	Mark A. Masse	Meriden GA#7
Suzanne L. McAlpine	Conn Valley Hospital	Thomas J. Ullmann	New Haven JD
Charlene M. McBride	New Haven JD	Mark R. Buebendorf	Meriden GA#7
James M. Chase	New Haven GA#23	Rosemarie Chapdelaine	Danbury JD/GA#3
Susan M. Levesque	Manchester GA#12	Michael K. Courtney	Office of the Chief Public Defender
Jeffrey D. Hutcoe	Danbury JD/GA#3	Gina L. Des Biens	Conn Valley Hospital
Neal G. Cone	Appellate Office-Waterbury	Nicole M. Donzello	Waterbury JD
Todd A. Edgington	New Britain GA#15	Carol R. Goldberg	Bantam GA#18
Melissa Toddy	Hartford GA#14	Ligia Werner	Middletown JD/GA#9
Dennis P. Harrigan	Bridgeport JD	Paul D. Eschuk	Derby GA#5
Kathleen M. Murphy	Hartford Juvenile	Patrick J. Culligan	New Haven JD
Paula J. Waite	Hartford JD	Leslie K. Cavanagh	Waterbury JD
Leslie J. Cunningham	Tolland/Rockville JD	Denise Anne Gustavson	CT Innocence Project/PCU
Miriam Wholean	New London JD	David Cosgrove	New Britain JD/ G.A.#15

The hope of a secure and livable world lies with disciplined nonconformists who are dedicated to justice, peace and brotherhood.

Martin Luther King Jr.

“ quote fancy

# CHAPTER ONE: CHIEF PUBLIC DEFENDER'S SUMMARY

## **Mission Statement of the Connecticut Division of Public Defender Services**

*Striving to ensure justice and a fair and unbiased system, the Connecticut Division of Public Defender Services zealously promotes and protects the rights, liberty and dignity of all clients entrusted to us. We are committed to holistic representation that recognizes clients as individuals, fosters trust and prevents unnecessary and wrongful convictions.*

**2017** was a year of momentous change for the Connecticut Division of Public Defender Services. Many of our most respected and cherished colleagues retired after spending years building the agency into a strong force for justice. Our attorney staff voted to unionize and a collegial and collaborative round of negotiations led to an agreement that will soon be finalized into the first collective bargaining agreement. Our division wide annual meeting was reconvened after several years. The full day event in New Haven launched our new Racial Justice project and provided staff with an opportunity for education and networking.

Both Chief Public Defender Susan Storey and Deputy Chief Public Defender Brian Carlow retired in calendar 2017. The subsequent round of hiring and transfers has resulted in four new members of the executive leadership team. Chief Public Defender Christine Perra Rapillo, Deputy Chief Public Defender John Day, Director of Delinquency Defense and Child Protection Susan Hamilton and Director of Assigned Counsel Alix Walmsley joined the team charged with leading the agency forward. Suzy and Brian have a long history of dedication to our clients and to the pursuit of criminal justice reform. During their tenure, the Division of Public Defender Services modernized case management and billing to move our agency to be an efficient and data driven system. Over the last decade, public defender lawyers and staff were integral in reform measures that made our bail system fairer, raised the age of juvenile jurisdiction, and eliminated the death penalty. All of us at DPDS, our

clients and the citizens of Connecticut owe them a deep debt of gratitude. We wish them well as they pursue new adventures.

Like all state agencies and providers of social services, the Division of Public Defender Services was challenged by Connecticut's ongoing budget crisis. Twenty-two people left the agency during the year, mostly due to retirement. Many individuals transferred to new offices or were promoted to leadership positions but no new staff was hired in Fiscal 2017. Every office has been impacted and everyone is doing more with less. Our agency has been a leader in formulating creative ways to maximize our resources. The innovative "in house assigned counsel project" required lawyers statewide, including administration, to take on additional cases that were set to be sent out to Assigned Counsel contractors. Options included an appeal, a JD matter, 20 cases in a GA of the lawyer's choice, a P.A. 15-84 juvenile parole hearing, child protection matters for children, child protection appeal reviews or capias matters in family magistrate support court. DPDS realized an initial savings of approximately \$2 million. More importantly, attorneys reported being energized by traveling to new courts and trying out a new practice area. The program will continue, with a focus being on encouraging lawyers to take on appeals or trials with appropriate mentoring. The DPDS mentoring program is also being relaunched for FY 2018 to support this effort.

Our new mission statement reflects the core values that we have always embraced and have now reaffirmed. We uphold, as our Core Values, *Commitment to Advocacy, Clients, Diversity and Excellence*. These are the foundation of our past and our path to success in the future. As the agency moves forward with a new leadership team, we hope that formulating our mission statement and specifically expressing the core values of our work will inspire our advocates, staff and partners and reinvigorate our dedication to the promise of justice.

# CHAPTER TWO: ORGANIZATION AND ADMINISTRATION

**T**he Division of Public Defender Services is an agency of the State of Connecticut, established by Chapter 887 of the Connecticut General Statutes. The policy-making and appointing authority for the Division is the Public Defender Services Commission. The seven (7) members of the Commission are appointed for three-year terms, in accordance with Sec. 51-289, C.G.S., by the Governor, the Chief Justice, the Speaker of the House, the Senate President Pro Tempore, and the House of Representatives Minority and Majority Leaders. The current members of the Commission are listed on page nine together with their appointing authorities.

As established by statute, the Division is made up of three separate components: a Commission responsible for policy-making, appointments of all personnel and compensation matters; an Office of Chief Public Defender charged with statewide administration of the public defender system and the provision of specialized legal representation; and the individual public defender offices providing legal services throughout the state to indigent persons accused of crimes as required by both the United States and Connecticut Constitutions.

## OUR NEW MISSION STATEMENT

Striving to ensure justice and a fair and unbiased system, the Connecticut Division of Public Defender Services zealously promotes and protects the rights, liberty and dignity of all clients entrusted to us. We are committed to holistic representation that recognizes clients as individuals, fosters trust, and prevents unnecessary and wrongful conviction.

Section 51-291(m), C.G.S., specifies that the Commission is an “autonomous body within the Judicial Department for fiscal and budgetary purposes only.” As such, the Commission is part of the Judicial Department but is otherwise autonomous within that branch of state government. All attorneys and other employees of the Division are appointed by the Public Defender Services Commission. The Commission also establishes the compensation plan for the Division, approves certain expenditures, and establishes policies and procedures relating to the operation of the Division.

## OUR CORE VALUES

COMMITMENT TO:  
ADVOCACY  
CLIENTS  
DIVERSITY  
EXCELLENCE

As of October 1, 2017, the chief administrative officer for the Division, appointed by the Commission, is *Chief Public Defender Attorney Christine Perra Rapillo*. The *Deputy Chief Public Defender* is Attorney John Day. The duties of the Chief Public Defender are specified in Sec. 51-291, C.G.S.,

## ORGANIZATION AND ADMINISTRATION

Chief Public Defender are specified in Sec. 51-291, C.G.S., and include supervision of all personnel and operations of the Division, training of all attorneys and support staff, and preparation of all grant and budget requests for approval by the Commission and submission to the Governor.

In addition to the Chief and Deputy Chief Public Defender, management and administration of the Division is carried out by the office of Chief Public Defender, located at 30 Trinity Street, 4<sup>TH</sup> Floor, in Hartford. In FY2016/17, administrative staff consisted of Director of Training, Director of Assigned Counsel, Director of Delinquency Defense and Child Protection, Legal Counsel (Director), Financial Director, Director of Human Resources, Chief Investigator, Chief Social Worker, four (4) Managers (Administrative Services, Information Services and Research, Information Systems and Legal Technology Planning and Staff Development), seventeen (17) administrative staff, and two (2) secretarial positions.



*Some of the staff located at OCPD (pictured left to right): Paula Lohr, Alison Bloomquist, Jen Loo, Carmen Perez, Ellen Knight, Stephen Hunt, Robin Taylor, Deborah DelPrete Sullivan, Tammie Parker, Marlene Levine, Diane Fitzpatrick, Lynn D'Amora, Jennifer Bourn, Janice Street, Leonie Campbell, Danielle Johnson, Katie Farrell, Ann Parrent, Kymberly Cianci, Adele Patterson, Stephen Foran, Steven Kokinis, Tina Nelson, Norman Berg and Joseph Straka.*

Public Defender services are provided to “indigent” accused adults and juveniles throughout Connecticut at thirty-eight (38) *combined* field offices and six (6) specialized units (reflecting the combined Habeas and CTIP unit) and branches of the Office of Chief Public Defender. Pursuant to Sec. 51-296 C.G.S., public defenders may be appointed to represent indigent individuals in any criminal

## ORGANIZATION AND ADMINISTRATION

action, any habeas corpus proceeding arising from a criminal matter, any extradition proceeding, or in any delinquency matter. C.G.S 51-296 also provides that public defenders may be appointed for all children and for indigent parents in child protection matters, for indigent contemnors in family support magistrate and other family matters and as attorney for the minor child or guardian ad litem for children from indigent families in custody matters.

Representation is provided to clients in both adult and juvenile misdemeanor and felony cases, including appeals and other post-conviction matters as well as child protection and GAL matters. Public defenders also represent clients acquitted by reason of insanity before the Psychiatric Security Review Board pursuant to Sec.17a-596(d), C.G.S., post-conviction petitions for DNA testing in accordance with Sec. 54-102kk(e), and through the public defender Connecticut Innocence Project in post-conviction claims where new evidence (both DNA and non-DNA evidence) might reasonably exonerate inmates who are innocent and who have been wrongfully convicted. Representation is also provided to children and indigent parents in child protection matters, including appeals and in family matters for indigent parties where there is a contempt finding and a risk of incarceration or for children in certain custody disputes.



**Attorney Christine Rapillo**  
**Chief Public Defender**



**Attorney John Day**  
**Deputy Chief Public Defender**

Workforce Analysis-Division of Public Defender Services

This comparison is based on the Division's 371 employees as of October 1, 2017. Workforce availability figures are based on the 2006-2010 American Community Survey as reportable by the U.S. Census Bureau.

MALES

OFFICIALS/ADMINISTRATORS (47)	Frequency	Percentage	WORKFORCE AVAILABILITY
WHITE	20	42.6%	47.8%
HISPANIC/LATINO	1	1.9%	1.5%
BLACK AFRICAN AMERICAN	2	4.3%	3.3%
AMERICAN INDIAN/ ALASKA NATIVE	0	0.0%	0.2%
ASIAN	1	2.1%	2.9%
NATIVE HAWAIIAN/ OTHER PACIFIC ISLANDER	0	0.0%	0.1%
TWO OR MORE RACES	0	0.0%	0.3%

FEMALES

OFFICIALS/ADMINISTRATORS	Frequency	Percentage	WORKFORCE AVAILABILITY
WHITE	20	42.6%	30.2%
HISPANIC/LATINO	1	2.1%	1.2%
BLACK AFRICAN AMERICAN	2	4.3%	4.1%
AMERICAN INDIAN/ ALASKA NATIVE	0	0.0%	0.2%
ASIAN	0	0.0%	2.0%
NATIVE HAWAIIAN/ OTHER PACIFIC ISLANDER	0	0.0%	0.1%
TWO OR MORE RACES	0	0.0%	0.3%

MALES

PROFESSIONALS (200)	Frequency	Percentage	WORKFORCE AVAILABILITY
WHITE	74	37.0%	33.3%
HISPANIC/LATINO	2	1.0%	1.0%
BLACK AFRICAN AMERICAN	6	3.0%	3.0%
AMERICAN INDIAN/ ALASKA NATIVE	0	0.0%	0.1%
ASIAN	1	0.5%	4.2%
NATIVE HAWAIIAN/ OTHER PACIFIC ISLANDER	0	0.0%	0.0%
TWO OR MORE RACES	0	0.0%	0.2%

FEMALES

PROFESSIONALS	Frequency	Percentage	WORKFORCE AVAILABILITY
WHITE	93	46.5%	41.6%
HISPANIC/LATINO	6	3.0%	1.4%
BLACK AFRICAN AMERICAN	14	7.0%	5.4%
AMERICAN INDIAN/ ALASKA NATIVE	0	0.0%	0.2%
ASIAN	4	2.0%	3.7%
NATIVE HAWAIIAN/ OTHER PACIFIC ISLANDER	0	0.0%	0.0%
TWO OR MORE RACES	0	0.0%	0.3%

**MALES**

PROTECTIVE SERVICE WORKERS (NON-SWORN) (52)	Frequency	Percentage	WORKFORCE AVAILABILITY
WHITE	20	38.4%	34.2%
HISPANIC/LATINO	11	21.2%	1.9%
BLACK AFRICAN AMERICAN	0	0.0%	5.2%
AMERICAN INDIAN/ ALASKA NATIVE	0	0.0%	0.4%
ASIAN	0	0.0%	1.1%
NATIVE HAWAIIAN/ OTHER PACIFIC ISLANDER	0	0.0%	0.1%
TWO OR MORE RACES	0	0.0%	0.5%

**MALES**

ADMINISTRATIVE SUPPORT (72)	Frequency	Percentage	WORKFORCE AVAILABILITY
WHITE	2	2.7%	24.7%
HISPANIC/LATINO	2	2.7%	1.8%
BLACK AFRICAN AMERICAN	2	2.7%	3.7%
AMERICAN INDIAN/ ALASKA NATIVE	0	0.0%	0.2%
ASIAN	1	1.4%	1.8%
NATIVE HAWAIIAN/ OTHER PACIFIC ISLANDER	0	0.0%	0.1%
TWO OR MORE RACES	0	0.0%	0.2%

**FEMALES**

PROTECTIVE SERVICE WORKERS (NON SWORN)	Frequency	Percentage	WORKFORCE AVAILABILITY
WHITE	19	36.5%	37.2%
HISPANIC/LATINO	0	0.0%	2.4%
BLACK AFRICAN AMERICAN	2	3.8%	7.3%
AMERICAN INDIAN/ ALASKA NATIVE	0	0.0%	0.3%
ASIAN	0	0.0%	0.9%
NATIVE HAWAIIAN/ OTHER PACIFIC ISLANDER	0	0.0%	0.2%
TWO OR MORE RACES	0	0.0%	0.6%

**FEMALES**

ADMINISTRATIVE SUPPORT	Frequency	Percentage	WORKFORCE AVAILABILITY
WHITE	37	51.4%	44.2%
HISPANIC/LATINO	16	22.2%	3.3%
BLACK AFRICAN AMERICAN	11	15.3%	8.1%
AMERICAN INDIAN/ ALASKA NATIVE	0	0.0%	0.4%
ASIAN	1	1.4%	2.4%
NATIVE HAWAIIAN/ OTHER PACIFIC ISLANDER	0	0.0%	0.1%
TWO OR MORE RACES	0	0.0%	0.5%

**MALES/FEMALES**

SUMMARY OF WORKFORCE		
TOTAL MALES	145	39.08%
TOTAL FEMALES	226	60.9%
SUMMARY TOTAL		
TOTAL MINORITY	86	23.2%
TOTAL MINORITY FEMALES	57	66.3%
TOTAL MINORITY MALES	29	35.7%

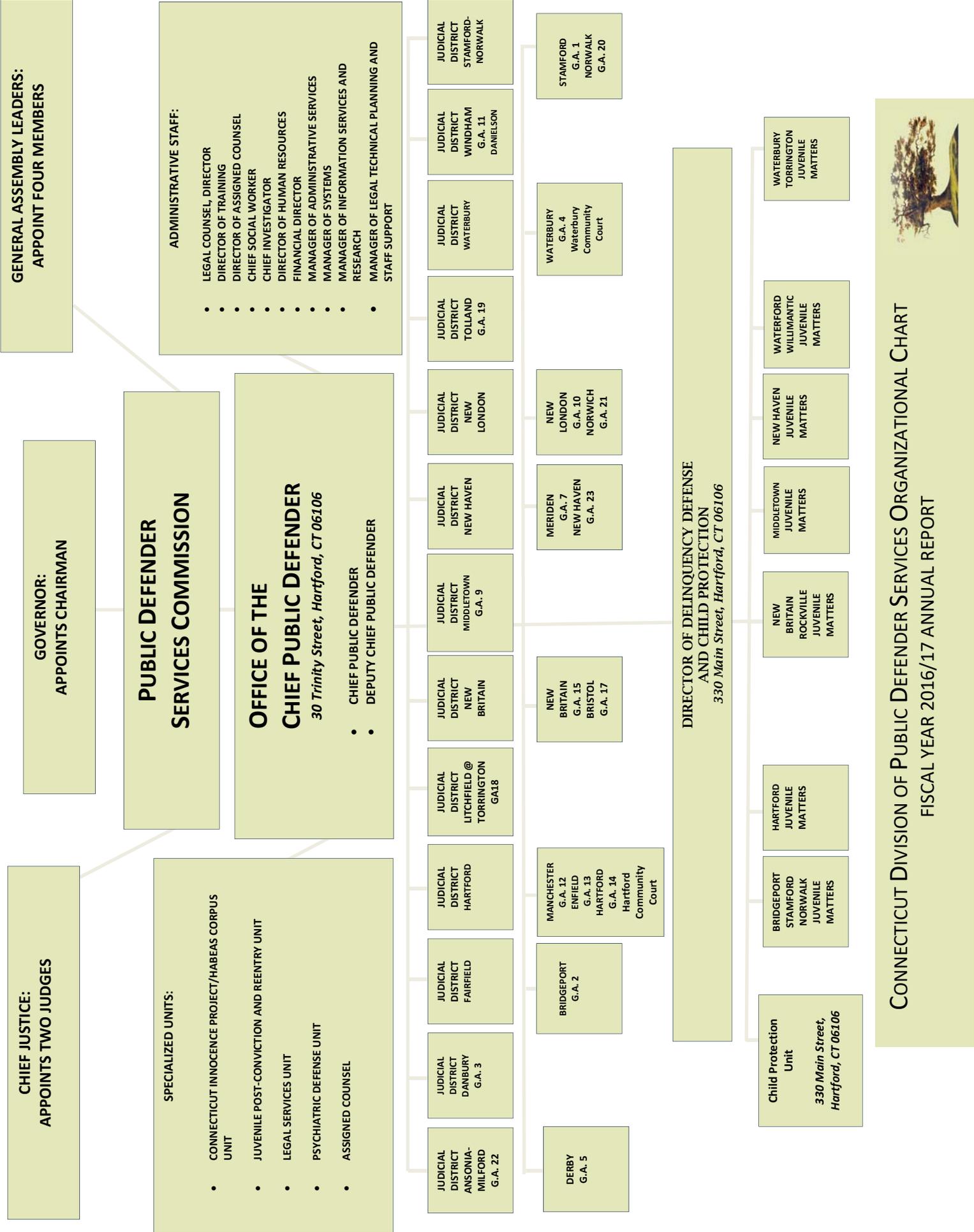
# PUBLIC DEFENDER SERVICES COMMISSION

AS OF FEBRUARY 1, 2018

MEMBER	APPOINTED BY	APPOINTMENT COMMENCING
Thomas J. Rechen, Esq. (CHAIR)	Governor	11/17/2010
G. Kenneth Bernhard, Esq.	Senate Minority Leader	10/1/2016
Honorable William R. Dyson	House Republican Leader	8/26/2015
Aimee C. Goldbert, LCSW	Senate President Pro Tempore	10/1/2013
Attorney Ramona Mercado-Espinoza	Speaker of the House	10/1/2016
Honorable Elpedio N. Vitale	Chief Justice	10/1/2015
Honorable Hillary Strackbein <sup>1</sup>	Chief Justice	12/21/17

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<sup>1</sup> A vacancy was left by the Honorable Julia DiCocco Dewey who resigned the position in September 2017. The Chief Justice appointed Judge Strackbein in December 2017.



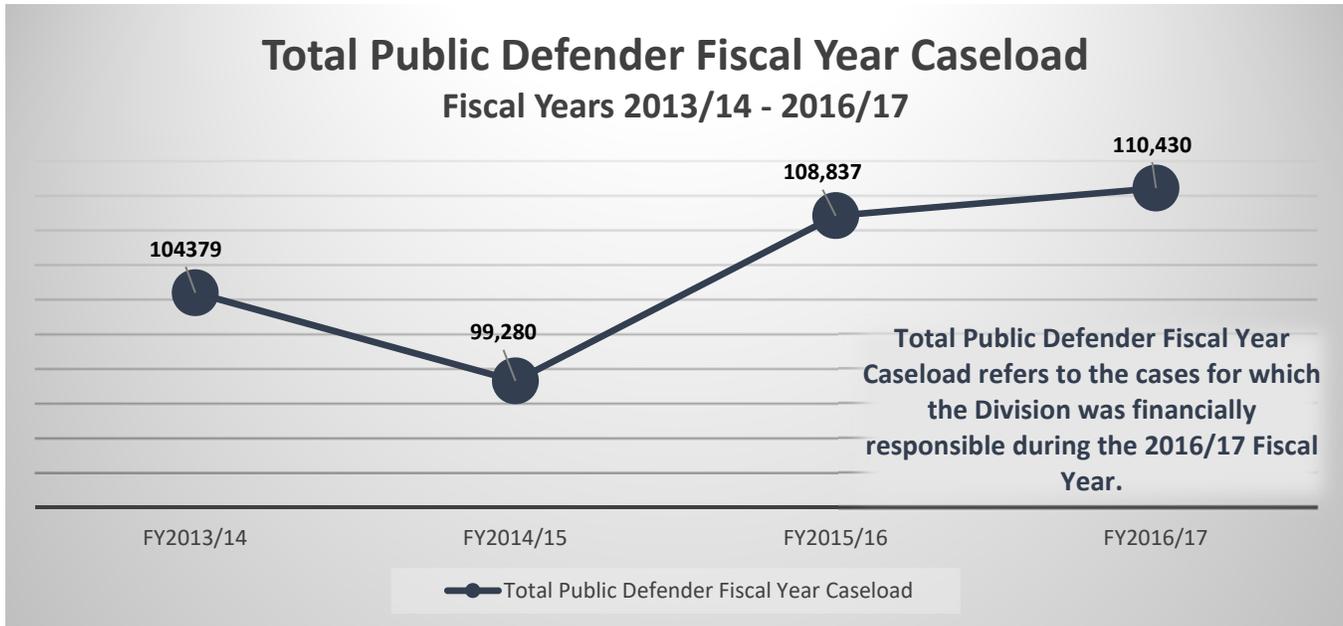
CONNECTICUT DIVISION OF PUBLIC DEFENDER SERVICES ORGANIZATIONAL CHART  
FISCAL YEAR 2016/17 ANNUAL REPORT

# CHAPTER THREE: CASELOAD

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## Total Public Defender Fiscal Year Caseload

During FY2016/17, the total public defender Fiscal Year Caseload<sup>1</sup> was 110,430. This is a 1.5% increase over FY2015/16. This figure includes assignments of 21,437 Assigned Counsel cases, 282 appeals and 525 habeas cases in addition to the caseloads of Juvenile Matters, Geographical Area and Judicial District field offices.

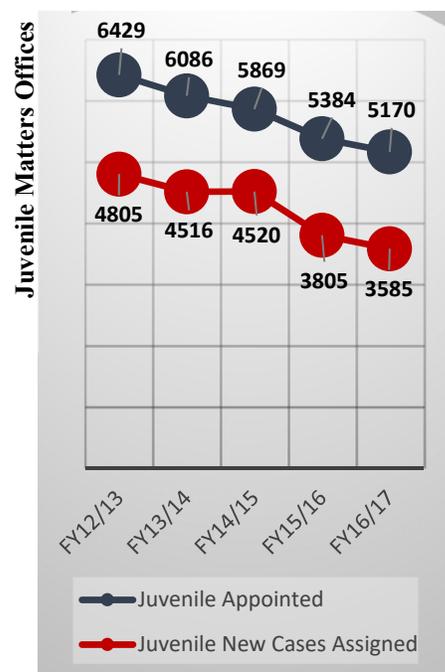
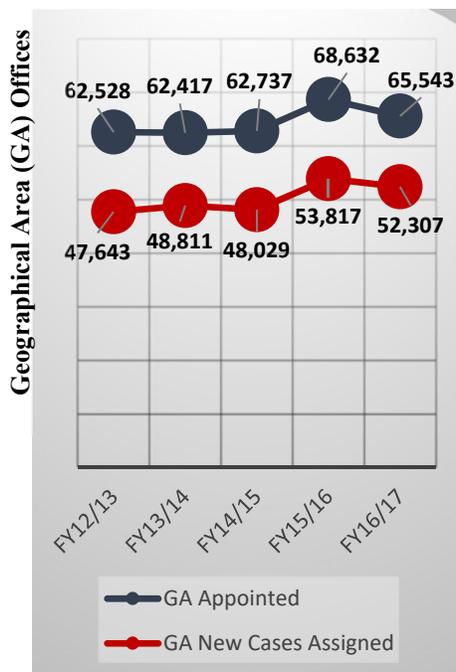
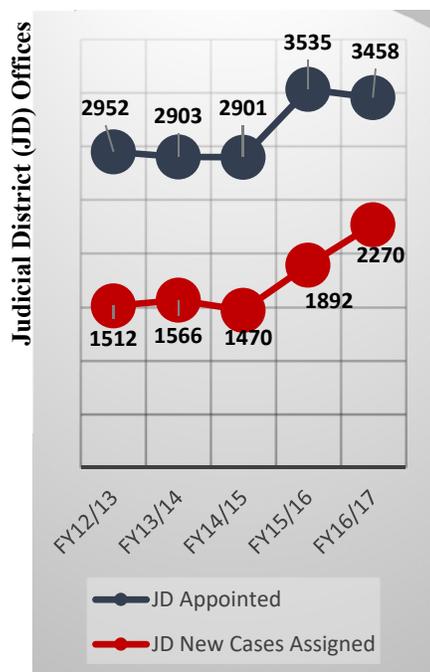


The three charts on the next page reflect both the “cases appointed” and the “New Cases Assigned (NCA)”<sup>2</sup> for the Judicial District (JD), Geographical Area (GA) and Juvenile Matters<sup>3</sup> offices over the course of the last five fiscal years. See footnote 2 below for a detailed definition and history of these two caseload statistics.

<sup>1</sup> “Fiscal Year Caseload” is presented in three steps. 1) The first is defined as total GA, JD and Juvenile Matters cases pending on 7/1/16 (29,553) + cases appointed in those offices during FY2016/17 (74,642) minus cases transferred from those offices during the fiscal year (88,186). The second adds in the cases sent out to Assigned Counsel during FY2016/17 (total of 109,623) and 3) the third adds the habeas and appeals assigned during FY2016/17. The final calculation (110,430) represents all of the cases for which the Division is financially responsible.

<sup>2</sup> Caseload Goals & Analysis: The adoption of “Caseload Goals” in 1999 redefined “Caseload” as “new cases assigned”, which is reflected in the Appendices tables entitled “Caseload Goals Analysis”. The specific calculations differ depending upon whether the office is identified as a JD, GA or Juvenile Matters location. “New Cases Assigned (NCA)” Judicial District offices calculate “new cases assigned” by weighting murder and non-death penalty capital cases as two (2) cases, (by adding [1] additional case). After the weighting process is applied, minor felony, misdemeanor, motor vehicle and other cases are excluded. Cases transferred (Assigned Counsel, private counsel, pro se) are also subtracted. The “Caseload Goals Analysis” tables in the Appendix reflect NCA per attorney to assess caseload goals in each public defender office. The number of attorneys in the JD and GA locations used to calculate “new cases assigned per attorney” has been reallocated in offices where the same staff handles JD and GA business. In these offices, a staff attorney is shown as working in only the JD or GA although he/she may handle both types of cases.

<sup>3</sup> Note: The Juvenile Matters caseload discussion that has historically been located within the Caseload (Chapter Three) Chapter is now in a standalone chapter entitled “Juvenile Matters and Child Protection” (Chapter Five).



*Judicial Districts.* The 2.2% decrease in appointed JD cases appeared to be offset by the fewer number of transferred cases. This resulted in more cases handled in-house during FY2016/17. As a result, the JD NCA of 2,270, which is calculated by subtracting all removals from the appointed cases, continued the trend of increasing NCA over the last three fiscal years. The average NCA per attorney for FY2016/17 was 61<sup>4</sup>.

*Geographical Areas.* Collectively, the GA offices saw a decrease in both cases appointed and new cases assigned in FY2016/17. Despite this year’s decrease, both appointed and NCA figures remain higher than those from Fiscal Years 2012/13, 2013/14 and 2014/15. The average NCA per attorney for FY2016/17 was 439.

### Evaluation of Caseload Goals

In order to ensure that the attorneys within the Division of Public Defender Services are able to render quality representation to all clients and avoid unnecessary delay in the disposition of cases, the Public Defender Services Commission established Caseload Goals for Public Defenders in 1999. These goals reflect the Commission’s view of the number of new cases to be assigned to an individual attorney per year in order to represent clients in accordance with the Commission’s Guidelines on Indigent Defense. These goals have enabled the Commission to assess staffing levels and allocate resources on an equitable basis.

<sup>4</sup> Average NCA per attorney per fiscal year is calculated (using the average number of attorneys in each office each quarter) by dividing NCA by the average number of attorneys in the offices during the fiscal year.

Going forward, the Division and Commission are committed to evaluating our current performance measures against the national standards. Through a thorough evaluation, the new administration endeavors to explore various key performance indicators that best reflect caseload and workload and how they impact client services.

### Major Felony

#### Cases

An ongoing concern within the Division has been the number of major felony cases remaining in the Geographical Area (GA) courts. Compared to Fiscal Years 2012, 2011,

HARTFORD



*Pictured: Hartford JD Office (back row) William O'Connor, Luis Montagna, Jennifer Lee, Guillermo Acaron, Bruce R. Lorenzen (front row) Kenya Rideout, Claud Chong, Carol Lawton, Robert J. Meredith and Tejas Bhatt*

2010, 2008 and 2007 when nearly 98% of major felony cases remained in the GA courts and in FY2013/14 when 97.3% remained in the GA courts, this year the Division saw a reduction in those cases remaining in the GA offices.

In 2007, the American Council of Chief Defenders (ACCD) reaffirmed the caseload guidelines established in 1973 by the National Advisory Commission on Criminal Justice Standards and Caseload Goals (NAC Standards). These guidelines are significantly lower in some respects than those established by the Public Defender Services Commission in 1999 because of the settlement agreement in *Rivera v. Rowland, et al.* Furthermore, the American Bar Association (ABA) has issued a formal opinion regarding the ethical obligations of public defender lawyers and public defender supervisors when faced with excessive caseloads.

### Major Felony Measures

Currently, 28.1% of all new cases in the GA public defender offices are felonies (10.4% major felonies and 17.7% minor felonies). Major felonies accounted for 53.6% of new cases in JD offices.

NORWICH



*Pictured: Norwich GA21 Office (back row) Cynthia Love, Alix Walmsley, Richard J. Perry, Robin M. Meyer (front row) Virginia Knudsen and Courtney Ennis*

**Case Tracking (CT) and JustWare Case Management System (CMS)**

FY2016/17 is the first full Fiscal Year within which the Division relied solely upon the JustWare Case Management System (CMS) to produce reports for docket management and caseload tracking for all adult GA, JD (and Juvenile Matters) offices. The Information Services and Research department continues to collaborate with both the Systems department and those

overseeing the new CMS in order to evaluate data validity and reliability.

**Assigned Counsel (Formerly known as Special Public Defenders)**

Assigned Counsel are private attorneys hired by the Public Defender Services Commission to represent indigent defendants when the public defender office determines that there is a conflict of interest. As noted above, in FY2016/17, Assigned Counsel were assigned to handle 21,437 cases for the Judicial District, Geographical Area, Juvenile Matters, Appellate, Habeas and Child Protection offices combined. The majority of these cases were assigned pursuant to contracts entered into between the Commission and members of the private bar.

WATERBURY



*Pictured: Waterbury GA04 Office (back row) Wayne Jekot, Brian Pear, Norberto Rodriguez, (front row) Marcel A. Nicolassora, Denise Harris, Charles E. Green, Jr., Rosemary S. Montesi, Judith F. Machuga, Theresa M. Dalton, Thomas P. Denihan, Jr., Matthew J. Ramia and Christopher C. Sheehan.*

## PUBLIC DEFENDER OFFICES: TRENDS IN CASELOAD AND STAFFING

POSITIONS	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Attorneys	214	209	214	217	224	221	210	192
Clerical	66	62	86	79	68	68	67	57
Investigators	60	59	56	60	60	60	56	53
Social Workers	41	40	32	33	41	41	36	33
Exempt or Other Staff (Administrative)	22	33	25	22	23	26	24	31
<b>TOTAL</b>	<b>403</b>	<b>403</b>	<b>413</b>	<b>411</b>	<b>416</b>	<b>416</b>	<b>393</b>	<b>366</b>
<b>Judicial Districts</b>								
Judicial Districts	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Major Felonies	1579	1456	1483	1544	1404	1455	1905	1853
Minor Felonies	291	264	315	321	320	321	298	256
Misdemeanors	181	179	142	135	152	152	161	159
Total (Includes MV, VOP and Other)	2895	2800	2909	2915	2903	2826	3535	3458
<b>Geographical Areas*</b>								
Geographical Areas*	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Major Felonies	6846	8072	8457	7929	7437	7502	7654	6951
Minor Felonies	15282	14257	14801	12772	12881	13052	12943	11856
Misdemeanors	28646	26503	27036	25439	25660	24944	26060	25514
Total (Includes MV, VOP and Other)	69611	66821	69572	62978	63266	62051	68632	66822
<b>Juvenile Matters</b>								
Juvenile Matters	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Serious Juvenile Offenses	624	643	613	821	794	758	646	727
Other Felonies	544	563	752	993	1000	935	1254	1303
Misdemeanors	3797	4349	3861	4297	3992	3857	2895	2665
<b>TOTAL (includes Other)</b>	<b>4985</b>	<b>5569</b>	<b>5443</b>	<b>6282</b>	<b>6086</b>	<b>5629</b>	<b>5384</b>	<b>5170</b>
<b>Judicial Districts</b>								
Judicial Districts	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Major Felonies	54.5%	52%	51.0%	52.3%	48.4%	50.2%	53.8%	53.6%
Minor Felonies	10.1%	9.4%	10.8%	10.9%	11.0%	11.1%	8.4%	7.4%
Misdemeanors	6.3%	6.4%	4.9%	4.6%	5.2%	5.2%	4.6%	4.6%
MV, VOP and Other	28.4%	32%	32.6%	31%	32.2%	31%	33.2%	31.4%
<b>Geographical Areas</b>								
Geographical Areas	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Major Felonies	9.8%	12.1%	12.3%	12.5%	11.8%	12%	11.2%	10.4%
Minor Felonies	22.0%	21.3%	21.3%	20.1%	20.4%	20.8%	18.8%	17.7%
Misdemeanors	41.2%	39.7%	40.7%	40.1%	40.6%	39.8%	37.9%	38.2%
MV, VOP and Other	26.6%	26.3%	25.3%	26.5%	26.6%	26.4%	32.1%	33.8%
<b>Juvenile Matters</b>								
Juvenile Matters	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Serious Juvenile Offenses	12.5%	11.5%	11.3%	12.8%	13.0%	12.9%	12%	14.1%
Other Felonies	10.9%	10.1%	13.8%	15.4%	16.4%	15.9%	23.3%	25.2%
Misdemeanors	76.2%	78.1%	70.9%	66.8%	65.6%	65.7%	53.7%	51.5%
Other	0.4%	.3%	4.1%	2.7%	0.0%	1.3%	11.0%	9.2%

# CHAPTER FOUR: PUBLIC DEFENDER DEPARTMENTS & SPECIALIZED UNITS

**T**his chapter describes each specialized unit and department within the Division of Public Defender Services. Where applicable, staffing, caseloads, training, legislation and trends are provided. The agency includes the following specialized units: Assigned Counsel, Connecticut Innocence Project/Habeas Corpus Unit, Legal Services Unit (Appellate), Psychiatric Defense Unit and the Juvenile Post-Conviction Unit<sup>1</sup>. Administrative staff from the Office of the Chief Public Defender have also provided the following department updates: Legal Counsel, Director of Training, Chief Social Worker, Chief Investigator, Manager of Systems, Manager of Legal Technical Planning & Staff Support, and the Manager of Information Services and Research.

## ASSIGNED COUNSEL (FORMERLY SPECIAL PUBLIC DEFENDERS)

### ***Staffing***

The Assigned Counsel unit was staffed during FY 2016/17 by four staff members and one Director of Assigned Counsel. The Assigned Counsel unit is located at the Office of the Chief Public Defender.

### ***Case Assignments and Compensation***

A centralized database is used to make case assignments and process all compensation for criminal, appellate, habeas and child protection matters. In addition to case assignments and compensation, the database has been expanded to include the approval and compensation of expenses and experts.

There were approximately four hundred sixty five attorneys contracting with OCPD during FY 2016/17. Case assignment statistics for the year were:

#### ***Assigned Counsel Criminal***

- GA courts – 5410
- Juvenile Delinquency – 1,253
- JD courts – 727
- Habeas matters – 487
- Appellate matters - 231

#### ***Assigned Counsel Child Protection/GAL***

- Child Protection— 12081
- Family Court GAL – 500-600 estimated

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<sup>1</sup> Beginning with this issue, the Juvenile Post-Conviction Unit update is now located in “Chapter 3: Juvenile Delinquency & Child Protection”.

### **Training**

All attorneys awarded an Assigned Counsel agreement are offered a variety of training opportunities throughout the fiscal year and must attend at least six hours of training annually. Each new Assigned Counsel is required to attend the full day *Basic Orientation Course* offered each year, which focuses on basic Assigned Counsel practice and ethics. New Assigned Counsel for Child Protection matters must attend a 3-day pre service training provided under a contract with the Center for Children’s Advocacy. In addition, many Assigned Counsel attorneys regularly take the opportunity to attend many seminars offered throughout the year.

## **CONNECTICUT INNOCENCE PROJECT/POST CONVICTION UNIT (CTIP/PCU)**

### **Staffing**

One (1) Director of CTIP/PCU: Attorney Darcy McGraw	Two (2) Investigators
One (1) Senior Assistant Public Defender	Two (2) Paralegals
Two (2) Permanent Attorneys	One (1) Secretary
One (1) Senior Case Analyst	
Five (5) Interns (Quinnipiac School of Law and Naugatuck CC Paralegal Studies)	

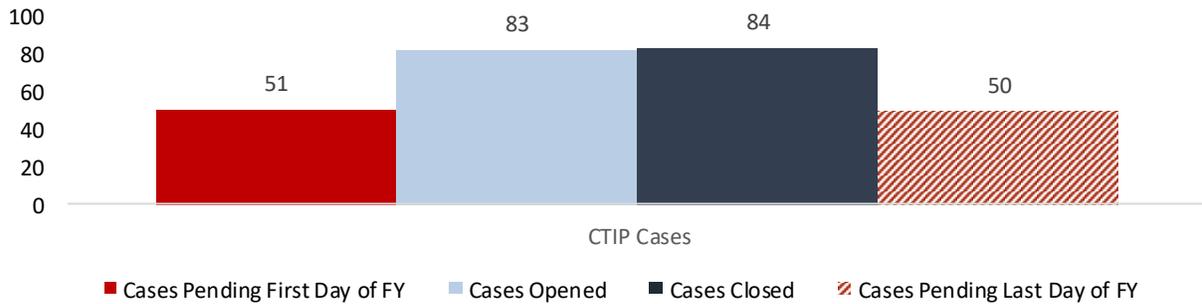
*Located at: 2275 Silas Dean Highway, Rocky Hill, Connecticut 06067*

The Connecticut Innocence Project (CTIP) and the Post-Conviction (Habeas) Units were combined during FY13/14 to create one specialized unit of the Office of Chief Public Defender and are located in Rocky Hill, Connecticut. Habeas responsibilities within the unit include representation of financially eligible petitioners in habeas corpus cases arising from a criminal matter. For the CTIP cases, the unit continues its mission to identify, investigate and exonerate wrongly convicted individuals and seek their release from prison, whether through DNA testing or other methods available, to bring post-conviction claims. Most of the work involves post-conviction review of innocence claims in non-DNA cases.

### **Caseload**

During FY2016/17 the CTIP pending cases remained steady (51 cases to start the FY and 50 at the close). Similarly, incoming and outgoing case counts were nearly identical at 83 and 84 cases.

### CTIP Caseload Movement FY2016/17



Caseloads for Habeas cases are counted by cases received, inquiries opened, number of active cases and number of cases closed. Below is a chart indicating caseload for habeas cases in FY2016/17.

Habeas Cases	
Habeas Cases Received from the Court	525
Habeas Inquiries Opened	91
Inquiries Turned into Active Cases	32
PA 15-84 Parole Cases	
Assigned	19
Closed (Return to Court)	15
Closed (Withdrawn Prior to Appointment of Counsel)	3
Closed (Consolidated Prior to Appointment of Counsel)	2

### Major Developments

*Release of David Weinberg.* This year, CTIP secured the release of David Weinberg. Mr. Weinberg spent 26 years in prison and was released after he agreed to accept a sentence modification from life in prison to time served. Newly discovered statements and reanalyzed evidence likely would have led to a retrial and the State acknowledged that it was unlikely to prevail due to significant problems with the evidence. This included exculpatory Brady material that had not been provided to the defense, DNA evidence excluding Mr. Weinberg and discredited testimony related to blood and hair fragments. Mr. Weinberg wished to secure release and agreed to the compromise modification to time served. This year CTIP secured the release of David Weinberg. Mr. Weinberg spent 26 years in prison and was released after he agreed to accept a sentence modification when the state agreed that the conviction lacked integrity.

*Release of Alfred Swinton.* Led by the work of the Innocence Project (New York) together with local attorney Ken Rosenthal and CTIP, Alfred Swinton was released after 19 years in prison. Mr. Swinton's conviction rested heavily on "bite mark identification evidence" which has subsequently been

thoroughly debunked. The dentist who was the state's expert at the underlying trial recanted his own expert opinion in connection with the post-conviction proceedings. His legal team also located undergarments the state had maintained belonged to the victim. DNA from that garment excluded both the victim and Mr. Swinton. As result of the legal efforts on his behalf, the state stipulated to the granting of a petition for new trial and that the court, released Mr. Swinton from custody. He continues to remain at liberty pending a final resolution of the case.

### **Juvenile Justice Initiative (Miller/Graham Cases)**

Attorney Alexandra Harrington continues to coordinate the litigation of parole hearings mandated by Public Act 15-84. These hearings litigate the appropriateness of sentences imposed on juvenile defendants pursuant to the United States Supreme Court rulings in *Miller v. Alabama* and *Graham v. Florida*. The hearings are conducted by CTIP staff, agency lawyers and Assigned Counsel all assisted by experts including OCPD social workers and investigators. Nineteen (19) PA15-84 cases were assigned counsel during FY2016/17. Between June 2016 and October 2017 there were fifty (50) hearings conducted. Of those, twenty-eight (28) have been granted parole and twenty two (22) were denied<sup>2</sup>. CTIP continues to organize and conduct legal trainings for staff and Assigned Counsel in these cases.

### **Professional Development**

All attorneys are in compliance with the new Practice Book requirements regarding continuing legal education. Of particular interest was the annual 3-day Innocence Network Conference in San Diego, CA. This year, thanks to a generous donation from the Tow Foundation, Director Darcy McGraw, accompanied by several exonerees, attended to a program that the Innocence Network provides for exonerees and their families.

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<sup>2</sup> Of the hearings in which parole was denied, there are a mix of flat denials and denials with rehearing dates.

## LEGAL SERVICES UNIT (LSU)

### Staffing

Chief of Legal Services – Lauren Weisfeld  
Nine (9) full-time attorneys  
Two (2) paralegals  
One (1) secretary

*Located at: 55 W. Main Street, Suite 430, Waterbury, CT 06702*

### Caseloads

- 282 Appeal files opened (direct appeals plus habeas appeals)
- 303 Appeal files closed (direct appeals plus habeas appeals)
- 104 Habeas appeal files opened
- 231 Appeals assigned to Assigned Counsel
- 70 Appeals disposed of by LSU attorneys

### LSU Accomplishments

### Favorable Outcomes

#### **Jennifer Bourn (assisting Maureen Murphy)**

- State v. Malcolm motion to suppress and dismissal of charges

#### **Richard Condon**

- Anthony A. v. Commissioner of Corrections, 328 Conn. 668, 166 A.3d 614 (2017)

#### **Laila Haswell**

- State v. Christopher Kaspern, CF 6722- appeal withdrawn as part of agreement to modify the defendant's jail sentence

#### **Pam Nagy**

- State v. Bush, 325 Conn. 272 (2017) – upheld AC's decision of insufficient evidence of racketeering (CORA) (partial win)
- State v. Carlos P., 171 Conn. App. 530 (2017) - vacated attempted sexual assault conviction on double jeopardy grounds (partial win)

#### **Alice Osedach-Powers**

- State v. Kallberg, 326 Conn. 1 (2017) state precluded from refiling charges after nolle
- State v. Nathaniel S., 323 Conn. 290 (2016) amendment increasing age of child subject to automatic transfer from juvenile to regular criminal docket from 14 to 15 years was primarily procedural and presumptively applied retroactively to pending cases
- State v. Ruocco, 322 Conn. 815 (2016) omission of statutorily required "no adverse inference" instruction not harmless beyond a reasonable doubt

#### **Adele Patterson**

- State v. Riley, both in the state Supreme Court and then opposing the state's effort to have the US Supreme Court grant review
- (co-counsel with Alexandra Harrington) in State v. Ray Boyd, (application of Miller/Riley on motions to correct illegal sentence), achieving transfer to our Supreme Court.

- Hinds v. Commissioner Of Correction, 321 Conn. 56, holding that where the jury was not properly instructed on elements of kidnapping, post-conviction challenge to convictions are not subject to defense of procedural default; court applied harmless beyond a reasonable doubt burden on state as state had requested at habeas trial. Court declined to address whether state will recognize principle that harm from multiple trial errors not individually warranting reversal may cumulatively result in an unfair trial in violation of due process of law, as recognized by federal courts. She assisted counsel in Waterbury juvenile court in successfully denying transfer to adult court, and assisted counsel in Hartford in preparing motion and argument to transfer a case back to juvenile court.

***Emily Wagner***

- State v. Lane (A.C. 39684) in which the state elected not to contest Attorney Wagner’s several points

**Presentations, Advocacy and Trainings**

In addition to the appellate work, LSU attorneys and staff also provided advocacy within and outside of the agency, developed and presented workshops and trainings and consulted with OCPD on a variety of legislative reform efforts. The training and presentation topics ranged from legally challenging the use of prison informants, the use of solitary confinement to record preservation. LSU staff also continue to have an important role in the work of the University of Connecticut, Quinnipiac and Yale Law School clinics and classes.

**Trial Support**

In addition to the favorable outcomes, training and advocacy listed above, appellate attorneys also actively participated in trial offices alongside our GA, JD and Juvenile Matters and other specialty unit staff attorneys by providing briefs, preparing for arguments, taking second chair and providing other trial support.

## CAPITAL DEFENSE AND TRIAL SERVICES UNIT (CDTSU)

### Staffing

One (1) Acting Chief: Attorney Michael Courtney (retired 10/1/17)  
Two (2) Capital Appellate Attorneys  
Two (2) Appellate Attorneys (Shared with Legal Services Unit)  
One (1) Administrative Assistant

Located at: Office of the Chief Public Defender (OCPD), 30 Trinity Street, 4<sup>th</sup> Floor, Hartford, Connecticut



Pictured: Capital Defense and Trial Services Unit Ann Parrent, Judith Borman, Adele Patterson, Jennifer Bourn, Tina Nelson, Michael Courtney and Emily Wagner

During FY2016/17, CDTSU was responsible for:

- direct representation of
  - four (4) clients and legal support for one (1) formerly death-sentenced client in varying stages of direct appeal, motion to correct sentence, and state habeas;
  - five (5) (non-capital) felony trial-level cases;
  - nine (9) non-capital appeals;
  - two (2) habeas cases;
- training and trial support, and
- legislative projects.

### Notable Litigation

*Direct Appeals:* CDTSU attorneys accomplished significant work in FY2016/17 on behalf of formerly death-sentenced clients whose lengthy direct appeals are pending in the Connecticut Supreme Court:

- *Jessie Campbell:* Supplemental briefing and oral argument of client's direct appeal took place at the end of 2016; as of October 1, 2017, a decision is pending.
- *Richard Roszkowski:* Opening and reply briefs were filed on client's behalf in July and October 2017, and the appeal was argued on December 12, 2017.
- *Lazale Ashby:* Motions for articulation arising from trial court decisions in proceedings to rectify the record and litigate substantial *Brady* claims were filed in August 2016. A motion for review of the trial court's partial denial of a hearing to explore *Brady* claims was filed in December 2016 and denied in January 2017; the direct appeal brief raising 22 issues was filed October 26, 2017.

*Solitary Confinement Conditions (C.G.S. §18-10b):* During the year, CDTSU attorneys continued to work

on litigation and legislative strategies to challenge the ex post facto and arbitrary application of solitary confinement conditions on formerly death-sentenced clients enacted with the 2012 repeal of the death penalty, Conn. Gen. Stat. §18-10b. This included:

- work on a habeas petition challenging the constitutionality of that provision on behalf of Steven Hayes, (filed July 7, 2017), and
- presenting written and oral testimony on solitary confinement before the CT Advisory Committee to the U.S. Commission on Civil Rights.

*Other Litigation:* In other litigation work, CDTSU attorneys:

- handled, second-chaired, and provided support for four (non-capital) felony trials, and one trial-level case that was resolved with a favorable plea;
- filed main, reply, and supplemental briefs in nine non-capital appeals;
- filed/opposed 3 petitions for certification;
- filed two briefs in habeas cases;
- handled *Miller-Graham* litigation in the *Riley* case; and
- provided support and briefing for a successful motion to suppress leading to dismissal of charges.

### **Training and Support**

CDTSU attorneys also provided:

- varying levels of field office support on motions, trials, and appeals;
- gave training presentations and prepared training materials;
- participated in a working group on *Brady* issues; and
- worked on legislative projects.

## **PSYCHIATRIC DEFENSE UNIT**

PDU is a specialized unit located on the grounds of Connecticut Valley Hospital (CVH) responsible for the holistic representation of persons acquitted of crimes *by reason of mental disease or defect*<sup>3</sup> and committed to the state’s Psychiatric Security Review Board (PSRB).

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<sup>3</sup> Connecticut General Statutes: **Sec. 53a-13. Lack of capacity due to mental disease or defect as affirmative defense.** (a) In any prosecution for an offense, it shall be an affirmative defense that the defendant, at the time he

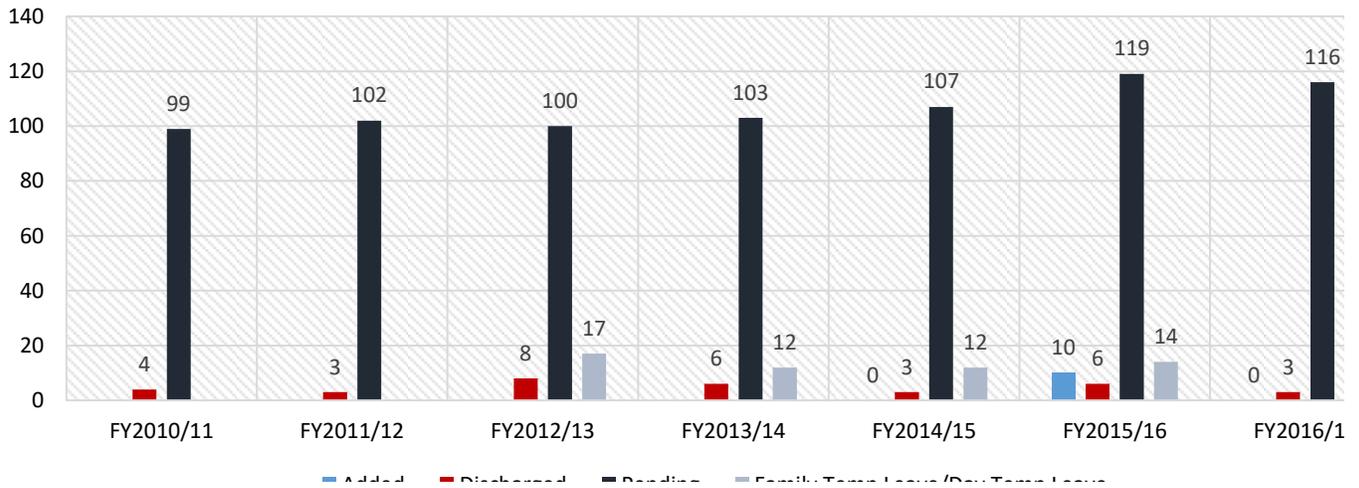
**Staffing**

One (1) Chief of Psychiatric Services: Monte P. Radler, Esq.  
 One (1) Full Time Attorney  
 One (1) Paralegal  
 Three (3) Interns

One (1) Part Time Attorney  
 One (1) Social Worker

*Located At: Connecticut Valley Hospital, Psychiatric Defense Unit, Shew Hall, Silver Street, Middletown, CT 06457*

**PDU Trends FY2010/11 - 2016/17\***



\*Note: "Added" was not reported by PDU until FY2015/16 and "Family Temporary Leave/Day Temporary Leave" was not reported until FY2012/13.

**Training and Education**

Members of PDU participated in various training and educational activities during FY2016/17:

- Stand Down for Veterans 2016 (see side bar on the next page for more details)
- Considerations for working with Military Families
- Women, Opioid Use Disorders and Co-Occurring Disorders
- Cultural Competence Training
- NASW-CT Annual Conference
- Mental Health Summit 2017 – Opioid Epidemic
- Immigration Seminar
- Strategies for Confronting Racial Bias in the Courtroom

committed the proscribed act or acts, lacked substantial capacity, as a result of mental disease or defect, either to appreciate the wrongfulness of his conduct or to control his conduct within the requirements of the law.

## Stand Down for Veterans 2016

<http://portal.ct.gov/DVA/Pages/Veterans-Stand-Down>

The Division continued its dedication to working with and for Veterans during the Department of Veterans Affairs' annual Stand Down for Veterans event held at the Connecticut Veterans Home in Rocky Hill, Connecticut. Each year, the one-day event offers veterans assistance with medical screenings, applying for benefits and free legal assistance. PDS volunteers have participated in this event for nearly three decades.

- Leadership Series (A Tool Kit for Public Defender Supervisors), Parts I, II, and III
- Overview of Common Habeas Corpus Claims
- Implicit Bias Training
- Reimagining Justice Conference
- Freedom of Information Act (FOIA)
- PSRB Training

## TRAINING AND PROFESSIONAL EDUCATION

### Staffing

One (1) Director of Legal Education and Training: Alison Bloomquist, Esq.  
One (1) Administrative Assistant

*Located At: Office of the Chief Public Defender (OCPD), Hartford, CT*

FY2016/17 was a rebuilding year for the Training Department, the first full year of programming by our new Director, Alison Bloomquist. Along with veteran assistant Janice Street, and over two dozen volunteers from offices all over the state, the department was able to provide several new and exciting programs. The table below outlines the attendance and training type.



*Leadership Training Series, Connecticut State Capitol Building, November 2016*

Number of Attendees	In-House Training (8)
569 Total	<ul style="list-style-type: none"> <li>• Sentencing Seminar - LOB</li> <li>• DPDS Leadership/Management Symposium - State Capitol</li> <li>• Leadership Part II - Lyceum</li> <li>• Leadership Part III - UConn Law, Hartford</li> <li>• Evidence-Preserving the Record - Goodwin</li> <li>• Immigration Seminar - UConn Law</li> <li>• Justice for All - Racial Bias in Courtroom - Lyceum</li> <li>• ANNUAL MEETING - OMNI New Haven</li> </ul>
Instate Seminars/Conferences (5)	
64 Total	<ul style="list-style-type: none"> <li>• CBA Bench-Bar Symposium on Professionalism - New Britain</li> <li>• CTLA Criminal Litigation Seminar - Orange</li> <li>• CBA - Diversity and Inclusion - New Britain</li> <li>• CCDLA Ethics Dinner - Waterbury</li> <li>• Reimagining Justice - Hartford Downtown Marriott</li> </ul>
Out of State Seminars/Conferences (11)	
18 Total	<ul style="list-style-type: none"> <li>• NLC Institute Leadership Academy - Denver, CO</li> <li>• NLG 2016 Law for the People Convention - NYC</li> <li>• NACDL Suppress It! Conference - Washington, DC</li> <li>• NLADA 2016 Annual Conference - Indianapolis, IN</li> <li>• NACDL S/A &amp; Child Victims Cases - Las Vegas, NV</li> <li>• ABA Public Defender Summit - Miami, FL</li> <li>• NAPD Executive Leadership Inst - Frankfort, KY</li> <li>• Bronx Defenders - Cross Better - Bronx, NY</li> <li>• Innocence Project Conference - New York, NY</li> <li>• Bronx Defenders Academy @ CUNY - Long Island City, NY</li> <li>• NLADA Community Oriented Defense Conference - Baltimore, MD</li> </ul>
DAS - FALL 2016/WINTER-SPRING 2017	
32 Total	<ul style="list-style-type: none"> <li>• Various</li> </ul>

### Leadership Series

In response to the high priority senior management placed on management and supervision training, the Training Department created a three-part Leadership Series designed to address some of the most significant challenges identified by public defender leaders. These included:

#### *Procedural Justice and Client Centered Management.*



- Full day program attended by nearly all Division supervisors, public defenders, and managers.
- Keynote speaker Ernie Lewis from the National Association of Public Defense (NAPD), focused on client-centered management coaching and case review and later facilitated an executive leadership session with senior management
- Center for Court Innovation (CCI) presented on Procedural Justice practices and the project between CCI and the Division

### *Employment and Labor Relations Basics for Supervisors.*

- Half-day program focused on using coaching and case review to create effective performance evaluations
- Presentation and Q&A, where HR and union representatives discussed the union environment including collective bargaining and grievance procedures

### *Preventing Burnout and Building Resiliency: A Toolkit for Public Defender Supervisors.*

- Half-day program devoted entirely to understanding the impact of stress on ourselves and our staff, and offering strategies for building resiliency
- Presented by the Director of Training and the Manager of Information Services & Research.

## **Racial Justice and Equity**

Racial Justice is a Division priority and will continue to be in the future. Several workgroups and activities were launched in FY2016/17:

- The *Cultural Competency Working Group* for Division staff interested in racial justice was formed
- The *Racial Justice Strategic Planning* project (in collaboration with NAPD)
- Development of a multi-format, yearlong racial justice curriculum to reach as many Division staff as possible



- Discussion groups across the state and a screening of the documentary *13<sup>th</sup>* by Director Ava DuVernay. This screening included a panel discussion by key leaders in state government, academia, and the Chief Public Defender<sup>4</sup>.
- Inclusion of racial justice issues in every Division workshop
- Presentation of two long format programs on racial justice:
  - *Justice for All: Strategies for Confronting Race Bias in the Courtroom.*
    - explored the ways in which defenders can help mitigate the effects of racial bias on our clients through the system.
    - Keynote by Judge Mark Bennett (Northern Dist. of Iowa)
    - Presentations on addressing race in jury selection, and using race data in bond arguments and motions practice
  - *Race in America: How we Got Here and Why We Are Stuck.*
    - Two hour keynote at DPS Annual Meeting delivered by Jeff Robinson, Director of the ACLU Trone Center for Justice and Equality.
    - Keynote attended by over 90% of all Division employees.
    - 90 minute small group workshop by Jeff Robinson



<sup>4</sup> Special thanks to the University of Connecticut School of Social Work, Dean Nina Rovinelli Heller and Associate Dean for Research Michael Fendrich for partnering with OCPD and providing the space and important dialogue for the evening.

**Additional Programs Offered by the Training Department in FY2016/17**

Topic	Details
Immigration	<ul style="list-style-type: none"> <li>• Half-day program presented by the <i>Yale Immigrant and Workers Rights Advocacy Clinic</i></li> <li>• Designed to better acquaint defenders with the morass of consequences and challenges facing our non-citizen clients</li> <li>• Included a comprehensive guide published by the Clinic for practitioners to reference</li> </ul>
Sentencing	<ul style="list-style-type: none"> <li>• A Training Department staple</li> <li>• Included presentations and Q&amp;A with representatives from corrections and classification, as well as a comprehensive packet for participants to reference</li> </ul>
Annual Meeting: Seeking Justice in Challenging Times	<ul style="list-style-type: none"> <li>• Included a nationally renowned keynote speaker, and over a dozen workshops and information sessions</li> <li>• Topics included racial justice, forensic sciences, procedural justice, office management and organization, legislative and case law updates, social media investigations, and immigration.</li> <li>• Table sessions included available representatives from financial and EAP benefits providers and The Prison Arts Program</li> </ul>
New Lawyer Skills Training Evidence Advocacy and Record Preservation	<ul style="list-style-type: none"> <li>• No new lawyer class this year</li> <li>• In place of New Lawyer Skills Training this year</li> <li>• Full day program for appellate and trial lawyers</li> <li>• Interactive skills program in which participants learned how to make theory-centered objections, as well as ways in which appellate and trial counsel can collaborate effectively</li> <li>• Presentations on the most common evidentiary challenges</li> <li>• Small group breakout sessions to role-play and work through evidence scenarios</li> </ul>
Procedural Justice Project	<ul style="list-style-type: none"> <li>• Partnership with the Center for Court Innovation (CCI)</li> <li>• Pilot sites in Bridgeport GA02 and New London GA10</li> <li>• Goals of the project               <ul style="list-style-type: none"> <li>○ to assess defender procedural justice practices in the hopes of improving client centered representation</li> <li>○ to improve procedural justice practices among other criminal justice stakeholders</li> </ul> </li> <li>• Next steps               <ul style="list-style-type: none"> <li>○ replication in other DPS offices</li> <li>○ development of a client satisfaction survey</li> </ul> </li> </ul>

## SOCIAL WORK

### Staffing

One (1) Chief Social Worker: Katie Farrell, LCSW  
 Thirty Three (33) Full-time Social Workers with coverage across 39 locations including three in specialized units  
 Ten (10) Interns in eight locations

*Located at: Office of the Chief Public Defender (OCPD), 30 Trinity Street, Hartford, CT 06106*

### Staffing Trends and Innovations

Trend	Result
Two social workers retired and two social workers resigned over this past year and the impact of the budgetary restrictions is far-reaching	<ul style="list-style-type: none"> <li>• Those four positions have not been filled</li> <li>• Five FT positions remain vacant due to layoffs</li> <li>• 33 social workers cover all locations</li> <li>• New Haven Juvenile Office position remains frozen and vacant</li> <li>•</li> </ul>
Innovation	Result
Fifty (50) 15-84 hearings went before the parole board	<ul style="list-style-type: none"> <li>• Eighteen (18) cases utilized the services of the DPDS social workers in their capacity as mitigation specialists resulting in a significant cost savings to PDS</li> </ul>
Chief Social worker serves as the Chief Public Defender's designee on various commissions	<ul style="list-style-type: none"> <li>• Serves on the Alcohol and Drug Policy Council</li> <li>• Serves on the Special Committee on Sex Offenders of the Connecticut Sentencing Commission: Subcommittee on the Sex Offender Assessment and Management</li> </ul>
Chief Social Worker collaborated with the Director of Human Resources to interview candidates to assume the role of the PDS' Employee Assistance Provider (EAP)	<ul style="list-style-type: none"> <li>• Wheeler Clinic was selected</li> </ul>

### Data Collection

In February 2017, Chief Social Worker Katie Farrell, Manager of Information Services and Research Jennie Albert and Chief Investigator Ellen Knight submitted a report to Chief Public Defender Susan Storey entitled "DPDS Social Work Snapshot: Post-Conviction and Pending Cases." This statistics for this report were compiled from the Social Workers' entries into the JustWare CMS. The report provided detailed statistics illustrating that "the client interventions of the DPDS social workers and the community relationships that they have forged result in cost saving measures to the State of Connecticut...their role extends beyond direct client intervention as many are actively involved in

community task force work, community outreach and interagency meetings. Their input directly impacts development of policy and implementation of programs/services.” This report produced results of medical diversion efforts: “A (conservative) total of 245 clients have benefitted from a DPDS social worker’s expertise in identifying and acting on behalf of crisis medical situations.” The report was used to support the need for continued funding for social workers.

### Trainings

Continuing professional development is critical to social work practice and the Division was able to facilitate ongoing training and educational opportunities for its social workers.

Total	Type
Twenty seven (27)	<ul style="list-style-type: none"> <li>• Trainings/Seminars/Conferences</li> </ul>
Thirty (30)	<ul style="list-style-type: none"> <li>• Events attended by twenty eight (28) social workers</li> <li>• Social Workers attended the DPS Annual Meeting</li> </ul>
Twenty two (22)	
Two (2)	<ul style="list-style-type: none"> <li>• Online Courses</li> </ul>
One (1)	<ul style="list-style-type: none"> <li>• Webinar</li> </ul>
Two (2)	<ul style="list-style-type: none"> <li>• Meetings within which community providers presented updates on services</li> </ul>
One (1)	<ul style="list-style-type: none"> <li>• Chief Public Defender, in collaboration with Wheeler Clinic, conducted a training on Resilience at the DPDS Annual Meeting.</li> </ul>
Number of Attendees	Training Type and Content
Nine (9)	<ul style="list-style-type: none"> <li>• Mental Health and Treatment <ul style="list-style-type: none"> <li>○ CWC<sup>5</sup> Affect Management for Client Success</li> <li>○ CWC Alzheimer's &amp; Other Dementias</li> <li>○ CWC What is EMDR?</li> <li>○ 13th Annual Yale NEA-BPD Conf: Prevention and Early Intervention</li> <li>○ Impact of Attach Trauma &amp; Dev of Dissociative Disorders</li> <li>○ ODD, ASD, ADHD &amp; Mood Disorders-Children, Adolescents</li> <li>○ UCONNSSW<sup>6</sup> PTSD/Seeking Safety Interventions</li> </ul> </li> </ul>
Eight (8)	<ul style="list-style-type: none"> <li>• Substance Abuse and Treatment <ul style="list-style-type: none"> <li>○ CWC ABC's of Medication Assisted Treatment</li> <li>○ CWC The Opioid Epidemic</li> <li>○ CWC Women, Opioid Disorders, &amp; the Complex Conundrum</li> </ul> </li> </ul>
Three (3)	<ul style="list-style-type: none"> <li>• LGBTQ</li> </ul>

<sup>5</sup> Connecticut Women’s Consortium (CWC)

<sup>6</sup> University of Connecticut School of Social Work (UCONNSSW)

	<ul style="list-style-type: none"> <li>○ UCONNSSW Family Therapy w/Transgender Youth</li> <li>○ CWC LGBTQIA...SOS! Gender, Sexuality, Differentiated, Demystified</li> <li>○ UCONN SSW Transgender Teens &amp; Adults</li> </ul>
Six (6)	<ul style="list-style-type: none"> <li>● Cultural Competence <ul style="list-style-type: none"> <li>○ Cultural Competence &amp; Awareness Training</li> <li>○ Cultural Competence Training</li> <li>○ Beyond Cultural Competence: Intersection Identities</li> <li>○ Racism and the Myth of Colorblindness</li> <li>○ TLCCT<sup>7</sup> Cultural Competence Training</li> </ul> </li> </ul>
Two (2)	<ul style="list-style-type: none"> <li>● Trauma-Informed Care <ul style="list-style-type: none"> <li>○ CWC Trauma Recovery and Empowerment Model (TREM)</li> <li>○ CWC Creating a Culture of Trauma-Informed Care</li> </ul> </li> </ul>
Twelve (12)	<ul style="list-style-type: none"> <li>● Assessment and Treatment <ul style="list-style-type: none"> <li>○ CWC Assessment of Acute Risk</li> <li>○ CWC Screening Brief Intervention, Referral to Treatment</li> <li>○ Holistic Healing &amp; Recovery through Integrative Medicine Conference</li> <li>○ Risk Assessment for Violence</li> <li>○ CWC Overview of DSM-5/Disorders of Childhood/Adolescence</li> <li>○ UCONNSSW DSM 5</li> <li>○ Understanding Difficult &amp; Aggressive Behaviors</li> </ul> </li> </ul>
Seven (7)	<ul style="list-style-type: none"> <li>● Military and Veterans <ul style="list-style-type: none"> <li>○ CWC Serving those Who Serve (Veterans)</li> <li>○ UCONNSSW Understand Military Culture, Implementation in Treatment</li> <li>○ VA CT Healthcare Mental Health Summit</li> </ul> </li> </ul>
Fourteen (14)	<ul style="list-style-type: none"> <li>● Social Work Conferences <ul style="list-style-type: none"> <li>○ NASW/CT<sup>8</sup> Annual Conference</li> </ul> </li> </ul>
One (1)	<ul style="list-style-type: none"> <li>● Sex Trafficking <ul style="list-style-type: none"> <li>○ Understanding Domestic Minor Sex Trafficking in CT</li> </ul> </li> </ul>

## INVESTIGATIVE DIVISION

**Staffing** One (1) Chief Investigator: Ellen Knight  
Fifty-three (53) Investigators in all Public Defender JD, GA, Juvenile and Specialized Units  
Twenty nine (29) Undergraduate Interns

*Located at: Office of the Chief Public Defender (OCPD), 30 Trinity Street, Hartford, CT 06106*

The Investigative Division is comprised of the Chief Investigator and investigators. In FY 2016/17, the number of investigators declined due to retirement and resignations. While the positions were not

<sup>7</sup> (TLCCT)

<sup>8</sup> National Association of Social Workers (NASW)

filled due to budget issues, the investigators continued to provide investigative services despite increased caseloads within their own offices and filling in at other offices.

### **Service, Collaboration and Innovation**

As our agency looks for ways to be efficient with our resources, Investigators continue to make meaningful contributions. They help reduce outsourcing by serving subpoenas for Assigned Counsel in criminal, habeas and child protection cases. Investigators partner with Public Defender social workers to work on P.A. 15-84 juvenile parole cases. These cases require investigations into the background of clients in preparation for their hearings.

Investigators have also worked in conjunction with the attorneys and social workers on the In house Assigned Counsel Project. This project is an effort to mitigate expenditures on Assigned Counsel throughout the Division. This entails conducting investigations, often at some distance from their own office, in addition to their regular work.

The Investigator Internship Program continued to grow in FY 2016/17/ Interns were recruited via college speaking engagements and distribution of a newly created flyer. Intern orientation provided information about the investigator role, the constitutional and ethical issues concerning our work and relevant legal and administrative mandates of both our Division as well as agencies with whom interns may come in contact. Popularity of the internship program increased with over 29 undergraduate students placed at office locations throughout the Division and were supervised by both an assigned Investigator and an Attorney. This year two investigator interns went on to attain full time Investigator positions in other states' indigent defense organizations.

Several Division investigators spoke in high school and college classes about defense investigation and criminal justice issues and another served as an adjunct professor teaching a *Principles of Investigation* course.

### **Awards and Training**

This year Division investigators received both national and local awards. Frank Colao, Investigator II in the New Britain GA 15, received the *Public Service Award* on Law Day 2016 for dedicated public service including his years as a police officer, youth football coach and his years with the PDS. George Gray, Investigator III in the Innocence/Post-Conviction Unit, was named *Investigator of the Year* by the

National Defenders Investigator Association (NDIA)<sup>9</sup> at the National Conference in Fort Lauderdale in April 2017.



Training was robust again this year. Critically important Digital

Forensics training, developed specifically for PDS Investigators by the Chief Investigator and Digital Forensics Specialists from IRIS, LLC continued in FY 2017. These digital trainings were designed for the legal team as a whole, recognizing the need for attorney knowledge of this critical area. ,

The trainings offered were:

- *Digital Evidence for the Legal Team: Practical Applications* (attended by both investigators and attorneys)
- *Social Media: Best Practices and Practical Applications for the Legal Team* (PDS Annual Meeting and open to all Division Personnel)

Investigators also attended other State and National Seminars and Trainings in CT, NY, VT and FLA, including at the Henry Lee Institute at UNH, John Jay College in NYC and the NDIA National Conference in Florida. In FY2016/17, eighty-six (86) investigators attended nine (9) different trainings and conferences.

## INFORMATION TECHNOLOGY (SYSTEMS) DEPARTMENT

### Staffing

One (1) Systems Manager: John Morrisson  
Two (2) Support Specialists  
One (1) Network Administrator

*Located At: 30 Trinity Street, 4<sup>th</sup> Floor, Hartford, Connecticut 06106*

### IT Infrastructure

In 2017, the Division continued to add components and functionality to its IT infrastructure, which include fully mirrored data center sites. The fully mirrored sites are at the Office of Chief Public Defender located at 30 Trinity Street, Hartford, Connecticut and 400 Grand Street, Waterbury, Connecticut. By continuing to update and upgrade our servers, file storage arrays, computer systems,

<sup>9</sup> NDIA is the national organization for state and federal public defender investigators.

switches, and management software, the division is able to consolidate resources, manage and secure users data, and provide greater access and control over resources across our wide area network.

Our redundant data centers continue to be an important platform for the division because users' data is protected from disaster and system failures. Users have access to their data no matter where in the agency they are located. A user could move or transfer offices but their data would remain in the same place (the centralized servers). In addition, enabling offline files enable laptop users to have access to server storage data when not connected to a division data center.

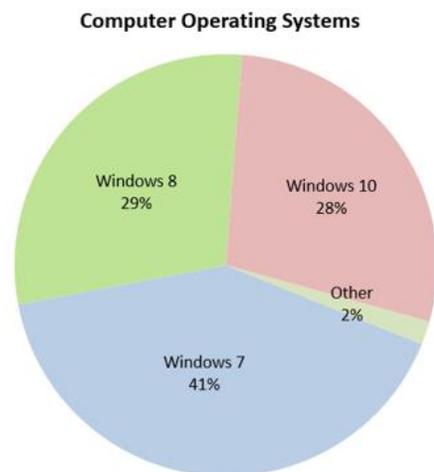
**Microsoft Office 2016**

In 2017, the division upgraded all agency computers to *Microsoft Office 2016 Suite* to stay compatible with other state agencies and to further increase productivity. In addition, the division converted to the Judicial Department's *Microsoft 2016 Exchange* server; allowing the division to convert all email accounts to *Exchange* email accounts. The configuring of *Exchange* email accounts allows users to retrieve all emails from any phone, tablet or other device while outside to office.

**Operating Systems and Hardware**

The IT department continued to focus on upgrading our operating systems and improving the functionality of our current systems. New multifunction copy/printer/scanner systems were installed to replace older printers. These afforded staff better access to scan case file materials into the *JustWare Defender* Case Management System. New computer systems were purchased in 2017 to replace systems that had reached their 5-year warranty. These older systems had become less reliable in handling the increased production requirements of today's software and user demands.

Staff	Desktop	Laptop
Admin. Staff	14	16
Attorney	5	200
Clerk / Secretary	62	4
Intern / Shared	38	7
Investigator	14	43
Social Worker	11	24
Servers	8	0



**Security**

In 2017, the division began transitioning from *Kaspersky Anti-Virus* software to *McAfee Endpoint Security* software. This change allows the division to continue to protect our computer systems and servers with zero-impact user scans and minimal impact to system resources. *McAfee ePO Management* dashboard allows for greater visibility and customized policies and security initiatives. With McAfee's centralized managed *Endpoint Threat Protection* the systems department can more easily protect each computer from malware, spyware, and untrusted executables.

### **Resource Deployment**

The 2016 staff downsizing continues to affect how the systems department deploys resources. Division personnel were tasked with filling in the vacancies by working in multiple offices. Desktop users were given laptops to travel between offices while retaining their computer profile. In addition, network mapping was necessary to accommodate access to multiple office resources and specialized software was installed to quickly and easily switch network configurations from one office to another.

### **WestlawNext**

The Office of Chief Public Defender is in the third year of a three-year contract with Thomson Reuters' *WestlawNext*, its online legal research service. In addition to federal and state caselaw and statutes, law reviews and treatises, this online service provides enhanced resources, such as *drafting assistant* which assists with the creation of the table of authorities and cite checking. Included in the 3-year contract with Thomson Reuters, the division also has access to *Clear* for all investigators. *Clear* is an online resource of real-time information pulled from multiple sources. *Clear* allows access to a vast collection of public and proprietary records for investigative purposes.

## **LEGAL TECHNOLOGY PLANNING & STAFF DEVELOPMENT/INFORMATION SYSTEMS (IS)**

**Staffing**

One (1) Manager of Legal Technology Planning & Staff Development /Information Systems: Frank DiMatteo  
*Located At: Office of the Chief Public Defender (OCPD), Hartford, CT*

The IS department provides PDS employees with as much information as possible to assist with the effective representation of clients. The focus of IS in FY2016/17 was to enhance the scope of the

## Technology in the Workplace

Supporting the needs of the agency and its employees should be the primary function of technology in the workplace. For DPDS, enhancing our technological capabilities is critical to the communication, professionalism, and performance of the Division. Continuing to develop and support the case management system and implementing CISS access across the Division will assist its mission to provide effective representation of clients.

Division's case management system and prepare for the dissemination of access to the Connecticut Information Sharing System (CISS)<sup>10</sup>.

### **JustWare Defender Case Management System**

The Division's case management solution was completed on schedule and under budget in the Fall of 2015. It has been the most critical component of the strategic IT plan PDS launched in 2013. Some of the features and capabilities include:

- a client-centered work environment
- more access for employees to the information they need to do their jobs
- access to vital caseload data for PDS leadership that assists with resource allocation concerns
- an increase in the overall capabilities of the Division

In addition, several enhancements have been added since its release. These include:

- additional functionality and reporting (added throughout 2016 and 2017)
- customized versions were created for two of PDS's specialty offices
- more training was provided to staff over the past year and further staff training and support will be the focus for FY2017/18

### **CISS Status**

CISS, with all search sources included, is slated for a 2018 release. The sources include CRMVS, DOC, DMV, and other criminal justice agencies within the State. Obtaining access for PDS employees will consist of submitting an authorization request form to the Division's Community Agency Administrator for CISS, then completing an online course and passing a certification exam. This unit is currently responsible for all efforts concerning this initiative. PDS has been actively involved with the CISS effort since its inception in 2008 and will continue to play a role in its development going forward.

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<sup>10</sup> The Connecticut Information Sharing System (CISS) is a comprehensive, state-wide criminal justice information technology system that provides the ability to electronically share offender information within Connecticut's criminal justice community (<http://www.ct.gov/cjis/cwp/view.asp?a=4097&q=480220>)

## INFORMATION SERVICES AND RESEARCH (IS&R)

The Information Services and Research Department has primary responsibility for writing and publishing the Annual Report of the Chief Public Defender and providing statistical reporting of caseloads and other workload measures. This department also oversees most grant applications and grant management activities, research initiatives and local and national collaborations among indigent defense organizations and criminal/juvenile justice agencies. IS& R has primary responsibility for document archiving and retrieval.

### Staffing

One (1) Manager of Information Services & Research: Jennie Albert  
One (1) Secretary

*Located At: Office of the Chief Public Defender (OCPD), Hartford, CT*

### What is Procedural Justice?

Procedural Justice refers to the administration of justice and how “consumers” of the criminal justice system are treated throughout the process. The goals of Procedural Justice are to treat those entangled in the criminal justice process with dignity and respect and to provide an environment, both physical and interactional, that reflect these goals. Other elements include ensuring understanding of the process, giving consumers a voice throughout the process and (particularly within decision points other than those involved with defense) ensuring that decisions are made neutrally.

Research indicates that court consumers who perceive a fair justice system are “more likely to comply with court orders and follow the law in the future—regardless of the outcome of their case” (<https://www.courtinnovation.org/areas-of-focus/procedural-justice/>)

In FY2016/17, IS&R developed partnerships with two national organizations. The first, a pilot project with the Center for Court Innovation (CCI), resulted in the first procedural justice study of an indigent defense organization. Prior Procedural Justice studies had been conducted within other organizations, including Courts, but not within this type of agency. As a result, two Geographical Area Public Defender offices participated in the evaluation and recommendations generated by CCI.

The second ongoing partnership is the result of the John D. and Catherine T. MacArthur Foundation Safety & Justice Challenge. The Connecticut site was chosen among 190+ applicants to participate in a sweeping initiative funded by MacArthur to reduce the pretrial prison population and reduce racial and ethnic

disparity in the criminal justice system. As part of the Connecticut site, this agency's representative joined other Connecticut Criminal Justice Agencies in developing and implementing strategies to meet the Challenge goals. While there were changes to the scale of the projects Connecticut will be able to accomplish, the next Fiscal Year begins the exciting process of seeing those efforts come to fruition.

# CHAPTER FIVE: JUVENILE DELINQUENCY AND CHILD PROTECTION



The Office of Chief Public Defender Juvenile/Child Protection Unit operates under the supervision of the Director of Delinquency Defense and Child Protection. This unit manages delinquency, child protection and family matters representation, training and policy development.

## STAFFING AND CASELOADS

The tables below illustrate the distribution of staff under the oversight of this Unit.

### Administration

One (1) Assistant Public Defender  
 One (1) Office Manager  
 One (1) Administrative Assistant  
 Three (3) Paralegals

### Family GAL/AMC

95 Individuals and Firms  
 Approximately 500-600 Cases



*New Haven Juvenile (pictured left to right): Renee Cimino, Meghan Jeanette, Edith Bruce, Stephen Hanchuruck, Lisa Samuelson-Howey, and Toni Esposito.*

### NEW HAVEN

### Juvenile Field Offices

Eleven (11) Offices  
 Staffing:

- Seven (7) Supervisory Assistant PDs
- Twelve (12) Assistant Public Defenders
- Five (5) Investigators
- Three (3) Fulltime Social Workers, two (2) Shared Social workers
- Six (6) Administrative Staff

Caseload:

- 5,169 delinquency appointments
- 468 Child protection appointments
- 7 Child Protection Appeal Reviews

### Child Protection

Children represented in all PD Field Offices:

- 177 Assigned Counsel (Trial)
- 23 Assigned Counsel (Appeal)
- 13,512 appointments trial
- 112 appointments appeal

### Family Magistrate

Sixteen (16) Attorneys and Firms  
 Five (5) field offices handling contempt and capias matters

### Juvenile Post-Conviction

One (1) Supervisory Assistant Public Defender  
 Two (2) Assistant Public Defenders  
 One (1) Social Worker  
 One (1) Paralegal

**DELINQUENCY LITIGATION**

The juvenile public defender offices continued to diversify their practice, representing children in child protection cases and handling both regular and emergency family magistrate matters. The caseloads increased 8% over FY 2016. Juvenile Public Defenders were appointed in 726 cases involving a serious juvenile offense or transfer cases. Nine (9) of those were discretionary transfers where a full evidentiary hearing was held. In addition, juvenile public defenders litigated fifteen (15) trials to verdict in fiscal 2017. Lawyers assigned to juvenile matters also participated in parole review hearings under P.A. 15-84 and were successful in obtaining parole for several individuals.



*New Britain/Rockville Juvenile Matters (pictured left to right): Barbara Keeney, Lisa Corcoran, Brian Walsh, Cynthia Clancy and Nicole Stuteville.*

**CHILD PROTECTION LITIGATION**

Child Protection appointments increased by nearly 11% in 2017. Some of this is attributable to Assigned Counsel lawyers being allowed to withdraw from their cases after terminating their contracts but increases are seen in both neglect and TPR petitions and in the appointment of GALs for children in child protection matters. The following chart shows the caseload breakdown for child protection matters where Public Defender Attorneys or Assigned Counsel were assigned in FY2016/17.

<b>FISCAL YEAR 2017</b>	<b>Mom</b>	<b>Dad</b>	<b>Child</b>	<b>Other</b>
Child Protection (CP) Attorney	2948	2582	5411	187
Termination of Parent Rights (TPR)	355	338	728	3
Appeal	4	0	0	0
Appeal Review	63	45	0	0
Interest of Justice (IOJ) <sup>1</sup> Attorney	128	125	0	43
Guardian Ad Litem (GAL)	45	6	237	0

<sup>1</sup> IOJ=Interest of Justice, where the court orders counsel without a finding of indigence.



*Child Protection Unit (from left to right): Josh Michtom, Roland Drayton, Nanci Ouellette, Frances Wickstrom, Christine Perra Rapillo, Susan Forbes, Jaime Delarosa and James Bischoff.*

Appellate counsel in child welfare matters continue to litigate important issues and expand the jurisprudence in this practice area. In Re: ElianahT.-T. the court ruled that DCF did not have the right to vaccinate a child in temporary custody over the objection of a parent and reinforced that ruling after DCF requested re-argument. In Re: Natalie S. affirmed a ruling that DCF was not

required to make efforts to reunify a child with a mom after guardianship was transferred to the biological father.

### **FAMILY MATTERS**

Public Defender Assigned Counsel were appointed as guardian ad litem or attorney for the minor child approximately 500 times in family matters. OCPD is moving the family GAL/AMC practice into the Filemaker automated billing and appointment system, so a more exact number will be available next fiscal year. The Judicial Branch has formed its Standing Committee on GAL/AMC. OCPD is on the Committee and is working with the Judicial Branch to plan a program for 2018.

### **FAMILY MAGISTRATE MATTERS**

The Division has been working towards reducing costs for Family Magistrate court by increasing the amount of work done by staff attorneys. The staff attorney from Hartford FSM moved to Hartford juvenile court in fiscal 2017 and was not replaced. Hartford continues to operate with a reduced number of Assigned Counsel. Attorneys from New Haven Juvenile, Meriden and New Britain regularly handle family magistrate dockets. Capias coverage has been incorporated into the Middletown and Waterbury field offices, and staff lawyers from across the state have volunteered to represent clients in emergency capias hearings.

### **LEGISLATION**

The 2017 Session brought legislative changes impacting many of the juvenile and family practice areas. P.A. 17-25 created a misdemeanor sexting charge for minors, as an alternative

to felony child pornography. P.A. 17-99 clarified what material a victim has access to in juvenile matters. P.A. 17-81 and 119 expand counsel for the child's access to their clients DCF, school and medical records without parental consent. P.A. 17-98 will allow a child support obligor who is incarcerated for more than 90 days to have their obligation modified to zero while detained, as long as the crime is not against the child or the recipient of the support. The Office of Chief Public Defender continues to participate on the Juvenile Justice Policy Oversight Committee. That work will continue in FY 2018, as the Connecticut Juvenile Training School is scheduled to close and juvenile justice operations are consolidated in the Judicial Branch.

## **TRAINING**

The Juvenile Unit continues to maximize training funds by offering multidisciplinary trainings that have utility to attorneys across our practice areas. Trainings are also opened to staff of other state agencies, students and lawyers contracted by the Judicial Branch to represent parties in Probate matters. OCPD was able to work with the Connecticut Bar Association, the Children's Law Center, the CCDAV and other organizations to give agency layers and Assigned Counsel access to their programs. Staff lawyers presented trainings at areas schools, local bar associations, foster parent groups and local non-profits. Our lawyers sit on local review boards, are directors of state nonprofits and shape national policy through work on the New England Juvenile Defender Center Board and the Federal Advisory Committee on Juvenile Justice.

OCPD presented a half-day Child Welfare Law Symposium in Bridgeport in December 2016 and one at Middlesex Community College in spring 2017. A full-day training in collaboration with the New England Juvenile Defender Center was held in September, featuring an afternoon presentation on working with LGBTQ youth. Colleague training continued with four Assigned Counsel presenting programs for their peers over brown bag lunch programs at local courts. The Center for Children's Advocacy continued to provide the new lawyer training, in-service training and technical assistance to Assigned Counsel. Contracts with Children's Law Center and New Haven Legal Assistance were modified to include technical assistance and training. Agency lawyers collaborated with the Connecticut Criminal Defense Lawyers Association to present training on litigating transfer hearings and representing youth in adult court. Agency

lawyers were trained to handle family magistrate matters. OCPD worked with the Office of the Probate Court Administrator to present a training on domestic violence from the National Association of Family and Juvenile Court judges. Other training opportunities included ethics in juvenile matters and mental health first aid. Attorneys were able to attend national conferences sponsored by the ABA, the National Association of Counsel for Children and the National Juvenile Defender Center.

### **IN RE GAULT 50<sup>TH</sup> ANNIVERSARY**

Highlighting 2017 was the 50<sup>th</sup> anniversary of the *In Re Gault decision*, guaranteeing due process rights for accused juveniles. In recognition of this historic case, OCPD presented Gault Guardian awards. Five (5) people, including Governor Dannell Malloy, Representative Toni Walker, Attorney James Connolly, Attorney Martha Stone and Chief Public Defender Susan O. Storey were honored at the State Capitol for their commitment to juvenile defense.



### **JUVENILE POST-CONVICTION AND RE-ENTRY UNIT**

The Juvenile Post-Conviction and Re-Entry Unit, based at the Office of Chief Public Defender, is responsible for providing post-conviction advocacy to juvenile clients who have been removed from their homes and committed as delinquent to the Department of Children and Families (DCF). During the commitment period, the Unit maintains regular contact with the child and their family as well as the numerous care providers involved in the client’s treatment. This oversight by the Unit is crucial in ensuring that the child receives the appropriate care and treatment to maximize the success of that child while in residential care and to prevent recidivism upon reentering their communities.

The unit functions in concert with juvenile field offices to provide holistic representation to juvenile clients. The Unit remains active in representing the clients while they are in residential treatment as well as at home on parole status.

**Staffing**

One (1) Director of Juvenile Post-Conviction:  
James J. Connolly  
Two (2) Additional Attorneys  
One (1) Social Worker  
One (1) Paralegal

Located at:  
30 Trinity Street, 4<sup>th</sup> Floor, Hartford, CT 06106



JUVENILE POST-CONVICTION

**Caseload**

CASELOAD:  
Appointed to 116 cases  
Disposed of 127 cases  
Average Daily Pending Caseload of 335 cases

*Juvenile Post-Conviction Unit (pictured left to right): James Connolly, Dina St. George, Lindsey Guerrero, Mildred Doody and Jennifer Markoja.*

**Trials/Litigation/Advocacy**

The unit also represents clients in formal juvenile court proceedings such as motions to extend commitments, motions to reopen and terminate commitments and appeals of administrative hearings. Additionally, the unit provides advocacy for clients in administrative hearings under the Uniform Administrative Procedures Act. These proceedings include parole revocation hearings, treatment plan hearings, and administrative case reviews. These administrative hearings are subject to court review as well as appellate review. Below is a selection of significant advocacy efforts within the unit during FY16/17:

**Committees:**

- Seat on the Juvenile Justice Policy Oversight Committee Incarceration Workshop
- Seat on the Girls Provider Network
- Head of the Legal Committee for the Human Anti-Trafficking response team

**Litigation:**

- Unit Supervisor and unit attorney prepared for parole eligibility hearing under Public Act 15-84
- Unit Supervisor litigated Motion to Transfer of Client to Out of State Facility

- Unit Supervisor litigated Motion to Transfer Client to Adult Docket
- Unit Supervisor negotiated Witness Protection Program for client
- Unit Supervisor represented client at Federal Grand Jury proceeding

***Advocacy:***

- Unit Supervisor met with state legislators and federal law enforcement officials regarding conditions of confinement at juvenile facilities
- Unit partners with the Office of the Child Advocate on improvements with DCF facilities

**Trainings/Conferences**

Staff from the unit attended various multi-disciplinary trainings and conferences throughout FY16/17. These included:

- Center for Court Innovation’s Justice Innovation in Times of Change, *Quinnipiac University School of Law, North Haven, CT*. September 30, 2016
- DCF Conference, Family Focus, JJ
- DPDS 2017 Annual Meeting, “Seeking Justice in Challenging Times”, *Omni Hotel, New Haven, CT*, June 23<sup>rd</sup> 2017
- DPDS Child Welfare Law Symposium, *Manchester Community College, Manchester, CT*, August 19, 2016
- Educational Re-Entry Training, *CT Juvenile Training School, Middletown, CT*, September 9, 2016
- Leadership Series, Part I: Employment & Labor Relations Basics for Supervisors, *The Lyceum, Hartford, CT*, November 14, 2016
- Leadership Series, Part II: Employment & Labor Relations Basics for Supervisors, *The Lyceum, Hartford, CT*, February 10, 2017
- Miller/Graham Trainings, *Quinnipiac University, Hamden, CT*. January 27, 2017 & June 7, 2017
- Regional Juvenile Defender Juvenile Justice Training, *Quinnipiac University, Hamden, CT*, November 18<sup>th</sup>, 2016

- Governor’s Re-Imagining Justice Conference, *Hartford Marriott, Hartford, CT*, June 14 & 15, 2017
- Public Briefing on Solitary Confinement, *Hartford, CT*, February 7, 2017
- Response to Recovery Conference, *Bloomfield, CT*, May 17, 2017
- Human trafficking seminar, *Connecticut Fire Academy, Windsor Locks, CT*.

### **Trends**

The unit reported a series of trends that have been developing over the past several years.

Some of these were:

- Continued rise in Serious Juvenile Offenses (SJO) commitments
- Rise in out of state placements
- Increase in Connecticut Juvenile Training School (CJTS) admissions
- Increase in use of Supportive Work, Education & Transition Programs (SWETPs) programs
- Increase in clients’ willingness to accept Department of Mental Health and Addiction Services (DMHAS) services
- Programs we have used in the past with former clients being available for placement again
- Increase in number of group homes available to parole clients

### **Awards**

As referenced above, the Division is proud to recognize the achievements of the Director of the Juvenile Post-Conviction and Re-Entry Unit James Connelly, Esq. who received the Gault Guardian Award, at the Connecticut State Capitol, Hartford, CT on May 4, 2017.

## CHAPTER SIX: COST

### Expenditures 2017

The Public Defender Services Commissions' Actual Expenditures for FY2016/17 totaled \$67,183,927.

Below is a breakout of the actual expenditures for the agency:

Account	FY 2017
Personal Services	\$ 40,082,896
Other (Operating) Expenses	\$ 1,185,844
Assigned Counsel	\$ 22,350,056
Expert Witnesses	\$ 3,149,561
Training and Education	\$ 119,356
Equipment	\$ 265,451
Federal Funds	\$ 30,763
<b>Total FY 17 Actual Expenditures</b>	<b>\$ 67,183,927</b>

The Commission's FY2016/17 expenditures of \$67.2 million supported a permanent staff of 375 full-time and six part-time employees, 192 of whom were attorneys. Other staff consisted of administrative, social work, investigative, secretarial and clerical personnel.

The \$67.2 million spent in FY2016/17 is a significant decrease compared to what has been spent in previous fiscal years. Specifically, the Agency decreased expenditures by \$4.4 million compared to FY2015/16, which is a testament to the hard work the personnel of the Agency have done to reduce expenditures in the Personal Services and the Assigned Counsel account.

### Appropriated Budget 2018

In FY2017/18, the Commission's total available General Fund appropriation, as adjusted for savings under Public Act 17-2, is \$64,137,949<sup>1</sup> to support a staff of 447 full time positions (the agency authorized position count) and seven (7) part-time positions. Below is a breakout of the FY 2018 General Fund appropriations and in addition, the available Equipment and Federal funds.

<sup>1</sup> The Commission's original FY2016/17 General Fund appropriation of \$67,102,709 was reduced by \$2,964,760 as a result of programmed lapse savings.

<b>Account</b>	<b>FY 2018</b>
<b>Personal Services</b>	\$ 37,523,826
<b>Other (Operating) Expenses</b>	\$ 1,176,487
<b>Assigned Counsel - Criminal</b>	\$ 22,442,284
<b>Expert Witnesses</b>	\$ 2,875,604
<b>Training and Education</b>	\$ 119,748
<b>Equipment</b>	\$ 250,000
<b>Federal Funds</b>	\$ 65,000
<b>Total FY 18 Available Appropriation</b>	<b>\$ 64,452,949</b>

Public Act 17-2, made further significant reductions to the Agency’s budget. Appropriations were reduced by \$2.7 million compared to the FY 2017 expenditures. The majority of these reductions were made to the Personal Services account (\$2.5 million). These cuts came at a time when habeas costs in the Assigned Counsel and Expert Witnesses accounts had increased considerably.

**FEDERAL GRANTS**

***Court Improvement Program (CIP) Training Grant***

In FY2016/17, \$30,763 was spent on a federal grant, passed through Judicial entitled, Court Improvement Program (CIP) Training, in the amount \$50,000. The funding is intended to enhance and strengthen the core competencies that surround matters of child welfare and protection for legal, court and child welfare agency personnel through the creation and implementation of a professional development system. That system identifies needs and provides ongoing training to meet those needs in order to help provide for the safety, well-being and permanence of children in foster care in the State of Connecticut.

The Court Improvement Program (CIP) Training Grant continued into FY 2018 with the remaining balance of \$19,237.

**CLIENT REIMBURSEMENT PROGRAM**

A client reimbursement program was implemented by the Commission in 1992-93 at the direction of the Appropriations Committee of the General Assembly and has continued in effect with full implementation at twenty (20) G.A. offices. All clients, except those in custody, are requested to

reimburse the system \$25 towards the cost of their defense. A minimal, flat amount was set in order to simplify the collection process and to encourage clients to make some effort of payment.

A total of \$86,661 was collected in FY2016/17. Over the past ten (10) years of full implementation, the average yearly collected is \$106,500. While some public defender clients are unable to meet this minimal reimbursement charge, these clients are entitled to services of the public defenders, by constitution and by statute, regardless of whether they make payment. As such, the agency must rely on voluntary payment by financially able clients in order to collect these funds. Given these limitations, it would appear that these revenues are likely to remain at or near current levels in the years to come.

# CHAPTER SEVEN: LEGAL COUNSEL, 2017 LEGISLATIVE ACTION & 2018 PROPOSALS

The Legal Counsel Unit<sup>1</sup> provides counsel to the Public Defender Services Commission and the Office of Chief Public Defender regarding budgetary, contractual, ethical, legislative litigation, personnel and policy issues.

The Legal Counsel Director oversees all claims submitted to the agency's malpractice carrier, serves as the Attorney General's Designee in affirmative action litigation and other matters and is the Freedom of Information Officer for the Division. In addition, Legal Counsel advises Division personnel in Statewide Grievance and Habeas Corpus proceedings upon request and is the legislative liaison to the General Assembly of Office of the Governor.

## Staffing and Location

One (1) Director of Legal Counsel: Deborah Del Prete Sullivan  
One (1) Administrative Assistant

Located at:  
30 Trinity Street, 4<sup>th</sup> Floor, Hartford, Connecticut 06106

## 2017 Legislative Session

OCPD proposed sixteen bills for the 2017 session. One proposal prohibited cash or surety bonds in nonviolent misdemeanor matters in the adult and juvenile courts. The Governor's legislative proposal regarding bail became ***P.A. 17-145, An Act Concerning Pretrial Justice effective July 1, 2017*** and eliminated cash only bonds. The act prohibited courts from ordering financial conditions of release in certain cases, including family violence offenses, unless certain criteria were

<sup>1</sup> This chapter was provided by Attorney Deborah Del Prete Sullivan



As in years past, legislative proposals were solicited from the Division's field offices. Proposals ranged from issues related to juror questionnaires, alternate juror selection, interrogations of juveniles, diversionary programs, access to information, mandatory minimums, the PSRB, and ignition interlock devices.

The Public Defender Legislative Committee (PDLC) is comprised of one member from each of the field and specialty offices. The PDLC met early in the fall to discuss proposals for possible inclusion in the OCPD Legislative Package and voted on those it believed would either enhance the delivery of legal services to clients or improve the criminal justice system. The bills were submitted to the Chief and Deputy Chief Public Defenders for approval and inclusion in the OCPD Legislative Package and submitted to the General Assembly for possible action.

The 2018 legislative session commences on February 7<sup>th</sup> and ends on May 9<sup>th</sup>. Referred to as the "short session", the General Assembly generally takes up proposals related to the implementation of the budget adopted the prior year. Committees will raise bills for public hearings. Due to the budget issues which have arisen, any bill seriously considered for passage will need to be either cost neutral or provide a savings to the state. If it does not, there is a strong presumption that the bill will not go very far. Despite this, it is not uncommon for Committee to raise legislation, which requires funding so that a public input and additional information can be obtained action in the future.

found by the court to exist. Periodic review of the bond was also required.

The Judiciary Committee raised two other bills, ***An Act Concerning Family Impact*** and ***An Act Concerning Restoration of a License***. Although both made it to the calendars of the General Assembly, neither passed.

***An Act Concerning Family Impact*** was voted on favorably out of the Judiciary Committee by a close margin. The bill required the court to consider a family impact statement prior to sentencing in any case in which a custodial parent might be incarcerated. Once out of committee, the bill was placed on the House calendar. At the time, it was believed that there was a majority of votes in favor of passage in the House. OCPD worked out language with the Division of Criminal Justice so that DCJ did not oppose passage. However, when a roll call vote took place in the House, a large number of legislators who initially voted yes on the floor changed their vote to “no”.

***An Act Concerning Restoration of a License*** had an uphill battle immediately as the opposition came not only from MADD but also from the ignition interlock companies. As proposed, the bill placed a cap on how long a person’s license could be suspended for operating under the influence if they were unable to install an Ignition Interlock Device (IID) on a motor vehicle due to indigency. The current statute substantially impacts the ability of an indigent person to ever have their license reinstated if they lack the financial resources to afford the installation, monthly fees and un-installation of the IID or if they do not own or have a motor vehicle available to them upon which an IID could be installed. As a result, these clients are left with a lifetime suspension and no hope of ever being able to have their license reinstated. This unintended consequence convinced a number of legislators that a change was warranted and a cap might be of assistance. There was much discussion about ascertaining a person’s ability to pay and providing a sliding scale. However, this still did not resolve the issue for a person who did not own a motor vehicle or have one at their disposal. As the end of the session drew near, it was evident that the bill would not be called without an agreement.

Lastly, OCPD collaborated on legislation involving juveniles and worked to clarify the confidentiality statutes in juvenile matters. (Go to <http://www.ct.gov/ocpd/site/default.asp> for the OCPD Legislative Summary of the 2018 Public Acts pertaining to criminal justice and child protection.)

## 2018 Legislative Proposals

OCPD will continue its advocacy for ***An Act Concerning Restoration of a License*** to eliminate the disparity between those who have financial resources and those who do not. The legislation would eliminate lifetime license suspensions for persons who are indigent and who could not afford the Ignition Interlock Device installation and monitoring fees.

In addition, OCPD is proposing the following legislation:

- *provide discretion to the court to depart from the mandatory minimum sentencing scheme in cases involving juveniles prosecuted as adults and fashion an appropriate penalty if good cause is shown;*
- *make certain changes to the Psychiatric Security Review Board and its process as it refers to intra hospital transfers;*
- *require that Family Impact Statements be considered prior to sentencing of a custodial parent;*
- *permit the retention of accurate statistics on the race and ethnicity of jurors and establish a consistent process for the selection of alternate jurors;*
- *ensure that defense counsel has access to all information and/or reports provided by family violence intervention units to the court;*
- *waive pre-trial diversionary program fees for indigent persons;*
- *protect funding for the constitutional right to counsel for indigent persons; and,*
- *protect a juvenile's right against self-incrimination.*

## CHAPTER EIGHT: CHIEF PUBLIC DEFENDER’S CONCLUSION

**F**iscal Year 2017 was a year of change for the Division of Public Defender Services, as both Chief Public Defender Susan Storey and Deputy Chief Public Defender Brian Carlow announced their retirement. Many other long time, valued employees left state service and we face the challenges of 2018 without their experience and their counsel. The lawyers, social workers, investigators and staff who remain continue to be inspired by their commitment to justice and we commit to doing our best to honor their legacy by providing excellent representation to our clients.

The Division of Public Defender Services appreciates the support received from Governor Malloy, the Office of Policy and Management, the Office of Fiscal Analysis, the Legislature, and the Judicial Branch. The citizens of Connecticut are best served when state agencies work together. We are grateful to all of our partner agencies and their collaborative efforts to achieve justice for everyone in Connecticut. Also critical to our operation are the assigned counsel, private lawyers who assist us by handling conflicts, habeas, appeals, juvenile and family matters.

The Division of Public Defender Services enters FY 2018 with a new executive management team. Along with Deputy Chief John Day, I am honored and humbled to lead the attorneys, investigators, social workers, clerical and administrative staff of the Division of Public Defender Services. John and I thank the Public Defender Services Commission for their support and confidence in us. We will do our best to maximize resources, promote morale and ensure good outcomes for our clients.

Challenges lie ahead. Budget issues will continue and society seems to be more divided and less tolerant. Connecticut has been a leader in criminal and juvenile justice reform but our progress is threatened by political rhetoric that relies on fear instead of facts. Our agency remains dedicated to securing a fair and equitable justice system for all.

Respectfully Submitted,

*Christine Perra Rapillo*

Christine Perra Rapillo  
Chief Public Defender

## N OTES

- CASES APPOINTED are those in which the public defender is assigned to represent the accused.
- FISCAL YEAR CASELOAD is CASES PENDING the beginning of the fiscal year plus CASES APPOINTED minus CASES TRANSFERRED i.e. cases transferred to Part A, another court for consolidation, private counsel, Assigned Counsel (conflict of interest) or pro se. Murder and Accessory to Murder dockets are weighted as two (2) cases, (by adding one additional case). After the weighting process is applied, minor felony, misdemeanor, motor vehicle and other cases are excluded. Cases transferred (Assigned Counsel, private counsel, pro se) are also subtracted.
- Geographical Area offices calculate “new cases assigned” by excluding cases transferred.
- Juvenile Matters offices calculate “new cases assigned” by excluding cases in which the juvenile is charged with Violation of a Court Order in a pending matter. Cases transferred are also subtracted.
- DISPOSED CASES include inactive/diversionary cases that are not part of the FISCAL YEAR CASELOAD, which were disposed upon completion of programs and counted as disposed during the fiscal year. DISPOSED CASES are therefore all cases disposed of during the fiscal year whether active, newly appointed or inactive.
- DIVERSIONARY TRANSFER TO INACTIVE represents cases in which AR, Family Violence, Alcohol Education Program or some other diversionary program has been granted during the fiscal year.
- In the merged offices of Ansonia-Milford JD/GA 22, Danbury JD/GA 3, Middlesex JD/ GA 9, Tolland JD/GA 19 and Windham JD/GA 11 staff attorney time assignments are described using fractions to reflect the split between the JD and GA. Particularly in recent years when many attorneys provide coverage in multiple offices, this designation is necessary to calculate “New Cases Assigned per Attorney” and assess *Caseload Goals*.
- The case management system (JustWare) was initiated in all juvenile matters field offices on July 1, 2015 and all adult field offices on October 1, 2015.

HARTFORD



*Pictured: Hartford GA14 (back row) Pamela Pasha, Robert Famiglietti, Rashad Glass, Mary-Elizabeth Ahern, Bryan Habif, Johanna Canning, Sean Crowshaw, Victoria Pells, Hilary Carpenter, Liz H. Cruz, Deborah Ingalls, David Warner, Justino Sampaio (front row) Linda D. Babcock, Esmeralda Soto, Pam Michaels, Laura Bryll, Megan Weiss, Kalisha Raphael, Phetsamon DiLullo, Sonia Jones and Michael S. Wagner.*

# APPENDIX A: COMMITTEE, TASK FORCE & BOARD ASSIGNMENTS

Agency Type	Committee Name	Subcommittees	Members/Designees
OCPD	Assigned Counsel Standing Committee		
	Waterford Cross-over Pilot	Jim Auwood	Michael Paris Monte Radler Elizabeth Reid
	Legislative Committee	Jim Auwood Kevin Barrs Tejas Bhatt Alison Bloomquist Judy Borman Jennifer Bourn Tashun Bowden-Lewis Brad Buchta Barry Butler Renee Cimino Cynthia Clancy James Connolly Theresa Dalton John Delbarba John Distasio Deborah Del Prete Sullivan (Chair)	Sharon Elias Elisa Villa Paul Eschuk Katie Farrell George Flores Melanie Frank Susan Hamilton Michael Isko Sean Kelly Ellen Knight Bruce Lorenzen Corrie Mainville Darcy McGraw Jay McKay Beth Merkin Doug Ovia
	Strategic Planning Committee	Jennie Albert Molly Arabolos Jennifer Bourn Alison Bloomquist David Channing Renee Cimino Theresa M. Dalton John Day (Co-Chair)	Mary Haselkamp Sean F. Kelly Ellen F. Knight Darcy McGraw Christine Rapillo (Co-Chair) Damian Tucker Megan Weiss
	Jury Instruction Reform Workgroup	Tejas Bhatt (Chair) Jennifer Bourn Laila Haswell	Alice Osedach-Powers Jim Streeto
	Brady/Discovery Workgroup	Molly Arabalos Tejas Bhatt (Co-Chair) Alison Bloomquist Jennifer Bourn (Co-Chair) Brad Buchta Jennifer Bourn (Liaison)	Robin Meyer Christine Rapillo John Walkley Lauren Weisfeld
	Implicit Bias/Racial Justice Working Group		

*Rules Subcommittee*

# APPENDIX A: COMMITTEE, TASK FORCE AND BOARD ASSIGNMENTS

Immigration Workgroup	Jennie Albert Tejas Bhatt (Co-Chair) Alison Bloomquist (Co-Chair) Jennifer Bourn (Co-Chair) Renee Cimino Sandra Davis	Sue Lucas-Deneen Donna Henry Jaslette Henry Scott Jones Jeffrey LaPierre TaShun Bowden-Lewis	Corrie Mainville Josh Michtom Shalu Rajan Christine Rapillo Damian Tucker
<b>Connecticut Bar Association (CBA)<sup>1</sup></b>	Tejas Bhatt	Deborah Del Prete Sullivan	Elisa Villa
Opioid Task Force	Cynthia Barlow		
House of Delegates for the 9th District	Maggie Castinado		
Nominating/awards committee	Maggie Castinado		
James W. Cooper Fellows Program	Deborah Del Prete Sullivan		
Legislative Proposal Review Committee	Maggie Castinado		
Judicial Evaluations Committee	Maggie Castinado		
Professional Ethics Committee	Deborah Del Prete Sullivan Deborah Del Prete Sullivan (Chair)		
<b>CBA Ethics Committee Training</b>			
<b>Connecticut Bar Foundation (CBF)</b>			
Various	Maggie Castinado		
<b>Connecticut Coalition Against Domestic Violence (CCADV)</b>			
Domestic Violence Fatality Review Board	Michael Alevy		
<b>Connecticut Commission on Women, Children and Seniors</b>			
Trafficking in Persons Council	<b>Deborah Del Prete Sullivan</b>		
<b>Connecticut Criminal Defense Lawyers Association (CCDLA)</b>			
Various	Tejas Bhatt Corrie Mainville Jennifer Bourn (Board Member)		
<b>Board of Directors</b>			
<b>Connecticut Department of Correction</b>			
Commissioner's Taskforce to Reduce Female Prison Population	Jennie Albert Jennie Albert (Co-Chair)	Christine Rapillo Christine Rapillo	Susan O. Storey (retired) Susan O. Storey (retired)
<b>Connecticut Hispanic Bar Association (CHBA)</b>			
Board of Directors	Maggie Castinado (Board Member)		
<b>Connecticut Juvenile Justice Alliance</b>			
Steering Committee	Christine Rapillo		
<b>Criminal Justice Information System (CJIS)</b>			
Governance Committee	John Day Frank DiMatteo		
<b>Hispanic National Bar Association (HNBA)</b>			
Various Roles including Commissioner	Maggie Castinado		
<b>Judicial Branch</b>			
Access to Justice Workgroup on Video-Conferencing	Deborah Del Prete Sullivan		

<sup>1</sup> A number of Division Employees are members of CBA and the Criminal Justice Section.

# APPENDIX A: COMMITTEE, TASK FORCE AND BOARD ASSIGNMENTS

Client Security Fund	Maggie Castinado***
Digital Evidence Committee	Joseph Bruckmann
Juvenile Task Force	Christine Rapillo
Advisory Committee on Appellate Rules	Lauren Weisfeld
Code of Evidence Oversight Committee of the Supreme Court	Joseph Bruckmann
Standing Committee on Guardians Ad Litem and Attorneys for the Minor Child in Family Matters	Christine Rapillo
Superior Court Rules Committee	Deborah Del Prete Sullivan
<b>Task for to Study Minimum Continuing Education</b>	
<b>Legislative</b>	
Alcohol and Drug Policy Council (ADPC)	Katie Farrell*
	Katie Farrell* (Tri-Chair)
Special Committee on Sex Offenders	Katie Farrell
	Michael Alevy*
Family Violence Model Policy Governing Council	
John D. and Catherine T. MacArthur Foundation Safety and Justice Challenge	
	Jennie Albert*
	Jennie Albert*
	Jennie Albert
	Michael Alevy
	Alison Bloomquist
	Bevin Salmon
<b>National Association of Criminal Defense Lawyers (NACDL)</b>	
Public Defense	Tejas Bhatt
<b>National Association for Public Defense (NAPD)</b>	
Racial Justice Committee	Tejas Bhatt
	Alison Bloomquist
	Alison Bloomquist
	Alison Bloomquist (Director)
<b>NAPD/DPDS Racial Justice Strategic Planning Project</b>	
Education Committee	Tejas Bhatt
Executive Leadership Institute 2018	Alison Bloomquist
National Legal Aid and Defender Association (NLADA)	Alison Bloomquist
Community Oriented Defense Network (COD)	
	Jennie Albert
	Jennie Albert
<b>Steering Committee Annual Meeting Planning Committee</b>	
<b>NLADA/MacArthur Safety and Justice Challenge Partnership</b>	
Leadership Council	Jennie Albert
Practitioner Seat (elected)	Jennie Albert
	Alison Bloomquist
<b>National Defender Council</b>	
National Association of Indigent Defense Educators (NAIDE)	
New England Juvenile Defender Center	
Board of Directors	Christine Rapillo (Board Member)
New Haven Legal Aid Association	
Board of Directors	Maggie Castinado (Board Member)

# APPENDIX A: COMMITTEE, TASK FORCE AND BOARD ASSIGNMENTS

## Office of Policy and Management (OPM)

### Criminal Justice Policy Advisory Commission (CJPAC)

*Behavioral Health Subcommittee  
Research Workgroup  
Prison and Jail Overcrowding and Reentry Working  
Group (PIOR)*

Christine Rapillo  
Monte Radler  
Jennie Albert\*\*  
Jennie Albert\*\*

### Connecticut Racial Profiling Prohibition Project

Deborah Del Prete Sullivan (member)

### Connecticut Sentencing Commission

Advisory Board  
Data, Methodology & Analysis Working Group

Rashad Glass  
Rashad Glass

*Advisory Group on Pretrial Release and Detention  
Collateral Consequences Subcommittee  
Eyewitness Identification Taskforce  
Budget Deliverables Oversight Sub-Committee  
National Conference Sub-Committee  
Legislative Committee  
Classification Working Group (WG)  
Juvenile Sent Modification WG  
Sentencing Structure Committee  
Subcommittee on Community & Victim Needs  
Victim Notification Study Group  
Special Committee on Sex Offenders*

Deborah Del Prete Sullivan  
Christine Rapillo  
Deborah Del Prete Sullivan  
Christine Rapillo

### Juvenile Justice Policy Advisory Commission (JJPAC)

*Recidivism Subgroup*

Christine Rapillo  
Christine Rapillo (Co-Chair)

## Statewide Legal Services

### Board of Directors

Maggie Castinado (Board Member)

### Other Community

#### West Haven Community House

Katie Farrell (Board of Directors 2nd VP)  
David Forsythe

#### New Haven Domestic Violence Task Force

#### Central Connecticut State University

*Human Studies Council (HSC)*

Jennie Albert (Prisoner Representative)  
Elisa Villa

#### Yale Immigration

#### Elms College, Springfield MA

Jennie Albert

### Connecticut Prison Association (CPA)

*Social Work Advisory Board*

### Human Anti-Trafficking Response Team (HART)

Christine Rapillo (Board Vice Chair)

### Waterbury Salvation Army Advisory Board

Renee Cimino  
Deborah Del Prete Sullivan (Chair)

**Active Cases Pending  
(in rank order)  
Public Defender Offices  
Juvenile Matters**

Location	Active Cases Pending July 1, 2016	Active Cases Pending July 1, 2017
Hartford	382	314
New Haven	321	301
Waterbury/Torrington	317	294
Waterford/Willimantic	205	254
New Britain	115	226
Bridgeport	93	116
Rockville	82	108
Danbury	71	88
Middletown	69	65
Stamford	39	5
<b>Total</b>	<b>1694</b>	<b>1771</b>

**Juvenile Matters Caseload Goals Analysis**  
**Division of Public Defender Services**  
**July 1, 2016-June 30, 2017**

<b>Office</b>	<b>Average Attorneys</b>	<b>Cases Appointed</b>	<b>Cases Transferred</b>	<b>New Cases Assigned</b>	<b>New Cases Assigned</b>
Bridgeport	2.2	678	247	431	195
Danbury	0	47	53	-6	-6
Hartford	3	939	300	639	213
Middletown	1	332	94	238	238
New Britain	1.5	437	138	299	199
New Haven	3.5	817	162	655	187
Rockville	0.5	260	118	142	284
Stamford	1	155	124	31	31
Torrington/Waterbury	4	951	183	768	192
Waterford/Willimantic	2	554	166	388	194
<b>Total</b>	<b>18.7</b>	<b>5170</b>	<b>1585</b>	<b>3585</b>	<b>191</b>

\*\*The caseloads for the Waterford/ Willimantic offices and for the Waterbury /Torrington/Danbury offices were handled by the same attorneys. During the 2016-17 fiscal year, the number of "new cases assigned per attorney" is based upon an average of the number of attorneys in each quarter.

**APPENDIX: JUVENILE TABLES**

**Juvenile Matters Movement of Cases  
Division of Public Defender Services  
July 1, 2016 - June 30, 2017**

Office	Average Attorneys	Cases Appointed	Serious Juv. Offenses	Other Felony	Misd. & Other	Cases Transferred	Dispositions	Cases Transferred to Adult	New Cases Assigned	New Cases Assigned Per Attorney
Bridgeport	2.2	678	99	183	396	247	466	17	431	195
Danbury	0	47	4	12	31	53	61	0	-6	0
Hartford	3	939	169	280	490	300	758	23	639	213
Middletown	1	332	43	57	232	94	207	4	238	238
New Britain	1.5	437	70	96	271	138	369	8	299	199
New Haven	3.5	817	97	191	529	162	773	2	655	187
Rockville	0.5	260	44	70	146	118	181	10	142	142
Stamford	1	155	23	47	85	124	122	3	31	31
Waterbury/Torrington	4	951	117	237	597	183	818	22	768	192
Waterford/Willimantic	2	554	61	130	363	166	439	3	388	194
<b>Total</b>	<b>18.7</b>	<b>5170</b>	<b>727</b>	<b>1303</b>	<b>3140</b>	<b>1585</b>	<b>4194</b>	<b>92</b>	<b>3585</b>	<b>191</b>

**New Cases Assigned  
(in rank order)  
Public Defender Offices**

Location	Total New Cases Assigned	Location	Average Attorneys	New Cases Assigned Per Attorney
Waterbury /Torrington	768	Waterbury/Torrington	4	192
New Haven	655	New Haven	3.5	187
Hartford	639	Hartford	3	213
Bridgeport	431	Bridgeport	2.2	195
Waterford /Willimantic	388	Waterford/Willimantic	2	194
New Britain	299	New Britain	1.5	199
Middletown	238	Middletown	1	238
Rockville	142	Rockville	0.5	284
Stamford	31	Stamford	1	31
Danbury	-6	Danbury	0	-6
<b>Total</b>	<b>3585</b>	<b>Total</b>	<b>18.7</b>	<b>191</b>

**Active Cases Pending  
(in rank order)  
Public Defender Offices  
Geographical Areas\*  
2016 - 2017**

Location	Active Cases Pending July 1, 2016	Active Cases Pending July 1, 2017
GA 23 New Haven	4367	3382
GA 14 Hartford	2901	2508
GA 02 Bridgeport	2550	2435
GA 04 Waterbury	2152	2064
GA 15 New Britain	1434	1412
GA 01 Stamford	1394	1401
GA 20 Norwalk	1325	1371
GA 10 New London	1127	1278
GA 05 Derby	1049	1158
GA 11 Danielson	1032	1130
GA 12 Manchester	935	992
GA 18 Bantam	914	933
GA 03 Danbury	824	867
GA 19 Rockville	780	811
GA 21 Norwich	768	757
GA 07 Meriden	756	724
GA 09 Middletown	612	703
GA 17 Bristol	604	634
GA 22 Milford	368	401
GA 13 Enfield	353	315
<b>Total</b>	<b>26245</b>	<b>25276</b>

\*an additional 360 cases were assigned to Hartford CC

\*an additional 372 cases were assigned to Hartford CC

**Geographical Areas Caseload Goals Analysis**  
**Division of Public Defenders Services**  
**July 1, 2016 - June 30, 2017**

Office	Average Attorneys	Cases Appointed	Cases Transferred	New Cases Assigned	New Cases Assigned per Attorney
GA 01 Stamford	5.25	2294	388	1906	363
GA 02 Bridgeport	14.92	7297	1094	6203	415
GA 03 Danbury	2.16	2227	295	1932	894
GA 04 Waterbury	8	5037	1117	3920	490
GA 05 Derby	3.5	2294	412	1882	537
GA 07 Meriden	5.5	3405	956	2449	445
GA 09 Middletown	4.38	2289	802	1487	339
GA 10 New London	5.52	3688	1194	2494	451
GA 11 Danielson	4.83	2350	391	1959	405
GA 12 Manchester	5	3632	677	2955	591
GA 13 Enfield	2.65	1187	506	681	256
GA 14 Hartford	15.05	5624	632	4992	331
GA 15 New Britain	7.46	4612	888	3724	499
GA 17 Bristol	3	1858	310	1548	516
GA 18 Bantam	4	2437	609	1828	457
GA 19 Rockville	3.1	1729	358	1371	442
GA 20 Norwalk	2.96	1465	392	1073	362
GA 21 Norwich	4	2224	985	1239	309
GA 22 Milford	2.62	1615	587	1028	392
GA 23 New Haven	14.6	8279	643	7636	523
<b>Total</b>	<b>118.5</b>	<b>65543</b>	<b>13236</b>	<b>52307</b>	<b>441</b>

An additional attorney from GA 14 handled 1279 appointed cases on a full-time basis at the Community Court. During the 2016-17 fiscal year, the number of "new cases assigned per attorney" is based upon an average of the number of attorneys in each quarter.

**Geographical Areas Movement of Cases  
Division of Public Defenders Services  
July 1, 2016 - June 30, 2017**

Office	Average Attorneys	Cases Appointed	Major Felonies	VOP Appointed	Minor Felonies, Misdemeanors, MV & Other	Cases Transferred	Divers/Trans. to Inactive	Dispositions	New Cases Assigned	New Cases Assigned per Attorney
GA 01 Stamford	5.25	2294	263	221	1810	388	539	1596	1906	363
GA 02 Bridgeport	14.92	7297	890	751	5656	1094	1278	4624	6203	415
GA 03 Danbury	2.16	2227	37	145	2045	295	629	1304	1932	894
GA 04 Waterbury*	8	5037	533	489	4015	1117	766	3160	4369	546
GA 05 Derby	3.5	2294	201	228	1865	412	448	1260	1882	537
GA 07 Meriden	5.5	3405	403	314	2688	956	485	2121	2449	445
GA 09 Middletown	4.38	2289	213	209	1867	802	325	1533	1487	339
GA 10 New London	5.52	3688	331	341	3016	1194	551	2256	2494	451
GA 11 Danielson	4.83	2350	228	150	1972	391	440	1745	1959	405
GA 12 Manchester	5	3632	359	386	2887	677	246	1946	2955	591
GA 13 Enfield	2.65	1187	128	63	996	506	89	802	681	256
GA 14 Hartford	15.05	5624	782	695	4147	632	256	4885	4992	331
GA 15 New Britain	7.46	4612	464	580	3568	888	375	3025	3724	499
GA 17 Bristol	3	1858	156	191	1511	310	339	1242	1548	516
GA 18 Bantam	4	2437	167	264	2006	609	320	1438	1828	457
GA 19 Rockville	3.1	1729	157	184	1388	358	342	1203	1371	442
GA 20 Norwalk	2.96	1465	137	136	1192	392	103	975	1073	362
GA 21 Norwich	4	2224	250	241	1733	985	192	1245	1239	309
GA 22 Milford	2.62	1615	182	231	1202	587	130	920	1028	392
GA 23 New Haven	14.6	8279	1070	817	6392	643	21	5895	7636	523
<b>Total</b>	<b>118.5</b>	<b>65543</b>	<b>6951</b>	<b>6636</b>	<b>53235</b>	<b>13236</b>	<b>8146</b>	<b>44049</b>	<b>52307</b>	<b>441</b>

\*Waterbury GA 4 Combined With Community Court

An additional attorney from GA 14 handled 1279 appointed cases at the Community Court on a full-time basis. There were 1279 appointed cases and 195 were removed.

During the 2016-17 fiscal year, the number of "new cases assigned per attorney" is based upon an average of the number of attorneys in each quarter.

**Active Cases Pending  
(in rank order)  
Public Defender Offices  
Judicial Districts**

Location	Active Cases Pending July 1, 2016	Active Cases Pending July 1, 2017
New Haven	292	307
Hartford	266	258
Fairfield	181	226
Waterbury	166	193
Danbury	160	162
New London	122	160
New Britain	82	119
Ansonia/Milford	76	103
Stamford	69	68
Windham	59	64
Litchfield	57	47
Middletown	42	47
Tolland	42	43
<b>Total</b>	<b>1614</b>	<b>1797</b>

**Judicial Districts Caseload Goals Analysis  
Division of Public Defenders Services  
July 1, 2016 - June 30, 2017**

Office	Average Attorneys	Cases Appointed	Cases Transferred	New Cases Assigned	New Cases Assigned per Attorney
Ansonia/Milford	1.3	153	48	105	80
Danbury	2.1	442	90	352	167
Fairfield	4.92	431	83	348	70
Hartford	7.6	348	175	173	22
Litchfield	2	287	78	209	104
Middletown	0.63	91	35	56	56
New Britain	2	201	40	161	80
New Haven	7.4	612	228	384	51
New London	2	226	165	61	30
Stamford	1.5	106	70	36	24
Tolland	0.90	85	37	48	48
Waterbury	3.33	397	94	303	90
Windham	1.5	79	45	34	22
<b>Total</b>	<b>37.18</b>	<b>3458</b>	<b>1188</b>	<b>2270</b>	<b>61</b>

New Cases Assigned equals murder, accessory to murder, non-death penalty capital cases and capital cases in which the State seeks the death penalty plus Other Major Felonies minus "Cases Transferred", allocating the % of minor felonies, misdemeanors, MV and Other of the total "Cases Appointed", in order to avoid double subtraction of transfers. For weighting purposes, murder, accessory to murder and non-death penalty capital cases equal 2 cases (add 1) and capital cases in which the State seeks the death penalty equal 10 cases(add 9). (Transfers of murder and capital are excluded prior to the weighting process)  
During the 2016-17 fiscal year, the number of "new cases assigned per attorney" is based upon an average of the number of attorneys in each quarter.

**Judicial Districts Movement of Cases  
Division of Public Defenders Services  
July 1, 2016 - June 30, 2017**

Office	Average Attorneys	Cases Appointed	Non-Death Capital/Murder Cases Appointed	Other Major Felonies Appointed	VOP Appointed	Minor Felonies, MV & Other Appointed	Cases Transferred	Divers./Trans. to Inactive	Dispositions	New Cases Assigned	New Cases Assigned per Attorney
Ansonia/Milford	1.3	153	0	96	49	8	48	2	74	105	80
Danbury	2.1	442	6	230	60	146	90	59	198	352	167
Fairfield	4.92	431	62	182	121	66	83	10	200	348	70
Hartford	7.6	348	44	208	68	28	175	3	221	173	22
Litchfield	2	287	4	86	39	158	78	12	93	209	104
Middletown	0.63	91	4	43	24	20	35	3	30	56	56
New Britain	2	201	6	131	45	19	40	2	81	161	80
New Haven	7.4	612	26	235	134	217	228	20	305	384	51
New London	2	226	6	80	47	93	165	4	112	61	30
Stamford	1.5	106	4	63	10	29	70	1	60	36	24
Tolland	0.9	85	2	43	11	29	37	1	37	48	48
Waterbury	3.33	397	26	211	85	75	94	11	133	303	90
Windham	1.5	79	8	47	11	13	45	1	51	34	22
<b>Total</b>	<b>37.18</b>	<b>3458</b>	<b>198</b>	<b>1655</b>	<b>704</b>	<b>901</b>	<b>1188</b>	<b>129</b>	<b>1595</b>	<b>2270</b>	<b>61</b>

"New Cases Assigned" equals murder, accessory to murder, non-death penalty capital cases plus *Other Major Felonies* minus "Cases Transferred", allocating the % of minor felonies, misdemeanors, MV and Other of the total "Cases Appointed", in order to avoid double subtraction of transfers. For weighting purposes, murder, accessory to murder, and non-death penalty capital cases equal 2 cases (add 1). (Transfers of murder and capital are excluded prior to the weighting process).

**New Cases Assigned  
(in rank order)  
Public Defender Offices  
Judicial Districts  
2016-2017**

Location	Total New Cases Assigned Ranked	Location	Average of Attorneys	New Cases Assigned Per Attorney
New Haven	384	New Haven	7.4	22
Danbury	352	Danbury	2.1	167
Fairfield	348	Fairfield	4.92	70
Waterbury	303	Waterbury	3.33	90
Litchfield	209	Litchfield	2	104
Hartford	173	Hartford	7.6	22
New Britain	161	New Britain	2	80
Ansonia-Milford	105	Ansonia-Milford	1.3	80
New London	61	New London	2	30
Middlesex	56	Middlesex	0.63	56
Tolland	48	Tolland	0.90	48
Stamford-Norwalk	36	Stamford-Norwalk	1.5	24
Windham	34	Windham	1.5	22
<b>Total</b>	<b>2270</b>	<b>Total</b>	<b>37.18</b>	<b>61</b>

In the merged offices of Danbury, Middlesex/Middletown GA 9, Windham/Danielson GA 11, Tolland/Rockville GA 19 and Ansonia/Milford/Milford GA 22, staff attorneys are shown as working in either the JD or GA although they may handle both types of cases. Although a departure from previous years, this change is necessary to calculate New Cases Assigned Per Attorney and assess Caseload Goals. During the 2016-17 fiscal year, the number of "new cases assigned per attorney" is based upon an average of the number of attorneys in each quarter.